

Te Whare Wānanga o Awanuiārangi

**Outcome of NZQA/TEC investigation
following receipt of formal complaint**

30 September 2014

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Executive summary

NZQA and TEC began a joint investigation in March 2014 into concerns raised by a complainant about Te Whare Wānanga o Awanuiārangi (TWWOA).

The joint NZQA/TEC investigation team focused on eight areas of concern, covering a number of processes and issues, in a three-day on-site visit and analysis of relevant documentation.

For most of the issues raised, the complainant's concerns were not substantiated by the available information. In these areas, NZQA and TEC are satisfied that TWWOA is operating in accordance with the relevant rules.

Significant issues were, however, identified with respect to the National Certificates in Māori Tourism (Levels 3 and 4), known collectively as Hei Manaaki. Substantially compressed delivery has resulted in students participating in a programme that falls well short of its approved credit value.

In delivering these two programmes, TWWOA has engaged in unapproved sub-contracting arrangements and control mechanisms have been inadequate. In particular, there is a lack of control around attendance monitoring and the standard of record keeping has been unsatisfactory. Insufficient evidence is recorded to support the validity of some assessment decisions.

Unit standard results reported to NZQA did not accurately record the date of achievement and were not reported within the three month timeframe. Many unit standards were not reported at all.

As a result of these concerns, Deloitte was engaged to conduct a more detailed investigation into the delivery of Hei Manaaki, and the results of that investigation have been set out in a separate report.

In response to the findings of the TEC/NZQA and Deloitte investigations, TWWOA has undertaken investigations of its own, commissioned an external review of the adequacy of controls within the Hei Manaaki programme and is implementing an action plan to rectify the issues of concern. TWWOA has also been conducting a full organisational review with a focus on continual quality and system improvement. This process began before the TEC/NZQA investigation commenced.

Background

Receipt of complaint

The New Zealand Qualifications Authority (NZQA) received a complaint about Te Whare Wānanga o Awanuiārangi (TWWOA) on 7 March 2014.

NZQA has a formal complaints procedure that is available to members of the public wishing to raise concerns about a tertiary education organisation. After receiving the complaint, NZQA carried out an initial assessment of the allegations that were made by the complainant. The purpose of the assessment was to evaluate the credibility of the allegations, and determine whether there were sufficient grounds to conduct an investigation.

The assessment included an analysis of completion data reported to the Tertiary Education Commission (TEC) and NZQA. This analysis highlighted some anomalies in reported data, which supported the decision to proceed with a formal investigation of the issues raised by the complainant.

As part of the complaint related to data supplied to TEC, the two agencies took a joint approach to investigating the issues raised. TWWOA was provided with details about the complaint and the proposed scope of the joint investigation on 19 March 2014.

Scope of the NZQA/TEC investigation

NZQA and TEC included the following focus areas in the scope of the complaint investigation:

Focus area	Complaint allegation and related issues
1. Doctor of Māori Development and Advancement, Doctor of Indigenous Development and Advancement	1.1 The recently approved doctorate programme (Doctor of Māori Development and Advancement, Doctor of Indigenous Development and Advancement) has no results for its first cohort of students and has stopped enrolling further students because of operational problems.
2. National Certificates in Māori Tourism	2.1 Volunteers for Te Matatini Festival were enrolled for National Certificates in Māori Tourism (Levels 3 and 4), carried out 3-7 days of voluntary work, participated in no other tuition or learning, and were awarded the two qualifications totalling 120 credits. 2.2 Two students in a different intake for this programme stated they only attended 2-3 classes and did not submit assignments, yet have achieved the qualification. 2.3 Around half of the students reported to TEC as having completed the Level 3 certificate do not have the required unit standards on their NZQA Record of Achievement. 2.4 The number of weeks of delivery advertised on the TWWOA website (20 weeks) does not match the combined programmes' approved duration (36 teaching weeks).

Focus area	Complaint allegation and related issues
	2.5 TWWOA has not submitted a Type 2 application for programme change to keep the programme aligned with the current version of the qualification.
3. Bachelor of Māori Performing Arts	<p>3.1 The Bachelor of Maori Performing Arts is being delivered at sites that are not NZQA-approved.</p> <p>3.2 TWWOA does not have knowledge of where the programme is being delivered, when it is delivered and how the hours are being met.</p> <p>3.3 There are concerns (not further specified) regarding assessment practices by contract markers.</p>
4. Reporting of student achievement data to NZQA	<p>4.1 Dates reported to NZQA for unit standard achievement do not reflect the dates on which the unit standards were actually achieved.</p> <p>4.2 Achievement of unit standards is not reported to NZQA in a timely manner (within three months of achievement).</p>
5. Reporting through the Single Data Return (including recording, enrolments and withdrawals)	<p>5.1 Students are being enrolled for a number of EFTS that is unreasonably high (e.g. some students enrolled for 2 EFTS; some students working full-time are also enrolled for 1 EFT).</p> <p>5.2 Enrolment records are shifted across years to meet EFTS allocations.</p> <p>5.3 Student enrolments and results are not submitted until the programme is completed. Only successful completions are reported.</p> <p>5.4 Final student achievement results are often amended.</p> <p>5.5 Withdrawals are not processed because attendance is not monitored.</p>
6. Programme changes	6.1 Programmes are approved internally without following internal process.
7. Facilities and resources	<p>7.1 Staff and students at two campuses have inadequate access to library facilities, IT support, and student support.</p> <p>7.2 The teaching facilities at Whakatane are unsuitable for the nature of programmes (laboratory) and the number of students enrolled.</p>
8. Research	8.1 There is no provision for research release time for degree teaching staff, and they are not engaged in research.

Site visit

An investigation team, comprising both NZQA and TEC representatives, visited the Whakatāne site on 24–26 March 2014. The team met with a range of governance, management, administration and teaching staff, reviewed a variety of documentation, and examined a sample of student records (both paper and online). The investigation included discussion of completion data reported to TEC and NZQA.

TEC selected and examined a sample of 62 Student Achievement Component (SAC) files. The sample covered 107 enrolment or re-enrolment events in 2012 and 2013. This included three doctorate programmes, a bachelor's degree and two national certificates.

Preparation of findings

Deloitte provided peer review advice over key aspects of the investigation team's processes (planning, fieldwork and analysis).

Preliminary findings were provided to TWWOA on 10 April 2014. TWWOA was given the opportunity to make a submission in response to the findings. NZQA and TEC received a written submission from TWWOA on 1 May 2014, and further communication took place to clarify outstanding questions.

Subsequent Deloitte investigation

TEC and NZQA were not satisfied with TWWOA's explanations for the discrepancies between the number of teaching weeks and hours that TWWOA had been approved to deliver and what was actually delivered in respect of the Level 3 and 4 National Certificate in Māori Tourism programmes.

As a result, TEC engaged Deloitte to undertake a further investigation to:

- establish, after the change to running courses concurrently, the actual teaching weeks and hours delivered by TWWOA in relation to the programmes;
- establish when any change in the length of the programmes was made (to determine funding recovery); and
- determine whether similar changes had been made to any other programmes delivered by TWWOA that are funded by TEC.
- Determine whether there is any evidence to suggest that individuals associated with TWWOA have intentionally made any misrepresentations to TEC or NZQA relating to the programmes funded by TEC and what the financial implications of those actions would be.

The report from the joint NZQA/TEC investigation was placed on hold pending the outcome of the Deloitte investigation.

A draft report from Deloitte's investigation was provided to TWWOA on 9 July 2014. TWWOA made a written submission in response to the Deloitte report on 23 July 2014. This submission was taken into consideration before NZQA and TEC finalised the findings outlined in this joint NZQA/TEC report.

Limitations and use of findings

This investigation provides a snapshot of TWWOA's performance at a particular point in time and may not, as such, provide a view of ongoing compliance. It is based on sampling and issues may remain undetected.

The outcome of this investigation may contribute to decisions made by TEC relating to past, current and future funding. It may also contribute to decisions made by NZQA relating to current and future programme approval, accreditation, consent to assess against standards, and related requirements.

Context

TWWOA was recognised as a wānanga under the Education Act 1989 (the Act) in 1997. Section 162(4)(b)(iv) of the Act states that a wānanga “is characterised by teaching and research that maintains, advances, and disseminates knowledge and develops intellectual independence, and assists the application of knowledge regarding ahuatanga Maori (Maori tradition) according to tikanga Maori (Maori custom)”.

Wānanga receive SAC funding from TEC to provide a wide range of programmes for which they have been granted approval and accreditation by NZQA. They are subject to NZQA rules covering areas such as programme accreditation and consent to assess against standards. They are also subject to TEC Funding Conditions.

NZQA is responsible for carrying out independent quality assurance of wānanga. The quality assurance system includes initial programme approval and accreditation processes, degree monitoring, and periodic External Evaluation and Review (EER).

TWWOA’s last EER was conducted in November 2011. The report, published on 22 February 2012, resulted in the following statements of confidence:

- Highly Confident in educational performance
- Confident in capability in self-assessment.

Investigation Findings

Each of the focus areas and detailed allegations are set out below, followed by the agencies' analysis and findings. These are referenced to the Education Act 1989 (the Act), relevant Rules and Funding Conditions as applicable. The applicable statutory provisions are included in Appendix 1.

Focus area	Complaint allegation and related issues
1. Doctor of Māori Development and Advancement, Doctor of Indigenous Development and Advancement	1.1 The recently approved doctorate programme (Doctor of Māori Development and Advancement, Doctor of Indigenous Development and Advancement) has no results for its first cohort of students and has stopped enrolling further students because of operational problems.

Analysis

Members of the investigation team met with the [REDACTED]

The [REDACTED] provided an overview of the programme's structure and its first year of operation in 2013. Programme delivery took place as planned in 2013 for 24 enrolled students including eight based in Washington State.

Unanticipated delays took place when students requested an extension for the substantial assignment associated with one of the two first-year papers. An extension was granted to the cohort as a whole, and this had an impact on the timing of the assignment for the other first-year paper. The majority of assignments have now been assessed and returned to students, and grades were scheduled to be approved at the meeting of the Doctoral Research Committee on 26 March 2014. The affected students were granted provisional enrolment for 2014 subject to submission of their assignments, and their enrolments were confirmed upon receipt of their respective assignments.

Student evaluation forms from the first block course of 2014 demonstrate strong satisfaction with the programme, and indicate that students were comfortable that issues from the first year had been appropriately addressed. In the evaluation forms, the students spoke highly of the programme staff, their peers, and the support provided.

With regards to the stopping of enrolments mentioned by the complainant, the [REDACTED] explained that further intake of students from the United States of America has been suspended until July 2014 to (i) make arrangements that will allow these students to more readily access scholarship monies, and (ii) align the timetable with the US academic year.

The first external monitors' visit for this doctorate programme took place in June 2014, and the monitors' report is currently being prepared.

Findings

NZQA is satisfied with TWWOA's report of the progress of the new doctorate programme, and the steps taken to manage the operational issues experienced by students. NZQA notes that TWWOA has made changes to programme delivery for 2014 in response to the timing issues that arose with the 2013 cohort, and that students appear positive about the programme.

No breach of the Act or Rules was identified with respect to complaint issue 1.

Focus area	Complaint allegation and related issues
<p>2. National Certificates in Māori Tourism</p>	<p>2.1 Volunteers for Te Matatini Festival were enrolled for National Certificates in Māori Tourism (Levels 3 and 4), carried out 3-7 days of voluntary work, participated in no other tuition or learning, and were awarded the two qualifications totalling 120 credits.</p> <p>2.2 Two students in a different intake for this programme stated they only attended 2-3 classes and did not submit assignments, yet have achieved the qualification.</p> <p>2.3 Around half of the students reported to TEC as having completed the Level 3 certificate do not have the required unit standards on their NZQA Record of Achievement.</p> <p>2.4 The number of weeks of delivery advertised on the TWWOA website (20 weeks) does not match the combined programmes' approved duration (36 teaching weeks).</p> <p>2.5 TWWOA has not submitted a Type 2 application for programme change to keep the programme aligned with the current version of the qualification.</p>

Analysis

TWWOA was granted course approval and accreditation for the National Certificate in Māori Tourism (Level 3) and the National Certificate in Māori Tourism (Level 4) on 23 June 2006 and 22 June 2006 respectively. TWWOA refers to these programmes collectively as Hei Manaaki.

Approved weeks and hours of delivery

The programme document submitted to NZQA at the time of application and the approval letters outline the following details:

Programme Level	Number of credits	Total weeks	Total hours
3	60	18	600
4	60	18	600

The average weekly hours are given as follows:

Programme Level	Average teaching hours per week	Average self-directed study hours per week	Total study hours per week
3	18	15	33
4	20.5	13	33.5

In total, this means that students should expect to receive around 324 teaching hours (18hrs x 18wks) for the Level 3 programme, and 369 teaching hours (20.5hrs x 18wks) for the Level 4 programme – a total of nearly 700 teaching hours. Self-directed learning hours are in addition to that, taking the total programme hours up to 1200 across both programmes.

For TEC funding purposes, the National Certificates in Māori Tourism (level 3 and 4) were both approved programmes based on 18 teaching weeks set at 0.5 EFTS each.

TWWOA has noted that its 2006 programme document defined three types of learning:

1. contact hours: includes workshops, tutorials, on-line, and noho marae
2. directed learning: self-initiated learning activities alone or in small groups
3. self-directed learning.

The programmes approved by NZQA combined the contact hours and directed learning hours to give total 'teaching hours'.

However, NZQA agrees that 'directed learning', as defined by TWWOA, would more appropriately have been included in the 'Self-directed study hours' total rather than the 'Teaching hours' total in the NZQA programme approval document.¹

Taking this into account, NZQA agrees that it would expect to see a minimum of 388 teaching (contact) hours across the two certificate programmes (171 for the Level 3 programme and 217 for the Level 4 programme) across a period of 36 weeks.

With this clarification regarding the definitions of contact time, the proportion of contact hours is less than NZQA would expect for programmes of these levels.

Actual weeks and hours of delivery

Evidence gathered during the NZQA/TEC site visit raised concerns that the number of weeks and hours of delivery fall well short of the model specified in the respective programme approval documents.

Information sources considered included:

- TWWOA's website
- course documentation (e.g. prospectus)
- offers of place
- the Artena student management system
- delivery schedules
- course materials (e.g. student guide)
- contractor reports
- discussions with TWWOA staff.

It was found that the compression of the Level 3 and Level 4 programmes dates back to at least 2009, the degree of compression has increased over the years, and in 2014 the two levels of the course are now routinely delivered entirely concurrently.

One cohort - the 2013 Te Matatini cohort – was found to have been delivered in particularly short timeframes.

When a Tertiary Education Organisation (TEO) intends to deliver a programme in a shortened period of time it is expected to inform TEC of the changes as this may affect the EFTS calculation for that programme. NZQA must also approve changes to the programme.

As a result of these initial findings, it was agreed that further investigation was needed in order to quantify the extent to which the two programmes had been compressed. Accordingly, Deloitte was

¹ NZQA defines 'directed learning' on its website as "direct contact time with teachers and trainers". This definition should be used by tertiary education organisations as the basis for developing programmes for approval.

engaged to carry out an investigation. The outcome from Deloitte's investigation is presented in its report.

TWWOA's comments

TWWOA has acknowledged that it did not apply for approval of changes to programme delivery to reflect the delivery model that it is currently using. TWWOA has also confirmed that the change was not approved through appropriate internal processes, including approval by the academic board.

TWWOA has drawn TEC and NZQA's attention to an e-mail sent by an NZQA staff member to the TWWOA [REDACTED] in July 2009. The exact context for the e-mail is unclear, given that it is a follow-up to a prior conversation. The NZQA staff member wrote, "*It is permissible for you to run the Level 3 and Level 4 programmes together, assessing against the standards for either level as they are delivered through your course of study*".

This advice confirmed the requirements of version 1 of the National Certificate in Tourism Maori (Level 4) (relevant version in 2009). This is evident and reinforced by the subject title of the email from NZQA of 29 July 2009 which was "Concurrent delivery of L3 and L4 Nat Certificate in Tourism Māori", that is, the nature of the advice being given was around how the requirements of the qualifications could be met and delivered, and not about the collective Hei Manaaki.

The content of the email also indicated it was 'permissible' to put a programme together where assessment against standards in either qualification could be done concurrently rather than sequentially by level, that is, one qualification didn't need to be fully completed before assessment against similar or other appropriate standards in the other qualification could be undertaken.

For example, the Level 4 qualification includes a standard relating to tikanga marae. Learning and assessment against that standard could be done at a noho marae and learning and assessment against standards in the Level 3 qualification such as the Te Reo and Tikanga-based could perfectly validly be undertaken at the same event.

NZQA considers this to have been advice regarding assessment manageability and practice, and award of the qualifications, rather than consent to compress the two programmes into fewer weeks or hours than originally approved.

NZQA considers it to be unlikely that TWWOA interpreted the 29 July 2009 email from an NZQA staff member as formal approval to run the two programmes concurrently with reduced weeks of study. A change of such significance should have gone through an internal approval process with TWWOA's Academic Board. This in turn would have triggered an application to NZQA.

The process for seeking approval of new programmes and changes to programmes were well known to TWWOA at the time, as evidenced by an approval letter dated 9 April 2009 in which NZQA approved similar changes to the National Certificates in Building, Construction and Allied Trades Skills (Levels 1 and 2).

Assessments

The assessment schedule for the two programmes contains tasks appropriate to the unit standard learning outcomes, together with robust evidence and judgement statements.

Marked assessments are not retained once they have been returned to students, other than for the purpose of internal or external moderation. The investigation team reviewed a sample of student assessments provided by [REDACTED] which happened to have been retained. This sample raised some concerns about the quality of assessment taking place in the programme. For

example, some assessment answers marked as achieved did not seem to have all the necessary components present.

Discussions with TWWOA indicated that some components of assessments are completed verbally. While this is an appropriate form of assessment in this context, it is noted that there is currently no provision on the assessment material to record either that verbal assessment has taken place or the content of the verbal response.

Assessment methodology for the Te Matatini cohort differed markedly from that usually used for the programme. The investigation team sighted a box of assessment material that had been supplied to TWWOA after Te Matatini by the sub-contracted delivery agent as evidence of successful programme completion. Marking schedules contained evidence requirements and judgement statements.

The assessment material was exclusively group work, with signed attestations from the [REDACTED] that all members of the group had participated equally in the assessment activities. In discussions, TWWOA staff explained and affirmed the place of group assessment in the context of Māori learning pedagogy. Knowledge is seen to be collective, shared, and pooled. Learning is founded in concepts of ako and tuakana/teina, and the contributions of individuals to the group as a whole are valued. TWWOA finds that group assessment engages learners who may not have succeeded in other learning environments.

TWWOA emphasised that teaching staff were conscious of the need to ensure that everyone is participating and has met the learning outcomes, and there is close scrutiny of learners' engagement, though attendance is not formally recorded. Completed assessment material was subject to moderation by an external contractor.

Following receipt of the draft findings from the NZQA/TEC investigation, TWWOA carried out internal moderation for 100 per cent of student assessments from cohorts currently completing the programmes. A sample of these moderated assessments was then provided to NZQA for external verification of the assessment decisions.

The results were mixed. The NZQA moderator confirmed the assessment decisions made with respect to 11 of the 15 unit standards where assessment materials and learner samples were submitted for moderation. The remaining four unit standards had some issues, including:

- assessor judgements not verified
- outcome requirements applied too liberally to the learner work submitted
- assessment materials not meeting the national standard
- insufficient learner responses.

Attendance

Attendance records were closely examined for the [REDACTED] cohort. In the original class file provided to NZQA, attendance sheets were present for only 10 of the 18 weeks of the course. In total, 38 student names were listed on the printed attendance sheet; of these, 33 were awarded the Level 3 and 4 qualifications at the end of the programme.

Analysis of these 33 students' attendance records showed that:

- 18 students had attended at least half of the 10 sessions in which attendance was recorded
- 15 students had attended fewer than half of the 10 sessions in which attendance was recorded.
- 9 students had attended only 1 or 2 of the 10 sessions in which attendance was recorded.

The contractor reports noted that some follow-up workshops and home visits were offered to catch up on non-attendance. They indicated that seasonal employment was having an impact on student attendance.

In its response to the draft investigation findings, TWWOA noted that the [REDACTED] had mistakenly provided only a sample of attendance sheets for the [REDACTED] cohort to NZQA. Additional attendance sheets were provided by [REDACTED] and TWWOA requested that NZQA review its analysis.

[REDACTED]

While TWWOA took appropriate action on this occasion as soon as the matter was brought to its attention, and has since made improvements to its attendance processes, the situation highlights the potential for issues to arise from poor system controls.

Sub-contracting

The investigation team viewed a sample Contract for Services, used by TWWOA to engage other organisations to deliver the programme on its behalf. A list of contracts was also sighted. These sub-contractors ('Suppliers') deliver the programme to a particular cohort of students: for example,

[REDACTED]

No application has been made to NZQA of approval for these sub-contracting arrangements. No evaluation has taken place, therefore, of whether the arrangements ensure that programme delivery is consistent with that which is approved. TWWOA staff indicated that they were unaware that approval of sub-contracting arrangements was a requirement.

The [REDACTED] maintains contact with the Suppliers, but TWWOA does not appear to hold adequate file documentation relating to past cohorts. This indicates a lack of controls over the quality and adequacy of delivery.

In response to the findings of this investigation, TWWOA has decided to cease its use of sub-contractors and bring delivery of Hei Manaaki 'in-house'. Regional kaiako will be employed to teach the programme.

Changes to unit standards

The unit standards currently offered to students, as described in TWWOA's website material, are different from those originally approved as part of the programmes in 2006. There is no record of NZQA having approved these changes, some of which were necessary due to unit standards having expired, replacement unit standards not having been substituted, and new versions of the qualifications having been released.

TWWOA's School of Undergraduate Studies Academic Committee meeting minutes of 9 February 2011, 8 June 2011, and 8 August 2012, clearly document the internal approval of the changes to the unit standards being offered in the Level 3 programme, resulting in the programme as it is delivered today. However, despite this documentation stating that Type 2 programme changes include "changes to the compulsory courses or papers within the programme (addition or deletion)", it was incorrectly judged at the time that it was not necessary to submit applications to NZQA for the changed unit standards.

The change in composition of unit standards had significant implications for the programme content and assessment. The content changes would have required a Type 2 programme change at a minimum, as the content of the programme would have needed to change to accommodate the change in focus of the assessment. If the new focus and the target learner were sufficiently different, a new programme may have been more appropriate.

Reporting of unit standard completion to NZQA

Pre-visit comparative analysis of data reported to TEC in the 2013 SDR and data reported to NZQA revealed that around half of the students reported to TEC as having completed the Level 3 certificate did not have the required unit standards on their NZQA Record of Achievement.

TWVOA investigated this discrepancy and determined that it had been caused by both system changes and staff administrative error. Many valid results have failed to be reported to NZQA, and there were insufficient controls in place to identify this problem.

Course completion certification

NZQA reporting data shows that TWVOA has not reported the completion of any qualifications to NZQA since 2008, and therefore no students have been issued with certificates by NZQA recognising their achievement of the National qualifications.

TWVOA provided a sample of certificates that it presents to students upon completion of Hei Manaaki. These certificates carry the TWVOA logo and record the award of the National Certificates. Students are also provided with a transcript of unit standards completed. TWVOA is entitled to award this qualification under Rule 15.2(d) of the NZQF Qualification Listing and Operational Rules 2012.

Findings

Substantially compressed delivery has resulted in students participating in a programme that falls well short of its approved credit value.

The set of unit standards being delivered differs from that which was approved by NZQA.

TWVOA has not advised TEC or NZQA of changes to the two programmes since the programmes were originally approved in 2006.²

Insufficient evidence is recorded to support the validity of assessment decisions, resulting in a lack of confidence that individual learners have met the learning outcomes for each unit standard awarded.³

TWVOA has engaged in sub-contracting arrangements for delivery of the programme and its component unit standards which have not been approved by either NZQA or TEC.⁴ The

² Rule 12.1(d) of the NZQF Programme Approval and Accreditation Rules 2013 states, "...institutions must 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"

³ Rule 12.1(a) and Criterion 1 of Rule 6.1 of the NZQF Programme Approval and Accreditation Rules 2013 requires that, "The institution has the capability and capacity to ensure assessment materials and decisions are fair, valid, consistent and appropriate, given the stated learning outcomes."

⁴ Rule 8.2 of the Consent to Assess Against Standards on the Directory of Assessment Standards Rules 2011 states, "Where an applicant for a consent to assess against standards, or a holder of a consent,

investigation team considers that TWWOA's dependence on sub-contractors, without adequate control mechanisms, is a significant factor in the quality and compliance issues that have arisen. TWWOA has failed to comply with TEC Funding Conditions with respect to use of sub-contractors

There is a lack of control around attendance monitoring which may have resulted in the award of these National qualifications to students who have engaged in only a small proportion of the course. This indicates that review of programme performance has been inadequate.⁵ Some students may also not have reached the necessary threshold for their enrolment to qualify for TEC funding.⁶

Current controls around reporting of results to NZQA are inadequate, meaning that large volumes of unit standards have not been reported to students' Records of Achievement.⁷

Part 16 of the Education Act 1989 includes, but is not limited to student programme information and records. The overall standard of record-keeping was not satisfactory for the National Certificates in Māori Tourism (level 3 and 4). Specifically, controls around attendance, offer of place letters that did not clearly specify enrolment in two programmes and did not separate expected course start and end dates, and the recording of assessment results did not meet best practice.

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."

Rule 17.2 of the NZQF Programme Approval and Accreditation Rules 2013 states, "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."

⁵ Rule 12.1(a) and Criterion 4 of Rule 6.1 of the NZQF Programme Approval and Accreditation Rules 2013 state, "There must be adequate and effective review of programme performance and the institution's capability to support the programme."

⁶ A **valid student enrolment** for SAC, Youth Guarantees and Trades Academies funding purposes, is where a student has completed the enrolment process and both of the following has occurred:

- a) A student and the TEO have entered into an enrolment contract, which includes a commitment by the student to pay fees (if fees apply).
- b) A specified period has passed or, a student has attended for greater than the specified period in which a student can withdraw and receive a full refund of tuition fees/course costs. Where a TEO does not set a defined period for changes of enrolment, including withdrawals, domestic students will count for tertiary tuition calculations after they have completed 10% or one month of the course for which they have enrolled, whichever is the smaller.

⁷ Rule 10.1(b) of the Consent to Assess Against Standards on the Directory of Assessment Standards Rules 2011 states "...holders of the consent must...accurately report credits for students within 3 months of assessment, unless NZQA has approved a different reporting timeframe for the holder of the consent"

Focus area	Complaint allegation and related issues
3. Bachelor of Māori Performing Arts	<p>3.1 The Bachelor of Maori Performing Arts is being delivered at sites that are not NZQA-approved.</p> <p>3.2 TWWOA does not have knowledge of where the programme is being delivered, when it is delivered and how the hours are being met.</p> <p>3.3 There are concerns (not further specified) regarding assessment practices by contract markers.</p>

Analysis

TWWOA was granted approval and accreditation to provide Ngā Mana Whakairo a Toi: Bachelor of Māori Performing Arts (BMPA) on 15 February 2010.

The Degree Approval and Accreditation Report states the following:

- “The degree is specifically targeted at cohorts or groups of performing artists either in competitive or non-competitive environments.”
- “There are two alternative methods of delivery which include the conventional face to face classes and mixed mode of delivery which involve noho, online learning and site visits.”
- “The alternative delivery modes allow for flexibility depending on the student group, their location and work and/or personal circumstances.”

Sites

The 2010 approval letter for the BMPA degree lists the approved delivery sites as being the TWWOA campuses at Whakatāne, Wellington, Auckland and Northland.

The Degree Approval and Accreditation Report makes specific mention of NorthTec campuses Kerikeri, Kaitaia and Kaikohe, as well as noting that “the delivery of the programme is predominantly field-based whilst the students are engaged in their group performance and practices”.

NZQA has a file copy of an application signed by TWWOA in December 2009 and submitted to NZQA for use of the Rotorua site for delivery of the BMPA.

In contrast to the above documentation, the 2011 Degree Monitoring Report, following a visit by NZQA-appointed monitors on 20 July 2011, noted that the Rotorua administration site for the degree and change to mixed mode delivery at a number of additional sites was not known to NZQA, and directed TWWOA to make formal application to NZQA.

TWWOA’s 2011 internal self-assessment report on the BMPA, published September 2011, provided a list of 27 delivery sites, across which 600 students were enrolled.

The 2013 Degree Monitoring Report, following a visit on 27 September 2013, reported that the programme “is currently being taught across 35 recognised rohe and in five different regions”.

TWWOA staff communicated to the investigation team their understanding that the programme approval allows for mixed mode delivery, and provided a document listing the 2014 tutorial venues for each of the 24 current kapa cohorts.

Delivery to each kapa haka rohe takes place within local facilities. These include marae, schools, community centres, and premises of other tertiary providers. TWWOA staff outlined the cultural

importance of “space and place”, the depth of mātauranga drawn on in these communities, and the value of BMPA delivery taking place in venues that are comfortable and accessible to learners.

Site safety was discussed, and TWWOA staff advised that in 2014 they began to collect evidence of this in the form of building warrants of fitness and risk assessment and management forms. A small number were sighted by the investigation team. TWWOA staff noted the sensitivities of managing compliance in the communities in which they work.

Sub-contracting

The investigation team viewed a sample Independent Contractor Agreement, used by TWWOA to engage other organisations to work with particular cohorts. The services to be delivered are outlined in the agreement as follows:

- providing venues and resources
- managing student retention and completion targets
- identifying learner needs
- reporting monthly on programme facilitation
- collecting and submitting learner assignments
- providing support services
- recruiting learners
- co-ordinating mixed mode delivery provision
- submitting student assignments
- complying with TWWOA policies and procedures.

While the contract states that the sub-contractor is to provide “teaching services”, TWWOA has submitted that this was an error.

The question of whether kapa facilitators carry out teaching is a matter of definition, and one that is difficult to fully resolve. NZQA has considered the following:

- discussions held with TWWOA staff at the investigation visit
- degree monitoring reports
- BMPA kapa facilitator manuals.

NZQA and TEC are not satisfied that the arrangements in place comply with the rules relating to sub-contracting, and consider that this issue needs to be revisited at the next degree monitoring visit.

Programme delivery

The BMPA is a three year full time programme.

Eight pouako co-ordinators (lecturers), employed by TWWOA, oversee programme delivery and liaise with the appointed liaison tutors (kapa facilitators) who are volunteers.

The TWWOA lecturers deliver some of the theoretical content in face to face sessions with learners, typically 6–8 hours per paper over a four week period. They are also available to individuals and groups of learners through online platforms such as Skype and Google Hangout, and estimated that this may amount to around one hour per week with any particular learner. Their involvement varies depending on the needs of the kapa.

The remaining theoretical and practical aspects of the programme are delivered by the kapa facilitators. The facilitators use a manual provided by TWWOA to guide delivery of the programme through focus groups. They also use kapa haka practice time to work with students and provide the necessary support and pastoral care.

Performance is a central part of the programme. A sample timetable provided for one of the kapa cohorts showed a mix of weekend wānanga and 2–3 hour practices over three months leading up to a regional competition. TWWOA staff explained that the programme is typically not “9–5” and that weekends are the busiest time for tutorial staff and learners.

The course guide for first year students lists eight papers which students complete. Each paper consists of 60 directed learning hours and 90 self-directed learning hours. It is clear that the majority of directed learning hours are facilitated by kapa facilitators rather than TWWOA lecturers, though the balance of hours varies between cohorts. No formal records of attendance are kept.

TWWOA staff conveyed to the investigation team the value added to the programme by high calibre ‘mastery learners’ enrolled as students who have many years of experience as practitioners in the field and support academic excellence within their cohort.

Teaching staff qualifications

A list was provided to the investigation team of the lecturers, together with their qualifications. The formal qualifications listed do not in themselves give assurance that all lecturers are appropriately qualified for delivery of a degree level programme. It is expected that teaching staff will be qualified to one Level higher than what they are teaching (in a relevant discipline).

In response, TWWOA notes the uniqueness of the programme and the current lack of people in this field who have the appropriate level of relevant qualification. TWWOA is actively implementing a strategy to increase the qualification levels of its BMPA teaching staff.

TWWOA staff explained that they aim to support and extend the mātauranga and expertise at the various sites through drawing on local tribal knowledge. Kapa facilitators were described as respected kapa haka leaders: icons within their communities. The Degree Approval and Accreditation report notes one strength of the application as being “the recognition of iwi diversity in the Māori Performing Arts”.

The 2011 Degree Monitoring Report states “The notion of expert practitioners not automatically assuring expertise in teaching is mutually acknowledged”. It was recommended at that time that opportunities be made for all staff to have access to appropriate on-going professional development.

The 2012 Degree Monitoring Report states that ongoing support was now available for all tutors at hui four times a year.

Teaching staff involvement in research is discussed under issue 8 below.

Assessment and moderation

Kapa facilitators are responsible for collecting and submitting learner assignments. The calendar in the student guide sets out the due dates for assignments for each paper, though there is flexibility in offering extensions to accommodate kapa haka commitments.

Completed assessments are logged and then distributed among the lecturers and external markers. TWWOA staff explained that markers are sourced from an experienced pool within the kapa haka community. Information was not gathered during the investigation about the qualifications of markers. Once marked, assessments are returned to the TWWOA administration centre.

Three assignments from each set are retained for moderation purposes. Moderation is carried out by a moderator appointed by TWWOA, who submits a report on each sample.

Findings

TWWOA has been delivering the BMPA at a large number of sites other than the six NZQA-approved campus delivery sites. The extent of this 'field-based delivery' has been regularly communicated to NZQA, e.g. it was:

- explicitly noted by the degree panel in its Degree Approval and Accreditation Report in 2010
- outlined in an internal TWWOA self-assessment report that was provided to the NZQA External Evaluation and Review (EER) team in 2011
- acknowledged in the 2012 and 2013 Degree Monitoring Reports.

It was reasonable for TWWOA to assume that it had been operating in accordance with its programme accreditation.

TWWOA has provided a number of reasons why field-based delivery is appropriate in the context of the BMPA. NZQA would like to have further discussion with TWWOA about the best way to ensure that sites intended to be used for delivery of the BMPA are approved prior to delivery commencing.

NZQA and TEC are not satisfied that the staffing arrangements for the BMPA comply with the rules relating to sub-contracting, and consider that this issue needs to be revisited at the next degree monitoring visit.

Sound processes are in place for submission and marking of student work. NZQA has not assessed whether markers are sufficiently qualified.

The next External Monitor's visit will take place at the end of October 2014.

Focus area	Complaint allegation and related issues
4. Reporting of student achievement data to NZQA	4.1 Dates reported to NZQA for unit standard achievement do not reflect the dates on which the unit standards were actually achieved. 4.2 Achievement of unit standards is not reported to NZQA in a timely manner (within three months of achievement).

Analysis

Pre-visit analysis of unit standard achievement data reported to NZQA in 2013 revealed that only 26% of unit standards were reported to NZQA within three months of the date on which they were recorded as having been completed, as per the requirement of the Consent to assess against standards on the Directory of Assessment Standards Rules 2011.

The data also indicated that the completion dates recorded by TWWOA were not accurate, because in most students' cases all credits they had achieved were recorded as having been achieved on the same day.

The timeliness and accuracy of TWWOA's reporting practices was discussed at the visit. TWWOA staff explained that they had been unaware of the requirement to report unit standards to NZQA within three months of completion, and that the organisation's reporting system was structured around completion of whole courses rather than individual unit standards. Reports of unit standard completion are therefore not being sent to NZQA until students have completed the full programme.

Other matters identified by TEC through examining the student files included:

- examples where offer of placement letters were not on enrolment files
- examples where no paper selection sheets were attached to enrolment files
- attendance records not maintained to an auditable standard
- error on paper selection sheet recording AW1247 for unit standards for AW1248 (students might not be aware they had enrolled in two programmes).

As noted under issue 2 above, current controls around reporting of results to NZQA are inadequate, meaning that large volumes of unit standards have not been reported to students' Records of Achievement.

Findings

Unit standard results reported to NZQA do not accurately record the date of achievement and are not currently being reported within the required three month timeframe. Many unit standards have not been reported at all.⁸

⁸ Rule 10.1(b) of the Consent to Assess Against Standards on the Directory of Assessment Standards Rules 2011 states, "...holders of the consent must...accurately report credits for students within 3 months of assessment, unless NZQA has approved a different reporting timeframe for the holder of the consent".

Focus area	Complaint allegation and related issues
<p>5. Reporting through the Single Data Return</p>	<p>5.1 Students are being enrolled for a number of EFTS that is unreasonably high (e.g. some students enrolled for 2 EFTS; some students working full-time are also enrolled for 1 EFT).</p> <p>5.2 Enrolment records are shifted across years to meet EFTS allocations.</p> <p>5.3 Student enrolments and results are not submitted until the programme is completed. Only successful completions are reported.</p> <p>5.4 Final student achievement results are often amended.</p> <p>5.5 Withdrawals are not processed because attendance is not monitored.</p>

Analysis

TWVOA uses a commercial database student management system Artena 9, which is software certified by the Ministry of Education for the Single Data Return. Artena 9 is used to load enrolments and report completions.

The Single Data Return provides the base data for compilation and analysis of tertiary education statistics on: student enrolments, withdrawals for funding purposes, qualifications, course completions, student progression and retention. This information is used for a variety of purposes including: funding and funding recoveries, monitoring performance against a TEO's Investment Plan and the publication of tertiary education information. TEOs must also ensure accuracy and integrity of information they provide to the Ministry of Education and TEC, as outlined in the declaration TEOs complete for every SDR submission.

All enrolment, withdrawal and completion data is loaded at the main campus in Whakatāne and delivery sites do not have access.

Course completions reported through the SDR matched course completions recorded in the Student Management System in the sample of records reviewed. In the National Certificates in Māori Tourism (level 3 and 4) all courses had been disaggregated to single unit standards. Course completions were therefore tracked to each student's NZQA Record of Achievement. It was found that there were variances in the sample between all, some or no unit standards reported. In all cases where unit standards had been reported this was undertaken at the end of the programme.

The cause for the non-reporting or partial reporting of unit standards was linked to both TWVOA system changes (the Report Results tab to NZQA either ticked or unticked) and [REDACTED]. There was inadequate internal monitoring of the reporting of unit standards.

TWVOA has satisfactory controls in place for reporting data through the SDR. This includes segregation of duties and checks and balances in the data reported. The SDR is signed off by a person with delegated authority.

The student management system was generally satisfactory except for the failure in reporting credit achievement.

All student records in the sample were valid enrolments for funding purposes and domestic student status was confirmed with the exception of two records. In one student record, the 2012 enrolment form was missing and evidence of domestic student status was not established. When the student re-enrolled in 2013 evidence acceptable for a returning student was sighted. In another record, the evidence used for domestic student status was 'NSI – Active'. The student had previously studied

at another TEO and appeared to be a first time enrolment at TWWOA. The “verifying learner identity” evidence was not met in this case.

There were no concerns identified by TEC regarding the sample of student enrolments in the three degree programmes.

5.1 Students are being enrolled for a number of EFTS that is considered unreasonably high (e.g. some students enrolled for 2 EFTS; some students working full-time are also enrolled for 1 EFT).

The investigation team discussed with TWWOA its processes for ensuring that the number of EFTS being delivered to any individual student is appropriate. There were only two students in 2013 who consumed 2 EFTS, and TWWOA provided satisfactory explanations of the management of these students’ cases. TWWOA has controls in place to curb excess EFTS delivery.

5.2 Enrolment records are shifted across years to meet EFTS allocations.

In the sample of enrolment forms reviewed there were no significant variances between the date of student signatures on enrolment forms with the date recorded in the student management system. There was no evidence to indicate that enrolments were spread across academic years.

5.3 Student enrolments and results are not submitted until the programme is completed. Only successful completions are reported.

There was no evidence student enrolments are submitted after the programme is completed. There was evidence achievement results are submitted in the National Certificates in Māori Tourism (level 3 and 4) after the programme is completed. TWWOA does not report the credits until after the programmes are completed. This is a reporting issue for NZQA, and is covered by the findings in respect of issue 4 above.

5.4 Final student achievement results are often amended.

There was no evidence final student achievement results are amended except where a student has successfully completed all course requirements and the amended result is valid.

5.5 Withdrawals are not processed because attendance is not monitored.

Attendance has not been satisfactorily monitored in the Bachelor of Māori Performing Arts (level 7) and National Certificates in Māori Tourism (level 3 and 4) as outlined in under issues 2 and 3 above. However, policies and procedures are in place around attendance and withdrawals.

Findings

TEC has identified no basis for concern in any of the following areas:

- Students being enrolled for excessive EFTS (5.1)
- Enrolments being inappropriately shifted across years (5.2)
- Student enrolments being withheld until the programme is completed (5.3)
- Amendment of student achievement results (5.4)
- Policies and procedures for processing withdrawals (5.5)

Other reporting matters have been covered above.

Focus area	Complaint allegation and related issues
6. Programme changes	6.1 Programmes are approved internally without following internal process.

Analysis

TWWOA's School of Undergraduate Studies Academic Committee meeting minutes, sighted for 2013 and 2014, clearly document the internal approval of changes to programmes.

Similarly, meeting minutes dating back to 2011 and 2012 recording internal authorisation of unit standard changes to the National Certificate in Māori Tourism (level 3) (as outlined in relation to issue 2 above), were also sighted.

TWWOA has confirmed that the significant changes in delivery hours for the National Certificates in Māori Tourism did not go through appropriate internal (or external) process. This indicates that historical processes for changes to programmes were not sufficiently robust. However, more recent documentation relating to programme changes appears to be comprehensive.

Findings

NZQA has identified no reason for concern about TWWOA's current internal process for approval of programme changes.

Focus area	Complaint allegation and related issues
<p>7. Facilities and resources</p>	<p>7.1 Staff and students at two campuses have inadequate access to library facilities, IT support, and student support.</p> <p>7.2 The teaching facilities at Whakatāne are unsuitable for the nature of programmes (laboratory) and the number of students enrolled.</p>

Analysis

The investigation team sighted a document titled *Levels of Service – March 2014*, a component of TWWOA's approach to Capital Asset Management. This document, currently a draft version, sets the standards required for TWWOA's infrastructure. Key management staff also spoke to the investigation team about areas of infrastructure within their respective responsibilities.

Library facilities

All TWWOA students have access to the central TWWOA library at the Whakatāne campus and on-site access to resources in the Te Wānanga o Aotearoa and Unitec libraries. Students can also order books from the Whakatāne campus and have them sent out within 24 hours. Increasing library opening hours is a goal outlined in the *Levels of Service* document.

Online databases are increasingly being used, and TWWOA is currently exploring the option of stocking Kindle readers pre-loaded with texts that are available for loan to students.

IT support

Orientation sessions for students cover use of TWWOA's IT systems. IT issues can be logged by any staff member through the CRM system, including issues raised with them by students. The IT team routinely sends a representative to the off-site campuses every 4–5 weeks, typically when noho are taking place. Additional support is provided as required.

Student support

In addition to the primary support provided by teaching staff, TWWOA employs three student support staff at the Whakatāne campus, and added another student support staff member at the Tāmaki campus in January 2014. The student support team provides a range of services to students. These are outlined in the Awhi Tauria/ Student Support brochure.

Facilities

Extensive new facilities at the Whakatāne campus were opened in December 2012. The complex includes teaching suites, lecture theatres, a noho centre, library and student study areas, as well as management and administration facilities.

Regarding the complainant's reference to laboratory facilities, staff explained that the science laboratory at the Whakatāne campus only has Resource Consent to operate as a 'dry laboratory'. TWWOA has made arrangements with Environment Bay of Plenty to use its 'wet laboratory' when needed, and is satisfied with the operation of these arrangements.

Findings

The investigation team found no grounds for concern about facilities and resources.

Focus area	Complaint allegation and related issues
8. Research	8.1 There is no provision for research release time for degree teaching staff, and they are not engaged in research.

Analysis

The definition of a degree in the Education Act 1989 includes the requirement that it is taught mainly by people engaged in research.

The TWWOA executive affirmed the organisation's commitment to research and aspiration to be increasingly research-active. The last decade has seen a proactive focus on raising the number of teaching staff with Masters and PhD qualifications across the organisation.

TWWOA stated that it is an organisational requirement for degree teaching staff to engage in research.

TWWOA staff outlined several initiatives that they considered supported this requirement:

- A Performance Based Research Funding (PBRF) funding pool for staff to attend conferences and present their research (18 staff received funding in 2013).
- Funding for staff to engage in post-graduate qualifications (Masters/Doctorate level).
- A reciprocal arrangement with the University of Waikato for staff to do the first year of a Masters degree at no personal financial cost.
- Teaching release time for attendance at post-graduate block courses.

TWWOA presented records showing that 25 staff were enrolled into Masters or Doctorate programmes in 2013. This was confirmed by file correspondence approving payment of tuition fees and setting out the conditions of the approval.

A list was provided of research contracts that TWWOA was involved with in 2013, including the Māori Economic Development contract, Nga Pae o te Maramatanga Environmental Science project, He Kakano project, a three year Post-Doctoral Fellowship, and a research based Te Reo project.

Ngā Mana Whakairo a Toi: Bachelor of Māori Performing Arts (BMPA)

The investigation team examined the research involvement of BMPA staff.

The requirement for teaching staff to be engaged in research was noted in the 2011 Degree Monitoring Report, and the following statement was made:

“The monitors are now aware that the degree liaisons contract tutors and lecturers to deliver the programme for each kapa. The panel recommends that the programme co-ordinators identify the teaching staff for each kapa rohe, provide relevant CVs and report the current and ongoing research outputs of teaching staff.”

The 2013 Degree Monitoring Report noted that all lecturers for the BMPA are completing post-graduate studies: one Professional Doctorate, one PhD and six Masters.

At the investigation visit, TWWOA provided a list of research outputs generated by lecturers in the BMPA programme. These are consistent with the guidelines on research outputs published by TEC with respect to the Performance-Based Research Fund.

Findings

TWWOA encourages and supports its core degree teaching staff to engage in research, primarily through participating in programmes of study at Masters and Doctorate level. NZQA notes that research is not necessarily part of every Masters programme, and staff members upgrading their qualification can only be considered research-active if they are undertaking a research project. TWWOA requires its staff enrolled in Masters programmes to undertake research-based theses or dissertation.

There was evidence that research outputs are being generated across the organisation, and that PBRF funding is being used to fund staff to present their research at conferences.

There are no outstanding concerns regarding the research engagement of degree teaching staff.

Appendix 1 – Statutory references

NZQF Programme Approval and Accreditation Rules 2013 (Version 2)

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

1. The following are the criteria for approval of programmes for institutions:

Criterion 1	Qualification to which the programme leads
	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 Listing and Operational Rules 2012.
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 cover the acceptability of the programme to the relevant communities (<i>including whānau, hapū, iwi, or hāpori Māori</i>) and other key stakeholders (<i>including any relevant academic, employer, industry, professional and other bodies</i>).
Criterion 5	Regulations
	There are clear, relevant, and appropriate regulations that specify requirements for: <ul style="list-style-type: none">• 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.

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

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

**Criterion
1**

Assessment and moderation

The institution has the capability and capacity to ensure assessment materials and decisions are fair, valid, consistent and appropriate, given the stated learning outcomes.

**Criterion
2**

Resources

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

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

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

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.

12. Requirements to be met to maintain accreditation

1. To continue to maintain accreditation to provide an approved programme or part of an approved programme at levels 1 to 6, or for a certificate or diploma at level 7, institutions (*other than universities*) must:
 - a. ensure the criteria specified in Rule 6.1 continue to be met:
 - b. participate 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 in external evaluation and review.
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 in external evaluation and review:
 - e. participate in monitoring, which will consist of either:
 1. 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
 2. where NZQA permits, self-monitoring in accordance with any conditions imposed by NZQA.

14. Changes to approved programmes by institutions

1. Before an institution carries out a Type 1 change to an approved programme, the institution must notify NZQA of amendments that result in changes to the Data Requirements (*as defined in Rule 3.1*):
2. Before an institution carries out a Type 2 change to an approved programme, the institution must obtain approval from NZQA for the change after applying to NZQA and providing the information in Rule 14.3.
3. The information required for the purposes of an application for a Type 2 change under Rule 14.2 is:
 1. any changes to Data Requirements (*as defined in Rule 3.1*):
 2. 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:
 3. information that demonstrates the programme continues to meet the criteria specified in Rule 4.1:
 4. evidence of internal quality assurance approval by the institution.

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

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.
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.
3. Applications under Rule 17.2 for approval to engage the sub-contractor must include the following information:
 1. the name of the sub-contractor:
 2. identification of the programme(s) (*or part(s)*) to be provided under the arrangement:
 3. the rationale for the proposed sub-contracting arrangement:
 4. a copy of the sub-contracting arrangement between the institution and the sub-contractor:
 5. evidence of internal quality assurance approval by the institution.
 4. NZQA will grant approval to an application under rule 17.2 where it is satisfied that:
 1. the institution remains responsible for the sub-contractor meeting all of the institution's obligations that are relevant for the accreditation:
 2. 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:
 3. 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:
 4. the information and advertising for the study or training clearly states that it is provided through a sub-contracting arrangement:
 5. all student enrolments are through the institution, and the institution maintains all student enrolment and academic information:

Consent to assess against standards on the Directory of Assessment Standards Rules 2011

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

10.1 To maintain consent to assess against standards in respect of the entire consent or particular classifications or standards, holders of the consent (except relevant schools and 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.

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 notify NZQA of the relevant details prior to using the sub-contractor.

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.

NZQF Qualification Listing and Operational Rules 2012

15. Award of qualifications

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 15.2; and
 - b. for all other qualifications, the body or combination of bodies listed for that qualification for the purposes of paragraph (h) of Rule 4.1.
2. Qualifications at levels 1 to 6 (*other than NCEA and university qualifications*) may be awarded by:
 - a. the qualification developer; or
 - b. an institution with a programme approval under section 249 of the Act in respect of the qualification; or
 - c. an industry training organisation with consent to assess against standards making up the qualification (*under section 252 of the Act*) pending the industry training organisation obtaining a programme approval for the qualification; or
 - d. an institution accredited under section 250 of the Act to provide a programme leading to the qualification; or
 - e. NZQA where there is good reason for the qualification not being awarded by the organisations described in paragraphs (a) – (d).
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 qualification developer or other awarding body.
4. For listed qualifications of the kind to which Rule 15.1(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.