

Version 5 17.01.2019

NZQF Programme Approval and Accreditation Rules 2018

1. Authority

- 1.1 These Rules are made under section 253 of the Education Act 1989.

2. Commencement

- 2.1 These Rules commence 28 days after the date of approval by the Minister under section 253(5) of the Education Act 1989.

3. Interpretation

- 3.1 In these Rules, unless the context otherwise requires:

Accreditation means accreditation to provide all or part of an approved programme under section 250 of the Act:

Act means the Education Act 1989:

Approval means approval of a programme under section 249 of the Act:

Category 1 institution means an institution (*other than a university*) that has received, in the most recent external evaluation and review (EER) carried out by NZQA in respect of that institution, statements of confidence that are either:

- (a) *Highly Confident* in educational performance and *Highly Confident* in organisational capability in self-assessment; or
- (b) *Highly Confident* in educational performance and *Confident* in organisational capability in self-assessment:

Category 2 institution means an institution (*other than a university*) that has received, in the most recent EER carried out by NZQA in respect of that institution, statements of confidence that are either:

- (c) *Confident* in educational performance and *Highly Confident* in organisational capability in self-assessment; or
- (d) *Confident* in educational performance and *Confident* in organisational capability in self-assessment:

Credit recognition and transfer means a formal process whereby credit for outcomes already achieved by a student in relation to a qualification is recognised as credit for comparable outcomes in another qualification:

Data requirements means the details required to be filled out in the fields in the relevant online application form available on NZQA's website:

External evaluation and review, or **EER**, means the quality assurance system known as external evaluation and review that is set out in the rules from time to time made under section 253 of the Act for quality assurance (*including External Evaluation and*

Review):

Industry qualification means an industry qualification developed and maintained by the relevant WDC for the purposes of section 482(1)(c) of the Act:

Institution, for the purposes of accreditation to provide approved programmes, has the same meaning as in section 250(1) of the Act:

Institution, for the purposes of approval of programmes, has the same meaning as in section 249(1) of the Act:

Level means any of levels 1 to 10 on the NZQF:

NZQF means the New Zealand Qualifications Framework:

Programme has the same meaning as in section 159(1) of the Act, but **in respect of programme approval** excludes programmes to which the Industry Training Programme Approval Rules 2012 apply, as amended or replaced from time to time:

Qualification means a qualification listed on the NZQF:

Recognition of prior learning means a process that involves formal assessment of a student's relevant and current knowledge and skills (*gained through prior learning*) to determine achievement of learning outcomes of a qualification for the purpose of awarding credit towards that qualification; and for the avoidance of doubt it does not include credit recognition and transfer:

Te Hono o Te Kahurangi quality assurance means applying Te Hono o Te Kahurangi whare ako framework and quality assurance tools for programmes and accreditation, as that framework and those tools are published by NZQA from time to time on its website:

Type 1 change means one or more changes to components of an approved programme which do not impact on the programme as a whole:

Type 2 change means one or more changes to components of an approved programme which do have an impact on the programme as a whole:

Universities New Zealand means the New Zealand Vice-Chancellors' Committee established under section 240 of the Act.

WDC means a workforce development council as defined in section 159(1) of the Act.

3.2 For the purpose of applying Te Hono o Te Kahurangi quality assurance, unless the context otherwise requires references in these Rules to:

- (a) "educational performance" are to be treated as references to "organisational performance":
- (b) "self-assessment" are to be treated as references to "self-reflective practice":
- (c) "Highly Confident" are to be treated as references to "He pounamu kahurangi":
- (d) "Confident" are to be treated as references to "He pounamu whakairo".

Part 1

Programme approval criteria and applications

4. Criteria for approval of programmes for institutions under section 249 of the Act

4.1 The following are the criteria for approval of programmes for institutions:

Criterion 1	Qualification to which the programme leads
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The programme meets the definition published on the NZQA website of the applicable qualification type listed in the second column of the Table in the Appendix to the NZQF [Qualification](#) Listing and Operational Rules.

Criterion 2 Title, aims, learning outcomes and coherence

The title, aims, stated learning outcomes, and coherence of the whole programme are adequate and appropriate and clearly meet the graduate profile and specification for the qualification as listed on the New Zealand Qualifications Framework.

Criterion 3 Delivery methods

The delivery methods are adequate and appropriate, given the stated learning outcomes for the programme. Where specific resources are necessary for the programme to be provided, those resources are clearly outlined.

Criterion 4 Acceptability of the programme and consultation

There is a written summary of the consultation undertaken, the views expressed, and consideration of the views. The consultation and summary must articulate the need for and acceptability of the programme to the relevant communities (*including ākonga, whānau, hapū, iwi and where appropriate, hāpori Māori*) and other key stakeholders (*including the qualification developer and any relevant academic, employer, industry, professional and other bodies*).

The programme has been endorsed by a WDC if the programme is for an industry qualification on the NZQF that is within the specified industries covered by the WDC, except where, under section 483 of the Act, WDC endorsement does not apply to wānanga.

Criterion 5 Regulations

There are clear, relevant, and appropriate regulations that specify requirements for:

- admission
- credit recognition and transfer
- recognition of prior learning
- programme length and structure
- integration of practical and work-based components
- assessment procedures, including authenticity of student work
- normal progression within the programme.

Criterion 6 Assessment and moderation

Assessment methodology is fair, valid, consistent and appropriate given the stated learning outcomes.

There is an effective system for moderation of assessment materials and decisions.

Criterion 7 Assessment and review

The institution:

- assesses the currency and content of the programme
- has adequate and effective processes for the ongoing review of the programme,

- taking account of the results of any review of the qualification
- has adequate and effective processes for monitoring the quality of outcomes for learners and other stakeholders, and for reviewing programme regulations and content
- updates the programme accordingly.

Criterion 8 Research required for degrees and post-graduate qualifications

The links between research and the curriculum are clear, adequate, and effective.

5. Applications for approval of programmes

5.1. Applications by institutions (*other than universities*) for approval of programmes at levels 1 to 6, and diplomas at level 7, must contain the following information:

- the Data Requirements (*as defined in Rule 3.1*):
- programme documentation that includes:
 - a clear statement of the title and aims of the programme;
 - a clear articulation of the structure, components and length of the programme;
 - clearly identified links between the programme component learning outcomes and the qualification graduate profile outcomes;
 - specified learning outcomes for each component of the programme;
 - allocation of appropriate levels and credits for each component; and
 - clear identification of any assessment standards used in the programme that are taken from the Directory of Assessment Standards:
- information that demonstrates the programme meets the criteria specified in Rule 4.1:
- a self-assessment report addressing the key evaluation questions for programmes that are published by NZQA on its website:
- evidence of internal quality assurance approval of the programme by the institution:
- an explanation of how the institution will monitor and assure the consistency of qualification achievement by students.
- except for a wānanga where, under section 483 of the Act, WDC endorsement does not apply, a copy of the endorsement by a WDC if:
 - the programme is for an industry qualification on the NZQF that is within the specified industries covered by the WDC; and
 - the applicant is an institution that is a provider as defined section 477 of the Act.

5.2. Applications by institutions (*other than universities*) for approval of programmes leading to degree and post-graduate qualifications at levels 7 to 10 must contain the following:

- the Data Requirements (*as defined in Rule 3.1*):
- programme documentation that includes:
 - a clear statement of title and aims of the programme;
 - a clear articulation of the structure, components and length of the programme;
 - specified learning outcomes for each component of the programme;

- (iv) clearly identified links between the programme component learning outcomes and the qualification graduate profile outcomes; and
 - (v) allocation of appropriate levels and credits for each component:
 - (c) information that demonstrates the programme meets the criteria specified in Rule 4.1:
 - (d) a self-assessment report addressing the key evaluation questions for programmes that are published by NZQA on its website:
 - (e) evidence of internal quality assurance approval of the programme by the institution.
- 5.3. Except where NZQA otherwise requires, Category 1 institutions applying for programme approval are not required to provide the detail specified in paragraph (d) of Rule 5.1 where:
- (a) the institution demonstrates a successful history of development and design of programmes in the subject area of the programme for which approval is sought; and
 - (b) the successful history referred to in paragraph (a) relates to programmes leading to qualifications at or above the level of the qualification to which the programme application relates.
- 5.3 Applications by universities for programme approval must be made to Universities New Zealand.

Part 2

Accreditation criteria and applications

6. Criteria for accreditation of institutions to provide approved programmes or parts of approved programmes under section 250 of the Act

- 6.1 The following are the criteria for accreditation of institutions to provide approved programmes or parts of approved programmes:

Criterion 1	Assessment and moderation
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The institution has the capability and capacity to ensure assessment materials and decisions are fair, valid, consistent and appropriate for the level, given the stated learning outcomes.

Criterion 2	Resources
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The institution has the capability and capacity to support sustained delivery of the programme through appropriate academic staffing, teaching facilities, educational and physical resources, and support services.

Criterion 3	Support for delivery
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If the applicant institution is not the holder of the programme approval, there is support from the holder of the programme approval.

Criterion 4	Assessment and review
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There must be adequate and effective review of programme performance and the institution's capability to support the programme.

There must be monitoring of improvement following review, and processes for determining whether the programme should continue to be delivered.

Criterion 5	Research activity required to deliver degrees and post-graduate qualifications
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Research facilities and the support of staff involved in research are adequate, the levels of research activity of staff involved in the programme are satisfactory, and the ways by which the research-teaching links are made in the curriculum are appropriate.

7. Applications for accreditation to provide approved programmes or parts of approved programmes

- 7.1 Applications by institutions (*other than universities*) for accreditation to provide approved programmes or parts of them at levels 1 to 6, or provide approved programmes or parts of them for certificates and diplomas at level 7, must contain the following information:
- (a) the Data Requirements (*as defined in Rule 3.1*):
 - (b) information that demonstrates the institution meets the criteria specified in Rule 6.1:
 - (c) a self-assessment report addressing the key evaluation questions for accreditation that are published by NZQA on its website:
 - (d) evidence of internal quality assurance approval by the institution:
 - (e) agreement to participate in the monitoring of consistency of qualification achievement by students for the purposes of Rule 5.1(f).
- 7.2 Applications by institutions (*other than universities*) for accreditation to provide an approved programme or part of an approved programme leading to a degree or post-graduate qualifications at levels 7 to 10 must contain the following information:
- (a) the Data Requirements (*as defined in Rule 3.1*):
 - (b) information that demonstrates the institution meets the criteria specified in Rule 6.1:
 - (c) a self-assessment report addressing the key evaluation questions for accreditation that are published by NZQA on its website:
 - (d) evidence of internal quality assurance approval by the institution.
- 7.3 Except where NZQA otherwise requires, a Category 1 institution applying for accreditation is not required to provide the detail specified in paragraph (c) of Rule 7.1 where:
- (a) the institution demonstrates a successful history of provision of programmes in the subject area of the programme for which accreditation is sought; and
 - (b) the successful history referred to in paragraph (a) relates to programmes leading to qualifications at or above the level of the qualification to which the accreditation application relates.
- 7.4 Where the programme or part of the programme for which accreditation is sought includes assessment of standards listed on the Directory of Assessment Standards, the applicant must hold consent to assess against those standards.
- 7.5 Applications by universities for accreditation to provide an approved programme or part of an approved programme must be made to Universities New Zealand.

Part 3

Granting of programme approval and accreditation

8. Granting of programme approval and granting of accreditation to institutions (*other than universities*)

- 8.1 NZQA will advise applicant institutions (*other than universities*) if any of the details in the application require further work.
- 8.2 NZQA may establish a panel to assess the application.
- 8.3 NZQA may carry out a site visit for accreditation applications.
- 8.4 Where NZQA is satisfied with the details in the relevant application, NZQA will grant, and advise the applicant institution of:
 - (a) approval of the programme, including any rating of the programme in accordance with its evaluative methodology:
 - (b) accreditation to provide the approved programme or part of the approved programme.
- 8.5 Where NZQA is not satisfied with the details in the application, NZQA will not approve the application, and will advise the applicant.
- 8.6 NZQA will publish on its website up to date and appropriate details of approved programmes and details of institutions accredited to provide approved programmes or parts of them.

9. Granting of programme approval and granting of accreditation to universities

- 9.1 Where satisfied with the content of an application, Universities New Zealand will, under section 253A of the Act and in accordance with any procedures set up for inter-university course approval and moderation under section 241(a) of the Act, grant the relevant:
 - (a) programme approval:
 - (b) accreditation.

Part 4

Te Hono o Te Kahurangi quality assurance

10. Requests for Te Hono o Te Kahurangi quality assurance

- 10.1 When applying for programme approval or accreditation, an applicant may request that Te Hono o Te Kahurangi quality assurance is used for assessment of the application.
- 10.2 An applicant making a request under Rule 10.1, in addition to providing the relevant information required under Rules 4 to 7, must provide the information that the Te Hono o Te Kahurangi quality assurance framework and tools require.
- 10.3 NZQA will evaluate a request made under Rule 10.1, together with the information supplied, in accordance with Te Hono o Te Kahurangi quality assurance.

Part 5

Maintaining programme approval and accreditation

11. Requirements to be met to maintain programme approval

- 11.1 To continue to maintain a programme approval leading to a qualification at levels 1 to

6, and for a certificate or diploma at level 7, institutions (*other than universities*) must ensure:

- (a) the criteria specified in Rule 4.1 continue to be met:
- (b) ongoing assessment and reviews of the programme are undertaken:
- (c) the consistency of qualification achievement by students for the purposes of Rule 5.1(f) is monitored and assured:
- (d) relevant information is provided where requested by NZQA for the purposes of:
 - (i) assuring consistency of graduates of New Zealand qualifications at levels 1-6; and
 - (ii) reviews of suites of qualifications and of individual qualifications:
- (e) where requested by NZQA, participation and cooperation for the purposes of assuring consistency and carrying out reviews as described in Rule 11.1(d)(i) and (ii).

11.2 To continue to maintain approval of a programme leading to a degree or post-graduate qualification at levels 7 to 10, institutions (*other than universities*) must:

- (a) ensure the criteria specified in Rule 4.1 continue to be met:
- (b) ensure regular reviews of the programme are undertaken.

11.3 To continue to maintain approval of a programme universities must:

- (a) ensure the criteria specified in Rule 4.1 continue to be met:
- (b) ensure regular reviews of the programme are undertaken.

12. Requirements to be met to maintain accreditation

12.1 To continue to maintain accreditation to provide an approved programme or part of an approved programme at levels 1 to 6, or a diploma at level 7, institutions (*other than universities*) must:

- (a) ensure the criteria specified in Rule 6.1 continue to be met:
- (b) participate and cooperate in the monitoring of consistency of qualification achievement by students for the purposes of Rule 5.1(f):
- (c) undertake self-assessment:
- (d) provide the programme (*or part*) as it was approved, including adhering to the programme regulations, unless a specific change has been approved in writing by NZQA:
- (e) participate and cooperate in external evaluation and review.
- (f) where requested by NZQA, participate and co-operate in programme monitoring, which may include visits to the institution:
- (g) provide relevant information where requested by NZQA for the purposes of:
 - (i) assuring consistency of graduates of New Zealand qualifications at levels 1-6; and
 - (ii) reviews of suites of qualifications and of individual qualifications:
- (h) where requested by NZQA, participate and cooperate for the purposes of assuring consistency and carrying out reviews as described in Rule 12.1(g)(i) and (ii):
- (i) provide sufficient evidence to demonstrate consistency of graduate outcomes effectively, when participating in the process of assuring consistency.

12.2 To continue to maintain accreditation to provide an approved programme or part of an approved programme leading to a degree or post-graduate qualification at levels 7 to 10 institutions (*other than universities*) must:

- (a) ensure the criteria specified within Rule 6.1 continue to be met:
- (b) undertake self-assessment:
- (c) provide the programme (*or part*) as it was approved, including adhering to the programme regulations, unless a specific change has been approved in writing by NZQA:
- (d) participate and cooperate in external evaluation and review:
- (e) participate and cooperate in monitoring, which will consist of either:
 - (i) annual visits to the institution by the NZQA appointed monitor, reports by the monitor on the implementation of the programme, and reviews of the first graduating years of programmes by the institution; or
 - (ii) where NZQA permits, self-monitoring in accordance with any conditions imposed by NZQA.

12.3 To continue to maintain accreditation to provide a programme universities must:

- (a) ensure the criteria specified within Rule 6.1 continue to be met:
- (b) ensure regular reviews of the provision of the programme are undertaken.

Part 6

Changes to approved programmes

13. Changes to approved programmes by institutions

13.1 Before an institution carries out a Type 1 change to an approved programme, the institution must:

- (a) except for a wānanga where, under section 483 of the Act, WDC endorsement does not apply, notify the relevant WDC where the programme is for an industry qualification on the NZQF that is within the specified industries covered by the WDC; and
- (b) notify NZQA of amendments that result in changes to the Data Requirements (as defined in Rule 3.1).

13.2 Before an institution carries out a Type 2 change to an approved programme, the institution:

- (a) except for a wānanga where, under section 483 of the Act, WDC endorsement does not apply, obtain the endorsement of a WDC where the programme is for an industry qualification on the NZQF that is within the specified industries covered by the WDC; and
- (b) must obtain approval from NZQA for the change after applying to NZQA and providing the information in Rule 13.3.

13.3 The information required for the purposes of an application for a Type 2 change under Rule 13.2 is:

- (a) any changes to Data Requirements (*as defined in Rule 3.1*):
- (b) full details of the changes made to the approved programme and any impacts on the accreditation of institutions to provide the programme or part of the programme:
- (c) information that demonstrates the programme continues to meet the criteria specified in Rule 4.1:
- (d) evidence of internal quality assurance approval by the institution:-
- (e) a copy of any WDC endorsement obtained under rule 13.2(a).

14. Process and notification of result of application for Type 2 programme changes

- 14.1 NZQA will advise applicants if any of the details in the application for a Type 2 change requires further work.
- 14.2 NZQA may establish a panel to assess the application.
- 14.3 NZQA may carry out a site visit.
- 14.4 Where NZQA is satisfied with the details in the application, NZQA will approve the application and advise the applicant.
- 14.5 If there are a significant number of changes made to the programme NZQA may decline the application and require a new programme approval application to be submitted.
- 14.6 Where NZQA is not satisfied with the details in the application, NZQA will decline the application, and will advise the applicant.
- 14.7 NZQA will publish on its website up to date and appropriate details of the approved changes to the programme.

15. Programme changes by universities

- 15.1 Universities New Zealand will, under section 253A of the Act and in accordance with any procedures set up for inter-university course approval and moderation under section 241(a) of the Act, approve programme changes for universities.

Part 7

Miscellaneous requirements

16. Use of sub-contractors by institutions other than universities to provide approved programmes or parts of approved programmes

- 16.1 Where an institution (*other than a university*) proposes to use a sub-contractor to provide an approved programme or part of an approved programme on the institution's behalf, and the institution and the sub-contractor are both accredited to provide the programme (*or part*), the institution must notify NZQA of the sub- contracting arrangement prior to the programme (*or part*) being provided, and supply the following information with that notification:
 - (a) a copy of the sub-contracting agreement which must outline the responsibilities and obligations of the parties:
 - (b) the duration of the arrangement:
 - (c) the reasons for the arrangement:
 - (d) confirmation that any advertising and other information provided to prospective students clearly shows that the study or training involved is provided under a sub-contracting arrangement.
- 16.2 Where an institution (*other than a university*) proposes to use a sub-contractor to provide an approved programme or part of an approved programme that the institution is accredited to provide, and the sub-contractor does not itself hold accreditation, the institution must apply to NZQA for approval to engage the sub- contractor prior to any provision of the programme (*or part*) by the sub-contractor.
- 16.3 Applications under Rule 16.2 for approval to engage the sub-contractor must include the following information:
 - (a) the name of the sub-contractor:
 - (b) identification of the programme(s) or part(s) to be provided under the arrangement:

- (c) the rationale for the proposed sub-contracting arrangement:
- (d) a copy of the sub-contracting arrangement between the institution and the sub-contractor:
- (e) evidence of internal quality assurance approval by the institution.

16.4 NZQA will grant approval to an application under rule 16.2 where it is satisfied that:

- (a) the institution remains responsible for the sub-contractor meeting all of the institution's obligations that are relevant for the accreditation:
- (b) the sub-contractor will meet all relevant obligations in the Act and in rules made under section 253 of the Act in relation to the provision of the programme:
- (c) there is a formal documented arrangement between the holder and the sub-contractor that includes provisions to ensure that NZQA is able to exercise its quality assurance and enforcement powers and functions in respect of the acts or omissions of the sub-contractor relating to the provision of the programme:
- (d) the information and advertising for the study or training clearly states that it is provided through a sub-contracting arrangement:
- (e) all student enrolments are through the institution, and the institution maintains all student enrolment and academic information.

16.5 To continue to maintain approval under Rule 16.4 an institution must ensure the sub-contracting is conducted at all times in accordance with the requirements set out in paragraphs (a) to (e) of Rule 16.4.

17. Special reviews

17.1 NZQA will give an institution (*other than a university*) reasonable notice of any special review NZQA intends to undertake in relation to a programme approval or an accreditation of the institution to provide an approved programme.

17.2 Notice under Rule 17.1 will be given where concerns about the programme approval or accreditation are raised with NZQA, or where concerns otherwise come to the attention of NZQA.

17.3 The institution must provide relevant information and otherwise cooperate with NZQA for the purposes of the special review.

18. English language requirements for international students

18.1 An institution (*other than a university*) must:

- (a) verify, prior to enrolling an international student in a programme (*other than an English language programme*) at level 3 or above, that the student has the necessary English language proficiency as demonstrated (*except as provided in Rule 18.2*) through the use of evidence of one of the kinds described in Rules 18.3 to 18.5; and
- (b) retain a copy of that evidence for at least two years from the date of enrolment of the student.

18.2 Evidence of the kinds described in Rule 18.5 must not be used for a student who holds a passport from a country that has had, under Rule 18.6, its name and visa decline rate of more than 20% published for one month or more.

18.3 Evidence that the student has:

- (a) achieved NCEA level 3 and has met New Zealand [university entrance requirements](#); or

- (b) been awarded a Bachelor Degree, Graduate Certificate, Graduate Diploma, Bachelor Honours Degree, Postgraduate Certificate, Postgraduate Diploma, Master's Degree or Doctoral Degree with English as the language of instruction, from tertiary education providers from New Zealand, Australia, Canada, the Republic of Ireland, South Africa, the United Kingdom or the United States; or
 - (c) been awarded the Cambridge Certificate in Teaching English to Speakers of Other Languages (CELTA) or the Trinity College London Certificate in Teaching English to Speakers of Other Languages (CertTESOL).
- 18.4 Evidence that the student has achieved, within the two years preceding the proposed date of enrolment, one of the internationally recognised proficiency test outcomes specified in the Table in the **Appendix** for the level of the programme in which the student is enrolling.
- 18.5 Evidence of either of the following kinds of previous primary and secondary study in English by the student:
- (a) completion of all primary education (*being the equivalent of New Zealand primary school years 1 to 8*) and at least three years of secondary education (*being the equivalent of three years from New Zealand secondary school years 9 to 13*) at schools where the student was taught using English as the language of instruction; or
 - (b) completion of at least five years of secondary education (*being the equivalent of New Zealand secondary school years 9 to 13*) at schools where the student was taught using English as the language of instruction.
- 18.6 Immigration New Zealand will measure (*based on statistics generated over a period of time set by [Immigration New Zealand](#)*) the student visa application decline rate of countries, and where the measurement shows that a country's student visa application decline rate is more than 20%, Immigration New Zealand will publish on its website the name of that country and its student visa application decline rate.

~~19 [Revoked, having expired] Transitional provisions for NZQA approved English proficiency assessments of Category 1 and 2 institutions~~

~~19.1 Rule 19.2 applies to English proficiency assessments used by Category 1 and 2 institutions which were approved by NZQA under revoked Rule 18(6), as that rule existed immediately before revocation by these Rules.~~

~~19.2 The English proficiency assessments to which Rule 19.1 applies may continue to be used by Category 1 and 2 institutions in accordance with revoked Rule 18(6) until the expiry of 3 months following the commencement of these Rules.~~

20. Revocations

20.1 The following rules are revoked:

- (a) NZQF Programme Approval and Accreditation Rules 2013:
- (b) NZQF Programme Approval and Accreditation Amendment Rules 2013:
- (c) NZQF Programme Approval and Accreditation Amendment Rules 2015:
- (d) NZQF Programme Approval and Accreditation Amendment Rules 2016:
- (e) NZQF Programme Approval and Accreditation Amendment Rules 2017.

Appendix

Internationally Recognised English Proficiency Outcomes for International Students

Acronyms used in the Table below

C1 Advanced – the qualification of Cambridge Assessment English of that name, found at <http://www.cambridgeenglish.org/exams/advanced/>

C2 Proficiency – the qualification of Cambridge Assessment English of that name, found at <http://www.cambridgeenglish.org/exams/proficiency/>

B2 First – the qualification of Cambridge Assessment English of that name, found at <http://www.cambridgeenglish.org/exams/first/>

B2 First for Schools – the qualification of Cambridge Assessment English of that name found at <http://www.cambridgeenglish.org/exams-and-tests/first-for-schools/>

IELTS – the International English Language Testing System, jointly owned by the British Council, IDP Education Australia, and Cambridge English Language Assessment, found at <http://www.ielts.org>.

LanguageCert - a set of English Language qualifications owned by PeopleCert Qualifications Limited, member of the PeopleCert Group, found at www.languagecert.org

LRWS – listening, reading, writing and speaking.

NZCEL – the New Zealand Certificates in English Language listed on the NZQF (*NZQA being the qualification developer*).

OET – the Occupational English Test of Cambridge Boxhill Language Assessment, found at <https://www.occupationalenglishtest.org/>

PTE – the Pearson Test of English (Academic), found at <https://pearsonpte.com>.

TOEFL – the Test of English as a Foreign Language of the Educational Testing Service, whose headquarters are in Princeton, United States, found at <http://www.ets.org/toefl>.

Trinity ISE – the Trinity College London Integrated Skills in English, found at <http://www.trinitycollege.com/site/?id=3192>

TWE – in relation to TOEFL is the Test of Written English.

TABLE for Internationally Recognised English Proficiency Outcomes for International Students

Internationally recognised proficiency tests	Programme Level and required outcome ¹				
	Certificate at Level 3	Certificate at Level 4	Certificate or Diploma at Level 5	Certificate or Diploma at Level 6 Diploma or degree at Level 7 Graduate Certificate or Diploma at Level 7	Post-graduate Diploma or Post-graduate Certificate at Level 8 Bachelor Honours Degree at Level 8 Master's Degree at Level 9 Doctoral Degree at Level 10
IELTS test²	General or Academic score of 5 with no band score lower than 5	General or Academic score of 5.5 with no band score lower than 5	Academic score of 5.5 with no band score lower than 5	Academic score of 6 with no band score lower than 5.5	Academic score of 6.5 with no band score lower than 6
TOEFL Paper-based Test (pBT) where the test was carried out prior to 1 October 2017	Score of 500 (with an essay score of 4 TWE)	Score of 530 (with an essay score of 4.5 TWE)	Score of 550 (with an essay score of 5 TWE)	Score of 550 (with an essay score of 5 TWE)	Score of 590 (with an essay score 5.5 TWE)
TOEFL Internet-based test (iBT)	Score of 35 (with a writing score of 14)	Score of 46 (with a writing score of 14)	Score of 46 (with a writing score of 14)	Score of 60 (with a writing score of 18)	Score of 79 (with a writing score of 21)
Cambridge English Qualifications	B2 First or B2 First for Schools with a score of 154. No less than 154 in each skill;	B2 First or B2 First for schools with a score of 162. No less than 154 in each skill;	B2 First or B2 First for schools with a score of 162. No less than 154 in each skill;	B2 First, or B2 First for schools, or C1 Advanced, or C2 Proficiency with a score of 169. No less than 162 in each skill;	C1 Advanced or C2 Proficiency with a score of 176. No less than 169 in each skill;

OET	Minimum of Grade C or 200 in all sub-tests	Minimum of Grade C or 200 in all sub-tests	Minimum of Grade C or 200 in all sub-tests	Minimum of Grade C or 200 in all sub-tests	Minimum of Grade C+ or 300 in all sub-tests
NZCEL³ a) Expiring b) Current	a) Level 3 (General) or (Workplace) b) Level 3 (General)	a) Level 3 (Academic) b) Level 3 (Applied)	a) Level 4 (General) or (Workplace) b) Level 4 (General) or (Employment)	a) Level 4 (Academic) b) Level 4 (Academic)	a) Level 5 (Academic) or (Professional) b) Level 5
Pearson Test of English (Academic)	PTE (Academic) score of 36 with no band score lower than 36	PTE (Academic) score of 42 with no band score lower than 36	PTE (Academic) score of 42 with no band score lower than 36	PTE (Academic) score of 50 with no band score lower than 42	PTE (Academic) score of 58 with no band score lower than 50
LanguageCert	B1 Achiever IESOL (LRWS) with PASS and no less than Pass in each skill	B2 Communicator IESOL (LRWS) with PASS and no less than Pass in each skill	B2 Communicator IESOL (LRWS) with HIGH PASS and no less than Pass in each skill	C1 Expert IESOL (LRWS) with PASS and no less than Pass in each skill	C1 Expert IESOL (LRWS) with HIGH PASS and no less than Pass in each skill or C2 Mastery IESOL (LRWS) with PASS and no less than Pass in each skill
Trinity ISE	ISE I with no less than distinction in any band	ISE II with no less than pass in any band	ISE II with no less than merit in any band	ISE II with no less than distinction in any band	ISE III with no less than pass in any band

¹ The listed outcomes represent the minimum scores or grades for each test or qualification that qualify a student for enrolment at each programme level. Students with higher scores or grades than required for a particular programme level may still enrol at that level. Where the entry requirements for a programme are for a higher English proficiency outcome than is listed in the relevant row of the Table for the programme level in which the student is being enrolled, the student must meet that higher level.

² IELTS scores used must be taken from a single IELTS Test Report Form (*i.e. combining scores from more than one test is not permissible*).

³ New versions of some NZCEL qualifications, and in some cases new qualifications, were published on 13 June 2017. These are intended to replace pre-existing versions and qualifications. The pre-existing versions have been given expiring status until discontinued on 31 December 2019.

VERSION 5 17.01.2019

NZQF Industry Training Programme Approval Rules 2012

1. Authority

- 1.1 These Rules are made under section 253 of the Education Act 1989.

2. Commencement

- 2.1 These Rules commence on the day after the date of approval by the Minister under section 253(5) of the Act.

3. Interpretation

- 3.1 In these Rules, unless the context otherwise requires:

Act means the Education Act 1989:

Credit value means the number of credits, with each credit representing ten notional learning hours:

Credit recognition and transfer means a formal process whereby credit for outcomes already achieved by a student in relation to a qualification is recognised as credit for comparable outcomes in another qualification:

Directory means the Directory of Assessment Standards provided for in section 248A of the Act:

~~Industry training organisation has the meaning in section 159(1) of the Act:~~

Industry training programme means a programme that leads to a qualification listed on the NZQF and has the following features:

- (a) ~~it is for training for the purposes of the Industry Training and Apprenticeships Act 1992~~involves work-based training as defined in section 477 of the Act; and
- (b) the programme describes all of the learning events and arrangements for training; and
- (c) the assessments are carried out by or on behalf of ~~an industry training organisation~~transitional ITO:

Level means any of levels 1 to 10 of the NZQF:

NZQA means the New Zealand Qualifications Authority:

NZQF means the New Zealand Qualifications Framework:

NZQF Programme Approval and Accreditation Rules means the NZQF Programme Approval and Accreditation Rules 2018, as amended or replaced from time to time:

Programme has the same meaning as in section 159(1) of the Act:

Recognition of prior learning means a process that involves formal assessment of a student's relevant and current knowledge and skills (*gained through prior learning*) to determine achievement of learning outcomes of a qualification for the purpose of awarding credit towards that qualification; and for the avoidance of doubt it does not include credit recognition and transfer:

Trainee means the person who is being trained, and is a student for the purposes of section 248A(2) of the Act:

Transitional ITO means a transitional ITO as defined in clause 41(1) of Part 9 of Schedule 1 of the Act:

- 4. Relationship between these rules and the deemed programme rules**
 - 4.1 These Rules apply to industry training programme approvals applied for by, or granted to, ~~industry training organisations~~ transitional ITOs for qualifications at levels 1 to 7 of the NZQF (*but not including degrees or post-graduate qualifications*).
 - 4.2 The NZQF Programme Approval and Accreditation Rules do not apply to industry training programme approvals, but do apply to any accreditation to provide an approved industry training programme.
- 5. Criteria for approval of industry training programmes under section 249 of the Act**
 - 5.1 The following are the criteria for approval of industry training programmes of transitional ITOs ~~industry training organisations~~:
 - (a) *Qualification to which the programme leads*

The programme meets the definition and specification of the applicable qualification type.
 - (b) *Title, aims, learning outcomes and coherence*

The title, aims, qualification outcomes and coherence of, and within, the whole programme are adequate and appropriate and meet the graduate profile and specification of the qualification listed on the NZQF.
 - (c) *Specified requirements*

There is a written set of specified requirements for entry, credit recognition and transfer, recognition of prior learning, indicative programme length and structure, and the programme's assessment policy and procedures.

Integration of components into the programme structure is clear, relevant, and appropriate.

Specific resources needed for the programme are specified and meet the relevant consent and moderation requirements.

There is clarity as to the arrangements for monitoring and assurance of consistency of qualification achievement by trainees.
 - (d) *Training arrangements and support*

The training arrangements and support provided are adequate and appropriate, given the qualification outcomes for the programme and the context in which the programme is offered.

Where specific resources are necessary for the programme to be provided, those resources are clearly stated and fit for purpose.

(e) *Consultation*

The qualification developer (*where this is not the applicant*), and relevant key stakeholders are consulted, their views are considered, and there is a summary of the views and the consideration of them.

(f) *Assessment and moderation*

Assessment methodologies provide fair, valid, consistent and appropriate assessment of trainee achievement, given the qualification outcomes.

There is an effective system for moderation of assessment materials and decisions.

(g) *Self-assessment and external evaluation and review*

As part of the institution's participation in self-assessment and in external evaluation and review, at a minimum the self-assessment includes adequate and effective processes for:

- the ongoing review of the programme, taking account of any review of the qualification:
- monitoring of the quality of outcomes for trainees and other stakeholders:
- keeping the specified requirements and content of the programme current and relevant.

6. Applications for approval of industry training programmes

6.1 Applications by ~~transitional ITOs, industry training organisations~~ for approval of industry training programmes must contain the following details:

- (a) the name and contact details of the applicant:
- (b) a title for the programme that properly reflects the qualification to which it leads:
- (c) credit value and level:
- (d) the assigned six digit code from the New Zealand Standard of Classification of Education (NZSCED) system:
- (e) information that demonstrates the programme meets the criteria in Rule 5.1:
- (f) evidence of the internal quality assurance approval of the industry training organisation:
- (g) a written self-assessment using guidelines from time to time published for the purpose on the NZQA website.

7. NZQA approval of applications

7.1 Approval will not be granted for an industry training programme which:

- (a) leads to a qualification that is a degree or post-graduate qualification at levels 7 to 10 on the NZQF;

- (b) includes in the title any of the words “degree”, “bachelor”, “master”, “doctor”, “under-graduate” or “post-graduate”; or
 - (c) includes in the title the name of a person, organisation, or product unless the applicant satisfies NZQA that there is a sound educational justification for the inclusion.
- 7.2 Where NZQA is satisfied that the requirements for the application have been met, NZQA will approve the programme and will advise the applicant.
- 7.3 NZQA will advise applicants if any of the requirements for the application require further work.
- 7.4 Where NZQA is not satisfied that the requirements are met, NZQA will not approve the programme, and will advise the applicant accordingly.
- 7.5 NZQA will publish on its website the details of successful applicants’ programme of training approvals.
- 8. Requirements to be met by ~~industry training organisations~~ transitional ITOs to maintain approval**
- 8.1 Transitional ITOs ~~Industry training organisations~~ holding an industry training programme approval must ensure:
- (a) the criteria in Rule 5.1 continue to be met:
 - (b) there is a permanent and accurate record kept of trainee enrolment and achievement:
 - (c) there are regular reviews of the programme:
 - (d) active participation and cooperation in:
 - (i) reviews of the qualification the programme leads to, including where the review involves suites of qualifications; and
 - (ii) processes for assuring consistency of graduate outcomes:
 - (e) there is accessible and current information available in respect of the reviews, the monitoring of the quality of outcomes for trainees and other stakeholders, and keeping the specified requirements and content of the programme current and relevant:
 - (f) when participating in processes for assuring consistency, they have sufficient evidence to demonstrate effective consistency of graduate outcomes in respect of graduate achievement they have reported.

Version 4 17.01.2020

NZQF Qualification Listing and Operational Rules 2016

1. Authority

- 1.1 These Rules are made under section 253 of the Education Act 1989.

2. Commencement

- 2.1 These Rules commence on the day after the date of approval by the Minister under section 253(5) of the Act.

3. Interpretation

- 3.1 In these Rules, unless the context otherwise requires:

Act means the Education Act 1989:

Credit recognition and transfer means a formal process whereby credit for outcomes already achieved by a student in relation to a qualification is recognised as credit for comparable outcomes in another qualification:

Credit value means the number of credits, with each credit representing ten notional learning hours:

Level means any of levels 1 to 10 set out in the first column of the NZQF structure:

NCEA means the National Certificate of Educational Achievement:

NZIST means the New Zealand Institute of Skills and Technology as defined in section 159(1) of the Act:

NZIST subsidiary has the same meaning as in section 159(1) of the Act:

NZQA means the New Zealand Qualifications Authority:

NZQF means the New Zealand Qualifications Framework:

NZQF logo means the logo that is available from NZQA for approved usage in relation to the NZQF:

NZQF structure means the structure set out in the Table in the **Appendix**, consisting of the Levels and qualification types:

Qualification developer means a university, ~~polytechnic~~ NZIST, an NZIST subsidiary that provides education or training or both, a wānanga, a registered private training establishment, a government training establishment, a industry

~~training organisation~~ transitional ITO, a WDC, NZQA, or other body that NZQA recognises as capable of meeting the responsibilities of a qualification developer set out in Rule 13.1; and for the purposes of Rule 17 is the body that NZQA notifies as being the qualification developer for a particular qualification:

Qualification type means a type of qualification listed in the second column of the NZQF structure:

Quality assurance body means:

- (a) NZQA:
- (b) Universities New Zealand when it is exercising the powers of NZQA in respect of universities:

Status means current, expiring, or discontinued status of the qualification, as described in Rules 7.1 to 7.5:

Te Hono o Te Kahurangi quality assurance means applying Te Hono o Te Kahurangi whare ako framework and quality assurance tools for applications to list qualifications, as that framework and those tools are published from time to time by NZQA on its website:

Transitional ITO means a transitional ITO as defined in clause 41(1) of Part 9 of Schedule 1 of the Act:

Universities New Zealand means the New Zealand Vice-Chancellors' Committee established under section 240 of the Act:-

WDC means a workforce development council as defined in section 159(1) of the Act.

Listing details for qualifications

4. Qualification details listed on the NZQF for all qualifications

4.1 The details for all qualifications to be listed on the NZQF are:

- (a) a title for the qualification that properly reflects the qualification:
- (b) a suitable qualification type and level that recognises the achievement of a set of graduate outcomes for a particular purpose through formal certification:
- (c) a statement of the purpose of the qualification which clearly states:
 - (i) for qualifications evaluated using Te Hono o Te Kahurangi quality assurance for qualifications, the use of the qualification in Aotearoa, New Zealand, or one or more other countries, and its relevance to ākonga, whānau, hapū, iwi, and where appropriate hāpori Māori and other relevant industries or communities:
 - (ii) for all other evaluated qualifications, the use of the qualification in New Zealand, or the use of the qualification in one or more other countries, and its relevance to students, industry, employers, professions, whānau, hapū, iwi, hāpori Māori or community groups:
- (d) a suitable outcome statement that:
 - (i) includes a graduate profile which describes the knowledge, skills, and attributes that the graduate will be able to demonstrate upon achieving the qualification:
 - (ii) identifies the education pathways to other qualifications, if any:

(iii) identifies, -

(A) for qualifications evaluated using Te Hono o Te Kahurangi quality assurance for qualifications, either a cultural pathway, an education pathway or an employment pathway relevant to ākonga, whānau, hapū, iwi, and where appropriate hāpori Māori, and other relevant industries or communities:

(B) for all other evaluated qualifications, either or both of the employment pathways or any contribution to the community, whānau, hapū, iwi, or hāpori Māori:

- (e) the credit value:
- (f) the assigned six digit code from the New Zealand Standard of Classification of Education (NZSCED) system:
- (g) the name of the appointed qualification developer:
- (h) the name or kind of body that awards, or combination of bodies that award, the qualification:
- (i) the intended period for ongoing review, usually being no longer than 5 years from listing and no longer than 5 years from each review thereafter.

5. Further details for qualifications listed at levels 1 to 6

5.1 Compliance with Rule 5.2 by a university is required only where the title of a qualification sought to be listed by the university begins with the words “New Zealand”.

5.2 Subject to Rule 5.1, qualifications at levels 1 to 6, in addition to the details in Rule 4.1, must also contain the following details:

- (a) for titles in English, the generic stem of the title (except for NCEA) must begin with the words “New Zealand” (*and for the purposes of section 292(5) of the Act, this amounts to NZQA consent to use the words “New Zealand”*) or, for qualifications with a predominant use in one or more other countries, must begin with the acronym “NZQF”:
- (b) after the words “New Zealand” or “NZQF” (*except for NCEA*) will be the qualification type, then the designator that identifies the main discipline or subject field of the qualification, followed by its level:
- (c) the title may include other qualifiers such as:
 - (i) the country or countries other than New Zealand in which it has a predominant use:
 - (ii) optional discipline and focus qualifiers:
 - (iii) strands that recognise achievement or specialties:
- (d) the title must not include the name of a person, organisation, or product unless the applicant satisfies the quality assurance body that there is a sound educational justification for the inclusion:
- (e) a suitable specification that contains the mandatory conditions set out in Rule 5.3 and the optional conditions set out in Rule 5.4 for programmes leading to the award of the qualification, which must enable the qualification to be achieved through a range of contexts and learning pathways.

5.3 For the purposes of Rule 5.2(e) mandatory conditions include:

- (a) a description of the minimum relevant and necessary evidence for use by tertiary education organisations to demonstrate how the graduates have met the graduate outcomes for the purpose of assuring consistency:
- (b) any pre-requisites to meet regulatory body or legislative requirements, such as for health and safety:
- (c) any standards listed on the Directory of Assessment Standards which are critical for meeting legislative or professional registration requirements in the graduate profile outcomes:
- (d) the minimum standard of achievement, and standards for grade endorsements such as merit or excellence (*where applicable*).

5.4 For the purposes of Rule 5.2(e) optional conditions include:

- (a) entry requirements, including a range of contexts and learning pathways, and minimum literacy levels:
- (b) general guidance for programme developers:
- (c) the context for delivery or assessment:
- (d) any practicum requirements.

6. Use of te reo Māori in listing qualifications

6.1 A qualification may be listed in te reo Māori instead of English, and may include a reo Māori translation for “New Zealand” for the purposes of Rule 5.2(a), where the listing in te reo Māori is consistent with:

- (a) Rule 4.1(c) and (d); and
- (b) aspirations for Mātauranga Māori.

6.2 Where qualifications are listed in te reo Māori, the listing details in Rule 4.1(c) and (d)(i) will contain an English description.

7. Status of Qualifications on the NZQF

7.1 Qualifications on the NZQF will be assigned one of three kinds of status by NZQA: current, expiring, or discontinued.

7.2 Qualifications with current status are those in current use, and programmes leading to such qualifications may be offered and provided to students in accordance with the Act and with Rules made under section 253 of the Act.

7.3 Qualifications with expiring status are those:

- (a) which are being replaced with a new qualification; and
- (b) for which a decision has been made for them to be discontinued in the future.

7.4 Qualifications with expiring status:

- (a) may continue to be available to students enrolled in a programme of study or training leading to the expiring qualification, but no new students may be enrolled in that qualification from the time the qualification is assigned expiring status by NZQA; and
- (b) will have a time limit for the expiry period, following which they will be assigned discontinued status.

7.5 For qualifications with discontinued status:

- (a) the qualification may no longer be awarded unless all qualification requirements were completed prior to its discontinuation; and
- (b) programmes leading to such qualifications must not be offered or provided.

8. Amendment of listing details on the NZQF

- 8.1 At the request of the qualification developer, or where the quality assurance body considers it necessary in the circumstances, the listing details may be amended.
- 8.2 Where the quality assurance body considers it necessary to amend the listing details, the qualification developer will be given reasonable notice and an opportunity to respond.

9. Removal of a qualification from the NZQF

- 9.1 NZQA will remove a qualification from the NZQF where it has been listed by mistake.

Applications to list qualifications

10. Content and process for applications for approval to list qualifications on the NZQF

- 10.1 Applications for approval to list qualifications on the NZQF must:
 - (a) contain the details set out in Rule 4.1; and
 - (b) for qualifications at levels 1 to 6 also contain the details required by:
 - (i) Rules 5.1 and 5.2; and
 - (ii) Rule 10.3 (*other than university applications*).
- 10.2 Applications (*other than by universities*) for approval to list qualifications at levels 1 to 6 will be managed in two stages:
 - (a) the first stage is approval to develop the qualification:
 - (b) the second stage is approval of the qualification.
- 10.3 The following additional requirements apply to applications to list qualifications at levels 1 to 6:
 - (a) applicants are to use the relevant application form available on the NZQA website:
 - (b) [*revoked*]:
 - (c) a stakeholder profile must be provided which identifies individuals and/or organisations with a “stake” in the outcome of the qualification, including the following mandatory stakeholders:
 - (i) ~~industry training organisations~~ a transitional ITO or WDC where the qualification in the application relates to any of ~~industries for which the industry training organisations are recognised under the Industry Training and Apprenticeships Act 1992~~ its specified industries:
 - (ii) any other standard setting body where the qualification in the application relates to an area of responsibility of that standard setting body:
 - (iii) regulatory bodies where the qualification in the application relates to an area of responsibility of that regulatory body:

- (iv) providers who are likely to be accredited to provide a programme leading to the qualification, or a sample of providers of a similar qualification:
 - (d) a list of the stakeholders from the stakeholder profile that had significant involvement in the development of the qualification:
 - (e) copies of relevant stakeholder attestations for both stages of the application, with those attestations showing the nature, degree and reason for each stakeholder's involvement in the development of the qualification:
 - (f) for the first stage of an application only, evidence of a comprehensive needs analysis that identifies and confirms the distinct need in New Zealand for the qualification, or in the other country or countries in which the qualification has a predominant use (*including evidence of satisfying the requirements of the relevant regulatory body or bodies of that country or those countries*):
 - (g) evidence of decisions made in the development of the qualification.
- 10.4 In addition to supplying the details required in Rule 10.1, applicants may:
- (a) for the purposes of Rule 6.1 request that the qualification is listed in te reo Māori instead of English, and may choose whether to include a reo Māori translation for "New Zealand":
 - (b) request that Te Hono o Te Kahurangi quality assurance is used for assessment of the application, and answer the following pātai aromātai for the six kaupapa set out in Rule 10.4A:
 - (i) for the purposes of Rule 10.2(a), - Kei te tutuki te tono nei i ngā kaupapa o Te Hono o Te Kahurangi?:
 - (ii) for the purposes of Rule 10.2(b) - Kei te eke te tono nei i ngā kaupapa o Te Hono o Te Kahurangi?
- 10.4A For the purposes of Rule 10.4(b) the kaupapa as consistent with Te Hono o Te Kahurangi quality assurance are:
- (a) rangatiratanga:
 - (b) whanaungatanga:
 - (c) manaakitanga
 - (d) pūkengatanga:
 - (e) kaitiakitanga:
 - (f) Te Reo Māori.
- 10.4B An applicant making a request under Rule 10.4(b), in addition to providing the information required under this Rule 10, must provide the information that Te Hono o Te Kahurangi quality assurance framework and tools require.
- 10.4C NZQA will evaluate a request made under Rule 10.4(b), together with the information supplied, in accordance with Te Hono o Te Kahurangi quality assurance.
- 10.5 NZQA may release an applicant from all or part of the requirements in Rule 10.2(a), or Rule 10.3(d) or (e), where the applicant satisfies NZQA there is good reason to do so.

11. Approval of qualification applications for listing

- 11.1 NZQA will advise applicants if any of the requirements for the application require further work.
- 11.2 Where NZQA is satisfied that the requirements for the application have been met, and that the qualification developer is properly capable of meeting the qualifications developer responsibilities in Rule 13.1, NZQA:
 - (a) will advise the applicant that the qualification has been approved;
 - (b) will proceed to list the qualification on the NZQF; and
 - (c) give the qualification a unique listing number.
- 11.3 Where NZQA is not satisfied that the requirements are met, or not satisfied that the qualification developer is properly capable of meeting the qualifications developer responsibilities, NZQA will not approve the application.

12. Listing of approved qualifications

- 12.1 NZQA will list a qualification at levels 1 to 6 only where it is satisfied that the qualification does not duplicate an existing qualification, that there is a distinct need for the qualification, and that it will meet the outcomes as stated in the outcome statement required in Rule 4.1(d).
- 12.2 Where a qualification has been evaluated using Te Hono o Te Kahurangi quality assurance for qualifications, NZQA will indicate this in the listing details of the qualification.
- 12.3 In listing a qualification NZQA will:
 - (a) list the relevant details set out in Rules 4.1 and 5.2, and (*where applicable*) the details in Rules 6.1 and 6.2:
 - (b) assign current status to the qualification:
 - (c) assign different review periods to those set out in Rule 4.1(i) where NZQA believes that different review periods are needed.
- 12.4 Universities New Zealand will:
 - (a) approve applications from universities for listing qualifications where the applications meet the requirements in Rule 4.1; and
 - (b) list the approved qualifications on the NZQF or arrange for NZQA to do so.

Qualification developers

13. Responsibilities of Qualification Developers

- 13.1 The responsibilities of a qualification developer are:
 - (a) to review the qualification within each review period specified for the qualification, following the current guidelines published by the quality assurance body on its website:
 - (b) to actively participate and cooperate in the processes of:
 - (i) assuring consistency of graduates of New Zealand qualifications at levels 1-6; and
 - (ii) NZQA initiated wider reviews of suites of qualifications and of individual qualifications:

- (c) to provide information requested by NZQA for the purposes of the processes under paragraph (b) of this Rule.

14. Qualification Developers (*other than universities*) that are not meeting their responsibilities

- 14.1 Where NZQA believes a qualification developer (*other than a university*) is not meeting its responsibilities under Rule 13.1, NZQA will notify the qualification developer and the original applicant for approval for listing the qualification (*where the applicant is a different person*), and seek their views including any remedial action the qualification developer intends to take.
- 14.2 Where NZQA has given the notice under Rule 14.1 and remains satisfied that a qualification developer is not meeting its responsibilities under Rule 13.1, and that the qualification developer has no effective remedial plan, then:
 - (a) NZQA may require a replacement qualification developer to be appointed within a specified period of time, being a qualification developer that NZQA is satisfied will meet the responsibilities under Rule 13.1, and may amend the listing details accordingly:
 - (b) NZQA may appoint the replacement qualification developer if there is no replacement qualification developer appointed under paragraph (a) within the specified time:
 - (c) NZQA may alter the status of the qualification on the NZQF.

15. Unsatisfactory reviews of qualifications (*other than university qualifications*)

- 15.1 NZQA may, where it considers that a satisfactory result is not being achieved from any reviews of one or more qualifications (*other than university qualifications*), -
 - (a) notify the relevant qualification developers of the details of a further review process and the timeframes for that review:
 - (b) consult known interested parties in the review process, and take into account their views:
 - (c) reach an interim decision on the qualifications needed and advise the interested parties of the interim decision and the reasons for it:
 - (d) ask the interested parties for submissions on the interim decision, and take those submissions into account in reaching a final decision:
 - (e) notify the interested parties of the final decision, the reasons for the decision, and the timeframes and process for implementing the final decision:
 - (f) list the qualifications needed that are not already listed, insert any relevant listing details for the resulting qualifications, and assign an expiring status to qualifications not required.

Award of qualifications

16. Award of qualifications

- 16.1 Organisations that may award a qualification listed on the NZQF are:
 - (a) for qualifications at levels 1 to 6 (*other than NCEA and university qualifications*), the bodies listed in Rule 16.2; and

- (b) for all other qualifications, the body or combination of bodies listed for that qualification for the purposes of Rule 4.1(h).
- 16.2 Qualifications at levels 1 to 6 (*other than NCEA and university qualifications*) may be awarded by:
- (a) an institution with a programme approval under section 249 of the Act in respect of the qualification; or
 - (b) a ~~transitional ITO~~ ~~n-industry training organisation~~ with consent to assess against standards making up the qualification (*under section 252 of the Act*) pending the ~~transitional ITO~~ ~~industry training organisation~~ obtaining a programme approval for the qualification; or
 - (c) an institution accredited under section 250 of the Act to provide a programme leading to the qualification; or
 - (d) the qualification developer where there is good reason for the qualification not being awarded by the organisations described in Rule 16.2(a) – (c); or
 - (e) NZQA where there is good reason for the qualification not being awarded by the organisations described in Rule 16.2(a) – (d).
- 16.3 The formal document certifying the award of a qualification with “New Zealand” or “NZQF” in the title must bear the NZQF logo, and may also include the name or logo of the awarding body or qualification developer.
- 16.4 For listed qualifications of the kind to which Rule 16.1(b) applies that do not have “New Zealand” in the title, the qualification developer may specify the requirements for the formal document certifying the award, which may include using the NZQF logo where approved to do so by NZQA.
- 16.5 Where the language of instruction of the programme leading to a qualification was a language other than English or te reo Māori, the formal document certifying the award of the qualification must clearly state the language of instruction.

Consequential revocations

17. Consequential revocations

- 17.1 The following rules are consequentially revoked:
- (a) the NZQF Qualification Listing and Operational Rules 2012;
 - (b) the NZQF Qualification Listing and Operational Amendment Rules 2013.

Appendix

NZQF Structure - Levels and qualification types

LEVEL	QUALIFICATION TYPES
10	Doctoral Degree
9	Master's Degree
8	Postgraduate Diplomas and Certificates, Bachelor Honours Degree
7	Bachelor's Degree, Graduate Diplomas and Certificates
6 5	Diplomas
4 3 2 1	Certificates

Version 3 17.01.2020

Consent to Assess Against Standards on the Directory of Assessment Standards Rules 2011

1. Authority

- 1.1 These Rules are made under section 253 of the Education Act 1989.

2. Commencement

- 2.1 These Rules commence on the date of commencement of Education Amendment Act (No.4) 2011, or the day after the date of approval by the Minister under section 253(5) of the Act if that approval is later than the date of commencement of Education Amendment Act (No.4) 2011.

[Note: the commencement date was 31 August 2011]

3. Interpretation

- 3.1 In these Rules, unless the context otherwise requires:

Act means the Education Act 1989:

Classification means the field, sub-field or domain for a standard:

Consent and moderation requirements means the standard-setting body requirements listed for standards that relate to the particular skills and knowledge of teachers and assessors, any special resources required for assessing against the standards, learner access to resources, practical experience, and national external moderation:

Consent to assess means consent to assess against standards on the Directory, provided for in section 252 of the Act:

Directory means the Directory of Assessment Standards provided for in section 248A of the Act:

Industry training micro-credential means a kind of consent to assess consisting of one or more assessment standards on the Directory and which:

- (a) certifies the achievement of a specific set of skills and knowledge in workplace training:
- (b) has a statement of purpose and clear learning outcomes:
- (c) has demonstrable support from the relevant industries, employers, or communities:
- (d) has a credit value that is from 5 to 40 credits (*inclusive*):
- (e) would typically not duplicate current quality assured learning approved by NZQA:

Institution has the same meaning as in section 252(1) of the Act:

Transitional ITO means ~~an industry training organisation within the meaning in section 159(1) of the Act~~ a transitional ITO as defined in clause 41(1) of Part 9 of Schedule 1 of the Act:

Level means any of levels 1 to 10 of the NZQF:

NZQA means the New Zealand Qualifications Authority:

NZQF means the New Zealand Qualifications Framework:

Relevant school has the same meaning as in section 246 of the Act:

Standard-setting body means an “approved standard-setting body” within the meaning of that term in section 248B(1) of the Act.

Te Hono o Te Kahurangi quality assurance means applying Te Hono o Te Kahurangi where ako framework and quality assurance tools for consents to assess, as that framework and those tools are published by NZQA from time to time on its website.

WDC means a workforce development council as defined in section 159(1) of the Act.

- 3.2 References to sections and rules are to sections and rules of these Rules unless otherwise specified.

Part 1 – Applications and use of sub-contractors

4. **Applications for consent to assess (except relevant schools and transitional ITOs) where the applicant does not already hold a consent to assess**
 - 4.1 All applications for consent to assess, where the applicant does not already hold a consent, must contain the following information:
 - (a) the name and contact details of the applicant:
 - (b) the scope of the consent sought, covering the classifications and standards, and levels:
 - (c) where the application relates to unit standards, evidence of the assessment by the relevant standard-setting body of the applicant's ability to meet the consent and moderation requirements:
 - (d) evidence of how the applicant will carry out self assessment and participate in external evaluation and review (*however this is not needed where it has already been provided in a related application for accreditation to provide an approved programme or a related application for training scheme approval*).
 - 4.2 Where the application for consent is not associated with a related application for accreditation to provide an approved programme, or a related application for training scheme approval, the application must also contain:
 - (a) an explanation of how the scope fits with the applicant's overall business planning and delivery intentions:
 - (b) evidence to show the applicant is able to design study or training, particularly in respect of the standards in the application.
 - 4.3 Rules 4.1 and 4.2 do not apply to relevant schools or Industry Training Organisations except to the extent provided for in sections 5 and 6.
5. **Applications from relevant schools for consent to assess where the school does not already hold a consent to assess**

5.1 Relevant schools applying for consent to assess must provide the details in paragraphs (a) and (b) of rule 4.1, and make available to NZQA where requested a copy of the documentation required in **Appendix 1**.

5.2 Where the application includes unit standards, the relevant school must also provide details as required in paragraph (c) of rule 4.1.

6. Applications from transitional ITOs where the transitional ITO does not already hold a consent, or where the application relates to standards in respect of which the transitional ITO is not the standard-setting body

6.1 Transitional ITOs applying for consent to assess against standards for which it is the standard-setting body, and where the transitional ITO does not already hold a consent for such standards, must provide:

(a) the details in paragraphs (a), (b) and (d) of rule 4.1:

(b) information on the skills of the workplace assessors the transitional ITO proposes to use for assessments, and information on the management and training of the assessors.

6.2 A transitional ITO applying for consent to assess against standards for which it is not the standard-setting body, and where the transitional ITO does not already hold a consent in relation to such standards, must provide the information:

(a) in Rule 6.1:

(b) in paragraph (c) of Rule 4.1.

7. Applications from holders of existing consents to assess to extend or reduce the scope of the consent to assess

7.1 A holder of a consent to assess (*other than a relevant school or transitional ITO*) may at any time apply to extend the scope of the consent, providing the details in paragraphs (a), (b), and (c) of rule 4.1.

7.2 A relevant school may at any time apply to extend the scope of the consent, providing, in respect of the standards to which the application relates:

(a) the information required in paragraphs (a), (b) and (c) of rule 4.1:

(b) any updates to the documentation required in **Appendix 1**.

7.3 A ~~transitional industry training organisation ITO~~ may at any time apply to extend the scope of its consent to assess, providing, in respect of the standards to which the application relates, -

(a) where the transitional ITO is the standard-setting body for the standards, the information in paragraphs (a) and (b) of rule 4.1 and the information in paragraph (b) of rule 6.1; or

(b) where the transitional ITO is not the standard-setting body for the standards, the information in paragraphs (a) to (c) of rule 4.1 and the information in paragraph (b) of rule 6.1.

7.4 A holder of a consent to assess may at any time apply to reduce the scope of the consent to assess by removing a classification or removing one or more standards.

7A. Requests for Te Hono o Te Kahurangi quality assurance

7A.1 When applying for a consent to assess, an applicant may request that Te Hono o Te Kahurangi quality assurance is used for assessment of the application.

- 7A.2 An applicant making a request under rule 7A.1, in addition to providing the information required under rules 4 to 7, must provide the information that the Te Hono o Te Kahurangi quality assurance framework and tools require.
- 7A.3 NZQA will evaluate a request made under rule 7A.1, together with the information supplied, in accordance with Te Hono o Te Kahurangi quality assurance.
- 7A.4 For the purposes of requests to use Te Hono o Te Kahurangi quality assurance, references in these rules to self-assessment are to be treated as references to self-reflective practice.

7B Applications for approval of an industry training micro-credential

- 7B.1 An institution may apply to NZQA for approval of an industry training micro-credential, and in respect of its application it must:
- (a) provide clear evidence of all the features set out in the definition of industry training micro-credential:
 - (b) identify the standards to be assessed in the micro-credential:
 - (c) explain the coherence of those standards as an individual learning package:
 - (d) consult the standard-setting bodies whose standards will be assessed in the micro-credential, and attach a copy of their views:
 - (e) be the holder of consent to assess for the standards referred to in paragraph (b) of this rule.

8. Use of sub-contractors

- 8.1 Where an applicant for a consent to assess against standards, or a holder of a consent, proposes to use a sub-contractor which itself is the holder of a consent to assess against those particular standards, the applicant or holder must supply to NZQA the following information prior to using the sub-contractor:
- (a) a copy of the sub-contracting agreement which must outline the responsibilities and obligations of the parties:
 - (b) the duration of the arrangement:
 - (c) the reasons for the arrangement:
 - (d) confirmation that any advertising and other information provided to prospective students clearly shows that the study or training involved is provided under a sub-contracting arrangement.
- 8.2 Where an applicant for a consent to assess against standards, or a holder of a consent, proposes to use a sub-contractor which does not itself hold a consent to assess against those particular standards, the applicant or holder must apply to NZQA to engage the sub-contractor.
- 8.3 NZQA will only grant approval to an application under rule 8.2 where it is satisfied that:
- (a) the holder remains responsible for the sub-contractor meeting all of the holder's obligations in relation to the consent; and
 - (b) the sub-contractor will meet all relevant obligations in the Act and in rules made under section 253 of the Act in relation to the consent; and
 - (c) there is an agreement between the holder and the sub-contractor that includes provisions to ensure that NZQA is able to exercise its quality assurance and enforcement powers and functions in respect of the acts or omissions of the sub-contractor relating to the consent; and

- (d) the information and advertising for the study or training clearly states that it is provided through a sub-contracting arrangement; and
 - (e) all student enrolments are through the holder, and the holder maintains all student enrolment and academic information; and
 - (f) the holder will report credits for the learners and pay the relevant credit reporting fee.
- 8.4 To continue to maintain approval under rule 8.3 the holder of the consent to assess must ensure the sub-contracting is conducted at all times in accordance with the requirements set out in paragraphs (a) to (f) of rule 8.3.

9. Approval of applications for consents to assess

- 9.1 NZQA will advise applicants for consents to assess if any of the requirements for the application require further work.
- 9.2 A site visit may be carried out by NZQA. A site visit will be carried out where the consent and moderation requirements specify a site visit.
- 9.3 Where a standard-setting body does not consider that an applicant for consent to assess will be able to meet the consent and moderation requirements, the standard-setting body must provide a written explanation of its reasons to NZQA and any supporting evidence.
- 9.4 Where NZQA is satisfied that the requirements for the application have been met, NZQA will grant the consent and advise the applicant.
- 9.5 Where the standard-setting body has good reasons to consider that an applicant for consent to assess will not be able to meet the consent and moderation requirements, NZQA may impose conditions on the consent under section 252A of the Act.
- 9.6 NZQA will not approve the application, and will advise the applicant accordingly in the following situations:
- (a) where NZQA is not satisfied that the requirements for the application are met; or
 - (b) where the standard-setting body has good reasons to consider that an applicant for consent to assess will not be able to meet the consent and moderation requirements.
- 9.7 NZQA will publish on its website the details of successful applicants for a consent to assess. Those details will be removed when the applicant no longer is the holder of the consent.

9A Approval of applications for industry training micro-credentials

- 9A.1 This rule 9A applies to any institution making an application under rule 7B (*for approval of an industry training micro-credential*).
- 9A.2 Where NZQA is satisfied that the requirements for the application have been met, NZQA will grant the approval and advise the institution.
- 9A.3 Where NZQA does not approve the application, it will advise the institution with the reasons for not approving the application.
- 9A.4 NZQA will publish on its website the details of successful applications.
- 9A.5 NZQA will remove the published details in the following circumstances:
- (a) when the applicant no longer is the holder of the consent for any of the standards in the approval;
 - (b) where, under sections 252 or 252B of the Act the approval has been withdrawn, expires, or ceases to have effect.

Part 2 – Maintaining consent and approval

10. Requirements to be met to maintain consent to assess (except relevant schools and **transitional** ITOs)

10.1 To maintain consent to assess in respect of the entire consent or particular classifications or standards, holders of the consent (except relevant schools and **transitional** ITOs) must:

- (a) continue to:
 - (i) meet the consent and moderation requirements for the standards to which the consent relates; and
 - (ii) carry out self assessment and participate in external evaluation; and
- (b) accurately report credits for students within 3 months of assessment, unless NZQA has approved a different reporting timeframe for the holder of the consent; and
- (c) in respect of holders with externally assessed achievement standards in their consent, meet the requirements of the *Assessment Rules and Procedures for Tertiary Education Organisations in relation to assessment against externally assessed achievement standards, for the time being in force*; and
- (d) pay the credit reporting fees due, by the end of the month following month of the invoice from NZQA.

11. Requirements to be met to maintain consent to assess for relevant schools

11.1 To maintain consent to assess in respect of the entire consent or particular classifications or standards, relevant schools must:

- (a) continue to maintain, and comply with, the quality management system provided for in **Appendix 1**; and
- (b) continue to comply with its relevant obligations in:
 - (i) the *Assessment and Examination Rules and Procedures for Secondary Schools*, for the time being in force; and
 - (ii) in respect of home-schooled students, the *Assessment and Examination Rules for Home Schools*, for the time being in force; and
- (c) in respect of unit standards continue to meet the consent and moderation requirements for the standards to which the consent relates, and report credits for learners to NZQA.

12. Requirements to be met to maintain consent to assess for **transitional** ITOs

12.1 To maintain consent to assess in respect of the entire consent or particular classifications or standards **transitional** ITOs must:

- (a) continue to:
 - (i) meet the consent and moderation requirements for the standards to which the consent relates;
 - (ii) carry out self assessment and participate in external evaluation; and
 - (iii) maintain levels of at least confident in self assessment and external evaluation and review;
- (b) accurately report credits for students within 3 months of assessment, unless NZQA has approved a different reporting timeframe for the holder of the consent;

- (c) in respect of holders with externally assessed achievement standards in their consent, meet the requirements of the *Assessment Rules and Procedures for Tertiary Education Organisations in relation to assessment against externally assessed achievement standards, for the time being in force*; and
- (d) pay the credit reporting fees due, by the end of the month following the month of the invoice from NZQA.

12A Requirements to be met to maintain approval of an industry training micro-credential

12A.1 Institutions holding NZQA approval of an industry training micro-credential must:

- (a) ensure the micro-credential continues to have the features set out in the definition of industry training micro-credential; and
- (b) carry out an annual review of the micro-credential, including whether there is continued demonstrable support for it from relevant industries, employers, or communities.

13. Use of sub-contractors

- 13.1 A holder of a consent to assess is not compliant with these Rules where the holder engages a sub-contractor to carry out the delivery of the study or training in respect of the standards to which the consent relates without obtaining the consent of NZQA.
- 13.2 A holder of a consent to assess is not compliant with these Rules where the sub-contractor engaged by the holder purports to further sub-contract the delivery of study or training in respect of the standards to which the consent relates.

14. Non-use of classifications and standards in a consent

- 14.1 This section applies to a classification or standard where, over a period of two consecutive years, a holder of a consent to assess has not reported credits in respect of a particular field, subfield, domain, or standard within the holder's consent.
- 14.2 NZQA may notify the holder of the situation.
- 14.3 Following notification to the holder, unless the holder satisfies NZQA that its consent to assess should not be reduced, NZQA may reduce the consent by removing the particular field, subfield, domain, or standard to which this section applies.

Appendix 1

Quality management system

The school has a documented quality management system that:

- (a) reflects the Ministry of Education's "National Education Guidelines" and "National Administrative Guidelines"; and
- (b) covers the following three sets of requirements:

Defining aims, objectives, directions and targets

1. The school has measurable aims, objectives, directions and targets.

Systems to achieve measurable aims, objectives, directions and targets

- 2 The school puts into practice quality management systems to achieve its aims, objectives, directions and targets, including:
 - 2.1 **Governance and management** – the school has adequate and appropriate governance and management systems to achieve its aims, objectives, directions and targets
 - 2.2 **Personnel** – the school recruits, manages and develops its staff to achieve its aims, objectives, directions and targets
 - 2.3 **Physical and learning resources** – the school has adequate and appropriate physical and teaching and learning resources to achieve its aims, objectives, directions and targets
 - 2.4 **Student information and support** – the school provides adequate and appropriate information and support services to students
 - 2.5 **Development, delivery and review of programmes** – the school adequately and appropriately designs, develops, delivers and reviews its teaching and learning programmes consistent with its aims, objectives, directions and targets
 - 2.6 **Assessment and moderation** – the school has adequate and appropriate systems of assessment and moderation to meet the expected outcome of learning programmes
 - 2.7 **Reporting on student achievement** – the school adequately and appropriately reports on student achievement.

Achieving aims, objectives, directions and targets

- 3, The school is achieving its aims, objectives, directions and targets, and can provide assurance that it will continue to do so.

Version 4 17.01.2019

Training Scheme Rules 2012

1. Authority

- 1.1 These Rules are made under section 253 of the Education Act 1989.

2. Commencement

- 2.1 These Rules commence on the day after the date of approval by the Minister under section 253(5) of the Act.

[Note: these Rules commenced on 30 October 2012]

3. Interpretation

- 3.1 In these Rules, unless the context otherwise requires:

Act means the Education Act 1989:

Category 1 institution means an institution (*other than a university*) that has received, in the most recent external evaluation and review carried out by NZQA in respect of that institution, statements of confidence that are either:

- (a) *Highly Confident* in both educational performance and organisational capability in self-assessment; or
- (b) *Highly Confident* in educational performance and *Confident* in organisational capability in self-assessment:

Credit value means the number of credits, with each credit representing ten notional learning hours:

Directory means the Directory of Assessment Standards provided for in section 248A of the Act:

External evaluation and review means the quality assurance system set out in rules made under section 253 of the Act:

Institution includes universities, polytechnics, NZIST, NZIST subsidiaries that provide education or training or both, wananga, government training establishments, registered private training establishments, relevant schools, transitional ITOs, ~~industry training organisations~~, and other bodies:

Level means a level equivalent to any of levels 1 to 10 on the NZQF:

Level descriptors means the descriptors used by NZQA to determine levels (*the descriptors are available on the NZQA website*):

Micro-credential means a kind of training scheme which:

- (a) certifies the achievement of a specific set of skills and knowledge:
- (b) has a statement of purpose and clear learning outcomes:
- (c) has demonstrable support from the relevant industries, employers, or communities:

- (d) has a credit value that is from 5 to 40 credits (*inclusive*);
- (e) would typically not duplicate current quality assured learning approved by NZQA:

NZIST means the New Zealand Institute of Skills and Technology as defined in section 159(1) of the Act:

NZIST subsidiary has the same meaning as in section 159(1) of the Act:

NZQA means the New Zealand Qualifications Authority:

NZQA approved micro-credential means a training scheme for which NZQA has granted approval as a micro-credential under Rule 9:

NZQF means the New Zealand Qualifications Framework:

NZQF Programme Approval and Accreditation Rules means the NZQF Programme Approval and Accreditation Rules 2018, as amended or replaced from time to time:

Recognition of prior learning means a process that involves formal assessment of a student's relevant and current knowledge and skills (*gained through prior learning*) to determine achievement of learning outcomes of a qualification for the purpose of awarding credit towards that qualification; and for the avoidance of doubt it does not include credit recognition and transfer:

Te Hono o Te Kahurangi quality assurance means applying Te Hono o Te Kahurangi whare ako framework and quality assurance tools for training schemes, as that framework and those tools are published by NZQA from time to time on its website:

Training scheme has the meaning in section 159(1) of the Act, which is study or training that—

- (a) leads to an award; but
- (b) does not, of itself, lead to an award of a qualification listed on the NZQF:

Transitional ITO means a transitional ITO as defined in clause 41(1) of Part 9 of Schedule 1 of the Act:

Universities New Zealand (UNZ) means the New Zealand Vice-Chancellors Committee established under section 240 of the Act:

UNZ approved micro-credential means a training scheme which UNZ has granted approval as a micro-credential under Rule 10.

- 3.2 For the purpose of applying Te Hono o Te Kahurangi quality assurance, unless the context otherwise requires references in these Rules to:
- (a) *educational performance* are to be treated as references to *organisational performance*;
 - (b) *self-assessment* are to be treated as references to *self-reflective practice*;
 - (c) *Highly Confident* are to be treated as references to *He pounamu kahurangi*;
 - (d) *Confident* are to be treated as references to *He pounamu whakairo*.

Part 1

Approval criteria

4. Criteria for approval of training schemes, including micro-credentials

- 4.1 The following are the criteria for the granting of approval to an institution to provide a training scheme under section 251 of the Act.

Criterion 1 Structure of the training scheme

It has a coherent structure in terms of its learning outcomes, content, level and credit value, which is appropriate for its purpose.

Criterion 2 Delivery methods

Delivery methods are clearly identified, appropriate to the needs and level of the intended students and ākonga, and support achievement of the learning outcomes.

Criterion 3 Resources and staff

There are adequate and appropriate teaching staff (*with appropriate qualifications and/or experience*), facilities, physical resources, and student support systems to enable sustained delivery.

Criterion 4 Information for students

Adequate information is available to students including where applicable information on entry and selection requirements, recognition of prior learning, reassessment and appeals, student progress, requirements for completion, and the availability of assessment in te reo Māori.

Criterion 5 Assessment and moderation

Assessment methodologies provide fair, valid, consistent and appropriate assessment of student achievement, given the stated learning outcomes. There is an effective system for moderation of assessment materials and decisions.

Criterion 6 Ongoing review and monitoring

There is an effective process for the ongoing review of the training scheme (for the purposes of content and currency) and for monitoring the outcomes for students and stakeholders.

- 4.2 Where an institution has applied for approval of its training scheme as a micro-credential all the features set out in the definition of micro-credential must be met.

Part 2 Applications

5. Details to be provided in applications for training scheme approvals

- 5.1 Institutions (*other than universities*) must provide the following details in their applications to NZQA to provide a training scheme under section 251 of the Act:
- (a) the name and contact details of the applicant:
 - (b) a title for the training scheme that properly reflects its subject area and level:
 - (c) credit value and level (*consistent with the level descriptors*):

- (d) the assigned six digit code from the New Zealand Standard of Classification of Education (NZSCED) system:
- (e) the purpose of the training scheme in relation to:
 - (i) the needs of intended students, and relevant industry, community, and employer needs; or
 - (ii) the needs of ākongā, whānau, hapū, iwi, and (where appropriate) hāpori Māori for applications to be assessed under Te Hono o Te Kahurangi quality assurance:
- (f) clear identification of any standards from the Directory that are used in the training scheme:
- (g) a summary description of how the training scheme meets the criteria set out in Rule 4.1, along with a copy of the institution's:
 - (i) record of internal approval of the training scheme prior to the application to NZQA for approval; and
 - (ii) a full self-assessment report addressing the key evaluation questions for training schemes that are published on the NZQA website:
- (h) where an institution also applies for approval of its training scheme as a micro-credential, it must provide clear evidence of all the features set out in the definition of micro-credential.

5A. Requests for Te Hono o Te Kahurangi quality assurance

- 5A.1 When applying for training scheme approval, an applicant may request that Te Hono o Te Kahurangi quality assurance is used for assessment of the application.
- 5A.2 An applicant making a request under Rule 5A.1, in addition to providing the relevant information required under Rule 5.1, must also provide the information that the Te Hono o Te Kahurangi quality assurance framework and tools require.
- 5A.3 NZQA will evaluate a request made under Rule 5A.1, together with the information supplied, in accordance with Te Hono o Te Kahurangi quality assurance.

6. Assessment standards used in training schemes

- 6.1 Where the training scheme for which approval is sought includes, or incorporates substantial content from, assessment standards listed on the Directory, the applicant must also either hold consent to assess against those standards or make application for consent to assess against those standards.

7. Exemptions for applications from Category 1 institutions

- 7.1 Category 1 institutions are not required to provide a copy of the self-assessment required in Rule 5.1(g)(ii).

8. Applications for training scheme approval that will not be approved

- 8.1 Approval will not be granted to any institution for applications for training schemes where the training scheme has:
 - (a) a credit value of 40 or more credits and either -
 - (i) is substantially similar to a qualification on the NZQF; or

- (ii) has outcomes that are more suited to being listed as a qualification on the NZQF; or
- (b) included in the title any of the words “New Zealand”, “national”, “diploma”, “degree”, “bachelor”, “master”, “doctor”, “under-graduate” or “post-graduate” where it may cause confusion with a qualification on the NZQF; or
- (c) included in the title the name of a person, organisation, or product unless the applicant satisfies NZQA (*or Universities New Zealand in relation to university applicants*) that there is a sound justification for the inclusion.

9. Approval of applications for training scheme and micro-credential, approval from institutions other than universities

- 9.1 NZQA will advise applicants if any of the details in the application require further work.
- 9.2 NZQA may carry out a site visit.
- 9.3 NZQA will approve an application under these Rules and advise the applicant where NZQA is satisfied:
 - (a) with the details in the application;
 - (b) that it meets the requirements of these Rules; and
 - (c) it is not an application to which Rule 8.1 applies,.
- 9.4 Where NZQA is not satisfied with any of the matters in paragraphs (a) and (b) of Rule 9.3, or where NZQA is satisfied it is an application to which Rule 8.1 applies, NZQA will not approve the application, and will advise the applicant.
- 9.5 NZQA will publish on its website up to date and appropriate details of training schemes it has approved and of training schemes it has approved as micro-credentials.

10 Approval of applications for training scheme and micro-credential approval from universities

- 10.1 Applications by universities for training scheme and micro-credential approval will be decided by Universities New Zealand under section 253A of the Act, and in accordance with any procedures set up for inter-university course approval and moderation under section 241(a) of the Act.

Part 3

Maintaining training scheme and micro-credential approval

11. Requirements to be met to maintain training scheme and micro-credential approval

- 11.1 Institutions holding training scheme approvals must continue to:
 - (a) meet the criteria set out in Rule 4.1: and
 - (b) participate and cooperate in the following quality assurance by NZQA:

- (i) for institutions other than universities, schools or other bodies, this includes carrying out self-assessment and participating in external evaluation and review conducted by NZQA; and
 - (ii) for all institutions other than universities, monitoring the provision of the training scheme and monitoring compliance requirements.
- 11.2 Institutions with micro-credential approval must, in addition to the requirements in Rule 11.1, carry out an annual review of the training scheme, including whether there is continued demonstrable support for the training scheme and its approval as a micro-credential from relevant industries, employers, or communities.

Part 4

Use of sub-contractors

12. Use of sub-contractors to provide training schemes

- 12.1 Rules 12.2 to 12.5 apply to institutions other than universities.
- 12.2 Where an institution proposes to use a sub-contractor to provide an approved training scheme or part of an approved training scheme on the institution's behalf, and the institution and the sub-contractor have both been granted approval to provide the training scheme, the institution must notify NZQA of the sub-contracting arrangement prior to the training scheme or part being provided, and supply the following information with that notification:
- (a) a copy of the sub-contracting agreement which must outline the responsibilities and obligations of the parties:
 - (b) the duration of the arrangement:
 - (c) the reasons for the arrangement:
 - (d) confirmation that any advertising and other information provided to prospective students clearly shows that the study or training involved is provided under a sub-contracting arrangement.
- 12.3 Where an institution proposes to use a sub-contractor to provide an approved training scheme or part of an approved training scheme that the institution has been granted approval to provide, and the subcontractor has not itself been granted approval, the institution must apply to NZQA for approval to engage the sub-contractor.
- 12.4 Applications under Rule 12.3 for approval to engage the sub-contractor must include the following information:
- (a) the name of the sub-contractor:
 - (b) identification of the training scheme(s) or part(s) to be provided under the arrangement:
 - (c) the rationale for the proposed sub-contracting arrangement:
 - (d) a copy of the sub-contracting arrangement between the institution and the sub-contractor.
- 12.5 NZQA will grant approval to an application under rule 12.3 where it is satisfied that:
- (a) the institution remains responsible for the sub-contractor meeting all of the institution's obligations that are relevant for the training scheme or part:

- (b) the sub-contractor will meet all relevant obligations in the Act and in rules made under section 253 of the Act in relation to the provision of the training scheme or part:
 - (c) there is a formal documented arrangement between the holder and the sub-contractor that includes provisions to ensure that NZQA is able to exercise its quality assurance and enforcement powers and functions in respect of the acts or omissions of the sub-contractor relating to the provision of the training scheme:
 - (d) the information and advertising for the training clearly states that it is provided through a sub-contracting arrangement:
 - (e) all student enrolments are through the institution, and the institution maintains all student enrolment and academic information.
- 12.5A To continue to maintain approval under Rule 12.5 an institution must ensure the sub-contracting is conducted at all times in accordance with the requirements set out in paragraphs (a) to (e) of Rule 12.5.
- 12.6 The use of sub-contractors by universities will be governed by decisions of Universities New Zealand under Rule 10.1 and under other powers it may exercise under section 253A the Act.

Part 5

International Student English Language Proficiency

13. English Language Proficiency Requirements for International Students

- 13.1 Unless the exception in Rule 13.3 applies, Rule 18 of the NZQF Programme Approval and Accreditation Rules applies to enrolments of international students in training schemes which have a level of 3 to 10 published under Rule 9.5.
- 13.2 For the purposes of Rule 13.1, references in Rule 18 of the NZQF Programme Approval and Accreditation Rules to “programme” are to be treated as references to “training scheme”.
- 13.3 Rule 13.1 does not apply to enrolments of a student in a training scheme where the student’s employer either organises the training or requires or funds the student’s enrolment.

Version 4 17.01.2019

Quality Assurance (including External Evaluation and Review (EER)) Rules 2016

1. Authority

- 1.1 These Rules are made under section 253(1)(pa) of the Education Act 1989.

2. Commencement

- 2.1 These Rules commence on the day after the date of approval by the Minister under section 253(5) of the Act.

3. Application of these Rules

- 3.1 These rules apply to institutions and transitional ITOs.

4. Interpretation

- 4.1 In these Rules, unless the context otherwise requires:

Act means the Education Act 1989:

Category 1 institution or transitional ITO is an institution or transitional ITO of the kind described in Rule 11(1)(a):

Category 2 institution or transitional ITO is an institution or transitional ITO of the kind described in Rule 11(1)(b):

Category 3 institution or transitional ITO is an institution or transitional ITO of the kind described in Rule 11(1)(c):

Category 4 institution or transitional ITO is an institution or transitional ITO of the kind described in Rule 11(1)(d):

Category *withdrawn* institution or transitional ITO is an institution or transitional ITO of the kind described in Rule 11.1(e):

EER means external evaluation and review as described in Rules 5.1 to 5.6:

~~**Former ITO** means an Industry Training Organisation within the meaning of section 159(1) of the Act:~~
has the same meaning as in clause 41(1) of Part 9 of Schedule 1 of the Act:

Institution includes ~~any~~ NZIST, NZIST subsidiaries that provide education or training or both polytechnic, wānanga, government training establishments, ~~or and~~ registered establishments:

NZIST means the New Zealand Institute of Skills and Technology as defined in section 159(1) of the Act:

NZIST subsidiary has the same meaning as in section 159(1) of the Act:

~~**ITO** means an Industry Training Organisation within the meaning of section 159(1) of the Act:~~

NZQA means the New Zealand Qualifications Authority:

NZQF means the New Zealand Qualifications Framework:

PTE means a registered establishment:

Registered establishment has the same meaning as in section 159(1) of the Act:

Statement of confidence means one of the following levels of confidence in educational performance and in organisational capability in self-assessment (*with its Te Hono o Te Kahurangi quality assurance for EER equivalent in parenthesis*):

- (a) Highly Confident (*He pounamu kahurangi*):
- (b) Confident (*He pounamu whakairo*):
- (c) Not Yet Confident (*He pounamu hukihuki*):
- (d) Not Confident (*He pounamu*):

Statutory permission includes Code signatory status, programme approval, accreditation, training scheme approval, and consent to assess against standards:

Student includes learners and trainees:

Te Hono o Te Kahurangi quality assurance for EER means applying the Te Hono o Te Kahurangi whare ako framework and Mātauranga Māori Evaluative Quality Assurance (MMEQA) tools, as published from time to time by NZQA on its website, and used by NZQA for the purposes of EER:-

Transitional ITO means a transitional ITO as defined in clause 41(1) of Part 9 of Schedule 1 of the Act.

4.2 For the purposes of using Te Hono o Te Kahurangi quality assurance for EER under Rule 6.1, unless the context otherwise requires references in these Rules to:

- (a) “educational performance” are to be treated as references to “organisational performance”:
- (b) “self-assessment” are to be treated as references to “self-reflective practice”:
- (c) “Highly Confident” are to be treated as references to “He pounamu kahurangi”:
- (d) “Confident” are to be treated as references to “He pounamu whakairo”:
- (e) “Not Yet Confident” are to be treated as references to “He pounamu hukihuki”:
- (f) “Not Confident” are to be treated as references to “He pounamu”.

4.3 A former ITO’s statement of confidence as at 31 March 2020 becomes the statement of confidence in its corresponding transitional ITO.

4.4 For the purposes of rule 4.3 the references in rule 11.1 to the most recent EER report published on the NZQA website in respect of that transitional ITO is a reference to the most recent report of its corresponding former ITO.

EER processes

5. Description of EER

5.1 EER is part of NZQA’s integrated framework for evaluative quality assurance described in **Appendix 2** and is an independent evaluation of:

- (a) an institution that leads to a statement of confidence by NZQA in the institution’s educational performance (*as described in Rule 5.2*) and organisational capability in self-assessment (*as described in Rule 5.3*):
- (b) a ~~transitional~~ transitional ITO that leads to a statement of confidence by NZQA about the transitional ITO’s performance and organisational capability in self-assessment (*as described in Rule 5.4*).

5.2 For the purposes of Rule 5.1(a):

- (a) educational performance relates to the extent to which the educational outcomes achieved by the institution represent quality and value for students and others:
- (b) for EER under Rule 6.1 using Te Hono o Te Kahurangi quality assurance for EER, organisational performance relates to the extent to which organisational outcomes (*inclusive of educational outcomes*) achieved by the institution represent quality and value for ākonga, whānau, hapū, iwi, and hāpori Māori (*where applicable*), other industry stakeholders, and bodies of knowledge such as Mātauranga Māori and Mātauranga ā Iwi.

5.3 For the purposes of Rule 5.1(a), capability in self-assessment relates to the extent to which the institution uses self-assessment information to understand its educational performance and bring about improvements through applying the requirements for self-assessment set out in **Appendix 1**.

5.4 For the purposes of Rule 5.1(b):

- (a) the performance of a transitional ITO relates to the extent to which the training outcomes influenced by the transitional ITO represent quality and value for employers, industry, trainees, and government:
- (b) capability in self-assessment of a transitional ITO relates to the extent to which the transitional ITO systematically uses self-assessment information to understand its performance and bring about improvement.

5.5 The four stages of an EER are: scoping (*including selection of focus areas*); enquiry (*including on-site at the institution*); reaching conclusions (*including analysis*); and issuing a report.

5.6 In carrying out an EER NZQA will use the evaluation methods, tools, and processes that are published on its website to inform the conduct of each stage of an EER.

6. Te Hono o Te Kahurangi quality assurance for EER

6.1 An institution or transitional ITO may select the use of Te Hono o Te Kahurangi quality assurance for EER:

- (a) to assess any focus area within the scope of an EER; or
- (b) for the full scope of the EER.

7. Process for and participation in EER

7.1 NZQA will notify the institution or transitional ITO of a scheduled EER by giving the institution or transitional ITO at least four months' notice, unless:

- (a) a shorter timeframe is agreed between NZQA and an institution or transitional ITO; or
- (b) Rule 12.2 applies, and NZQA gives notice of at least one month.

7.2 When notifying an institution (*other than a PTE*) or transitional ITO of a scheduled EER for the purposes of Rules 7.1 or 12.2, or agreeing a shorter timeframe under Rule 7.1(a):

- (a) NZQA will specify the time by which the institution or transitional ITO must provide a fully completed compliance declaration, the form for which is available on the NZQA website; and
- (b) the institution or transitional ITO must supply that fully completed compliance declaration by that specified time.

7.3 The frequency of an EER, for a category of institution or transitional ITO that has previously been subject to an EER, is as set out in Rule 12.1.

7.4 NZQA will reschedule a scheduled EER on request by an institution or transitional ITO where NZQA is satisfied the institution or transitional ITO has supplied convincing reasons to do so.

- 7.5 Following the scheduling of the EER, NZQA will notify the institution or [transitional](#) ITO of the compulsory scope items set out in Rule 7.6, consult the institution or [transitional](#) ITO about the remaining scope of the EER and, after taking into account any submissions from the institution or [transitional](#) ITO and any other relevant information, NZQA will set the scope for the review.
- 7.6. The content of the compliance declaration provided under Rule 7.2 (*for PTEs this will be the content of its annual return statutory declaration for the relevant period of review*), and the findings from any validation visit conducted under Rule 7.8(a), must be included in the scope of the review that is set under Rule 7.5.
- 7.7 NZQA will conduct the enquiry (*including on-site at the institution*) to gather sufficient evidence for reaching conclusions.
- 7.8 On reasonable notice from NZQA and for the purposes of the scheduled EER, an institution or [transitional](#) ITO must:
- (a) at a time specified in writing by NZQA to the institution or [transitional](#) ITO, participate (*with full cooperation*) in a validation visit by NZQA (*for which fees are not chargeable by NZQA*) the purpose of which is to verify some or all of the content of the compliance declaration of the institution or [transitional](#) ITO (*for PTEs, to verify some or all of the content of its annual return statutory declaration*);
 - (b) provide to NZQA access to the premises, equipment, and relevant records, data, and other information:
 - (c) facilitate access to staff, contractors, and students:
 - (d) provide evidence of its self-assessment, based on the requirements set out in **Appendix 1** to these Rules.

8. EER report

- 8.1 After NZQA carries out the enquiry and analysis for a scheduled EER and reaches conclusions, NZQA will generate a draft EER report with interim findings, conclusions, and statements of confidence.
- 8.2 NZQA will provide a copy of the draft report to the institution or [transitional](#) ITO and interested parties for comment.
- 8.3 The institution or [transitional](#) ITO and NZQA will discuss and attempt to reach agreement on the processes and timing towards finalising the report.
- 8.4 Where reasonable attempts have been made and agreement is unable to be reached under Rule 8.3, NZQA will itself set the processes and timing towards finalisation of the EER report and notify the institution or [transitional](#) ITO.
- 8.5 Subject to Rule 8.6 and Rules 9.1 – 9.7, once a finalised report is sent to the institution or [transitional](#) ITO to conclude the agreed or set processes and timing, the finalised report will be published as the final report on NZQA's website no less than 10 working days after providing the finalised report to the institution or [transitional](#) ITO.
- 8.6 Where NZQA accepts for good reason that the processes and timing should be varied, NZQA may set new processes and timing for the finalisation of the report.

9. Reconsideration of an EER report

- 9.1 An institution or [transitional](#) ITO may request a reconsideration of the statements of confidence reached by NZQA in a finalised report where the institution or [transitional](#) ITO:
- (a) sends the request in writing on the official letterhead of the institution or [transitional](#) ITO and signed by its Chief Executive (*or equivalent*) and the request is received by NZQA no later than 10 working days after the finalised report has been sent to the institution or [transitional](#) ITO;
 - (b) alleges there have been process failures in finalising the report, or errors of fact or judgement made in the finalised report;

- (c) provides sufficient information and evidence to support the allegation, being information that the institution or transitional ITO considers necessary to give a full understanding of the reasoning and circumstances leading to the request; and
 - (d) provides information which shows that during the process leading to the finalised report the institution or transitional ITO had raised the allegation with NZQA.
- 9.2 Where any request for reconsideration involves educational performance data, the reconsideration will only involve the data that were available to NZQA at the date the EER report was finalised.
- 9.3 Where a request is received that meets the requirements of Rule 9.1, NZQA will appoint an appropriately experienced reviewer who has not been involved in that EER of the institution or transitional ITO to conduct the reconsideration and produce a reconsideration report.
- 9.4 NZQA will attempt to reach agreement with the institution or transitional ITO on the processes and timing towards finalising the reconsideration report.
- 9.5 Where reasonable attempts have been made and agreement is unable to be reached under Rule 9.4, NZQA will itself set the processes and timing towards finalisation of the reconsideration report and notify the institution or transitional ITO.
- 9.6 Subject to Rule 9.7, once the reconsideration report is finalised and if it requires changes to be made to the EER report, the changed EER report will be provided to the institution or transitional ITO prior to publication on the NZQA website.
- 9.7 Where NZQA accepts for good reason that the processes and timing should be varied for the reconsideration report, NZQA may set new processes and timing for that report.

10. Fees

- 10.1 The fees payable for EERs and requests for reconsideration are the fees from time to time charged under section 254(2) of the Act, and published on NZQA's website.
- 10.2 Where there is a finding in a reconsideration that there was a process failure in finalising the report or there were errors of fact or judgement, and the finalised report is amended as a result, no fee will be payable for the reconsideration.

Statements of confidence, categorisation, frequency, and incentives and sanctions

11. Categorisation of institutions and transitional ITOs based on statements of confidence

11.1 For the purposes of these Rules:

- (a) a Category 1 institution or transitional ITO is an institution or transitional ITO that has received, in the most recent EER report published on the NZQA website in respect of that institution or transitional ITO, either of the following statements of confidence:
 - (i) Highly Confident in educational performance (*for transitional ITOs, in organisational performance*) and Highly Confident in organisational capability in self-assessment; or
 - (ii) Highly Confident in educational performance (*for transitional ITOs, in organisational performance*) and Confident in organisational capability in self-assessment:
- (b) a Category 2 institution or transitional ITO is an institution or transitional ITO that has received, in the most recent EER report published on the NZQA website in respect of that institution or transitional ITO, either of the following statements of confidence:
 - (i) Highly Confident in organisational capability in self-assessment and Confident in educational performance (*for transitional ITOs in organisational performance*); or
 - (ii) Confident in educational performance (*for transitional ITOs in organisational performance*) and Confident in organisational capability in self-assessment:

- (c) a **Category 3** institution or transitional ITO is an institution or transitional ITO that has received, in the most recent EER report published on the NZQA website in respect of that institution or transitional ITO, Not Yet Confident in educational performance (for transitional ITOs in organisational performance) or in organisational capability in self-assessment, or Not Yet Confident for both (provided it has not also received Not Confident in either educational performance (for transitional ITOs in organisational performance) or organisational capability in self-assessment):
- (d) a **Category 4** institution or transitional ITO is an institution or transitional ITO that has received, in the most recent EER report published on the NZQA website in respect of that institution or transitional ITO, Not Confident in educational performance (for transitional ITOs in organisational performance) or in organisational capability in self-assessment, or in both:
- (e) a **Category withdrawn** institution or transitional ITO is an institution or transitional ITO that has received **Category withdrawn** status following the conclusion of the processes set out in Rules 11.2 – 11.4.

11.2 Where, since the publication of the most recent EER report in respect of an institution or transitional ITO, NZQA considers that one or more of the statements of confidence the institution or transitional ITO received in that report (and its categorisation status) no longer applies due to one or more of the serious concerns set out in Rule 11.3, NZQA may, after following the process set out Rule 11.4, -

- (a) change the categorisation status of the institution or transitional ITO from its existing categorisation to that of **Category withdrawn**; and
- (b) schedule an EER earlier than the frequency set out in Rule 12.1 (except where NZQA became aware of the serious concerns during an EER which has started but not yet concluded).

11.3 The serious concerns referred to in Rule 11.2 are:

- (a) significant or repeated non-compliance with the Act or with rules made under section 253 of the Act which resulted in NZQA issuing one or more compliance notices, withdrawing one or more statutory permissions, or imposing any statutory conditions;
- (b) the taking of any prosecution proceedings;
- (c) the financial position or financial performance of the institution or transitional ITO detrimentally impacting on its provision of education or training;
- (d) a significant change in circumstances has occurred at the institution or transitional ITO, resulting in NZQA having significantly lower confidence in:
 - (i) the governance or management of the institution or transitional ITO; or
 - (ii) the ability of the institution or transitional ITO to provide or arrange a sound educational or training environment for its students.

11.4 The process NZQA must follow for the purposes of Rule 11.2 is:

- (a) NZQA will give written notice to the institution or transitional ITO of NZQA's intention to change its categorisation status to that of **Category withdrawn**, and set out which statement or statements of confidence NZQA considers no longer applies due to one or more of the serious concerns set out in Rule 11.3:
- (b) NZQA will give the institution or transitional ITO at least 10 working days to respond the notice:
- (c) NZQA will consider any submissions which are made by the institution or transitional ITO within the response period given under paragraph (b):
- (d) after considering any submissions under paragraph (c), NZQA will notify the institution or transitional ITO of the decision of NZQA as to whether or not NZQA has changed the categorisation status of the institution or transitional ITO to **Category withdrawn** and, where NZQA does change the categorisation status to **Category withdrawn**, begin the

process for scheduling an early EER for the purposes of Rule 11.2(b) (*except where an EER has been started but not yet concluded*).

12. Frequency of EERs following first EER

- 12.1 Following the first EER of an institution or transitional ITO, further EERs will be scheduled for:
- (a) Category 1 and Category 2 institutions and transitional ITOs within four years following publication of the report for their previous EER:
 - (b) Category 3 institutions and transitional ITOs within 12 to 24 months following publication of the report for their previous EER:
 - (c) Category 4 institutions and transitional ITOs within 6 to 12 months following publication of the report for their previous EER.
- 12.2 NZQA may schedule an EER earlier than the frequency set out in Rule 12.1 where there are outstanding concerns over the quality of its provision of education or over non-compliance issues relating to the Act or Rules.

13. Restrictions on the assessment and moderation of student work by Category 3 and 4 institutions

- 13.1 This Rule applies to institutions of the following kind:
- (a) Category 4 institutions; and
 - (b) Category 3 institutions in respect of any programmes, training schemes, standards or prescriptions of a kind notified by NZQA to the institution.
- 13.2 From the date that is six weeks (*or such longer period as NZQA may allow*) after the date of publication of an EER report that results in an institution to which Rule 13.1 applies becoming a Category 3 or 4 institution, the institution must appoint one or more institutions (*of the kind described in Rule 13.3*) to:
- (a) carry out pre-assessment moderation of all assessment materials being used to assess students, prior to those materials being used for assessment of the students; and
 - (b) either carry out the assessment and moderation of all student work, or verify the assessment and moderation of all student work that is carried out by the institution to which Rule 13.1 applies.
- 13.3 For the purposes of Rule 13.2, the kind of institution that must be appointed is an institution that -
- (a) is a Category 1 or 2 institution; and
 - (b) has proven performance in, and provides, similar programmes or training schemes to those in respect of which the students being assessed are enrolled, or has proven expertise in the standards or prescriptions that the students are being assessed against; and
 - (c) has a sufficient degree of independence from the Category 3 or 4 institution.
- 13.4 An institution to which Rule 13.1 applies may not:
- (a) enrol new students unless NZQA considers the institution has acceptable assessment and moderation arrangements in place; or
 - (b) use any materials for assessment of students until the pre-assessment referred to in Rule 13.2(a) confirms that the materials appropriately assess the relevant learning outcomes; or
 - (c) release assessment results to students or report results to NZQA until the assessment and moderation referred to in Rule 13.2(b) has occurred and any necessary changes to assessment decisions have been made.

- 13.5 The appointment of a Category 1 or 2 institution under Rule 13.2 must be set out in a written agreement that meets the purposes of Rule 13.2, and -
- (a) a copy must be supplied to NZQA by the institution to which Rule 13.1 applies prior to the agreement being implemented; and
 - (b) the institution must address any concerns with the content of the agreement that are notified to the institution by NZQA.
- 13.6 Where an institution has not appointed any necessary Category 1 or 2 institution in accordance with Rules 13.2 and 13.5, and NZQA has not approved a longer period for the appointment under Rule 13.2,-
- (a) NZQA may appoint a suitable Category 1 or 2 institution, or where NZQA is unable to find a suitable Category 1 or 2 institution, NZQA may appoint one or more suitably qualified persons, so that students can continue to be assessed in their study or training without unnecessary disruption; and
 - (b) the Category 3 or 4 institution is responsible for ensuring there is a written agreement in place with the Category 1 or 2 institution or with the suitably qualified person, including provision for payment by the Category 3 or 4 institution of the reasonable cost of the assessment and moderation work carried out, and Rule 13.5 applies to the agreement.
- 13.7 Where NZQA is satisfied that an institution to which Rule 13.1 applies is fully competent at any particular kinds of assessment and moderation of student work that must be assessed and moderated by an independent institution under Rule 13.2, NZQA may release the institution to which Rule 13.1 applies from the requirements of Rule 13.2 in respect of those kinds of student work.

14. Applications by Category 3 and 4 institutions for statutory permissions

- 14.1 A Category 4 institution will not be granted new statutory permissions until the institution improves its statements of confidence to at least Confident both in educational performance and in organisational capability in self-assessment at its next EER.
- 14.2 Where there are outstanding concerns over the quality of the provision of particular kinds of study or training of a Category 3 institution, or over non-compliance issues relating to the Act or Rules, NZQA will not grant new statutory permissions in those particular kinds of study or training until the institution improves its statements of confidence to at least Confident both in educational performance and in organisational capability in self-assessment at its next EER.
- 14.3 Despite the lack of confidence in the institution as a result of its EER report, where NZQA is satisfied that a Category 3 or 4 institution is fully competent to provide particular kinds of study or training or where extenuating circumstances apply, NZQA may consider granting new statutory permissions.

Impact on other actions, and consequential revocations

15. No prejudice to use of other sanctions under the Act

- 15.1 These Rules do not affect the ability of NZQA to take any of the following actions under the Act:
- (a) cancellation of the registration of a private training establishment, or imposition of conditions on its registration;
 - (b) withdrawal of Code signatory status, a programme approval, an accreditation to provide an approved programme, a training scheme approval, or a consent to assess against standards;
 - (c) imposition of conditions on a Code signatory, a programme approval, an accreditation to provide an approved programme, a training scheme approval, or a consent to assess against standards;
 - (d) the exercise of any other regulatory, enforcement, or compliance powers.

16. Consequential revocations

16.1 The following rules are consequentially revoked:

- (a) the External Evaluation and Review (EER) Rules 2013:
- (b) the External Evaluation and Review (EER) Amendment Rules 2014:
- (c) the External Evaluation and Review (EER) Amendment Rules (No.2) 2014:
- (d) the External Evaluation and Review (EER) Amendment Rules 2016.

APPENDIX 1

Requirements for self-assessment

1. Institutions and transitional ITOs must implement the following requirements for self-assessment:
 - (a) implement self-assessment using the key features of effective self-assessment set out in clause 2 of this **Appendix**:
 - (b) except where Te Hono o Te Kahurangi quality assurance for EER is used, answer the key evaluation questions to provide a common basis for both the self-assessment and external evaluation and review processes set out in clause 3 of this **Appendix**:
 - (c) where Te Hono o Te Kahurangi quality assurance for EER is used, respond to the pātai aromātai set out in clause 4 of this **Appendix**:
 - (d) use relevant minimum quantitative and qualitative data on such matters as learner enrolments, retentions and completions, to achieve the objects of clause 5 of this **Appendix**.
2. The key features of effective self-assessment referred to in clause 1(a) of this **Appendix** are in the following clauses 2.1 to 2.3.
 - 2.1. The institution or transitional ITO uses ongoing processes to gain evidence of its own effectiveness in providing quality education.
 - 2.2. The processes the institution or transitional ITO uses are comprehensive, authentic, transparent, and robust.
 - 2.3. The processes referred to in clauses 2.1 and 2.2 are focussed on:
 - (a) needs assessment:
 - (i) being the extent to which the institution or transitional ITO systematically determines and addresses the needs of the relevant students, employers and the wider community; or
 - (ii) where Te Hono o Te Kahurangi quality assurance for EER is used, being the extent to which the institution or transitional ITO systematically determines and addresses the needs of ākonga, whānau, hapū, iwi, hāpori Māori (*where applicable*), other industry stakeholders, and bodies of knowledge such as Mātauranga Māori and Mātauranga ā Iwi:
 - (b) processes and practices that support successful learning and help achieve outcomes:
 - (c) student achievement, being the impact of educational provision on student progress and the achievement of intended learning outcomes:
 - (d) outcomes for students, including educational achievement and longer term economic, social, and cultural benefits for them, and:
 - (i) the value of those achievements for the relevant students, employers and the wider community; or
 - (ii) where Te Hono o Te Kahurangi quality assurance for EER is used, the value of those achievements for the relevant students, ākonga, whānau, hapū, iwi, hāpori Māori (*where applicable*), other industry stakeholders, and bodies of knowledge such as Mātauranga Māori and Mātauranga ā Iwi:
 - (e) using what is learned from self-assessment to reach evidence-based conclusions, to inform decision-making on strategic and business planning, and to drive improvements:

- (f) actual improvements that have occurred, and the extent to which those improvements are relevant and worthwhile.
3. The key evaluation questions referred to in clause 1(b) of this **Appendix** are:
- (a) How well do students achieve?
 - (b) What is the value of the outcomes for key stakeholders¹, including students?
 - (c) How well do programme design and delivery, including learning and assessment activities, match the needs of students and other relevant stakeholders?
 - (d) How effectively are students supported and involved in their learning?
 - (e) How effective are the governance and management in supporting educational achievement?
 - (f) How effectively are important compliance accountabilities managed?
4. The pātai aromātai for the purposes of clause 1(c) of this **Appendix** are:
- (a) Ka pēhea tā koutou whakapuaki i te kaupapa, ā, ka pēhea koutou e mōhio ai e whakatutukihia ana?; and
 - (b) The kaupapa as consistent with Te Hono o Te Kahurangi are:
 - (i) Rangatiratanga
 - (ii) Whanaungatanga
 - (iii) Manaakitanga
 - (iv) Pūkengatanga
 - (v) Kaitiakitanga
 - (vi) Te Reo Māori
5. Relevant minimum quantitative and qualitative data referred to in clause 1(d) of this **Appendix** should meet the following objectives:
- (a) being available to enable the key evaluation questions to be answered consistently or, for Te Hono o Te Kahurangi quality assurance for EER, being available to enable the pātai aromātai to be answered consistently;
 - (b) generating comprehensive evidence that an institution needs for the purposes of:
 - (i) answering the key evaluation questions or, for Te Hono o Te Kahurangi quality assurance for EER, answering the pātai aromātai;
 - (ii) providing the basis for making valid comparisons; and
 - (iii) reaching consistent conclusions about performance and quality.

¹ “Stakeholders” for each institution or ITO will be different groups of people, but are likely to include some or all of students, communities, employers, professional bodies, and other relevant local and national groups.

APPENDIX 2

The integrated framework for evaluative quality assurance

1. NZQA's integrated framework for evaluative quality assurance encompasses:
 - (a) self-assessment by institutions and transitional ITOs:
 - (b) front-end quality assurance processes, such as granting applications for:
 - (i) approval of qualifications for listing on the NZQF;
 - (ii) approval of programmes leading to qualifications;
 - (iii) approval of training schemes;
 - (iv) accreditation to provide approved programmes;
 - (v) approval of standards for listing on the Directory of Assessment Standards (Directory);
 - (vi) consent to assess against standards on the Directory; and
 - (vii) registration of PTEs:
 - (c) risk and compliance monitoring and enforcement, including:
 - (i) remedial actions including but not limited to improvement plans which are established for Category 3 and 4 institutions, and for transitional ITOs receiving a statement of confidence that is Not Yet -Confident or Not Confident:
 - (ii) issuing compliance notices, imposing conditions, and withdrawal or cancellation in respect of granted applications of the kind described in paragraph (b):
 - (ii) prosecuting certain offences set out in Part 24 of the Act and related criminal offences:
 - (d) EER and any other quality assurance within these Rules.
2. The high level policy expectations for the evaluative quality assurance framework are set out in the NZQA policy "Evaluative Quality Assurance Policy Framework" published on NZQA's website.
3. In implementing its evaluative quality assurance framework, NZQA uses the evaluation methods, tools, and processes that are published on its website, and revises them from time to time.