

Code of Practice 2023

Personal Emergency Response Services Limited

ABN: 18 611 981 161

14th March 2023



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PREAMBLE

Personal Emergency Response Services (PERS) and technologies fill an important need within communities. Many Australians choose to live independently as they age and preferably in a place of their choice. PERS gives individuals the ability to remain independent whilst still being able to rely upon support when needed. Medical Alarms, combined with 24/7 support are often the quickest way for a person to receive help should they have a fall or an emergency that requires urgent response. PERS delivers added reassurance to family and carers that support is available 24/7. Through the provisioning of personalised support, designed for an individual's unique requirements, the PERS industry delivers an essential suite of technologies and services that help to reduce unnecessary ambulance call outs. Consumers of PERS have advocacy by companies who follow and abide by the Australian Standard 4607-1999 for Personal Emergency Response. Members of Personal Emergency Response Services Limited (PERSL) include only those companies that state compliance to AS4607, hold current ISO 9001 certification, or can prove they are actively working towards ISO 9001 certification, or hold an equivalent quality standard which the PERSL Executive Committee determines acceptable and; adhere to the principles of the PERSL Guidelines 2023 and the PERSL Code of Practice 2023.

BACKGROUND

PERSL developed the Code of Practice and championed the revision of AS2999 leading to AS4607 being published in 1999.

In April 2016 PERSL was registered as an Australian Public Company and since then has represented and championed the PERS industry, members and Australian consumers.

PERSL reviewed the Code of Practice at the 14th March 2023 General Meeting and adopted the revised Code of Practice 2023.

DEFINITIONS

AS4607-1999	The Australian Standard that applies to personal response systems technology which may be used in private dwellings and residential care facilities.
PERSL Executive Committee	The Elected Directors of PERSL
Member	Financial member of PERSL
Consumer/User	Person in receipt of a service from a member of PERSL
Organisation	Member organisation of PERSL
Service Provider	Any business or department or individual that provides support services to the common consumer group in either a professional or voluntary capacity
Local Unit	The equipment that responds to triggering and other signals and communicates with the Central Monitoring Facility

Central Monitoring Facility	A facility that contains the monitoring equipment and a user information system for the receipt of alarm signals from the local unit and is staffed 24 h, every day of the year by competent personnel who can initiate and verify the appropriate responses. For the purposes of this Code the CMF is a centre that is certified under the AS4607-1999.
PERSL Guidelines 2023	The set of industry guidelines that address technical standards and practices and are endorsed and adhered to by the members of PERSL.
PERSL Code of Practice 2023	The industry principles and practices that are endorsed and adhered to by the members of PERSL.
ISO 9001 Certification	The international standard that specifies requirements for a quality management system (QMS). Organisations use the standard to demonstrate the ability to consistently provide products and services that meet customer and regulatory requirements.

1. Code of Practice 2023

The primary objective of the Code is to ensure:

- 1.1 PERSL members provide a consistently high quality of goods and services to consumers.
- 1.2 Industry, government and the community have confidence in member performance.
- 1.3 Consumers are supplied with relevant, factual and transparent information regarding goods and services.
- 1.4 That standards to service delivery and legal responsibilities are complied with and the industry's image and reputation are maintained and enhanced.
- 1.5 That consumers of PERS will have advocacy from companies that adhere to a set of standards and a Code of Practice.
- 1.6 The Code is not intended:
 - a) to provide, nor shall it be construed as legal advice;
 - b) to take precedence over any relevant law or regulation. To the extent that any provision of the Code conflicts with a law or regulation, that law or regulation will prevail.

2. Compliance Requirements

The following minimum requirements must be met by PERSL members:

- 2.1 Australian Standard for Personal Response Systems, AS4607-1999.
- 2.2 PERSL – Code of Practice 2023
- 2.3 PERSL – Industry Guidelines 2023
- 2.4 ISO9001 Certification; or equivalent (as described in clause 8.1)

Prospective members request to register to become a PERSL member and upon doing so, agree to comply with these minimum requirements. Existing members are required to continue to comply with the Code and the Standard and continue to hold current ISO9001 Certification, or equivalent (as

described in clause 8.1). Existing members are required to comply with the PERSL Industry Guidelines upon registering their annual renewal.

3. Compliance Mechanisms

- 3.1 All prospective and existing members of PERSL are required to complete a Compliance Standard Declaration (CSD) on becoming a member and again on annual renewal of membership. Refer to Appendix A – Application for PERSL Membership.
- 3.2 Members or prospective members are encouraged to utilise the checklist which forms part of the application and/or renewal application to measure their eligibility for membership of PERSL.
- 3.3 The Executive of PERSL will not accept a new member or renew membership of a company that does not sign and submit their CSD.
- 3.4 The CSD must be signed by the delegated authority within the PERSL member company.
- 3.5 Members are responsible for ensuring that they have up to date evidence of documentation as referenced in Section 2 Compliance Requirements and that their company operates to these standards.

4. Compliance Performance

- 4.1 Acceptance of new members, renewals of membership and adherence to compliance is managed by the PERSL Executive Committee (EC).
- 4.2 Self-regulation against the Code and the Standard is expected, however the EC reserves the right to request evidence of compliance and conduct appropriate interviews and oversight necessary to ensure compliance and acceptance for PERSL membership.
- 4.3 Where a non-compliance is evident either to the Code or the Standard, the EC will issue an appropriate notification to the prospective or existing member. A nominated period will be allocated to allow the prospective or existing member to provide a response, including whatever steps have been taken to verify that compliance has been achieved.
- 4.4 Where non-compliance is evident and conformity to the Code and/or the Standard is not able to be proven, the EC, following a majority vote, may reject an application for membership or immediately suspend continued membership of PERSL.
- 4.5 Membership of PERSL implies that each member holds the ideals of the PERSL Code of Practice as a standard. All members adhere to the Vision, Mission and Values of PERSL, and maintain a Quality organisation framework including current ISO 9001 certification, or equivalent (as described in clause 8.1).
- 4.6 If any member is called upon to verify compliance with this Code of Practice, the challenged member shall not hold the membership in common, the Executive, an employee, or any individual member of PERSL legally responsible for any cost of losses incurred.
- 4.7 It is the responsibility of the PERSL Executive Committee and members of PERSL to promote the Code of Practice.

5. Advertising and Promotion

5.1 Advertising

A member Company must:

- a) comply with the Code, Standard and relevant Laws and Regulations;
- b) not be misleading or deceptive, or likely to mislead or deceive;
- c) reflect a high standard of social responsibility to conform to general accepted standards for consumers, their carers and stakeholders
- d) not make claims that a service or product is unique or has some special merit unless the claim can be substantiated
- e) not use the term 'compliant' or 'medical alarm' without appropriate qualification
- f) ensure that only those products and services that comply with the Standards and Guidelines are advertised as such
- g) not imitate the branding, names, logos, design, copy, slogans or general layout adopted by a competitor in a way that is likely to mislead, deceive or confuse
- h) comply with relevant advertising laws and regulations
- i) be able to substantiate all claims in its advertising by reliable technical, factual data or other support

5.2 Advertising

- a) When comparative claims are made there must be strong evidence to support the claim. Given the potential for competitive disputes arising from comparative claims, companies must ensure that claims are current, accurate and balanced and do not mislead or deceive by implication or omission.
- b) Advertising must not denigrate a competitor's products or services.
- c) A company may report (in any Advertising) on the non-compliance of services or products to the Standard providing that:
 - i. There is evidence easily accessible for consumers to refer to
 - ii. The information is reported in a fair and balanced manner
 - iii. Advertising must not contain, whether expressly or by implication, exaggerated or unqualified superlative claims.

5.3 PERSL Trade Mark

- a) Only members of PERSL are permitted to utilise the PERSL Trade Mark and Logo in their advertising, tender responses, promotions, social media, website, general communications and marketing materials.
- b) Members will not change the PERSL Trade Mark and Logo for any reason.

6. Company Representatives

- 6.1 In all dealings with consumers and customers, a member Company shall undertake ethical business practices and socially responsible industry conduct and must not use any inappropriate inducement or offer any personal benefit or advantage in order to promote or encourage the use of its products or services.

A member Company:

- a) Must ensure that its Company Representatives are fully aware and trained in the PERSL Code, the AS4607 Standard and the PERSL Guidelines.

- b) Ensure their Company Representatives maintain a high standard of ethical conduct and professionalism and conduct themselves in a manner that complies with the Code and does not compromise client safety.

7. Insurance and Safety

- 7.1 A member of PERSL must have public liability insurance with cover for a minimum of 10 million AU\$dollars.

8. Quality Management

- 8.1 PERSL acknowledges each member must comply to relevant industry standards and with AS4607-1999 Personal Response Systems. Each member must comply with and hold a current ISO 9001 Certification, or can prove they are actively working towards ISO 9001 certification, or hold an equivalent quality standard which the PERSL Executive Committee determines acceptable.
- 8.2 A member of PERSL must have daily service operational policies and procedures that are readily accessible to all personnel involved in the delivery of a member's service.

9. Privacy

- 9.1 Members must comply with the requirements of any privacy legislation in force in Australian/New Zealand states, territories and regions, protecting the privacy of individual members of the public.

10. Complaints

- 10.1 PERSL Members agree to cooperatively respond to and/or participate in any investigation of a complaint brought to the PERSL Executive in relation to a breach of the Code or industry standards.
- 10.2 Only complaints received in writing will be considered and responded to.
- 10.3 Complaints will be received by the PERSL Executive from members, non-members, industry, government and consumers of PERS.
- 10.4 Responses to complaints will be in writing and provided to the complainant and participating members within reasonable timeframes.
- 10.5 The PERSL Executive has the final decision on the outcomes of complaints and final authority to take appropriate action in relation to any complaints received.

Appendix A - Application for PERSL Membership

1. Company Details

Company Name: _____

Company Address: _____

ABN/NZBN: _____

Company Representative: _____

Title: _____

Contact Details:

Email: _____

Mobile: _____ Office: _____

2. Code of Practice Compliance Checklist

- Products and peripherals all compliant to the AS4607:1999
- CMF is compliant to the AS4607:1999
- Company is compliant to and practices the PERSL Industry Guidelines 2023
- Company is compliant to and practices the PERSL Code of Practice 2023
- Company holds current ISO 9001 Certification; or equivalent (as described in clause 8.1)
- Other _____ (please indicate)

- Company representatives and employees are trained in the PERSL compliance requirements

3. Membership Status

- New Membership
- Renewal Membership

4. Compliance Standard Declaration

I, _____, as an authorised representative of

_____ hereby accept this Code of Practice as a standard of performance and that our company is compliant to the Code of Practice.

Authorised Representative:

Name: _____

Title: _____

Signature: _____

Dated: _____

Witness:

Name: _____

Title: _____

Signature: _____

Dated: _____

Applicants should not consider they or their Company is fully registered (and/or renewed) as a PERSL member until notification of acceptance has been received, in writing from the PERSL Executive Committee.