

<b>To</b>	Te Poari Mātauranga   Academic Board	<b>From</b>	Simon Tries, Manager, Te Korowai Kahurangi
<b>Title</b>	Annual Statutory Declaration to NZQA - update	<b>Date</b>	6 October 2020

## Recommendation

That Te Poari Mātauranga:

- note the update to the outstanding non-compliances identified in the 2019 Annual Statutory Declaration.

## Purpose

To advise Te Poari Mātauranga that outstanding non-compliance issues noted in the 2019 New Zealand Qualifications Authority's (NZQA) *Tertiary Education Institution (TEI)\* Annual Return Statutory Declaration (SD02)* have been completed and resolved.

## Background

The declaration for 2019 was completed in May 2020 and a report was presented to Academic Board on 03 June 2020 which identified non-compliances which were to be addressed.

## Findings

A requirement of the Statutory Declaration was the identification of any issues leading to non-compliance and the creation of an action plan to address those issues. A summary of the key issues identified is below and the update to those issues has been appended.

Statutory Reference	Level of compliance as at 28 May 2020	Level of compliance as at 06 Oct 2020
<b>Education Act 1989</b> (ITPs and wānanga only)		
Section 182 (2) – Establishment of Academic Boards	Compliant	Compliant
Section 224 – Enrolment of students	Compliant	Compliant
<b>Industry Training and Apprenticeships Act 1992</b> (ITOs only)	Not applicable	Not applicable
<b>NZQF Programme Approval and Accreditation Rules 2018</b>		
Part 5 –Maintaining programme approval & accreditation	Marginal non-compliance in specific programmes, as per course durations report	Only one outstanding duration to be completed. All others now <b>compliant</b> .

Part 7 – Use of sub-contractors and English language entry requirements

Compliant  
Occasional instances of non-compliance in relation to international enrolments due to human error, identified through internal QA processes and rectified.

Compliant  
**Compliant.** Action in place to guard against errors.

## Training Scheme Rules 2012

Part 3 – Maintaining training scheme approval

Compliant

Compliant

Part 4 – Use of sub-contractors

Compliant

Compliant

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

Part 2 – Maintaining consent and use of sub-contractors

Non-Compliant:  
- SiteSafe historical reporting  
- BeSafe sub-contracting  
- NZ First Aid NZ sub- contracting

**Compliant:**  
- SiteSafe historical reporting – errors resolved  
- BeSafe sub-contracting new contract in place  
- NZ First Aid NZ sub-contracting new contract in place

## NZQF Offshore Delivery Rules 2012

Rule 9 – Requirements to be met to maintain approval

Not applicable

Not applicable

## NZQF Qualification Listing and Operational Rules 2016

Rule 13 – Responsibilities of qualification developers

Compliant

Compliant

Rule 16 – Award of qualifications

Compliant

Compliant

## Other findings

The following issues were identified during the collection of evidence to support the Statutory Declaration. These were:

- *The retention of assessment material*  
Following the last annual attestation, *Guidelines for the Retention of Assessment Materials* were developed and the requirements clearly communicated. NZQA have again extended the exemption period for this activity, however work is underway in all Schools to meet this requirement for 2021 Academic Year.
- *Moderation* had been noted as an issue for the occasional course within a small number of programmes. Plans have been developed with the support of TTK to ensure these requirements are met.

In some instances, a programme may have been identified as being non-compliant with Unitec policy but compliant with the statutory requirement. These instances have not been recorded in the table above and have since been resolved.