



Te Oranga me
Te Haumaru Ākonga

**Learner Wellbeing
and Safety**

Self-review Toolkit for Tertiary Education Providers

Tool A: gap analysis

The Education (Pastoral Care of
Tertiary and International Learners)
Code of Practice 2021

NZQA

NEW ZEALAND QUALIFICATIONS AUTHORITY
MANA TOHU MĀTAURANGA O AOTEAROA

QUALIFY FOR THE FUTURE WORLD
KIA NOHO TAKATŪ KI TŌ ĀMUA AO!

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Tool A: gap analysis

This optional tool sets out the areas of practice you need to review to check your compliance with the Code.

You can use this tool to help you:

- **Prepare** for a gap analysis, by identifying the information you need to evidence your compliance with the Code at each clause
- **Make sense** of your gathered information, by noting any gaps in your current practice and/or evidence of current practice.

KEY	
COMPLIANT	<ul style="list-style-type: none">• We have the required practices in place• We have sufficient evidence on which to make judgements about the effectiveness of our practices
GAP (in evidence)	<ul style="list-style-type: none">• We have the required practices in place but...• ...we have limited evidence on which to make judgements about the effectiveness of those practices
GAP (in practice)	<ul style="list-style-type: none">• We do not have the required practices in place

If you are a provider with student accommodation or Code signatory, you can **insert additional pages into this tool** relating to **Student Accommodation (Outcomes 5-7)** and/or **International Learners (Outcomes 8-12)** after Outcome 4.

Use the links below to download any additional pages as required:

- [Student Accommodation](#)
- [International Tertiary Learners](#)

Organisational structures to support a whole-of-provider approach to learner wellbeing and safety

Outcome 1: A learner wellbeing and safety system

Providers must take a whole-of-provider approach to maintain a strategic and transparent learner wellbeing and safety system that responds to the diverse needs of their learners.

Phase in the gap analysis process:	PREPARE	MAKE SENSE		
Key required processes	Information we can gather to use as evidence of our compliance with this clause	COMPLIANT	GAP (in evidence)	GAP (in practice)
<p>Process 1: Strategic goals and strategic plans</p> <p>Clause 7 (1). Providers must have strategic goals and strategic plans for supporting the wellbeing and safety of their learners across their organisation, including student accommodation, describing how they will –</p> <p>(a) give effect to the outcomes sought and processes required by this code; and</p>	<p>The EmployNZ Quality Assurance Document (QAD) outlines this via Policy 1.5 The Education Code of Practice 2021:</p> <ul style="list-style-type: none"> - The Code Statement of Commitment - EmployNZ Scope of Obligations under The Code - EmployNZ Code obligation Scope Statement 			
<p>(b) contribute to an education system that honours Te Tiriti o Waitangi and supports Māori–Crown relations.</p>	<p>The EmployNZ Quality Assurance Document (QAD) outlines this via: Policy 3.2: Te Tiriti o Waitangi</p>			

<p>Clause 7 (2). Providers must –</p> <p>(a) regularly review their learner wellbeing and safety strategic goals and strategic plans as described in subclause (1); and</p>	<p>The EmployNZ Quality Assurance Document (QAD) outlines this via: Policy 1.5.1: Code of Practice Self Review Policy Policy 3.1: Governance and Management Overview</p>			
<p>(b) make amendments to their learner wellbeing and safety strategic goals and strategic plans within a reasonable timeframe following the review.</p>	<p>The EmployNZ Quality Assurance Document (QAD) outlines this via: Policy 1.2: Vision, Values and Purpose – Quality and Continuous Improvement Policy 1.5.1: Code of Practice Self Review Policy</p>			
<p>Clause 7 (3). Providers must work proactively with learners and stakeholders (and document this work) when –</p> <p>(a) developing their learner wellbeing and safety strategic goals and strategic plans described in subclause (1); and</p>	<p>The EmployNZ Quality Assurance Document (QAD) outlines this via: Policy 1.2: Vision, Values and Purpose</p> <ul style="list-style-type: none"> - EmployNZ Approach and Commitment - Quality and continuous Improvement <p>Policy 3.1 Governance and Management:</p> <ul style="list-style-type: none"> - Monthly Executive Team reports - Monthly operational reports - Executive Meeting Minutes <p>The student voice allows learners to have their say which contributes to the development our strategic goals and plans. This is provided to EmployNZ via</p>			

	<ul style="list-style-type: none"> - Wellbeing Survey - Programme feedback - Open feedback Line 			
<p>(b) reviewing their learner wellbeing and safety strategic goals and strategic plans described in subclause (2).</p>	<p>The EmployNZ Quality Assurance Document (QAD) outlines this via: Policy 1.2: Vision, Values and Purpose</p> <ul style="list-style-type: none"> - EmployNZ Approach and Commitment - Quality and continuous Improvement <p>Policy 3.1 Governance and Management</p> <p>EmployNZ conducts annual reviews of its QMS, which includes reviewing all quality assurance mechanisms such as all handbooks, manuals, and forms. It also undertakes annual programme reviews and considers learner and tutor feedback provided via these to implement continuous improvement.</p> <p>All quality assurance reviews, action plans and recommendations are conveyed to the executive team for consideration, approval & implementation. These quality assurance mechanisms consider whether EmployNZ is meeting it's published strategic goals and plans.</p>			

<p>Process 2: Self review of learner wellbeing and safety practices</p> <p>Clause 8 (1). Providers must use strategic goals and strategic plans described in clause 7(1) to regularly review the quality of their learner wellbeing and safety practices to achieve the outcomes and practices of this code, at a frequency or by a date determined by the code administrator.</p>	<p>The EmployNZ Quality Assurance Document (QAD) outlines this via: Policy 1.5.1: Code of Practice Self Review Policy.</p> <p>This policy outlines the scope of the Quality Management System review which occurs annually.</p>			
<p>Clause 8 (2). Providers must review their learner wellbeing and safety practices using –</p> <p>(a) input from diverse learners and other stakeholders; and</p>	<p>The EmployNZ Quality Assurance Document (QAD) outlines this via: Policy 1.5.1 – Code of Practice Self Review Policy Policy 7.4 – Programme Review</p> <p>Input from learners is provided into reviews via the information gathered: From the Student Website/Hub where learners can have their say by:</p> <ul style="list-style-type: none"> - completing Wellbeing surveys & giving feedback via programme evaluations. - Using the student representation system. <p>Directly from Social Services Division (Youth Service team), the learners tutor, Programme Manager and Workplaces (work experience)</p>			
<p>(b) relevant quantitative and qualitative data (including from learner complaints) that is, as far as practicable, and consistent with the provider’s obligations under</p>	<p>This is conducted as per QAD policy 1.5.1: Code of Practice Self Review</p> <p>A complaints and critical incident self-review is conducted annually</p>			

<p>current privacy legislation, disaggregated by diverse learner groups.</p>	<p>using quantitative and qualitative data and is published on the EmployNZ website.</p>			
<p>Clause 8 (3). Providers must, in a timely manner, following a review described in subclauses (1) and (2) take appropriate action to address any deficiencies in learner wellbeing and safety practices.</p>	<p>The EmployNZ Quality Assurance Document (QAD) outlines this via: Policy 1.5.1 – Code of Practice Self Review Policy Policy 7.4 – Programme Review</p> <p>EmployNZ gauges our performance regarding learner wellbeing and safety practices via these annual reviews. Annual reviews generate action plans which are enacted by stipulated staff within a set time frame.</p>			
<p>Process 3: Publication requirements</p> <p>Clause 9. Providers must make the following information readily available, in accessible formats, to learners, staff and the general public, including on their websites (where available) –</p> <p>(a) strategic goals and strategic plans for supporting the wellbeing and safety of learners described in clause 7(1); and</p>	<p>The EmployNZ Quality Assurance Document (QAD) outlines this via: Policy 1.5 – Code Statement of Commitment.</p> <p>This Document is accessible to staff via SharePoint.</p> <p>The EmployNZ website states our strategic goals for Wellbeing, Support, Achievement and Pathways</p>			
<p>(b) revisions to strategic goals and strategic plans for supporting the wellbeing and safety of learners described in clause 7(2); and</p>	<p>This will be conducted as per QAD policy 1.5.1: Code of Practice Self Review.</p>			

<p>(c) self-review reports on the quality of their learner wellbeing and safety practices described in clause 8.</p>	<p>This will be conducted as per QAD policy 1.5.1: Code of Practice Self Review.</p> <p>The 2023 Complaints and Critical Incidents Self Review will be posted on our website making it readily available to the public and learners.</p>			
<p>Process 4: Responsive wellbeing and safety systems</p> <p>Clause 10 (1). Providers must gather and communicate relevant information across their organisation (including student accommodation) and from relevant stakeholders to accurately identify emerging concerns about learners' wellbeing and safety or behaviour and take all reasonable steps to connect learners quickly to culturally appropriate social, medical, and mental health services.</p>	<p>The EmployNZ Quality Assurance Document (QAD) outlines this via: Policy 1.5 – The Code Statement of Commitment</p> <p>Policy 3.11: Student Information – which stipulates that students will be provided with and introduced to post enrolment information during programme orientation, induction and the Student Handbook.</p> <p>The Student Website content undergoes ongoing revision and is updated accordingly.</p> <p>This website guides the learner to connect to identified culturally appropriate social, medical, and mental health services via the EmployNZ Student Support, Student Support Directory, Staff Directory and Student Helpline tabs.</p>			

	<p>Concerns about learners' wellbeing and safety are received from learners via the face-to-face relationship they have with their tutor/staff and from our online wellbeing surveys.</p>			
<p>Clause 10 (2). Providers must provide staff with ongoing training and resources tailored to their roles in the organisation, in relation to –</p> <p>(a) Te Tiriti o Waitangi; and</p>	<p>The EmployNZ Quality Assurance Document (QAD) states our acknowledgement and commitment to the treaty and stipulates in detail how we fulfil the intent of the Te Tiriti O Waitangi. Staff are inducted to this via:</p> <ul style="list-style-type: none"> • Policy 6.3: Staff Orientation and induction policy where they will read EmployNZ Treaty of Waitangi objectives and Tikanga protocols within the Tutor Handbook. • Policy 6.4: Staff Development – a priority is stated as extending cultural competencies including opportunities to include Te Ao Māori and Te Reo Māori in our programmes and services. • Policy 7.10 Bicultural Programme Resources and Practices outlines our competencies to deliver learning sessions that honour Te Tiriti o Waitangi commitments. <p>The EmployNZ Code of Conduct stipulates that staff must demonstrate a commitment to the spirit and principles of Te Tiriti o</p>			

	<p>Waitangi and that EmployNZ will work with staff to Promote the principles Te Tiriti o Waitangi</p> <p>EmployNZ has developed and approved for use a resource titled, Demonstrate an understanding of Te Ao Māori concepts which is presented to learners by tutors at their orientation.</p> <p>EmployNZ Tutor Handbook outlines our Treaty objectives and provides tutors with our Tikanga protocol which is passed onto learners at orientation.</p>			
<p>(b) the provider’s obligations under this code; and</p>	<p>All staff have access to The EmployNZ Quality Assurance Document (QAD) which stipulates our obligations via the EmployNZ Code Obligation Scope Statement.</p> <p>Tutor Handbook – in the section on: Student Guidance and Support the tutor is informed about our obligations under the code and directed to refer to it.</p> <p>Student Orientation and Induction the tutor is directed to the EmployNZ Student Website/Hub, within the student information tab this provides information about the Code.</p>			

(c) understanding the welfare issues of diverse learner groups and appropriate cultural competencies; and	<p>The EmployNZ Quality Assurance Document (QAD) outlines this via: Policy 6.4: Staff Development</p> <p>During staff orientation and throughout their employment learner welfare issues are discussed and policy and procedures are reviewed and amended as necessary.</p> <p>Tutor Handbook – in the section on: Student Orientation and Induction the tutor is directed to the EmployNZ Student Website/Hub and within this they are directed to numerous sources of information about welfare issues. The tutor handbook also provides guidance which relates to understanding the welfare cultural needs of learners. Professional development days are planned to occur in term breaks which may include topics of this nature.</p>			
(d) identifying and timely reporting of incidents of racism, discrimination, and bullying; and	<p>The EmployNZ Quality Assurance Document (QAD) outlines this via: Policy 3.12: Student Complaint & Grievances.</p> <p>Tutor Handbook – in the section on</p>			

	<p>Disciplinary procedures and responding to an altercation the tutors are informed of how to respond and report.</p> <p>Incident reporting is described in the Tutor Induction Checklist where the tutor is instructed to complete an EmployNZ – Incident Report Form</p> <p>Student Handbook – in the section on Bullying, Harassment and discrimination these terms are defined and the process in how a student can deal with it is described.</p> <p>EmployNZ Student Website/Hub Direct the reader to numerous sources of information about identifying these issues.</p>			
<p>(e) physical and sexual violence prevention and response, including how to support a culture of disclosure and reporting; and</p>	<p>Via the Tutor Handbook and Student Handbooks staff are guided to be familiar with the Student Website and all components that make up the EmployNZ Quality Assurance System.</p> <p>Tutor Handbook – in the section responding to an altercation the tutors are informed of how to respond and report to physical and sexual issues.</p>			

<p>(f) privacy and safe handling of personal information; and</p>	<p>The EmployNZ Quality Assurance Document (QAD) outlines this via: Policy 3.4: Privacy Act Policy 3.13: Student record and Information Management Policy 9.2: Result Reporting</p> <p>The Tutor Handbook informs the tutor of the: Computer use Policy EmployNZ Student website/Hub which refers the reader to: - Privacy of Information – privacy Officer - The ENZ Privacy Notice</p> <p>The Student Handbook informs the reader about the Privacy Policy and that they can contact the Privacy commissioner if they have concerns in relation to how information is stored or used.</p> <p>Staff induction folder on SharePoint contains the EmployNZ Code of Conduct which outlines our information security policies.</p> <p>Staff are guided to be familiar with the Student Website and all components that make up the EmployNZ Quality Assurance System.</p>			
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<p>(g) referral pathways (including to local service providers) and escalation procedures; and</p>	<p>EmployNZ Social Services and Education Team policy outlines how EmployNZ learners have ongoing access to the EmployNZ Social Services division assistance.</p> <p>Social Services Division (Youth Coaches) follow EmployNZ Oranga Tamariki Procedural Guidelines which outlines the process in dealing with allegations of abuse or situations that raise concerns about the safety of a child or young person.</p> <p>Tutor Handbook – in the section on: Student Orientation and Induction the tutor is directed to the EmployNZ Student Website/Hub and within this they are directed to numerous sources of information about referral pathways. Escalation procedures are also provided via the Tutor Handbook.</p> <p>Ongoing Professional development / Training is coordinated and Managed by the Programme Manager and provided during term breaks for identified issues or gaps in this context.</p> <p>Training and/or implementation of new procedural guidelines are enacted at the time of or following</p>			
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	situations that are not provided for within existing guidance.			
(h) identifying and timely reporting of incidents and concerning behaviours; and	<p>Staff have access to and are inducted to the Quality Assurance Document (QAD) which outlines this via:</p> <p>Policy 3.5: Health and safety management Policy 3.11: Student information Policy 3.12: Student Complaint & Grievances. Policy 6.3: Staff Orientation and Induction Policy 6.4: Staff Development Policy 8.5: Student support Policy 8.6 Student Safety</p> <p>Through the policies and during induction they are directed to:</p> <p>Tutor Handbook – in the section on Disciplinary procedures and responding to an altercation the tutor is informed of how to respond and report. Incident reporting is described in the Tutor Induction Checklist where the tutor is instructed to complete an EmployNZ – Incident Report Form. Further instructions and forms are found in the QMS folder on Share point.</p> <p>EmployNZ Student Website/Hub</p>			

	<p>Direct the reader to numerous sources of information about identifying these issues.</p> <p>Student handbook</p>			
<p>(i) wellbeing and safety awareness and promotion topics including –</p> <ul style="list-style-type: none"> i. safe health and mental health literacy and support; and ii. suicide and self-harm awareness; and iii. promoting drug and alcohol awareness; and iv. promoting healthy lifestyles for learners. 	<p>As above and including staff being present at or being made aware of the following services that are offered</p> <p>Health & Safety Induction procedures Counselling services (on & offsite) TGA: Ngai Te Rangī Iwi - free nursing services (onsite monthly) ROT: Manaaki Ora (Youth Services - onsite monthly) WHK: Eastern Bay REAP (Youth Services - onsite monthly)</p> <p>Standard Operating Procedures Manuals Kitchen code of practice</p> <p>Tutor Handbook – in the section on: Student Orientation and Induction the tutor is directed to the EmployNZ Student Website/Hub and within this they are directed to numerous sources of information. Tutors also facilitate these topics as part of our programmes, resources for tutoring and for students are sourced and distributed.</p>			

<p>Clause 10 (3). Providers must have plans for assisting learners, and responding effectively, in emergency situations in the learning or residential community (whether localised or more widespread), including –</p> <p>(a) making these plans readily available to learners when they begin their study; and</p>	<p>EmployNZ Quality Assurance Document (QAD) section 3.5 Health and Safety Management policy.</p> <p>Overall, an effective health and safety management system is operating across EmployNZ sites at all times, this is achieved by:</p> <p>Tutor Handbook – Student Orientation and induction procedures, Health and safety Management sections</p> <p>Student Handbook - Emergency Procedures section covered during student orientation, signage within training facility and regular drills.</p> <p>Health & Safety Induction procedures EmployNZ incident /accident reporting process All plans are available to students</p> <p>Each EmployNZA training facility has a nominated site person who is responsible for maintaining site specific the health and safety systems and compliance.</p>			
<p>(b) ensuring that there are suitably prepared staff members available to be contacted by a learner, or learners, in the event of an emergency; and</p>	<p>Health and safety Manuals for each site list Emergency Management Plan Contacts. This includes: Site Contact person</p>			

	<p>Fire wardens First aiders</p> <p>All these staff are trained and inducted to their respective roles and responsibilities.</p> <p>Learner is inducted to emergency procedures during orientation</p> <p>Tutor handbook clarifies procedures to follow Offsite handbook clarifies procedures when away from the training facility including documentation which states all parties responsibilities, contact details next of Kin etc</p>			
<p>(c) co-ordinating decision-making across the provider when responding to emergencies; and</p>	<p>The EmployNZ Quality Assurance Document (QAD) outlines this via: Policy 3.5 Health and Safety Management</p> <p>Tutor Handbook – Health and Safety Management Offsite Activity Handbook – what to do if something goes wrong Health and Safety manual for each site. Student Handbook & orientation requirements.</p>			

<p>(d) disseminating timely, accurate, consistent, and accessible information to learners and staff during emergencies; and</p>	<p>Tutor Handbook Health and Safety Handbooks Learner Orientation requirements and tutor induction pre emp this</p>			
<p>(e) ensuring all relevant staff are aware of the indicators of imminent danger to a learner or others and what action they can reasonably provide to help make them safe; and</p>	<p>The Tutor Handbook's target audience is EmployNZ contracted Tutors (including those who are undergoing their induction) and Programme Managers. Its purpose is to stipulate, inform and provide guidance in terms of the policies, procedures and processes relative to tutor roles and responsibilities. As part of a tutors induction tutors are informed of and provided with information to aid in identifying and implementing actions to keep learners safe. e.g.: - Standing down a student - Responding to an altercation or inappropriate interaction</p> <p>The Offsite Activity Handbook and Health and safety manual also provide guidance and procedures to follow.</p>			
<p>(f) keeping a regularly updated critical incident and emergencies procedures manual which guides staff involved in emergency situations which contains the immediate and ongoing actions required including – i. engaging with relevant government agencies (e.g. the New Zealand Police, Ministry of</p>	<p>EmployNZ critical incident plan</p> <p>Division Managers will bring updates & H&S matters to the Executive meeting on a monthly basis and report serious incidents to the</p>			

<p>Health, New Zealand Qualifications Authority, Tertiary Education Commission); and</p> <p>ii. the follow-up de-briefing processes to support all learners and relevant staff; and</p>	<p>Managing Director as soon as practicable.</p> <p>Tutor Handbook, Offsite Activity Handbook and Health and Safety Manuals for each site cover this off.</p> <p>Follow up and support for serious incidents can include referral to Vitae – support services company (students)</p> <p>Students are informed via the student website that that a contracted counsellor is available by phone, video or face-to-face</p>			
<p>(g) recording critical incidents and emergencies and reporting these back annually (at an aggregate level and, as far as practicable, disaggregated by diverse learner groups) to provider management, learners, other stakeholders, and the code administrator.</p>	<p>Complaint and critical incidents self-review occurs annually as per QAD policy 1.5.1: Code of Practice Self Review.</p> <p>As it is published on the EmployNZ website it is available to all stakeholders.</p> <p>EmployNZ reports any significant issues to management, NZQA and stakeholders as per policy.</p>			

Outcome 2: Learner voice

Providers understand and respond to diverse learner voices and wellbeing and safety needs in a way that upholds their mana and autonomy.

Phase in the gap analysis process:	PREPARE	MAKE SENSE		
Key required processes	Information we can gather to use as evidence of our compliance with this clause	COMPLIANT	GAP (in evidence)	GAP (in practice)
<p>Process 1: Learner voice</p> <p>Clause 12. Providers must have practices for –</p> <p>(a) proactively building and maintaining effective relationships with diverse learner groups within their organisation; and</p>	<p>The Student Voice is a collaboration between students and EmployNZ with the objective to better support and improve the overall student learning experience and learner engagement and promote improved learning outcomes. EmployNZ strongly encourages all students to participate and express their viewpoint through the Student Voice process.</p> <p>The Student voice includes:</p> <ul style="list-style-type: none"> - Wellbeing Survey - Programme feedback - Open feedback Line - anything a student wants to tell us - Informal Feedback and Communication <p>Via the student website a student can gain access to the password protected Student Hub and/or the ESOL Student Hub.</p>			

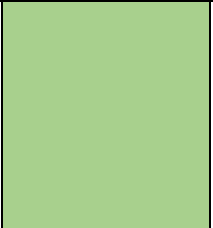
<p>(b) working with diverse learners and their communities to develop, review, and improve learner wellbeing and safety strategic goals, strategic plans and practices; and</p>	<p>As above - EmployNZ also has in place a Student Representation System</p>			
<p>(c) providing formal and informal processes for actively hearing, engaging with, and developing the diverse range of learner voices and those of their communities; and</p>	<p>Student Surveys (Term) Student Hub website</p>			
<p>(d) providing timely and accessible resources to learners to support them and their learner communities to develop the necessary skills to enable them to participate fully in decision-making processes; and</p>	<p>Student Voice Notice</p>			
<p>(e) providing timely and accessible information to learners to increase transparency of providers' decision-making processes.</p>	<p>Student Voice Notice</p>			
<p>Process 2: Learner complaints</p> <p>Clause 13. Providers must –</p> <p>(a) work with learners to effectively respond to, and process complaints (including appropriate engagement with support people); and</p>	<p>The EmployNZ Quality Assurance Document (QAD) outlines this via: Policy 3.12 Student complaint and grievances Student information hub has a dedicated section on filing a complaint and shortcut to Student Handbook: Student complaints and grievances - outlines the various processes involved in dealing with a complaint depending on the nature of the complaint. This includes:</p>			

	<ul style="list-style-type: none"> - Student feedback - Formal complaints - Appeals <p>Learners are also informed of the different agencies to contact with a view to acquiring help with the complaint.</p>			
(b) inform learners on how the complaint will be handled and how it is progressing; and	As above:			
(c) handle complaints in a timely and efficient way, including having practices that – <ul style="list-style-type: none"> i. are appropriate to the level of complexity or sensitivity of the complaint; and ii. consider the issues from a cultural perspective; and iii. include the provision of culturally responsive approaches that consider traditional processes for raising and resolving issues (for example, restorative justice); and iv. comply with the principles of natural justice; and 	<p>The principles outlined in policy 3.12: Student Complaint and Grievances include that:</p> <p>The respondent has as much right to fair and just treatment as the complainant (innocent until proven guilty).</p> <p>Student Complaints and Grievances process is available to learners via the Student Handbook which the learner is inducted to during their programme orientation. It is also available on the Student Hub website. This outlines how a complaint can be lodged informally or formally.</p> <p>EmployNZ approach to Complaints is to consider issues from a cultural perspective and respond to and resolve them from a culturally aware perspective. This is enabled by our</p>			

	<p>small class size and resulting close working relationship with learners which identifies their culture and support networks early on.</p>			
<p>(d) ensure that the complaints process is easily accessible to learners (and those supporting them), including having practices for –</p> <p>i. providing learners with clear information on how to use the internal complaints processes (including the relevant people to contact), and the scope and possible outcomes of the processes; and</p>	<p>Student Complaints and Grievances process is available to learners via the Student Handbook which the learner is inducted to during their programme orientation. It is also available on the Student Hub website.</p> <p>Learners can file a complaint directly through the student information hub.</p>			
<p>ii. addressing barriers to accessing this information (for example, due to language, lack of internet access, fear of reprisal, desire for anonymity), such as providing alternative ways of raising a complaint; and</p>	<p>As above - during orientation the learner is inducted to the complaints process outlined in the Student Handbook by their tutor. They then sign the learner contract to indicate that they have understood its contents.</p> <p>Numerous ways in which to raise a complaint are outlined.</p> <p>The principles outlined in policy 3.12: Student Complaint and Grievances include that learners can raise issues of concern in an environment free from fear of retribution or breach of confidentiality.</p>			

<p>iii. providing an opportunity for a support person or people (who can be chosen by the learner) to guide and support the learner through the complaints process; and</p>	<p>Student Handbook – Student Complaints and Grievances section - a parent, guardian, advocate, or student representative may raise and initiate the complaints process on behalf of a student(s)</p>			
<p>iv. providing the opportunity for groups of learners to make joint complaints; and</p>	<p>As above</p>			
<p>(e) record complaints; and</p>	<p>Student Complaints and Grievances process</p> <p>The complainant files a complaint using the complaint form.</p> <p>When formal complaints are received, they will be entered into a complaints register and progress towards a resolution will be tracked</p> <p>The complainant may follow the Student feedback process as described in the Student Handbook</p>			
<p>(f) report annually to provider management, learners, other stakeholders, and the code administrator (including on provider websites where available) on –</p> <ul style="list-style-type: none"> i. the number and nature of complaints made and their outcomes (at an aggregate level and, as far as practicable, disaggregated by diverse learner groups); and ii. learner experience with the complaints process and the outcome of their complaint; and 	<p>This will be conducted as per QAD policy 1.5.1: Code of Practice Self Review</p> <p>Complaints review completed October 2024 – to be posted on website.</p>			

<p>(g) promote and publicise complaint and dispute resolution processes available to learners including, but not limited to, the provider’s internal complaints process, the education quality assurance agency complaints process, the code administrator’s complaints process, and the Dispute Resolution Schemes; and</p>	<p>During orientation and through the Student Hub website promotion of internal and external complaint and dispute resolution processes are conveyed. Learners are guided via a website shortcut to the /Student Contract Dispute Resolution Scheme Ngā Amuamu Tauria (Study complaints)</p>			
<p>(h) advise learners, on the next steps available to them if the provider does not accept the complaint (or the learner or provider perceives that the provider does not have the cultural competency to deal with it), or the learner is not satisfied that the provider has made adequate progress towards resolving the complaint, or the learner is not satisfied with the provider’s internal complaints process or outcome, including –</p> <ul style="list-style-type: none"> i. how to seek resolution of a contractual or financial dispute by way of a complaint or referral to an appropriate body or agency depending on the subject matter of the dispute, for example, the code administrator, the Dispute Resolution Scheme, the Disputes Tribunal, the Human Rights Commission or the Ombudsman; and ii. how to make a complaint to the code administrator if a learner believes that the provider is failing to meet the outcomes or requirements of this code. 	<p>The EmployNZ Quality Assurance Document (QAD) outlines this via: Policy 3.12 Student complaint and grievances</p> <p>Student Handbook: Student complaints and grievances - outlines the various agencies that may be able to help the complainant if the EmployNZ process is not suitable or in terms of appeals if the learner is not happy with the outcome who they can contact.</p> <p>Learners are guided via a website shortcut to Ngā Amuamu Tauria (Study complaints) and their resources</p>			
<p>Process 3: Compliance with the Dispute Resolution Scheme</p>	<p>Familiarity with this is achieved via the Education Providers tab within</p>			

<p>Clause 14. Providers must ensure they are familiar with the relevant Dispute Resolution Scheme rules for domestic and international learners and ensure compliance with those rules in a dispute to which it is party.</p>	<p>the Ngā Amuamu Taura (Study complaints) website.</p>			
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Wellbeing and safety practices for all tertiary providers

Outcome 3: Safe, inclusive, supportive, and accessible physical and digital learning environments

Providers must foster learning environments that are safe and designed to support positive learning experiences of diverse learner groups.

Phase in the gap analysis process:	PREPARE	MAKE SENSE		
Key required processes	Information we can gather to use as evidence of our compliance with this clause	COMPLIANT	GAP (in evidence)	GAP (in practice)
<p>Process 1: Safe and inclusive communities</p> <p>Clause 16 (1). Providers must have practices for –</p> <p>(a) reducing harm to learners resulting from discrimination, racism (including systemic racism), bullying, harassment and abuse; and</p>	<p>The Student Handbook has a section on Bullying, Harassment and Discrimination policy.</p> <p>EmployNZ policy outlines it's commitment to this by defining this type of behaviour and openly acknowledging that we do not tolerate any level of this within our organisation.</p> <p>Disciplinary actions are aimed at notifying all individuals of how such behaviour will be dealt with.</p>			
<p>(b) working with learners and staff to recognise and respond effectively to discrimination racism (including systemic racism), bullying, harassment and abuse; and</p>	<p>As above - the Bullying, Harassment and Discrimination policy informs learners and staff of what defines this type of behaviour and avenues to report such behaviour.</p> <p>The Tutor Handbook informs tutors</p>			

	<p>how to respond inappropriate Interactions.</p> <p>The EmployNZ Code of Conduct outlines its expectations of staff including that harassment of any kind is unacceptable.</p>			
<p>(c) promoting an inclusive culture across the learning environment; and</p>	<p>The EmployNZ Quality Assurance Document (QAD) outlines this via:</p> <p>Policy 3.2: Te Titiriti o Waitangi</p> <p>Policy 3.16: Commitment to Diversity, Inclusion and Equity</p> <p>Policy 7.10: Bicultural Programme Resources and Practices</p> <p>Policy 8.5: Student support</p> <p>ENZ Code of conduct: Respecting the Rights of Others Conflicts and Compromise)</p> <p>Tutor Handbook – details how we fulfil the intent of the Te Tiriti O Waitangi and including Tikanga protocols to follow in the learning environment.</p>			
<p>(d) upholding the cultural needs and aspirations of all groups throughout the learning environment; and</p>	<p>The EmployNZ Quality Assurance Document (QAD) outlines this via:</p> <p>Policy 3.16: Commitment to Diversity, Inclusion and Equity</p>			

	<p>Cultural awareness/competence (e.g.: tikanga protocol) is embedded into all programmes. The Tikanga Guiding Principles document provides clarification which is covered with learners as part of their orientation.</p> <p>EmployNZ Code of Conduct – staff responsibilities and expectations</p>			
<p>(e) providing all learners with information –</p> <ul style="list-style-type: none"> i. that supports understanding, acceptance, and connection with all learners, and collective responsibility for an inclusive learning environment; an ii. about the cultural, spiritual, and community supports available to them; and 	<p>Student Voice All learners encouraged to join social groups (discord, messenger etc) Level 5 and up - study groups Foundation - google classroom.</p> <p>Student Hub website/Student Voice Notice</p> <p>The Tikanga Guiding Principles document provides clarification which is covered with learners as part of their orientation.</p>			
<p>(f) providing learners with accessible learning environments where they can connect with others, build relationships, support each other, and welcome their friends, families, and whānau.</p>	<p>EmployNZ provides accessible learning environments and via it's Tutor Handbook identifies strategies for Tutors to fulfil a conducive classroom culture such as establishing routines, having fair and consistent rules and discipline, celebrating success, encouraging a sense of belonging, promoting the student voice.</p>			

<p>Process 2: Supporting learner participation and engagement</p> <p>Clause 17 (1). Providers must provide learners with opportunities to –</p> <p>(a) actively participate and share their views safely in their learning environment; and</p>	<p>Tutor Handbook stipulates strategies to form a classroom culture which fulfils this.</p> <p>Student voice hub provides advice and opportunities to the learner in how their views can be safely heard.</p>			
<p>(b) connect, build relationships and develop social, spiritual and cultural networks; and</p>	<p>The EmployNZ Quality Assurance Document (QAD) outlines this via: Policy 3.16 commitment to diversity, Inclusion and Equity.</p> <p>EmployNZ provides environments where students see, here and feel their culture.</p> <p>Tutor Handbook identifies strategies to support learner engagement and participation. It is also fulfilled via a programmes curriculum and classroom culture.</p>			
<p>(c) use te reo and tikanga Māori to support Māori learners' connection to identity and culture.</p>	<p>The EmployNZ Quality Assurance Document (QAD) outlines this via:</p> <p>Policy 3.16 Commitment to Diversity, Inclusion and Equity</p> <p>Policy 3.2: Te Tiriti o Waitangi</p> <p>Policy 7.10: Bicultural Programme Resources and Practices</p> <p>Policy 8.5: Student support</p> <p>Tutor Handbook – details how we fulfil the intent of the Te Tiriti O</p>			

	Waitangi and including Tikanga protocols to follow in the learning environment. (Tikanga Guiding Principles document)			
<p>Clause 17 (2). Providers must have practices for supporting learners through their studies, including –</p> <p>(a) enabling learners to prepare and adjust for tertiary study, and</p>	<p>The EmployNZ Quality Assurance Document (QAD) outlines this via: Policy 8.3: Student orientation & Induction.</p> <p>Learners are first introduced to the tertiary environment at pre enrolment meetings where they are shown around the facility, introduced to the tutor and informed of the programme content, facilitation EmployNZ culture prior to enrolment.</p> <p>Orientations align with each individual's needs, pathway and programme choices. The orientation period enables learners to participate on their programme prior to being fully committed as a valid enrolment.</p> <p>Support for learner is ongoing prior to , during and subsequent to completing their programme of study.</p>			
<p>(b) maintaining appropriate oversight of learner achievement and engagement; and</p>	<p>Ongoing tutor feedback throughout programme Programme Management</p>			

	<p>Individual Learning Plan (ILP)</p> <p>Learner achievement plans are visible within classrooms and accessible via the intranet.</p>			
<p>(c) providing the opportunity for learners to discuss, in confidence, any issues that are affecting their ability to study and providing learners with a response to their issues; and</p>	<p>At any time throughout their programme of study learners are encouraged to discuss any issues they may have, and tutors are there to provide solutions. Tutor feedback, solutions and advice from face-to-face discussions may be recorded on the learners Individual Learning Plan (ILP). ILP's are a live document on the student file and need to be reviewed regularly with updates added, actions required and completed.</p> <p>The Tutor Handbook brings effect to this, by informing tutors that they need to support students with pastoral care, which includes:</p> <ul style="list-style-type: none"> • acting as a guide, role model, coach • providing a safe learning environment • providing regular constructive feedback • allowing time for one-on-one support 			

<p>(d) providing learners with advice on pathways for further study and career development, where appropriate.</p>	<p>Individual learning plans identify future Education and employment pathways. Small class sizes allow succinct tutor support to the learner to meet these aspirations, this is ongoing.</p> <p>Curriculum provides opportunities for targeted study and career development e.g.: visits to other tertiary providers, guest speakers, supplying learners with TEO prospectuses, offsite visits to workplaces, work experience offers.</p> <p>EmployNZ has dedicated Employment specialist - work experience & employment placement and Disability Employment Consultants</p>			
<p>Process 3: Physical and digital spaces and facilities</p> <p>Clause 18. Providers must have practices for–</p> <p>(a) providing healthy and safe learning environments; and</p>	<p>EmployNZ QAQ Policy 5.2: EmployNZ Premises and training venues stipulates the requirements of our facilities.</p> <p>Tutor Handbook provides info to tutors in how to establish conducive learning environments including the promotion of offsite activities.</p> <p>All sites are approved by NZQA having met their requirements.</p>			

	<p>All sites are inspected by the site contact person who conducts a monthly inspection to identify any issues relevant to health and safety of all users.</p> <p>Health and safety Handbooks are sit specific, reviewed and updated regularly.</p> <p>Standard operating procedure manuals are in place for special learning environments e.g.: workshop areas.</p>			
(b) identifying and, where possible, removing access barriers to provider facilities and services; and	<p>EmployNZ does not provide any barrier to access its facilities and services.</p> <p>Our premises are available for users during class times and outside of class times as required for supplemental learning.</p> <p>Learners are provided with contact details of their tutors and PM who can be contacted any time.</p>			
(c) involving learners in the design of physical and digital environments when making improvements; and	<p>As per the Tutor Handbook, Tutors are encouraged to create a classroom culture which suits their learners and is conducive to their learning. This includes the physical and digital environment.</p>			

<p>(d) engaging with Māori and involving Māori in the design of physical and digital environments where appropriate.</p>	<p>EmployNZ QAD – Policy 3.2 Te Tiriti o Waitangi outlines how EmployNZ engages with and seeks partnerships and works alongside Māori to work towards stated goals and meet the needs of our learners.</p> <p>EmployNZ has implemented an ongoing Te Ao Maori development project which includes reflective discussions of how we can improve how we engage with Maori overall. This is lead by EmployNZ Pou Arahiio – Sonny Wharekura.</p>			
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Outcome 4: Learners are safe and well

Providers must support learners to manage their physical and mental health through information and advice, and identify and respond to learners who need additional support.

Phase in the gap analysis process:	PREPARE	MAKE SENSE		
Key required processes	Information we can gather to use as evidence of our compliance with this clause	COMPLIANT	GAP (in evidence)	GAP (in practice)
<p>Process 1: Information for learners about assistance to meet their basic needs.</p> <p>Clause 20 (1). Providers must have practices for enabling all learners and prospective learners to identify and manage their basic needs (the essential material requirements to support wellbeing and safety including housing, food and clothing), including providing accurate, timely and tailored information on how they can –</p> <ul style="list-style-type: none"> (a) access services through the provider or through community and public services that will help them maintain reasonable standards of material wellbeing and safety; and (b) access suitable accommodation and understand their rights and obligations as a tenant in New Zealand; and (c) maintain a healthy lifestyle. 	<p>EmployNZ provides accurate, timely and tailored information on how all learners can access services and information via the Student Hub Student Support tabs where they are guided to:</p> <ul style="list-style-type: none"> a) Employ NZ Student Support – this provides a list of services and contact details including referral to a student counsellor and a directory of youth service providers for 15–24-year-olds. b) Student Support Directory – this provides information and contact details for a range of organisations that specialise in supporting youth and students. c) Student Helplines – this provides a resource which has a directory of helplines 			

	<p>and local mental health services.</p> <p>The Student Handbook section on:</p> <ul style="list-style-type: none"> - Student Guidance and Support lists key agencies that can refer learners to local community agencies and resources. - International students states that the International Programme Manager is available to support learners in ensuring accommodation is suitable and tenancy agreements are robust. <p>EmployNZ social services and education team policy is drafted to ensure all EmployNZ learners have ongoing access to EmployNZ Social Services division which supports strategies to meet the requirements of this clause.</p>			
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<p>Clause 20 (2). If food is made available by the provider on campus or in student accommodation, the provider must ensure that the food available includes a range of healthy food options that is obtainable at a reasonable cost.</p>	<p>Although not a policy, for wellbeing reasons EmployNZ provides free breakfast options (Limited to range of cereals and toast/spreads) to all full-time students at all branches.</p>			
<p>Process 2: Promoting physical and mental health awareness</p> <p>Clause 21. Providers must have practices for –</p> <p>(a) providing opportunities and experiences for learners that improve their physical and mental health and wellbeing and safety; and</p>	<p>Offsite Activity Handbook – provides the procedures that must be followed when planning and conducting any activity offsite and it provides Programme Manager’s with guidance in approving such activities. Valid reasons for conducting an offsite activity include elements which contribute to benefiting a learners physical, mental health wellbeing and safety.</p> <p>Aspects of programme curriculum are focused on improving physical and mental health. Examples include but are not limited to lessons and assessments in relation to:</p> <ul style="list-style-type: none"> - Computer ergonomics - Nutrition - Plans for personal well-being - Drug and alcohol impacts <p>Small class sizes, close tutor/student relationships All staff approachable (any time) Counselling services (onsite & offsite) Student Voice</p>			

	<p>Whanau contribution (behaviour/home improvement feedback, suggestions to better support learner)</p> <p>Weekly Tutor Report (PM advised immediately)</p> <p>Student Hub website/Student Voice Notice</p>			
<p>(b) promoting awareness of practices that support good physical and mental health that are credible and relevant to learners; and</p>	<p>Offsite Handbook/Tutor Handbook encourage learning outside of the classroom in order to support good physical and mental health.</p> <p>Practices taught during lessons (as described above) are reinforced beyond learning and assessment.</p> <p>Learners are made aware of support networks and community services which aid in physical and mental health</p> <p>Student notice boards provide relevant information of upcoming events.</p>			
<p>(c) supporting learners' connection to their language, identity, and culture; and</p>	<p>The EmployNZ Quality Assurance Document (QAD) outlines this via:</p>			

	<p>Policy 3.16 Commitment to Diversity, Inclusion and Equity Policy 3.2: Te Tiriti o Waitangi Policy 7.10: Bicultural Programme Resources and Practices Policy 8.5: Student support</p> <p>Tutor Handbook – details how we fulfil the intent of the Te Tiriti O Waitangi and including Tikanga protocols to follow in the learning environment. (Tikanga Guiding Principles document)</p> <p>Classroom culture and programme curriculums support this.</p> <p>Student Handbook – International students: The International Programme Manager is always available to approach and is able to assist in introducing learners to the International community that is relevant to the learners country of origin.</p>			
<p>(d) providing accurate, timely information and advice to learners about –</p> <ul style="list-style-type: none"> i. how they can access medical and mental health services through the provider or through community and public services, including culturally responsive services; and ii. how they can report health and safety concerns they have for their peers; and 	<p>As per the Tutor Handbook each newly enrolled student must experience a comprehensive Education Facilitator or Tutor led orientation where:</p>			

<p>iii. how to respond to an emergency and engage with relevant government agencies; and</p> <p>iv. how they can make positive choices that enhance their wellbeing.</p>	<p>The contents of the Student Handbook and emergency procedures are explained.</p> <p>Learners are invited to access the student website. This is an online space which has publicly available information which Students, Staff, Whanau/family members can access, provide input, feedback and receive updates without the need for EmployNZ to supply it in the hardcopy form. The student website contains the following:</p> <ul style="list-style-type: none"> • Student Helplines – a directory of helplines and mental health service contact details • Student Support directory – a self- referral directory for a range of specialized youth and student support services in NZ and local towns <p>Social Services Division (Youth Coaches) External Community Support contacts</p> <p>Safe Operating Procedures</p>			
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	<p>(Specialised Learning Environments) Student Complaints and Grievances</p> <p>Student Handbook Student Hub website (Community Support contacts, government agencies) Social Services Policy Workshop Standard Operating Procedures</p> <p>QAD, Student Handbook, Tutor Handbook ENZ Oranga Tamariki Ministry for Children Procedural Guideline</p>			
<p>Process 3: Proactive monitoring and responsive wellbeing and safety practices.</p> <p>Clause 22 (1). Providers must have practices for –</p> <p>(a) requesting that domestic learners 18 years and over provide a name and up-to-date contact details of a nominated person; and</p>	<p>The EmployNZ Quality Assurance Document (QAD) outlines this via: Policy 3.11: Student Information</p> <p>Student Services Administration Manual EmployNZ Operations Administration Manual</p> <p>Individuals who were referred to EmployNZ by a community group, organisation or other Education Provider are required via the completion of the Student Support Referral and Pathways form to provide the contact details of two people that can help support them while studying with EmployNZ.</p>			

	<p>An enrolment practice for all learners is to complete The Health and Medical Consent Form. This provides us with the contact details of two persons to be contacted if the learner is involved in a health or medical emergency and consent for said individual to receive medical treatment.</p> <p>Student Course Attendance App provides details of a learner's emergency contact.</p>			
<p>(b) describing the circumstances in which the nominated person referred to in paragraph (a) should be contacted in relation to their wellbeing and safety; and</p>	<p>As above - if the learner is involved in a health or medical emergency.</p> <p>As per the Student and Tutor Handbooks Support person during formal disciplinary procedures</p>			
<p>(c) contacting the person nominated by domestic learners 18 years and over, in the circumstances described in accordance with paragraph (b), or where the provider has reasonable grounds for believing that the disclosure is necessary to prevent or lessen a serious threat to the student's life or health; and</p>	<p>As above – contacting the learners nominated person in issues involving health or medical emergencies occurs irrespective of the age of the learner.</p>			

<p>(d) enabling learners to communicate health and mental health needs with staff in confidence, including accommodation staff, so that the provider can proactively offer them support; and</p>	<p>The Student Journey Process indicates when and what forms are completed. This includes the completion at enrolment (Programme meeting) of:</p> <p>Enrolment form which includes sections which require the learner to disclose their disability status and any support needs which will help them while studying at EmployNZ.</p> <p>The Health and Medical Consent Form. This enables the learner to provide us with information regarding their physical and mental health eg: illnesses, allergies, medication, dietary requirements, contact with any contagion or infectious diseases, physical or emotional safety issues.</p> <p>This form also instructs the learner to inform EmployNZ as soon as possible of any changes to the provided medical information of any other circumstances that may affect their medical information.</p> <p>The forms (above) are supplied to the learner’s tutor, so they are cognizant or the learners health and mental health needs.</p>			
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<p>(e) providing opportunities for learners to raise concerns about themselves or others in confidence; and</p>	<p>Student Handbook stipulates that:</p> <ul style="list-style-type: none"> a) EmployNZ preferred approach if a learner is receiving, or if they see or hear bullying, harassment or discrimination happening to someone else, is for the learner to immediately (in confidence) report it to their Tutor or Programme Manager. b) That any concerns related to a learners programme or experience are raised with EmployNZ so we have an opportunity to resolve the issue. <p>Small class sizes and positive Tutor/learner relationships and a culture that any ENZ staff member is approachable at any time allows this.</p> <p>Student website/hub – EmployNZ Student Support section directs the learner to: Student counsellor Youth Services</p>			
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<p>(f) identifying learners at risk and having clear and appropriate pathways for assisting them to access services when they need it; and</p>	<p>Enrolment /application form requires learner to identify disabilities/risks. Interview process follows up on this and is documented.</p> <p>Tutor Handbook - Responding to an altercation, standing down a student Student Handbook - Altercation or Inappropriate Interaction</p> <p>Foundation learners complete an ILP which is discussed and actioned with their tutor, this is an opportunity for the learner to divulge any risk and identify assistance pathways</p> <p>Social Services Division External Community Support contacts</p>			
<p>(g) identifying learners who are at risk of harming others, and</p> <p>i. having clear and appropriate pathways for assisting them to access services when they need it; and</p>	<p>Enrolment /application form requires learner to identify disabilities/risks. Interview process follows up on this and is documented.</p> <p>The tutor knows the learner because of the interview process and the close relationship that develops because of our small class sizes.</p> <p>The tutor may refer to or utilise the services available to them, gained through knowledge of our support networks.</p>			

<p>ii. protecting learners and staff who experience harm from other learners and/or staff, including sexual assault; and</p>	<p>The Student Handbook informs the learner of the actions that will take place when an altercation or inappropriate interaction (verbal or physical) occurs between individuals.</p> <p>The Tutor Handbook informs the tutor of the procedure to follow when they need to respond to a physical altercation, how to deescalate an inappropriate interaction and under what circumstances and the procedure to stand down a student.</p>			
<p>(h) making arrangements with disabled learners or those affected by health and wellbeing difficulties to accommodate learning needs, including for study off-campus; and</p>	<p>Enrolment form includes sections which require the learner to disclose their disability status and any support needs which will help them while studying at EmployNZ.</p> <p>Arrangements are made to accommodate identified needs.</p> <p>Student Handbook – At Risk students section provides oversight of some interventions and solutions for those at risk of not completing their programme including the implementation of a Student Management Action Plan</p> <p>Student Hub – EmployNZ Student Support and Student Services</p>			

	<p>sections guides learners to those who can support them.</p> <p>Employment Placement Service (EPS) clients are students (normally SAC) who are on a benefit and are referred to the ENZ EPS Account Manager by WINZ. The student is then placed on a training or disability programme, or into employment.</p> <p>ENZ has Disabilities Employment Consultants</p>			
<p>(i) responding to disruptive and threatening behaviour in a way that is sensitive to a learner's situation; and</p>	<p>The EmployNZ Quality Assurance Document (QAD) outlines this via: Policy 8.3: Student Orientation & Induction which stipulates that during their orientation period learners are advised of the house rules, regulations and relevant procedures of their training site.</p> <p>The Student Handbook states how we will respond to disruptive and threatening behaviour via:</p> <ul style="list-style-type: none"> - The formal and informal process described in the Bullying, Harassment and Discrimination section. - The formal process and principles described in the Student Complaints and Grievances section. - The formal process described in 			

	<p>the Disciplinary Procedure section.</p> <ul style="list-style-type: none"> - The formal process described in the Altercation or inappropriate interaction section. <p>The Tutor Handbook reiterates the Student Handbook processes above but from a tutor/staff member perspective.</p>			
<p>(j) supporting learners whose study is interrupted due to circumstances outside their control, and providing inclusive, accessible re-entry processes for their transition back into tertiary study.</p>	<p>The EmployNZ Quality Assurance Document (QAD) outlines this via: Policy 8.4: Student Attendance The purpose of this policy to help learners maximise their chances of success while studying with EmployNZ. EmployNZ understands there may be a variety of reasons why a learner is unable to maintain regular attendance.</p> <p>Tutor raises learner issues with the Programme Manager, these are managed on a case-by-case basis with eh learners best interests taken into account.</p> <p>Tutor Handbook stipulates that the implementation of a Student Management Plan is designed so that the tutor, learners and their support network can work together to</p>			

	ensure the learner is willing and able to attend their programme.			
<p>Clause 22 (2). Providers must have up-to-date contact details and next of kin for domestic tertiary learners under 18 and international tertiary learners.</p>	<p>Enrolment form requires the learner to supply contact details while they are studying with us, along with their Next of Kin contact details.</p> <p>Individuals who were referred to EmployNZ by a community group, organisation or other Education Provider are required to provide the contact details of two people that can help support them while studying with EmployNZ.</p> <p>An enrolment practice for all learners is to complete The Health and Medical Consent Form. This provides us with the contact details of two persons to be contacted if the learner is involved in a health or medical emergency and consent for said individual to receive medical treatment.</p> <p>Student Course Attendance App provides details of a learner's emergency contact.</p>			

<p>Clause 22 (3). Providers must contact the next of kin for domestic tertiary learners under 18 years and international tertiary learners if there is concern regarding the wellbeing or safety of a learner.</p>	<p>This is promoted via the Tutor Handbook and the Offsite Activity Handbook, where the tutor is informed to contact NOK in a medical emergency, if the learner goes missing. Next of kin details are acquired via application and enrolment documentation provided to tutors and taken with them during offsite activities.</p> <p>In the Student handbook the learner is informed that they are to ensure that EmployNZ has their correct contact address and phone number and the phone number and email address of their next of kin and if any of this contact information changes, to inform their tutor so we can update our records.</p>			
<p>Clause 22 (4). Providers must maintain a record of reported risks, including any concerns raised in relation to the effective administration of this code.</p>	<p>Site Contacts for each site complete a monthly Hazard ID & risk Register form and advise their Line Manager of any reported risks immediately.</p> <p>PTE risk register and all mitigations.</p> <p>Recorded as part of annual code review</p>			



Te Oranga me
Te Haumaru Ākonga

**Learner Wellbeing
and Safety**

Self-review Toolkit for Tertiary Education Providers

Tool A: international tertiary learners

The Education (Pastoral Care of
Tertiary and International Learners)
Code of Practice 2021

NZQA

NEW ZEALAND QUALIFICATIONS AUTHORITY
MANA TOHU MĀTAURANGA O AOTEAROA

QUALIFY FOR THE FUTURE WORLD
KIA NOHO TAKATŪ KI TŌ ĀMUA AO!

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Background and context to this review

EmployNZ decided not to enrol any international students since the border closed due to covid restrictions in March 2020. We had several international student’s enrolled at the time who have subsequently completed their programme of study. In regard to this 2024 Code review (Tool A: International tertiary learners) we have reviewed our practices under Part 6 of the Code, regardless of not enrolling international tertiary learners to ensure these are relevant and fit-for-purpose. Our review has identified that all aspects of compliance are in place however the final determination of course costs will need to be included prior to publishing within our 2024 International prospectus (Final draft) which includes all updated IT diplomas. This will occur at a time when EmployNZ decides to commence enrolment of international learners. This is noted as an action in our Action Plan.

Tool A: gap analysis – international tertiary learners

This optional tool sets out the areas of practice you need to review to check your compliance with the Code.

You can use this tool to help you:

- **Prepare** for a gap analysis, by identifying the information you need to evidence your compliance with the Code at each clause
- **Make sense** of your gathered information, by noting any gaps in your current practice and/or evidence of current practice.

KEY	
COMPLIANT	<ul style="list-style-type: none">• We have the required practices in place• We have sufficient evidence on which to make judgements about the effectiveness of our practices
GAP (in evidence)	<ul style="list-style-type: none">• We have the required practices in place but...• ...we have limited evidence on which to make judgements about the effectiveness of those practices
GAP (in practice)	<ul style="list-style-type: none">• We do not have the required practices in place

You may **combine this part** with the others of **Tool A** relating to **All Tertiary Education Providers (Outcomes 1-4)** and/or **Student Accommodation (Outcomes 5-7)**.

Use the links below to download any additional pages as required:

- [All Tertiary Education Providers](#)
- [Student Accommodation](#)

Additional wellbeing and safety practices for tertiary providers (signatories) enrolling international learners

Outcome 8: Responding to the distinct wellbeing and safety needs of international tertiary learners

Signatories must ensure that practices under this code respond effectively to the distinct wellbeing and safety needs of their diverse international tertiary learners.

Phase in the gap analysis process:	PREPARE	MAKE SENSE		
Key required processes	Information we can gather to use as evidence of our compliance with this clause	COMPLIANT	GAP (in evidence)	GAP (in practice)
<p>Process 1:</p> <p>Clause 35. Signatories must engage with diverse international tertiary learners to understand their wellbeing and safety needs under the outcomes of Parts 3, 4 and 5 of this code.</p>	<p>EmployNZ Quality Assurance Document – Policy 8.10: International students stipulate that EmployNZ is committed to meeting the needs and supporting the interests, safety and wellbeing of our international students.</p> <p>International Student Manual - Procedure for reporting concerns about the well-being of international students outlines the roles and responsibilities of EmployNZ and the steps the International Programme Manager will follow when there are concerns about the well-being or safety needs of an International Student.</p>			

	<p>EmployNZ connects international tertiary learners to their community via the city council ethnic groups liaison.</p> <p>The EmployNZ International Programme Manager is engaged with all of our learners and their communities, is experienced in this role and has a good understanding of wellbeing and safety needs as a result of the close bonds that they have or will establish.</p> <p>Our Student voice policy, process and tools are available to all our learners (domestic and international), this is a means by which individuals or groups can raise wellbeing and safety need issues.</p>			
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Outcome 9: Prospective international tertiary learners are well informed

Signatories ensure that prospective international tertiary learners receive clear, accessible, accurate and sufficient information, and make informed choices about the study and services a signatory provides before they begin their study.

Phase in the gap analysis process:	PREPARE	MAKE SENSE		
Key required processes	Information we can gather to use as evidence of our compliance with this clause	COMPLIANT	GAP (in evidence)	GAP (in practice)
<p>Process 1: Marketing and promotion</p> <p>Clause 37. Each signatory must have marketing and promotion practices, that include –</p> <p>(a) proactively seeking to understand the information needs of prospective international tertiary learners; and</p>	<p>EmployNZ Quality Assurance Document – Policy 1.5.1: Code of Practice self-review policy Policy 3.11 Student information Policy 8.9 International Students</p> <p>Marketing and enrolment resources are refined as a result of ongoing stakeholder consultation and review including a desktop review as part of our code and programme reviews. Student satisfaction surveys seek learner input of the learner experience including the quality of information provided in our prospectus and website and other materials.</p>			
<p>(b) developing and providing information to prospective international tertiary learners and reviewing the information to ensure it is kept up to date; and</p>	<p>Updates to sales & marketing material are made by the International Programme Manager after discussing at Executive meetings or directly with the Education Division Manager. Master</p>			

	<p>templates are updated on SharePoint and downloads are updated online. Major updates around price, delivery or qualifications must be discussed and confirmed at Executive meetings. The International Programme Manager alongside contracted marketing experts continue to refine information on the EmployNZ website to make it easier for international students to find information. This is an ongoing process and includes Search Engine Optimisation to make it easier to search and find information on EmployNZ through google search. Our inhouse QA approach sees all student focused promotional and marketing material being scrutinised before publication, to ensure that it is fit for purpose and meets compliance requirements.</p>			
<p>(c) ensuring that prospective international tertiary learners receive, as a minimum, up-to-date accessible and timely information about the following –</p> <ul style="list-style-type: none"> i. the signatory’s quality assurance evaluations; and ii. the educational instruction, staffing, facilities, and equipment available to international tertiary learners; and iii. the Dispute Resolution Scheme; and iv. potential learning outcomes for international tertiary learners, including pathways for 	<p>EmployNZ quality assurance results (EER report) are included in the information section of the website. Educational instruction, staffing, facilities and equipment, refund policies, DRS procedure, estimated study and living costs and information on accommodation and transport in the Bay of Plenty is included in the Prospectus and Student handbook.</p>			

<p>further study, employment, and residency where applicable; and</p> <p>v. estimated study and living costs for international tertiary learners, including any additional fees or levies that are on top of the basic tuition fee; and</p> <p>vi. accommodation and transport, or ways to obtain such information.</p>	<p>All the information required is included in the Prospectus, on the EmployNZ website, or in the Student Handbook. They have information as well as live links to relevant websites (RE: NZQA verifying EER results and EmployNZ COP).</p> <p>Students must read the Prospectus and Student Handbook before the enrolment is completed.</p> <p>☒ The International Student Prospectus includes:</p> <ul style="list-style-type: none"> • EmployNZ's quality assurance results • Education instruction available, staffing, facilities and equipment available • Potential learning outcomes, pathways and further study and employment options <p>The Pre-departure Handbook includes additional information such as:</p> <ul style="list-style-type: none"> • NZ Customs information (RE: what to bring and not to bring) • Weather and clothing • Working and Banking • Living in New Zealand (RE: keeping safe) 			
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<p>Process 2: Managing and monitoring education agents</p> <p>Clause 38. Signatories must have practices for effectively managing and monitoring the performance and conduct of education agents in relation to learner safety and wellbeing under this code, including –</p> <p>(a) carrying out and recording reference checks on potential education agents to ensure as far as possible that they are not involved in any conduct that is false, misleading, deceptive, or in breach of the law; and</p>	<p>EmployNZ International Student Manual includes the following:</p> <ul style="list-style-type: none"> - Process for agency recruitment applications - Agents recruitment application Form - New agent referee feedback form <p>We have a robust system overseen by the International Programme Manager which ensures due diligence is carried out, prior to offering agent's a contract. This includes a combination of information gathering via our in-house forms, interviews with the agent and their referees, reference checks and that supporting evidence is acquired and filed. Our reference checks include the following:</p> <ul style="list-style-type: none"> ☒ EmployNZ International Agent Application Form: This form requires applicants (who have previously recruited students for other education providers in New Zealand) to provide information on their portfolio of contracted providers and the programmes these students have been successfully placed into. ☒ EmployNZ New Agent referee feedback form: This form is forwarded to all education providers listed (above) and it provides us with 			
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	<p>a reference check and feedback in terms of:</p> <ul style="list-style-type: none"> - the quality of the students submitted by the agent; - the agent's adherence to compliance; - the agent's support of any issues students may have had, pre and post enrolment; - any issues the agent may have had with regard to their knowledge or ability to produce outcomes. <p><input checked="" type="checkbox"/> Standard agent interview Form: We interview every agent and use this form to record vital information during this dialogue. It records how many consultants the agency has, if they have already worked with other providers, and if they have promoted the types of courses we offer.</p> <p><input checked="" type="checkbox"/> We check the legitimacy of the agent by checking the agency's website, and via the Education NZ website. We also only work with agents that have been through the training programme with Education NZ.</p> <p><input checked="" type="checkbox"/> The agent is required to supply us with evidence, which may include but is not limited to their:</p> <ul style="list-style-type: none"> • Business Permit; • Certificate of Registration; 			
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	<ul style="list-style-type: none"> • Trained Agent Certificate. <p>Only after we have ascertained the credentials of the agent will we proceed to an agent contract, issue the agency with an Agency Certificate and provide them with our marketing and enrolment resources.</p> <p>Furthermore, the agent's performance and conduct is monitored on an ongoing basis with the contract being reviewed every 6 months.</p> <p>Agent folders are accumulated and controlled by International Programme Manager</p>			
<p>(b) entering into written contracts with each of its education agents; and</p>	<p>EmployNZ International Student Manual includes</p> <ul style="list-style-type: none"> - Process for agency recruitment applications - Agents recruitment application Form - New agent referee feedback form <p>The Recruitment agency/agent template and signed contracts are on file and scanned onto the EmployNZ Sharepoint</p> <p>The Director has oversight of all contracts, signs them and uploads them to the intranet.</p>			

<p>(c) during the term of a contract, monitoring the activities and performance of its education agents in relation to –</p> <ol style="list-style-type: none"> i. their obligations as specified in the contract; and ii. whether they provide prospective and enrolled international tertiary learners with reliable information and advice about studying, working, and living in New Zealand; and iii. whether they act with integrity and professionalism in their dealings with prospective and enrolled international tertiary learners; and iv. whether they have engaged in any activity or conduct that, in the opinion of the signatory, is or may be in breach of the law or that jeopardises the signatory’s compliance with this code; and 	<p>Section 6 of our recruitment agency contract stipulates the terms and conditions of the cessation or termination of the contract. This includes:</p> <ul style="list-style-type: none"> • a directive whereby EmployNZ reserves the right to review the agent’s performance every 6 months; • The right of EmployNZ to terminate the agreement, if we are informed by Immigration New Zealand of instances of fraud or misrepresentation by the agent. <p>Feedback on agent performance is ascertained via the student feedback we obtain when our student interview process is undertaken, prior to enrolment. The International Programme Manager accesses (on a 6 monthly basis) the Immigration New Zealand website to view agents approval ratings.</p>			
<p>(d) managing the education agents by –</p> <ol style="list-style-type: none"> i. terminating contracts with an agent if there is evidence which, on balance of probabilities, shows that the education agent – <ol style="list-style-type: none"> a. has been involved in any serious, deliberate, or ongoing conduct that is 	<p>Our agent contracts have a clause in regard to termination of the contract when conduct is in breach of our policy and procedures.</p>			

<p>false, misleading, deceptive, or in breach of the law; or</p> <p>b. has jeopardised the signatory's compliance with this code; or</p>				
<p>ii. taking appropriate action to address misconduct by act or an omission by an education agent in relation to the other matters described in subclause (c); and</p>	<p>As above</p>			
<p>(e) ensuring that its education agents have access to, and maintain, up-to-date information relevant to their duties as specified in the contracts with the signatory.</p>	<p>Agents are provided with a USB memory stick which provides updated information including – Prospectus, course summary sheets, student handbook, pre-departure guide, PP presentation, student testimonial videos, video on ENZ, application form, Agent Instruction Manual.</p> <p>The International Programme Manager is responsible for supplying agents with up-to- date information. This may eventuate as a result of a request made by the agent, and as a result of conversations leading to identifying a further need.</p> <p>The Agent Instruction Manual is designed to provide accredited EmployNZ agents with the information they need to effectively promote EmployNZ Tertiary Institute, Tauranga City and New Zealand.</p>			

	Agents also have direct access to our most current resources via our website.			
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Outcome 10: Offer, enrolment, contracts, insurance and visa

Signatories must have practices for enabling learners to make well-informed enrolment decisions in relation to the educational outcomes being sought by the learner and ensuring that all relevant parties are clear about their interests and obligations prior to entering into the enrolment contract.

Phase in the gap analysis process:	PREPARE	MAKE SENSE		
Key required processes	Information we can gather to use as evidence of our compliance with this clause	COMPLIANT	GAP (in evidence)	GAP (in practice)
<p>Process 1: Offer of educational instruction</p> <p>Clause 40. Signatories must ensure that the educational instruction offered to international tertiary learners is in accordance with the Act and is appropriate for international tertiary learners' expectations, English language proficiency, academic ability, and the educational outcomes being sought.</p>	<p>EmployNZ Quality Assurance Document – Policy 1.5.1: Code of Practice self-review policy Policy 3.11 Student information Policy 8.9 International Students</p> <p>EmployNZ International Student Manual includes:</p> <ul style="list-style-type: none"> • Process for enrolment • International Application • Enrolment Folder Checklist • Process following receipt of payment • Process for offer of place • Offer of place form • Certificate of enrolment • Placement of International students • Fee protection Policy • Procedure for enrolling international students Start to Finish 			

	<ul style="list-style-type: none"> • Travel and Medical insurance policy <p>☒ NZQA Programme Details document: stipulates the English language and academic entry requirements. These are replicated into the corresponding programme within our International student prospectus and marketing material.</p> <p>☒ International Student Prospectus:</p> <ol style="list-style-type: none"> i. Under the Student Experience section, we indicate that all courses require an IELTS score of 6; ii. Each Programme overview has an Entry Criteria section which stipulates the English Language proficiency and academic prerequisite for said programme. iii. Provides clear information for each programme in terms of the programmes objective, Content including a summary of the papers the student will undertake, their credit value and level, Future study pathway and possible employment outcomes. <p>☒ International Application form, requires the applicant to:</p> <ol style="list-style-type: none"> i. provide us with details of their academic information and attach 			
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	<p>certified copies of their academic achievements (certificates);</p> <p>ii. provide us with information in regards to their English language proficiency.</p> <p><input checked="" type="checkbox"/> Offer of place form: is in accordance with the Act and includes a check that the English language requirements are met.</p> <p>Process for Offers of Place – we check validity of IELTS and all applications must include either IELTS or PTE English language test</p> <p>The contracted agent is required to confirm student English language and academic levels during the recruitment process. Students are asked to specifically confirm English proficiency in listening, reading, writing and speaking along with the test name. They are required to confirm this is in line with the student’s expectations.</p>			
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<p>Process 2: Information to be provided before entering contract</p> <p>Clause 41 (1). Signatories must have practices that ensure prospective international tertiary learners (or the parents or legal guardian of international students under 18 years) receive, as a minimum, accurate, timely and tailored information about the following before entering into a contract with the learner –</p> <ul style="list-style-type: none"> (a) the most recent results of their evaluations by education quality assurance agencies; and (b) quality improvement or compliance notices and conditions imposed under the Act that the code administrator directs must be disclosed to prospective international tertiary learners; and (c) the education provided and its outcome, for example, whether a qualification is granted; and (d) refund conditions that comply with the process in clause 46; and (e) staffing, facilities, and equipment; and (f) available services and supports; and (g) insurance and visa requirements for receiving educational instruction from the signatory; and (h) this code and the relevant Dispute Resolution Scheme Rules; and (i) full costs related to an offer of educational instruction. 				
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<p>Clause 41 (2). Each signatory must ensure that, before entering into a contract of enrolment or enrolling with the signatory, each international tertiary learner (or the parents or legal guardian of international students under 18 years) is informed of the learner’s rights and obligations in relation to receiving educational instruction from the signatory, including the rights under this code.</p>	<p>All programme, programme regulation and quality assurance information is aligned to Programme Approval and Accreditation applications and Student Handbooks are written as the Students version of relevant QMS policies and procedures.</p>			
<p>Process 3: Contract of enrolment</p> <p>Clause 42 (1). Each signatory must ensure that a contract of enrolment is entered into between the signatory and each international tertiary learner (or the parents or legal guardian of international students under 18 years) that includes the following information and terms –</p> <ul style="list-style-type: none"> (a) clear information about the beginning and end dates of enrolment; and (b) the grounds for terminating the contract of enrolment; and (c) the circumstances under which the learner’s conduct may be in breach of the contract of enrolment; and (d) the type of disciplinary action short of termination of the contract of enrolment, that may be taken by the signatory against the student (for example suspension or exclusion); and (e) the process that the signatory must follow when seeking to terminate the contract of enrolment under paragraph (b) or to take disciplinary action under paragraph (d). 	<p>The OOP (Offer Of Place) form provided to the student before they leave their home country includes all details of the enrolment including the beginning and end dates of enrolment and the conditions and enrolment can be terminated.</p> <p>The Enrolment form requires the learner to sign a declaration which includes an acknowledgement to comply with our published rules.</p> <p>These rules are published in an accessible Student handbook which includes b, c, d, e. It is read and explained to the learner prior to or during the learner orientation and the learner is required to sign the learner contract within the handbook where they accept their obligations and consequences</p>			

	Letter of acceptance sent by EmployNZ, is signed and returned by learner.			
Clause 42 (2). Each signatory must ensure that the contract of enrolment is fair and reasonable.	The enrolment form covers all legislative requirements and is fair and reasonable.			
Process 4: Disciplinary action Clause 43. Any process undertaken under clause 42(1)(e) for terminating the contract of enrolment under clause 42(1)(b) or for taking disciplinary action under clause 42(1)(d) must be in accordance with the principles of natural justice (which includes those necessary to ensure the prompt, considered, and fair resolution of the matter that is the subject of the action).	As per EmployNZ QAD Policy 3.12: Student Complaint and Grievances. EmployNZ is committed to providing fair, safe and open complaint, grievance and resolution processes which align with principles of natural justice. Student Handbook – Signed Student contract is an acknowledgement that the student has read and understood the content within the student handbook, which includes but is not limited to attendance requirements and disciplinary procedures that may result in a contract termination. Tutor Handbook – provides guidance and detail of the process to follow in dealing with issues that may lead to disciplinary action or termination of the contract.			

<p>Process 5: Insurance</p> <p>Clause 44 (1). Each signatory must have practices that ensure, as far as practicable, each international tertiary learner who is enrolled with the signatory for educational instruction of 2 weeks' duration or longer has appropriate insurance covering –</p> <ul style="list-style-type: none"> (a) the international tertiary learner's travel – <ul style="list-style-type: none"> i. to and from New Zealand; and ii. within New Zealand; and iii. if the travel is part of the educational instruction, outside New Zealand; and (b) medical care in New Zealand, including diagnosis, prescription, surgery, and hospitalisation; and (c) repatriation or expatriation of the international tertiary learner as a result of serious illness or injury, including cover of travel costs incurred by family members assisting repatriation or expatriation; and (d) death of the international tertiary learner, including cover of – <ul style="list-style-type: none"> i. travel costs of family members to and from New Zealand; and ii. costs of repatriation or expatriation of the body; and iii. funeral expenses. 	<p>International Student Prospectus – within the preparing to travel section we inform the student that they must have appropriate and current medical and travel insurance and that it is legal requirement under the code of practice.</p> <p>We also inform the student that when they apply to study with EmployNZ medical and travel insurance will automatically be purchased for them through Southern Cross Health Care. The student may opt out of this option if they prefer to organise their own insurance.</p> <p>Travel and Medical Insurance Policy requires us to:</p> <ul style="list-style-type: none"> - Ensure that a student has appropriate and current Medical and Travel insurance for their planned length of study; - A copy of the insurance policy in English is required before the student can start their study; - We check that the policy is from a reputable and established company and that it is comprehensive in terms of meeting the 			
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	<p>requirements of covering points (a) to (d) above.</p> <ul style="list-style-type: none"> - International Student Enrolment Checklist – requires us to sight proof that the student has medical and travel insurance. <p>Recruitment Agency Contract - stipulates under 'Agents Obligation' that it is the agents responsibility to ensure that the student has received information about appropriate travel and medical insurance that will cover them from the day they leave their home country until the day they return. Via the prospectus the student is provided with a link to the Southern Cross Health Care insurance policy should they wish to purchase as part of their application with us.</p> <p>Application: <i>The contracted agent is required to confirm travel and medical insurance requirements with prospective students, and recommended policies that have been authorised by EmployNZ (SCTI student insurance,).</i></p> <p><i>Insurance requirements are outlined in the Prospectus - insurance policies must be available in English. It is</i></p>			
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	<p><i>recommended all insurance is organised before the student begins traveling the New Zealand. The policies accepted by EmployNZ cover the travel period to and from New Zealand, medical care in NZ, repatriation or expatriation as a result of serious illness or death of the student.</i></p> <p><i>During enrolment the Insurance policies are checked and verified as appropriate by the course administrator. This is recorded on the on the enrolment checklist.</i></p> <p><i>If a student transfers from another provider in New Zealand the Insurance policy needs to be provided in English and should be from either SCTI or an acceptable alternative.</i></p>			
<p>Clause 44 (2). Subclause (1)(a)(i) and (ii) includes the international tertiary learner’s travel to and from their country of origin or citizenship before their educational instruction begins and after it ends (which may be outside of the enrolment period).</p>	<p>As above</p>			
<p>Clause 44 (3). Subclause (1)(a)(i) does not include the international tertiary learner’s travel to other countries unless that travel is primarily for the purpose of embarking on connecting flights to and from New Zealand.</p>	<p>As above</p>			

<p>Process 6: Immigration matters</p> <p>Clause 45. Signatories must have practices that as far as possible will ensure that international tertiary learners are entitled to study in New Zealand under the Immigration Act 2009, including –</p> <p>(a) ensuring that each international tertiary learner who enrolls with the signatory has the necessary immigration status for study in New Zealand; and</p>	<p>International Student Manual - International Student Procedures for monitoring immigration status visa expiry and reporting termination to Immigration NZ.</p> <p>The International Student Manager is responsible for checking and copying this documentation during enrolment as outlined in the 'Enrolment Process.</p> <p>The International Student Manager checks and records the following information on the Student's Personal File;</p> <ul style="list-style-type: none"> - that the passport belongs to the student (record passport number and the start and end dates of the passport make sure that they are current) - that the name on the visa matches the one on the title page of the passport - the student's immigration status (visitor or study) and the expiry date (record the start and end dates of the visa make sure that they are current) 			
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	- if the student has a study visa that "EmployNZ" is stated as the place of study			
(b) reporting to Immigration New Zealand known or suspected breaches of visa conditions by international tertiary learners; and	International Student Manual - International Student Procedures for monitoring immigration status visa expiry and reporting termination to Immigration NZ.			
(c) notifying Immigration New Zealand of terminations of enrolment.	<p>International Student Manual - International Student Procedures for monitoring immigration status visa expiry and reporting termination to Immigration NZ.</p> <p>The International Student Manager is responsible for notifying Immigration New Zealand of any termination of enrolment by completing the 'Termination of Enrolment Form' that can be found on the Immigration New Zealand Website. A copy of the notification will be given to the EmployNZ Board and included in the student's personal file.</p>			

<p>Process 7: Student fee protection and managing withdrawal and closure</p> <p>Clause 46 (1). Signatories must ensure that –</p> <p>(a) fees paid by international tertiary learners are secure and protected in the event of student withdrawal or the ending of educational instruction or the closure of a signatory; and</p>	<p>EmployNZ QAD Policy 8.8: withdrawal and refunds of Programme fees</p> <p>EmployNZ adheres to the Education Act 1989, section 235 in setting its refund policy for Domestic and International students and the NZQA Student Fee Protection (SFP) Rules, using Public Trust, who has been approved by the NZQA as our SFP Provider.</p>			
<p>(b) its refund policies are fair and reasonable; and</p>	<p>EmployNZ QAD Policy 8.8: withdrawal and refunds of Programme fees</p> <p>ENZ policies and procedures on student withdrawal and refund of programme fees meet the minimum requirements stated in the Education Act 1989 Section 235A.</p>			
<p>(c) it provides its international tertiary learners (or the parents or legal guardian of international tertiary learners under 18 years) with sufficient information to understand their rights and obligations under those refund policies.</p>	<p>Contracted agents discuss refund policies directly with the student and their family during the application process.</p> <p>Refund policies are covered during the interview by the International Programme Manager.</p> <p>Student Handbook – Section 3: International students, Refund summary table clearly states:</p>			

	<ul style="list-style-type: none"> - under what conditions a student may or may not be eligible for a refund. - the time frame they must comply with to obtain a refund. - supporting documents that are required to submit as part of the refund request - The amount they will be refunded 			
<p>Clause 46 (2). A refund policy must include refund conditions for the following situations –</p> <ul style="list-style-type: none"> (a) failure by an international tertiary learner to obtain a study visa; and (b) voluntary withdrawal by an international tertiary learner; and (c) the signatory ceasing to provide a course of educational instruction as contracted with an international tertiary learner, whether as the result of a decision by the signatory or as required by an education quality assurance agency; and (d) the signatory ceasing to be a signatory; and (e) the signatory ceasing to be a provider. 	<p>EmployNZ QAD Policy 8.8: withdrawal and refunds of Programme fees</p> <p>EmployNZ adheres to the Education Act 1989, section 235 in setting its refund policy for International students</p> <p>Public Trust has processes integrated into Public Trust Portal and system which will be triggered in the event of EmployNZ:</p> <ul style="list-style-type: none"> - Voluntarily ceasing to offer a course(s) - Voluntary closure of EmployNZ - A Course Closure Event (Resulting from NZQA action) and: - Where international students have a visa, application declined. 			

<p>Clause 46 (3). In the situation in subclause (2)(c) or (d), the tertiary signatory must deal with fees paid for services not delivered or the unused portion of fees paid as follows –</p> <ul style="list-style-type: none"> (a) refund the amount in question to the international tertiary learner (or the learner’s parent or legal guardian); or (b) if directed by the international tertiary learner or the code administrator or the agency responsible for fee protection mechanisms, transfer the amount agreed with the student (or the student’s parent or legal guardian if the student is under 18 years) to another signatory. 		As above		

Outcome 11: International learners receive appropriate orientations, information and advice

Signatories must ensure that international tertiary learners have the opportunity to participate in well-designed and age-appropriate orientation programmes and continue to receive relevant information and advice to support achievement, wellbeing and safety.

Phase in the gap analysis process:	PREPARE	MAKE SENSE		
Key required processes	Information we can gather to use as evidence of our compliance with this clause	COMPLIANT	GAP (in evidence)	GAP (in practice)
<p>Process 1: Provision of information</p> <p>Clause 48. Signatories must –</p> <p>(a) ensure that information and advice provided by the signatory to international tertiary learners is accurate, age-appropriate, up to date and presented in a way that meets the ongoing needs of diverse learners; and</p>	<p>EmployNZ QAD Policy 3.11: Student Information</p> <p>EmployNZ is committed to providing clear, accurate and relevant information to students before, during and after the study with us and ensuring that the information is explained and understood.</p> <p>All EmployNZ manuals, handbooks and marketing material is reviewed annually and or amended immediately inaccuracies or changes in policy procedure are instigated.</p> <p>It is presented via hardcopies, website, face to face.</p>			
<p>(b) ensure that ongoing provision of information and advice is appropriate to the needs of the learner (or the parents or legal guardian of international learners under 18 years) within the particular learning, communal and residential context; and</p>	<p>EmployNZ QAD Policy 8.3 Student orientation and enrolment</p> <p>International Student Manual references:</p>			

	<ul style="list-style-type: none"> • Process for enrolment: states that on arrival at campus they are to ask the student to complete the International Student Orientation questionnaire. • International Student Prospectus – Under the heading ‘Arriving in New Zealand’ it indicates what will be covered in the first week during the student’s orientation. • Pre-Departure Handbook – provides lots of information about what will be covered during orientation, this replicates what is covered in the prospectus (above) but also includes: <ul style="list-style-type: none"> - Medical & travel Insurance - Local medical services - Living costs and budgeting - Employment services offered by EmployNZ, including work experience options - Local Public Transport and how to use it - Local recreation facilities and activities - Structure of EmployNZ’s academic programmes 			
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	<p>Orientation happens on the first day and over several weeks after a students arrival and is compulsory for all students. They are inducted to the key things they need to know about living in New Zealand. There is a date on their EmployNZ letter of offer which indicates when they will attend orientation. When they arrive the International Student Manager takes them on a tour of the City and shows them the key amenities and attractions, including where the local bus stops are located, important services such as Supermarkets, Health services, Banks, Police, Social services, Mosques and Churches, Gyms and Sport clubs etc. They are notified that International Student Manager will be the key contact for them and they are available as a 24 / 7 emergency contact.</p> <p>Orientation events run by the International Programme Manager include imparting information on EmployNZ policies and procedures, using the Student Handbook, information on how to open bank accounts and how to obtain driver's licenses. They also cover accommodation options, how to connect with the Student community and options for finding part time</p>			
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	employment (including the support EmployNZ can offer). The grievance procedure is also discussed at this time.			
(c) provide the names and contact details of designated staff members responsible for international tertiary learner support; and	<p>EmployNZ QAD Policy 8.3 Student orientation and enrolment</p> <p>International Manual - Process to Manage 24/7 contact for students.</p> <p>Stipulates that International students will be given the name and contact details of the:</p> <ul style="list-style-type: none"> • International Student Manager as a 24/7 contact person • The agent or a language support person <p>At orientation learners are notified that the International Student Manager will be the key contact for them, and they are available as a 24 / 7 emergency contact.</p>			
(d) provide appropriate information relating to health and safety of international tertiary learners (including in relation to any disabilities or impairments a learner may have); and	As above during orientation			
(e) provide information about the termination of enrolment; and	As per Student Handbook			

<p>(f) provide information to international tertiary learners (or the parents or legal guardian of international learners under 18 years) about their legal rights and obligations and, where possible, the risks when learners receive or accept advice or services; and</p>	<p>As above during orientation</p>			
<p>(g) provide information about the international tertiary learner's rights and entitlements, including any entitlement to a fee refund, if the learner voluntarily withdraws from the educational instruction; and</p>	<p>As above during orientation</p>			
<p>(h) provide each international tertiary learner with full information and advice on –</p> <ol style="list-style-type: none"> i. all relevant policies of the signatory; and ii. the services, support, and facilities that the signatory offers; and iii. where applicable, how to adjust to a different cultural environment; and iv. where applicable – <ol style="list-style-type: none"> (a) minimum wages and labour conditions in New Zealand; and (b) maximum hours of work permitted under visa conditions; and (c) how to access information and support regarding employment; and (d) how to report misconduct by employers; and 	<p>EmployNZ QAD Policy 1.5: Code statement of commitment 8.3: Student orientation and enrolment</p> <p>International Student Manual references:</p> <ul style="list-style-type: none"> • Process for enrolment: states that on arrival at campus they are to ask the student to complete the International Student Orientation questionnaire. <p>EmployNZ International Orientation guide:</p> <ul style="list-style-type: none"> • Signed declaration by the student that they have had the Orientation Guide & Student Handbook information explained to them. 			

	<p>International Student Prospectus – Under the heading ‘Arriving in New Zealand’ it indicates what will be covered in the first week during the student’s orientation including:</p> <ul style="list-style-type: none"> -Immigration regulations about your student visa - about tax and the IRD (Inland Revenue Department) - Employment options <p>Pre Departure Handbook – provides lots of information about what will be covered during orientation, this replicates what is covered in the prospectus (above) but also includes:</p> <ul style="list-style-type: none"> - Living costs and budgeting - Employment services offered by EmployNZ, including work experience options - options for finding part time employment (including the support EmployNZ can offer). 			
<p>(i) for an international tertiary learner under 18 years ensure where applicable, that any parent, legal guardian, or residential caregiver of the learner has access to the information, advice or programme that has been provided to the learner.</p>	<p>N/A EmployNZ does not enrol International learners under 18 years old</p>			

Outcome 12: Safety and appropriate supervision of international tertiary learners

Signatories ensure that international tertiary learners are safe and appropriately supervised in their accommodation and effectively communicate with the parents or legal guardian of learners under 18 years.

Phase in the gap analysis process:	PREPARE	MAKE SENSE		
Key required processes	Information we can gather to use as evidence of our compliance with this clause	COMPLIANT	GAP (in evidence)	GAP (in practice)
<p>Process 1: International tertiary learners under 18 years</p> <p>Clause 50. In relation to international tertiary learners under 18 years, each signatory must have additional practices including –</p> <p>(a) not enrolling an international tertiary learner 10 years or older but under 18 years who does not live with a parent or legal guardian unless –</p> <ul style="list-style-type: none"> i. the learner is in a properly supervised group of learners whose educational instruction is not for more than 3 months; or ii. the learner is in the care of the manager of tertiary student accommodation covered in Part 5 of this code; or iii. the learner is in the care of a residential caregiver; and 	<p>N/A</p> <p>EmployNZ does not enrol international students under 18 years old</p>			
<p>(b) maintaining effective communications with the parents, legal guardian, or residential caregivers of international tertiary learners concerning their wellbeing and progress in study; and</p>				

<p>(c) ensuring that at least 1 staff member is designated to proactively monitor and address any concerns about international tertiary learners under 18 years; and</p>				
<p>(d) if the international tertiary learner is in the care of a residential caregiver, –</p> <p>(i) ensuring that a plan is in place for the transfer of care of the learner from the residential caregiver to the learner’s parent or legal guardian, or another person approved by the parent or legal guardian, for –</p> <p>a. each transfer that occurs during the period of enrolment; and</p> <p>b. the transfer that occurs at the end of enrolment; and</p> <p>(ii) ensuring that the parent or legal guardian is notified of each transfer plan.</p>				
<p>Process 2: International tertiary learners under 10 years</p> <p>Clause 51 (1). Each signatory must ensure that its international tertiary learners under 10 years live with a parent or legal guardian</p>				
<p>Clause 51 (2). The requirements in clauses 49 and 50 apply, in addition to this clause, to international tertiary learners who are under 10 years.</p>				

<p>Process 3: Decisions requiring written agreement of parent or legal guardian</p> <p>Clause 52. Each signatory must ensure that, where appropriate, it obtains the written agreement of the parent or legal guardian of an international tertiary learner under 18 years with respect to decisions affecting the learner.</p>	<p>N/A</p> <p>EmployNZ does not enrol international students under 18 years old</p>			
<p>Process 4: Accommodation for international tertiary learners under 18 years</p> <p>Clause 53 (1). In relation to an international tertiary learner under 18 years who is in the care of a residential caregiver while living in accommodation that is not subject to Part 5 of this code, the signatory must –</p> <p>(a) ensure that the learner’s accommodation is safe, is in acceptable condition, and meets all regulatory and legislative requirements; and</p>	<p>N/A</p> <p>EmployNZ does not enrol international students under 18 years old</p>			
<p>(b) ensure that the safety check referred to in clause 54 is completed and is up to date; and</p>	<p>N/A</p> <p>EmployNZ does not enrol international students under 18 years old</p>			
<p>(c) ensure that an appropriate check is completed and is up to date for each person who is 18 years or over and who resides at the residential caregiver’s accommodation, for the purpose of ensuring the safety of the learner; and</p>	<p>N/A</p> <p>EmployNZ does not enrol international students under 18 years old</p>			

<p>(d) have a written agreement with the residential caregiver that specifies the role and responsibilities of each party in relation to the care of the learner; and</p>	<p>N/A</p> <p>EmployNZ does not enrol international students under 18 years old</p>			
<p>(e) maintain effective communication with the learner and the learner’s parent or legal guardian when accommodation issues arise, and take responsibility for addressing those issues, including reporting them to relevant authorities and moving learners to appropriate accommodation; and</p>	<p>N/A</p> <p>EmployNZ does not enrol international students under 18 years old</p>			
<p>(f) conduct sufficient learner interviews and home visits to monitor and review the quality of residential care, taking into consideration the age of the learner, the length of the stay, and other relevant factors; and</p>	<p>N/A</p> <p>EmployNZ does not enrol international students under 18 years old</p>			
<p>(g) if the learner’s residential caregiver is a designated caregiver ensure that the parent or legal guardian of the learner has provided written agreement that the designated caregiver will be subject to the signatory’s approval and that the signatory is not responsible for the learner’s day-to-day care when the learner is in the custody of the designated caregiver; and</p>	<p>N/A</p> <p>EmployNZ does not enrol international students under 18 years old</p>			
<p>(h) if the learner’s residential caregiver is a supervisor described in clause 54(3), ensure that the parent or legal guardian of the learner has provided written agreement that the signatory is not responsible for the learner’s day-to-day care when the learner is in the custody of that supervisor; and</p>	<p>N/A</p> <p>EmployNZ does not enrol international students under 18 years old</p>			

<p>(i) ensure that there is appropriate separation of international tertiary learners from others of different ages in the accommodation; and</p>	<p>N/A</p> <p>EmployNZ does not enrol international students under 18 years old</p>			
<p>(j) ensure that the learner is appropriately supervised in the accommodation.</p>	<p>N/A</p> <p>EmployNZ does not enrol international students under 18 years old</p>			
<p>Clause 53 (2). For the purposes of clause 53(1)(c), a person who is 18 years or over and who resides at the residential caregiver’s accommodation includes a person of that age who –</p> <p>(a) temporarily resides at that accommodation; or (b) is or will be residing at that accommodation for 1 or more periods in any month (whether or not for valuable consideration), each period of which is 5 or more consecutive nights.</p>				
<p>Clause 53 (3). To avoid doubt, if the residential caregiver is a supervisor described in clause 54(3) or a designated caregiver, the signatory must meet the requirements of this clause and ensure the safety, health, and wellbeing of the international tertiary learner.</p>				

<p>Process 5: Safety checks and appropriate checks for learners under 18 years</p> <p>Clause 54 (1). The safety check for the residential caregiver referred to in clause 53(1)(b) must include –</p> <p>(a) a confirmation of identity; and</p>	<p>N/A</p> <p>EmployNZ does not enrol international students under 18 years old</p>			
<p>(b) a reference check that includes contacting at least 1 of the following persons or bodies for the purpose of obtaining information that the signatory considers relevant to a risk assessment –</p> <ul style="list-style-type: none"> i. the residential caregiver’s current or previous employer, professional body, or registration authority; and ii. the licensing authority that is relevant to the residential caregiver’s business or professional activities; and iii. a person who is not related to the residential caregiver; and 	<p>N/A</p> <p>EmployNZ does not enrol international students under 18 years old</p>			
<p>(c) a police vet, to obtain information that is relevant to a risk assessment; and</p>	<p>N/A</p> <p>EmployNZ does not enrol international students under 18 years old</p>			
<p>(d) an interview with the residential caregiver, to obtain information that the signatory considers relevant to a risk assessment; and</p>	<p>N/A</p> <p>EmployNZ does not enrol international students under 18 years old</p>			

<p>(e) a risk assessment that takes into account all of the information that was obtained under paragraphs (a) to (d), to determine whether the residential caregiver poses a risk to the safety of the international tertiary learner; and</p>	<p>N/A</p> <p>EmployNZ does not enrol international students under 18 years old</p>			
<p>Clause 54 (2). The safety check for the residential caregiver referred to in clause 53(1)(b) is up to date if it is completed within 3 years after the date of the latest safety check.</p>	<p>N/A</p> <p>EmployNZ does not enrol international students under 18 years old</p>			
<p>Clause 54 (3). Subclause 53(1)(b) to (e) does not apply to a residential caregiver who –</p> <ul style="list-style-type: none"> (a) is a supervisor referred to in paragraph (e) of the definition of residential caregiver in clause 5(1); and (b) is not a resident of New Zealand; and (c) is travelling with, and accompanying, the international tertiary learner for the purpose of supervising them during the learner’s educational instruction. 				
<p>Clause 54 (4). An appropriate check referred to in clause 53(1)(c) is up to date if it is completed within 3 years after the date of the latest check.</p>				

<p>Process 6: Accommodation for international tertiary learners 18 or over</p> <p>Clause 55 (1). In relation to an international tertiary learner 18 years or over who lives in accommodation provided or arranged by a signatory and not subject to Part 5, the signatory must –</p> <p>(a) ensure that the learner’s accommodation is safe, is in acceptable condition, and meets all regulatory and legislative requirements; and</p>	<p>EmployNZ International Student Manual:</p> <ul style="list-style-type: none"> - Procedures for supporting students into accommodation: <p>EmployNZ provides two weeks, free accommodation in a local motel or backpackers to assist new students to settle into life in New Zealand. In relation to international students 18 years and older, as we are arranging or providing accommodation (for the first two weeks) therefore we :</p> <p>a) Ensure that the students accommodation is safe, is in acceptable condition, and meets all regulatory and legislative requirements</p> <p>With this in mind our current ‘procedure for supporting students into accommodation within the international manual includes:</p> <ul style="list-style-type: none"> • clear directives and apportioned responsibilities • additional checks and balances <p>additional forms to be completed by our International Programme Manager and the homeowner or residential care giver.</p>			
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<p>(b) maintain effective communication with the learner when accommodation issues arise, and must take responsibility for addressing those issues, including reporting them to relevant authorities.</p>	<p>EmployNZ International Student Manual:</p> <ul style="list-style-type: none"> - <i>Procedures for supporting students into accommodation</i> - <i>Student accommodation agreement</i> <p>The International Programme Manager is available to run (as needed) an accommodation workshop for new students during orientation. This covers all relevant information including tenant rights and obligations in New Zealand.</p>			
<p>Clause 55 (2). In this clause, accommodation issues include issues of health and wellbeing arising from a learner’s accommodation or connected with it.</p>				

Self-review Toolkit for Tertiary Education Providers

Tool D: action plan template

The Education (Pastoral Care of
Tertiary and International Learners)
Code of Practice 2021



Te Oranga me
Te Haumarū Ākonga

**Learner Wellbeing
and Safety**

Tool D: action plan template (the Code)

For the period: DD/MM/YYYY to
DD/MM/YYYY

- Based on our analysis, what do we need to do differently in the coming year?
- Who is responsible for implementing the planned next steps, and by when?
- How will we monitor our plan to ensure that it is implemented?
- How will we know that the actions we took were successful?

If your organisation does not provide student accommodation and/or is not a Code signatory, **remove the parts** in this tool relating to **Student Accommodation (Outcomes 5-7)** and/or **International Learners (Outcomes 8-12)**.

Overall Summary:

EmployNZ has a continuous improvement approach based on ongoing self-assessment where education performance is reviewed, outcomes analysed, changes implemented and actions reviewed to ensure processes and systems remain effective and relevant, this includes regular questionnaires for staff, students, clients, employers, parents /caregivers.

The expectations of a quality programme or service is achieved by focusing on the following focus areas:

- Learner and client wellbeing, engagement, their achievements, and outcomes
- The learning and work environment and resources required
- Engaging with stakeholders, funding agencies and the broader community.

Our 2024 Code review is one of several reviews which are completed on an annual cycle with a view to ascertaining how well our programmes and service are meeting those expectations and compliance requirements.

Using the NZQA benchmark (Appendix 1: Continuum of implementation for the Code) our Code review has found that we are implementing the Code in all areas. Based on our continuous improvement approach (as stated above) we are always reluctant to rate our continuum as well – implemented as we consider this may provide the impression that we have reached a point where no further work is required in its implementation. Our action plan is a reflective of this approach in ascertaining that although compliant there are two areas where we are indicating further work in terms of continuous improvement is ongoing or is needed to occur should we reintroduce programme offers to International students.

Organisational structures to support a whole-of-provider approach to learner wellbeing and safety

	Action/s to be taken	Owner	Due date	Plan for monitoring implementation	Measures of success
Outcome 1: A learner wellbeing and safety system					
Outcome 2: Learner voice					

Wellbeing and safety practices for all tertiary providers

	Action/s to be taken	Owner	Due date	Plan for monitoring implementation	Measures of success
Outcome 3: Safe, inclusive, supportive, and accessible physical and digital learning environments	To engage with Māori and involving Māori in the design of physical and digital environments where appropriate EmployNZ has commenced a Te Ao Maori development project which includes reflective discussions of how we can improve engagement with Maori overall.	This is an ongoing project lead by EmployNZ Pou Arahi – Sonny Wharekura.	Ongoing	Once implemented to staff, track effectiveness based on education performance and user feedback from staff and alongside Tangata Tauranga representatives.	Consent to use framework provided by Sonny for overall implementation. Consent to use content by Tangata Tauranga. Resources introduced to staff by Sonny for use in everyday activities.
Outcome 4: Learners are safe and well					

Additional wellbeing and safety practices for tertiary providers (signatories) enrolling international learners

	Action/s to be taken	Owner	Due date	Plan for monitoring implementation	Measures of success
Outcome 8: Responding to the distinct wellbeing and safety needs of international tertiary learners					
Outcome 9: Prospective international tertiary learners are well informed					
Outcome 10: Offer, enrolment, contracts, insurance and visa					

Outcome 11: International learners receive appropriate orientations, information and advice	International prospectus final draft The final determination of course costs for updated IT diplomas offered to International students will need to be included prior to publishing our 2024 International prospectus.	EDM	Prior to commencing Marketing for International enrolments	Inclusion of costs added to prospectus prior to being made available to the general public.	Prospectus is downloaded to EmployNZ website and included as part of information pack to agents.
Outcome 12: Safety and appropriate supervision of international tertiary learners					

