

# The Do's and Don'ts of misleading and deceptive conduct for schools under the Trade Practices Act

No school can promise to teach every child to read "that'll teach 'em"

## School sued for not doing its job School payout for boy's reading failure

- **DO** be careful not to make false or misleading statements to parents or students about the services the school may offer or the results of the school's services.
- **DO** have a reasonable basis for any statement about a future matter.
- **DO** be aware that statements by staff may be attributed to the school.
- **DO** ensure all advertisements and other promotional materials are approved at the appropriate level with the school before they are used.
- **DO** ensure that any qualifications to a statement about the services the school offers, are appropriate and drawn to the attention of the person to whom the statement is made.
- **DO** remember that any form of misleading or deceptive conduct is illegal. Even to remain silent can in some circumstances be misleading conduct.
- **DO** realise that no intention to mislead or deceive is required to breach the Trade Practices Act.
- **DON'T** be reticent to state the positives of the school. However, seek advice if you are unsure what you should or should not say to prospective parents, parents and students.
- **DON'T** say or write anything that you are not positive is true.
- **DON'T** make absolute guarantees about for instance, what outcomes a parent may expect in relation to their child or what the school may do for a student.

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