

# Consumer Guarantee

College of Nursing Education & Training Australia guarantees that the services provided by College of Nursing Education & Training Australia will be:

- provided with due care and skill
- fit for any specified purpose (express or implied)
- provided within a reasonable time (when no timeframe is set for the training).

On the Enrolment Agreement Form the supply of services states when the services will be provided and the date they will be completed. If the Enrolment Agreement Form does not include the dates, i.e. for RPL or on the job training, the RTO guarantees to supply the service within a reasonable timeframe. What is 'reasonable' will depend on the nature of the training and other relevant factors such as the students' ability to complete the training and assessment.

## 1.1 What happens if this guarantee is not met?

In the first instance, the student should submit a complaint to the RTO identifying where the RTO has not met its requirements against the Consumer Guarantee, please refer to the Complaints and Appeals policy on page 135 for how to submit a complaint.

If a student believes that the RTO has failed to meet one or more of the consumer guarantees, he/she is entitled to a remedy – for example, a refund, a further service to rectify the problem and in some circumstances compensation for consequential loss. In line with the Complaints and Appeals process, the RTO will provide the appropriate remedy.

If the problem is **minor** and can be fixed, the RTO will choose how to fix the problem.

The consumer cannot cancel and demand a refund immediately, the RTO must have an opportunity to fix the problem. If the complaints process takes too long, the consumer is eligible to cancel the service and request a refund.

In the event of a **major** problem, and the RTO is unable to fix the training service, the consumer can choose to:

- terminate the contract for services and obtain a full refund, or
- seek compensation for the difference between the value of the services provided compared to the price paid.

A purchased service has a **major** problem when it:

- has a problem that would have stopped someone from purchasing the service if they had known about it
- is substantially unfit for its common purpose, and can't easily be fixed within a reasonable timeframe
- does not meet the specific purpose the consumer asked for and can't easily be fixed within a reasonable timeframe
- creates an unsafe situation.

College of Nursing Education & Training Australia is not required to provide a remedy or refund if a consumer:

- simply changes their mind, decides they do not wish to go ahead with the training
- discovers they can buy the training more cheaply elsewhere