



New Zealand Association of Private Education  
Providers  
Code of Practice

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Quality Commission Scheme

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**February 2010**

# Index

<b>Preamble</b>	2
<b>Definitions</b>	2
<b>Part 1: General</b>	3
Information	3
<b>Part 2: Marketing, Recruitment and Enrolment of Students</b>	3
Provision of information to prospective students	3
Prospectuses and promotional material	3
Accepting students for enrolment	4
Annual review of information	4
<b>Part 3: Delivery of Academic Services</b>	4
Compliance with Requirements of Accreditation Body	4
Qualifications of Staff	5
Resource Provision	5
Quality of Delivery	5
<b>Part 4: Business Practice</b>	5
Financial Accountability	5
HR Practices	6
Record Keeping	6
Health and Safety	6
<b>Part 5: Welfare</b>	6
Support Services	6
Information on students	7
Students with additional needs	7
Monitoring attendance to ensure student welfare	8
<b>Part 6: Accommodation</b>	8
<b>Part 7: Grievance Procedures</b>	8
Internal grievance procedures	8

# **NEW ZEALAND ASSOCIATION OF PRIVATE EDUCATION PROVIDERS CODE OF PRACTICE FOR DOMESTIC STUDENTS**

## **PREAMBLE**

The purpose of this Code of Practice is to provide a framework for private education providers who are participants in the Quality Commission Scheme. The Code will govern the practice to domestic students and is designed to work in conjunction with the NZ Code of Practice for the Pastoral Care of International Students.

The internal complaints process of the participant will refer to the Quality Commission Scheme.

## **DEFINITIONS**

In this Code, unless the context otherwise requires:

“Act” means the Education Act 1989.

“Association” means the New Zealand Association of Private Education Providers.

“Code” means this Code of Practice.

“Student” means a person who is enrolled by a participating provider.

“NZAPEP” means the New Zealand Association of Private Education Providers

“NZQA” means the New Zealand Qualifications Authority.

“Parent” means the father or mother of a student, and includes a legal guardian or caregiver.

“Private Training Establishment” (PTE) means an establishment that provides post-school education or vocational training, holding a current registration under Part XVIII of the Act.

“Provider” means a private training establishment.

“Participant” means a provider who is a participating member of the NZAPEP Quality Commission Scheme.

## **PART 1: GENERAL**

### **1. Information**

- 1.1 Participants must bring the existence and content of the Code to the attention of all staff directly or indirectly involved with students.
- 1.2 Participants must ensure that staff are provided with support and training appropriate to their role with students, to assist them to understand and apply the Code.
- 1.3 Participants must have measures in place to promote the education and care of students in accordance with this Code.

## **PART 2: MARKETING, RECRUITMENT, AND ENROLMENT OF STUDENTS**

### **2. Provision of information to prospective students**

- 2.1 All information provided under this Part must be either in writing or in an electronic format.
- 2.2 Participants must provide the following information to prospective students before students enter into any commitments:
  - 2.2.1 Cost of tuition and all other course-related costs, so that there are no substantial hidden costs;
  - 2.2.2 Application requirements and procedures;
  - 2.2.3 Conditions of acceptance;
  - 2.2.4 Refund conditions;
  - 2.2.5 Information on facilities, equipment and staffing;
  - 2.2.6 Information on the course/s or qualification/s the Participant offers.
  - 2.2.7 Student Fee Protection arrangements.

### **3. Prospectuses and promotional material**

- 3.1 Prospectuses or promotional material must give a fair and accurate representation of the activities and services the Participant is offering to provide.
- 3.2 Prospectuses or promotional material must include the information to be provided to prospective students listed in section 2 above.
- 3.3 Participants must include the following standard wording with any prospectus or promotional material:

*[Insert provider's name] has agreed to observe and be bound by the rules of the Quality Commission. Copies of the NZAPEP Code of Practice are available on request from the office of the New Zealand Association of Private Education Providers or from the Association's*

website at [www.nzapep.co.nz](http://www.nzapep.co.nz), from the office of the Quality Commissioner [commissioner@qualitycommission.co.nz](mailto:commissioner@qualitycommission.co.nz) or from the participating provider.

#### **4. Accepting students for enrolment**

- 4.1 When enrolling a student, Participants must provide the student with the following information, or ensure that the student has already received the information:
  - 4.1.1 Details of the Participant's orientation programme and support services;
  - 4.1.2 A copy of the Participant's grievance procedures;
  - 4.1.3 A copy of the document of the *NZAPEP Code of Practice*;
  - 4.1.4 Procedures that apply when a student withdraws, and when a student is found not to be attending his/her course or programme for a period specified in the policy of the provider, or such other reasonable period of time;
  - 4.1.5 Circumstances in which the Participant may terminate tuition; and
  - 4.1.6 Details of the Participant's fee protection and refunds policy.
- 4.2 Participants must provide details of the following to students:
  - 4.2.1 Courses available for students, including qualifications or part qualifications offered and delivery details.
  - 4.2.2 Arrangements for the recognition of prior learning; and
  - 4.2.3 Availability of credit transfer processes.
- 4.3 Participants must determine and document contact details including mobile phone number and email address if available for each student on enrolment.
- 4.4 Participants must advise students on enrolment that they are required to notify the Participant of any change in their contact details including mobile phone and email address if available.

#### **5. Annual review of information**

- 5.1 Participants must review all information provided to prospective students at least annually to ensure its accuracy and relevance.

### **PART 3: DELIVERY OF ACADEMIC SERVICES**

#### **6 Compliance with Requirements of Accreditation Body**

- 6.1 All participants will seek registration, accreditation, and course approvals with NZQA, the relevant Industry Training Organisation or other

designated accreditation body appropriate to their field, as required by law.

- 6.2 Participants will work in a cooperative manner with such bodies to establish compliance with all the requirements of accreditation, and will seek to rectify any problems identified in a timely fashion.
- 6.3 Participants will comply with all relevant legislation.

## **7. Qualifications of Staff**

- 7.1 Staff with appropriate qualifications and experience will be employed to ensure that a quality education programme is delivered to students.
- 7.2 Participants will conduct regular performance reviews of staff to monitor quality of delivery and will seek to improve quality by the provision of appropriate professional development opportunities.

## **8. Resource Provision**

- 8.1 Adequate resources will be provided to students and staff to ensure that a quality education is delivered to students.
- 8.2 Participants will establish a budgetary process whereby these resource needs are identified and planned for in a financially responsible manner.

## **9. Quality of Delivery**

- 9.1 Quality delivery will be assured by regular observation and evaluation of teaching staff. This will result in constructive feedback being given to staff to help them improve the quality of their teaching.
- 9.2 Students will be given regular opportunity to evaluate their courses and teaching, with feedback being used in a constructive manner to rectify problems identified.

# **PART 4: Business Practice**

## **10. Financial Accountability**

- 10.1 All funds will be accounted for in line with accepted modern accounting practice including adequate documentation to allow for the receipt and expenditure of funds to be subject to independent audit.
- 10.2 All student pre-payments for tuition and accommodation and other purposes will be protected by one of the mechanisms approved by NZQA.
- 10.3 Participants will exercise sound financial management practices, including budgeting, monitoring of revenue and expenditure, and making

adjustments appropriate to either an increase or decrease in business activity.

## **11. HR Practices**

- 11.1 Staff employment contracts will comply with the requirements of the Employment Relations Act.
- 11.2 Performance reviews and professional development opportunities will be used as a constructive way of improving the contribution made by employees.
- 11.3 Recruitment of new staff (or in the unfortunate event of business downturn, redundancy) will be undertaken in a competitive and transparent manner to ensure staff best suited to the job are employed.

## **12. Record Keeping**

- 12.1 Adequate records will be kept for all students including appropriate enrolment documentation, details of all courses studied, appropriate assessment information, qualifications completed, disciplinary action taken, etc.
- 12.2 Minutes will be kept for formal meetings recording important academic, strategic and financial decisions.
- 12.3 Participants will be compliant with all reporting requirements of Government agencies responsible for government funding matters and accreditation matters, and keep appropriate documentation of their activities to facilitate these reports.

## **13. Health and Safety**

- 13.1 Participants will be compliant with all requirements of Occupational Safety and Health in the working environment for both staff and students.
- 13.2 Student handbooks will explain the provider's expectations of participants with regard to harassment and other unprofessional behaviour.
- 13.3 Disciplinary procedures (and appeal procedures) will be outlined in the student's handbook.

## **PART 5: WELFARE**

### **14. Support services**

- 14.1 Participants must designate an appropriate person as a resource for all inquiries about pastoral care from students. The existence and availability of this person or unit must be advised to students on enrolment.

- 14.2 Participants must provide support services to students, including (but not limited to):
  - 14.2.1 An orientation programme appropriate to the type of institution and the student;
  - 14.2.2 Assistance to students facing difficulties adapting to the new environment; and
  - 14.2.3 Advocacy procedures, to ensure students are made aware of their rights and the Participant's obligations under the Code and how to access internal and external grievance procedures.
- 14.3 In addition to the requirements in sections 3.1 and 3.2, Participants must provide the following support services to students:
  - 14.3.1 Advice on courses, including qualifications or part qualifications to be gained, staff qualifications and delivery details.
  - 14.3.2 Advice on welfare facilities, including personal health services, mental health services, drug education and counselling.
  - 14.3.3 Advice on accessing information on sexuality education, health promotion, and sexual and reproductive health services;
  - 14.3.4 Information and advice on relevant New Zealand laws, including laws on the sale of alcohol and tobacco products;
  - 14.3.5 Information and advice on addressing harassment and discrimination.

## **15. Information on Students**

- 15.1 Participants must hold the following information relating to each student at all times:
  - 15.1.1 Full name;
  - 15.1.2 Current address and contact details including mobile number and email addresses if available.
  - 15.1.3 Birth Certificate or Passport details (photocopy of title page); and
  - 15.1.4 Full names and current addresses of parents, guardians or caregivers of students under the age of 18, and of emergency contact persons and/or next of kin for students aged 18 years old and over.

## **16. Students with additional needs**

- 16.1 Participants must document where they believe on reasonable grounds that any student is unable to protect him or herself against significant harm or exploitation and/or unable to adequately safeguard his or her personal welfare, and ensure that the following provisions are complied with:
  - 16.1.1 Participants must meet and communicate regularly with such students;
  - 16.1.2 Participants must determine whether it is appropriate to communicate with parents or next of kin of such students, and must communicate regularly with appropriate persons. In any

such communications, Participants must ensure that they comply with the principles of the Privacy Act 1993;

16.1.3 Participants must liaise with other agencies if necessary for the care and support of such students.

## **17. Monitoring attendance to ensure student welfare**

17.1 Participants must have processes in place to:

17.1.1 Ensure that students are maintaining their course requirements; and

17.1.2 Follow up in the event that a student ceases attendance before course completion.

## **PART 6: ACCOMMODATION**

18. A participant who operates student accommodation must ensure the following procedures are met:

18.1 Check that local government bylaws are being observed;

18.2 Identify the manager or other person with responsibility for the care of the student/s at the boarding establishment for students under the age of 18, and the resident manager for students aged 18 years and over;

18.3 Assessment of the potential boarding establishment management and employees' suitability;

18.4 On-site assessment of the suitability of the residential facilities;

18.5 Assessment of whether the boarding establishment will provide a safe physical and emotional environment; and

18.6 Monitoring and managing any risks to the safety of the students.

## **PART 7: GRIEVANCE PROCEDURES**

### **19. Internal grievance procedures**

19.1 Participants must ensure that students are advised of and have access to adequate and fair internal procedures for dealing with grievances.

19.2 Participants must implement and document procedures to deal with complaints from students about breaches of the NZAPEP Code of Practice.

19.3 Participants must display information about complaints procedures available to students and about the Quality Commission and NZQA in prominent positions within the institution.

19.4 Students who consider that the services provided by a participant do not satisfy the requirements of the Code may seek redress through the Quality Commission when they have exhausted the participant's internal grievance procedures.