



NEW ZEALAND QUALIFICATIONS AUTHORITY  
MANA TOHU MĀTAURANGA O AOTEAROA

Guidelines to the implementation of the New Zealand Qualifications Framework Offshore Programme Delivery Rules *for institutions other than universities.*

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**NZQA  
125 The Terrace  
PO Box 160  
Wellington**

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## Foreword

New Zealand's tertiary education sector has built a sound international reputation. Delivering New Zealand education programmes in other countries has become an increasingly significant activity for many tertiary institutions. To further increase the economic value of international education, our tertiary sector needs certainty when planning for offshore delivery and the international community needs to have confidence in the quality and stability of our programmes.

The *New Zealand Qualifications Framework (NZQF) Offshore Programme Delivery Rules* extend New Zealand's existing quality assurance measures. The new requirements will enhance our country's international reputation and underpin the marketing of New Zealand tertiary education offshore.

Those Rules are aligned to the UNESCO/OECD Guidelines for the Quality Provision in Cross-Border Higher Education, which will bring reputational benefits for our programmes in the international market. The new Rules also address issues raised by Asia-Pacific Economic Cooperation (APEC) economies about offshore education provision within the region.

In August 2011, NZQA consulted with the tertiary education sector on proposed quality assurance requirements for offshore delivery of education programmes in countries other than New Zealand<sup>1</sup>. Within a year an Offshore Education Sector Reference Group proposed a set of *NZQF Offshore Programme Delivery Rules* to supplement the current requirements for programme approval and accreditation. The Offshore Delivery Rules have now been approved by the Minister for Tertiary Education, Skills and Employment, and have statutory effect.

I acknowledge the collaborative work of the Offshore Education Sector Reference Group representing tertiary education providers and sector organisations.

The principles developed by the Reference Group in shaping the Rules are important. It is crucial that offshore programmes have comparable quality outcomes to programmes delivered in New Zealand. It is equally important to assure that quality in ways that are cost-effective and do not duplicate existing requirements. I am confident those Rules achieve that balance.

The guidelines in this publication are for institutions other than universities, but the new Offshore Delivery Rules apply to offshore delivery by universities, institutes of technology and polytechnics, wānanga, government training establishments and registered private training establishments.

New Zealand providers, NZQA and Universities New Zealand can publicly and confidently state that New Zealand meets international benchmarks for offshore delivery.



**Karen Poutasi (Dr)**  
**Chief Executive**  
 New Zealand Qualifications Authority

<sup>1</sup> The August 2011 consultation document proposed a set of 'Requirements' for the quality assurance of offshore education. Following changes to the Education Act 1989, these requirements have been promulgated as 'Rules'.

## Introduction

To deliver a programme that leads to an NZQF qualification offshore, all New Zealand tertiary education institutions must meet the *Programme Approval and Accreditation Rules 2012* and the *NZQF Offshore Programme Delivery Rules 2012* (the Offshore Delivery Rules). The Offshore Delivery Rules themselves are reproduced as Appendix 1 of this publication.

This document provides guidance for non-university tertiary institutions, that is, institutes of technology and polytechnics, wānanga, government training establishments and private training establishments, on applying for offshore programme approval and accreditation. Applications by universities for offshore programme delivery are decided by Universities New Zealand.

### The scope of the Offshore Delivery Rules

Under the *Education Act 1989* NZQA has jurisdiction over offshore delivery of programmes that lead to qualifications listed on the New Zealand Qualifications Framework (NZQF). 'Offshore delivery' is delivery of an approved programme overseas.

The Offshore Delivery Rules apply to

- offshore delivery of an approved programme, or part of an approved programme, by a New Zealand institution
- 'twinning' arrangements, where an overseas institution delivers all or part of an approved programme offshore, in partnership with a New Zealand provider
  - for example: Students are enrolled for one year with an overseas institution and two years with a New Zealand institution, and the qualification is awarded by the New Zealand institution
- distance or e-learning delivery of an approved programme that is marketed to offshore students by a New Zealand institution or an offshore partner.

The Offshore Delivery Rules do *not* apply to

- articulation arrangements where a New Zealand provider cross-credits an overseas qualification, or part of an overseas qualification, towards a New Zealand qualification
- offshore delivery of part or all of a New Zealand's institution's programme within an overseas provider's qualification
- distance or e-learning to small numbers of offshore students who enrol in programmes intended primarily for students living in New Zealand
- other education services, such as consultancy and research, that are provided offshore.

### Development and Principles

The Offshore Delivery Rules were developed in consultation with tertiary education institutions together with an Offshore Education Sector Reference Group. (Appendix 2 lists members of the Group). Their work was informed by the UNESCO/OECD Guidelines for the Quality Provision in Cross-Border Higher Education, which is an important international benchmark for offshore delivery.

The Offshore Delivery Rules are based on the following principles:

- Offshore programmes have comparable quality outcomes to programmes approved for delivery in New Zealand.
- Quality assurance of offshore education is cost effective and does not duplicate other requirements.

## Applications under the Offshore Delivery Rules

The Offshore Delivery Rules came into effect on 28 September 2012 and tertiary education institutions have been able to apply for offshore programme approval and accreditation from that date. For existing and new applications for offshore approval and accreditation the following obligations are set out in the transitional provisions section of the Offshore Delivery Rules<sup>2</sup>:

### By 31 December 2013

All institutions that were carrying out offshore programme delivery at the time these Rules came into force must apply for offshore programme delivery approval under the new Rules. Institutions that have previously obtained approval for offshore programme delivery must *reapply* for approval by this date.

### By 30 June 2014

All institutions intending to carry out offshore programme delivery must obtain approval under the new Rules.

## NZQA evaluation of applications

In the non-university sector, NZQA considers applications for offshore delivery from Category 1 and 2 providers only. These providers have at least 'Confident' judgements for both educational performance and self-assessment capability in the most recent external evaluation and review carried out by NZQA. (See Rule 3 in Appendix 1 for full descriptors of Category 1 and 2 providers).

NZQA will evaluate applications against the Programme Approval and Accreditation Rules and the Offshore Delivery Rules.

In the application process, NZQA will consider any potential risks associated with each proposal. In general, where there are higher levels of potential risk, NZQA will need to see more detailed information in the applications. For example, NZQA considers:

- the provider's demonstrated experience and capability in offshore delivery – if the New Zealand provider planning the new venture has other accreditations for offshore delivery, the level of risk is likely to be lower
- the scale of the proposed provision – where a New Zealand provider proposes an offshore programme that is larger than its current onshore operations, the level of risk would be higher
- the degree of *direct* influence the New Zealand provider has over key delivery processes including programme design, selection and training of staff delivering the programme, and assessment and moderation – if the programme is well linked to the onshore operation, the level of risk should be lower
- the regulatory status of an offshore partner – Criterion 2 of the Offshore Delivery Rules addresses legal, financial and educational aspects New Zealand providers must meet in selecting an offshore partner. If the partner is registered or accredited with the appropriate regulatory authorities in the host country, the level of risk may be lower
- NZQA's relationship with quality assurance bodies in the host country – for example where NZQA is confident that an offshore quality assurance body has addressed NZQA requirements, the level of risk is very likely to be lower.

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<sup>2</sup> Transitional provisions for institutions other than universities comprise Rule 10 of *The Offshore Delivery Rules 2012* - see Appendix 1.

Normally, proposals for offshore delivery can be evaluated onshore. NZQA may request further information, including from a host country quality assurance body. In exceptional cases, such as where there are specialised resources that NZQA cannot confirm at a distance, an offshore evaluation visit may be required.

In addition, there is always the possibility that offshore delivery can be selected as a focus area for NZQA's periodic external evaluation and review.

## Scenarios

NZQA has developed the following scenarios based on real situations where New Zealand non-university institutions have already been granted accreditation for offshore delivery. The scenarios illustrate how institutions have resolved specific quality issues when developing an application for offshore delivery.

### Scenario One – A Bachelor of Tourism in Malaysia

A New Zealand Institute of Technology applies to deliver a Bachelor of Tourism in Malaysia. The institute of technology already delivers the approved Bachelor of Tourism in New Zealand and has negotiated and signed a contract with an established Malaysian University to deliver at their campus in Kuala Lumpur.

The programme involves two years of study in Malaysia and two years of study in New Zealand at the New Zealand institute's facilities. The qualifications awarded are a Diploma in Tourism from the Malaysian University and Bachelor of Tourism from the New Zealand institute of technology. The contract sets out that the students enrolled in the programme when studying in Malaysia are students of the Malaysian University and administrative arrangements for the programme are the responsibility of the Malaysian University. The students are regarded as international students in New Zealand when studying at the facilities of the New Zealand institute of technology.

The delivery of the programme in Malaysia will be led by a staff member from the New Zealand Institute of Technology and the other teaching staff will be employed locally to assist with the adaptation of the programme to provide case studies and examples for tourism in Malaysia and South East Asia. The programme will be delivered on the Malaysian University's campus using the standard facilities available to students taking a Bachelor degree and student support is the same as those Malaysian University's students. Assessment and moderation follow the normal practice of the New Zealand Institute of Technology.

The Malaysian University has a record of quality assurance with the quality assurance body in Malaysia and the New Zealand quality assurance body is familiar with the quality assurance practices in Malaysia.

### Scenario Two – Cookery training in Tuvalu

A New Zealand private training establishment applies to deliver a New Zealand Certificate in Cookery in Tuvalu. The private training establishment holds accreditation to deliver the programme in New Zealand and was approached by the Tuvalu Department of Education and the Tuvalu Institute of Hospitality to deliver the programme at the Tuvalu Institute of Hospitality facilities.

Initial planning indicates that there are likely to be 25-30 students in the programme per year.

Tuvalu Institute of Hospitality training facilities are the best in Tuvalu, but they are missing several installations that would normally be used for delivering the programmes in New Zealand.

The New Zealand private training establishment has signed a five-year Memorandum of Understanding (MOU) with the Tuvalu Institute of Hospitality that sets out the roles and responsibilities of the parties. The New Zealand private training establishment will be responsible for delivery of the programmes using its own staff. The New Zealand private training establishment will also undertake assessment and moderation, including the work of Tuvalu students in its overall moderation sampling process.

The programme will be led by a staff member who has been involved in delivering the programme in New Zealand.

As part of the MOU, the private training establishment has agreed to build the capacity of Tuvalu Institute of Hospitality staff who are currently delivering the Tuvalu Certificate of Cookery (similar to a Level 2 Certificate on the New Zealand Qualifications Framework) with the aim of including local staff within the teaching of the programme. After five years it is expected that local staff will assume responsibility for delivering the programme.

Staff from the New Zealand private training establishment will assist and support Tuvalu Institute of Hospitality with its ongoing quality assurance and maintenance system.

## Guidance for applicants

This section provides guidance on Rules that non-university institutions need to specifically address in applications. Guidance consists of background discussion and advice on information that should accompany applications.

### Enquiry questions

Enquiry questions that are used by NZQA to evaluate the application are listed in some sections, in order to guide provider self-assessment of programmes. Enquiry questions are indicative and not intended as a checklist.

### Institutions that may apply for offshore delivery

#### Rule 4.1

**Applications for programme approval and accreditation for offshore programme delivery may only be made by universities and by Category 1 and Category 2 institutions.**

#### Guidance

Delivery outside of New Zealand places greater demands on a provider's systems and procedures than delivery on New Zealand campuses. Providers seeking to deliver offshore must have proven capability in both educational performance and self-assessment. Providers that meet Category 1 and 2 requirements have shown that they are more likely to be equipped to deal with the more complex demands of offshore delivery than those who are in Category 3 or 4.

Category 1 and 2 providers have received at least Confident judgements for educational performance and self-assessment capability in their most recent NZQA external evaluation and review. NZQA information on Provider Categories is available on its website at <http://www.nzqa.govt.nz/providers-partners/registration-and-accreditation/incentives-sanctions-eer/introduction/>

### Rules for offshore delivery

#### Rule 4.2

**Institutions must meet the following rules prior to carrying out offshore programme delivery:**

- (a) the deemed programme rules; and**
- (b) Rule 5.1 (containing the special programme approval criteria); and**
- (c) Rule 6.1 (containing the special accreditation criteria); and**
- (d) Rule 7.1 (content of an application).**

#### Guidance

Applications for offshore delivery must meet the standard Rules for Programme Approval and Accreditation as well as the Offshore Delivery rules. Programme approval includes meeting any requirements of the related qualification listed on the NZQF.

Where the institution already holds approval and accreditation for delivery of the programme in New Zealand, NZQA evaluation of the application will focus on the Offshore Delivery Rules.

Where a programme is new, and/or unique to offshore delivery, the applicant will need to meet the standard Rules for Programme Approval and Accreditation and the Offshore Delivery rules.

NZQA's primary publications for programme approval and accreditation are also relevant:

- *NZQA Guidelines for approval of programmes leading to qualifications listed on the New Zealand Qualifications Framework and accreditation of tertiary education providers*
- *NZQA Approval and Accreditation of Courses Leading to Degrees and Related Qualifications*

## Accreditation for programmes delivered by offshore partners

### Rule 4.3

For the avoidance of doubt, an institution is required to obtain accreditation whether or not it is using an offshore partner organisation.

### Guidance

A New Zealand institution may apply to use an offshore partner to deliver an approved programme that the institution is not offering within New Zealand. In this situation, there could be some doubt whether the institution itself needs to be accredited to offer the programme. This Rule removes any such doubt – institutions do need to be accredited for all approved programmes being delivered by offshore partners, whether or not the programmes are also being delivered in New Zealand.

Accreditation provides an assurance that the institution has the capacity to adequately ensure the quality of offshore delivery, including staffing, assessment and moderation, and student support.

## Responsibility for the actions and performance of the offshore partner

### Rule 4.4

Where an institution is using an offshore partner organisation, the institution remains responsible under these rules for the actions and performance of the offshore partner organisation in relation to the offshore programme delivery.

### Guidance

This is an overarching requirement – the Criteria in Rules 5 and 6 specify the actions and performance the institution is responsible for. Institutions are expected to proactively monitor and report on the quality of offshore delivery carried out under the institution's accreditation.

### Information for inclusion in the application

Evidence that the institution has systems in place to regularly monitor and internally report on the actions and performance of the offshore partner organisation in relation to programme delivery.

### Enquiry question

How adequate and effective are the systems to monitor and internally report on the actions and performance of the offshore partner organisation in relation to programme delivery?

## Programme design and delivery

### Rule 5.1

#### The special programme approval criterion for offshore programme delivery:

##### CRITERION 1 PROGRAMME DESIGN AND DELIVERY

The institution ensures the design of the offshore programme is suited to delivery in the host country and suited to the needs of the intended and enrolled students.

The institution ensures that the following matters are comparable to New Zealand based programme delivery:

- programme learning outcomes
- content
- acceptability to the qualification developer, relevant academic bodies, employers, industry bodies, professional bodies, and other relevant bodies and communities
- student workload (particularly credit value, level, and duration).

### Guidance

Some aspects of a programme approved for delivery in New Zealand may not suit conditions in another country. Aspects of curriculum and delivery may need to be adapted to meet the unique needs of offshore providers and learners. For example, if delivery includes e-learning, the New Zealand provider should consider whether offshore learners would be equipped to engage with the programme. Practical examples embedded in teaching materials may need to be adapted to suit the offshore culture.

In particular, NZQA expects the language of delivery and assessment to be specified. The application should establish that the language specified is consistent with the graduate outcomes in the qualification.

The term 'comparable', rather than 'equivalent' acknowledges that there will be differences in the offshore context. Teaching and learning resources will not be exactly the same as those used for onshore delivery, but outcomes, content and student workload should be comparable to what is achieved in New Zealand.

Where the same qualification is delivered in New Zealand, employers and other stakeholders expect consistency between curriculum and teaching materials used to deliver the programme in New Zealand and offshore. This consistency contributes to comparable outcomes for graduates in New Zealand and offshore.

Where a professional education programme is adapted for offshore delivery the institution must clearly designate whether the programme may lead to professional registration in New Zealand.

### Information for inclusion in the application

Details of the approved programme.

A brief description of any changes made to the design and delivery of the approved programme to suit offshore delivery. Where the programme is already approved, NZQA requires sufficient contextual information about the programme to ascertain how any changes to suit Offshore Delivery will affect learning outcomes, content, and student workload

Statements of acceptability to support the offshore delivery of the programme from the qualification developer and relevant bodies and communities (e.g. academic bodies, employers, industry bodies, professional bodies).

A description of how graduates of the programme will meet NZQF qualification consistency requirements, despite changes made for offshore delivery.

### Enquiry questions

To what extent does the proposed programme take into account the nature of offshore delivery?

To what extent has the applicant demonstrated consistency between onshore and offshore delivery?

## Nature of offshore partner organisation

### Rule 6.1

#### Special accreditation criteria for offshore programme delivery:

##### CRITERION 2 OFFSHORE RELATIONSHIPS

The institution must ensure that any offshore partner organisation being used for the offshore programme delivery

- is recognised as a legal entity in the host country
- has appropriate financial performance and stability.

Where the offshore partner organisation is used for delivery of teaching the institution must take reasonable steps to be satisfied that the offshore partner organisation

- has sufficient and appropriate tertiary education experience and is lawfully allowed to provide tertiary education in the country in which the delivery occurs
- has an ownership and structure (including in management and administration) suitable for the offshore programme delivery
- is a reputable provider of education in its host country and any other country
- is providing teaching facilities, educational resources, and student services and support that are appropriate.

### Guidance

There are two aspects to this Rule – the New Zealand institution must ensure that a potential offshore partner is a sound, experienced and effective organisation; and it must establish a successful working relationship with that organisation.

The selection of an offshore partner provider is a crucial component of the overall outcome of an offshore programme. Establishing a relationship with an offshore partner can bring new challenges and issues for a New Zealand institution.

The success and long-term sustainability of an offshore educational project are dependent on the capacity and reputation of an offshore partner, and on the alignment of strategic objectives and interests between the institution and the offshore partner.

The New Zealand institution must take reasonable steps to identify risks that cover, as appropriate, the offshore partner's:

- formal legal status
- existing reputation, including compliance with laws in the host country
- education interests and objectives
- knowledge and experience in operating as an education provider
- academic quality, reputation and standing (in-country and internationally)
- existing cross-border partnerships
- business plans, structure, and ownership
- financial stability, strength, and probity
- management and administrative capabilities
- locations of operation, and the quality of buildings and facilities.

Decisions around entering into offshore delivery should be based on robust evidence showing there is an opportunity worth investing in, and that the risk of programme failure in the longer term is accounted for.

### Information for inclusion in the application

A description of the process used to satisfy itself of the partner organisation's suitability.

Evidence that relevant aspects of the offshore organisation have been fully explored and understood.

A description of the provider's relationship with the offshore partner.

### Enquiry questions

How comprehensive were the steps the New Zealand institution has taken to satisfy itself of the offshore partner's suitability?

To what extent has the New Zealand institution mitigated potential risks of off-shore delivery?

## Formal agreement with offshore partner

### Rule 6.1

#### Special accreditation criteria for offshore programme delivery:

##### CRITERION 3 FORMAL AGREEMENT WITH OFFSHORE PARTNER ORGANISATION

The institution must have in place a formal agreement with any offshore partner organisation that is executed by their senior officials with formal legal authority to enter the agreement on behalf of both of them.

The agreement must include provisions that

- define how the institution and offshore partner organisation will continue to comply with these rules and the deemed programme rules
- identify clear channels of authority and accountability for decision-making between the institution and the offshore partner organisation for the offshore programme delivery
- cover compliance with local requirements relating to the offshore programme delivery
- appropriately manage all actual and potential conflicts of interest.

### Guidance

The long-term sustainability of a partnership is built around respect and trust between partners and a clear indication of each partner's responsibilities and rights. A written contractual agreement that is legally binding is indispensable for achieving this outcome.

Contractual agreements will be dictated by the needs of the providers forming the partnership and will differ depending on the nature of the partnership. Many forms of legal contracts can be used to formalise a partnership. Examples include a Memorandum of Understanding, a primary contract, or service level agreements.

There is no single formula for the development of a contract and it will depend on the needs of the partners and the type of partnership that is developed, but contractual agreements should include, as appropriate:

- the names of the parties to the agreement
- allocation of responsibility for the management of quality systems to maintain standards
- procedures for resolving any differences that might arise between the parties to this agreement, including exit arrangements and contract default provisions
- procedures and responsibilities for securing approval and accreditation
- procedures and responsibilities in respect of the management of the programme, its ongoing monitoring of provision for the implementation of changes to the programme and/or unexpected programme closure
- assessment and moderation arrangements
- an indication of the wording that will appear on certificates awarded to learners who have met all requirements of the course
- responsibility for all administrative arrangements such as student enrolment and welfare services, decisions relating to progress through the course, assessment, appeals, reporting of student results, and remuneration of monitors and moderators
- financial aspects of the contract
- privacy/confidentiality arrangements.

### Information for inclusion in the application

The draft contract or agreement with the offshore partner, with evidence that the offshore partner is in agreement with the proposed provisions.

### Enquiry question

To what extent do the proposed contractual arrangements ensure responsible governance and clear allocation of responsibility between the parties?

## Resources

### Rule 6.1

#### Special accreditation criteria for offshore programme delivery:

#### CRITERION 4 RESOURCES

The institution ensures it has appropriate resources to enable successful outcomes for overseas students, and that the resources are of comparable quality, type and availability to those used in New Zealand.

#### Guidance

The term 'comparable', rather than 'equivalent' acknowledges that resources used offshore may be different from those used for onshore delivery. Any differences should be in response to student needs and local conditions - quality and access to resources must not be compromised.

This is especially important where delivery is by an offshore partner. In some cases the offshore partner will need to provide different resources for the New Zealand programme than for a similar local programme.

Some resources used in onshore delivery of a programme may not 'travel' well. Contexts used in resources might need to be adapted to suit the living experiences of offshore students. The application should address any issues around the language/s used in resources. If delivery includes e-learning or access to information technology, the application should address how offshore learners will be equipped to engage with resources.

Resources used should ensure that student outcomes are comparable to what is achieved in New Zealand. Employers and other stakeholders expect consistency.

#### Information for inclusion in the application

Details of all resources to be provided for offshore delivery, including those provided by any offshore partner.

#### Enquiry questions

Are offshore resources sufficient to enable successful outcomes for students?

Are resources of comparable quality, type and availability to resources for programmes delivered onshore?

## Assessment and moderation

### Rule 6.1

#### Special accreditation criteria for offshore programme delivery:

##### CRITERION 5 ASSESSMENT AND MODERATION

The institution ensures that assessments conducted offshore apply assessment methods and criteria consistent with approved programmes for New Zealand delivery while allowing for appropriate adaptation for offshore delivery.

The institution undertakes moderation of offshore examinations and assessments.

#### Guidance

Assessment is key to maintaining academic standards. It drives learning and is inextricably linked to programme design and delivery. The New Zealand provider is accountable for the quality of offshore assessments, including where an offshore partner administers the assessments.

Assessment tasks and procedures should take account of offshore learners' culture and context, while ensuring validity and fairness. Pre- and post-assessment moderation will ensure consistency of judgements between New Zealand and offshore delivery.

Special attention should be given to academic security issues such as plagiarism, as these can be more difficult to resolve in offshore delivery.

#### Information for inclusion in the application

An explanation of how existing assessment processes and tools will operate or be adapted for offshore delivery.

An explanation of how moderation will operate for offshore delivery.

#### Enquiry question

How likely are the proposed assessment and moderation processes to ensure consistent quality of assessments conducted offshore?

## Academic and other staff

### Rule 6.1

#### Special accreditation criteria for offshore programme delivery:

##### CRITERION 6 ACADEMIC AND OTHER STAFF

The institution ensures that the qualifications, experience, teaching skills, management, and oversight of offshore teaching staff are suitable and effective for the offshore programme delivery.

The institution's staff selection, management, and oversight are appropriately adapted to offshore delivery.

### Guidance

A New Zealand institution awarding the qualification is accountable for the quality of academic and administrative staff delivering its programmes. The institution's policies and procedures must take into account the differences for staff between operating in New Zealand and offshore.

When teaching offshore, academic staff may contend with complex professional challenges and demands, irrespective of whether they are recruited offshore or travel offshore from their usual teaching role.

Offshore teaching assignments demand awareness of the cultural context and sensitivities of the overseas country. New Zealand staff working offshore are guests of the host country and representatives of New Zealand.

There can be special pressures on academic and administrative staff that are recruited offshore, including differences in employment practices and norms between New Zealand and the host country.

### Information for inclusion in the application

A recruitment and selection plan for the offshore delivery.

Curriculum Vitae or position descriptions of the offshore teaching staff who will deliver the programme.

A description of systems for the management and oversight of offshore staff.

### Enquiry questions

How well does the New Zealand provider propose to provide guidance and support to offshore staff?

Are the proposed offshore academic staff or position descriptions suitable for the offshore context?

How robust and regular is the planned communication with offshore staff?

## Student support and complaints

### Rule 6.1

#### Special accreditation criteria for offshore programme delivery:

##### CRITERION 7 STUDENT SUPPORT AND COMPLAINTS

The institution ensures the student and academic support services, and the procedures to manage student complaints, are effective for offshore programme delivery.

#### Guidance

Support provided to offshore students should be consistent with their cultural context and modes of learning, and the issues and/or difficulties they may experience. Additional learning material and activities, mentoring and a range of teaching-learning methodologies may be needed to enable students to achieve learning outcomes.

Providers need to establish well-functioning procedures for student complaints, academic grievances, refunds and general student rights. These procedures must be clearly explained to students and staff. Student rights may differ from those that apply in New Zealand and appropriate procedures they may not be so obvious to offshore students and staff. For instance, cultural norms may influence approaches to complaining about a programme or instructor.

#### Information for inclusion in the application

A description of student support and complaints procedures and how New Zealand practices have been adapted for the offshore delivery.

An explanation of how student support and complaints procedures will be communicated to staff and students.

#### Enquiry question

How comprehensive and appropriate are the planned academic support and complaints procedures, in terms of language and cultural sensitivities?

## Student information

### Rule 6.1

#### Special accreditation criteria for offshore programme delivery:

##### CRITERION 8 STUDENT INFORMATION

The institution ensures that relevant and accurate information relating to the programme is provided to intending and enrolled students, including information on the language of programme delivery and assessment, and information on available student support and guidance.

#### Guidance

Student recruitment and marketing should provide a realistic picture of the likely student experience, including the expected academic workload, language expectations, assessment approaches, and the nature of the qualification involved.

Once enrolled, students need ready access to information about operating procedures and the policy of the provider as they relate to the student experience. Offshore students find it particularly helpful to have comprehensive information about the support services available to them, particularly language support and technical assistance in relation to e-learning.

#### Information for inclusion in the application

An outline of the content and style of student recruitment and marketing information and how they have been adapted for the offshore delivery.

#### Enquiry question

How comprehensive and appropriate is the entry information and academic support that will be available to learners in the overseas country?

## Fee refunds and closures

### Rule 6.1

#### Special accreditation criteria for offshore programme delivery:

##### CRITERION 9 FEE REFUNDS AND CLOSURES

The institution ensures that fee refund provisions are clear, and will not undermine the educational reputation of New Zealand.

In the event of programme closure for any reason, the institution ensures there is appropriate alternative provision of education available to offshore students enrolled at the time.

#### Guidance

Fee refund provisions are important for protecting students. New Zealand institutions may not be the responsible partner for the development of fee refund provisions but they should ensure that partnerships, through formal contracts, include fee refund provisions that would be comparable to provisions for onshore programmes.

New Zealand tertiary providers should take precautionary measures to ensure that partnerships have procedures and systems in place that protect the reputation of New Zealand education and protect students from unfair outcomes. Measures include fee refunds and appropriate alternative provision of education for students if an offshore programme ceases or an overseas partner closes.

Expectations and practices in the case of programme closure may differ from those in New Zealand.

#### Information for inclusion in the application

A brief description of proposed procedures in the event of programme closure, including student fee protection and arrangements for appropriate alternative provision of education.

#### Enquiry question

How well are offshore students and New Zealand's reputation protected in the event of a closure?

## Quality assurance and management

### Rule 6.1

#### Special accreditation criteria for offshore programme delivery:

##### CRITERION 10 QUALITY ASSURANCE AND MANAGEMENT

The institution ensures that the special considerations for offshore programme delivery are incorporated within its quality assurance and management systems, and that all applicable quality assurance requirements in the host country are identified and met.

#### Guidance

Offshore delivery presents particular quality assurance and management challenges for New Zealand institutions. The institution's own requirements must be satisfied while local offshore requirements are also met.

The host country may have substantially different regulatory requirements and offshore staff may be accustomed to different quality assurance models. The New Zealand institution's quality assurance requirements for offshore delivery will need to be blended with the offshore partner's established quality assurance systems.

It is important that the quality of NZQF qualifications is not compromised in the process of accommodating offshore procedures. Offshore delivery must be integrated within the New Zealand provider's organisational self-assessment and quality management system.

#### Information for inclusion in the application

A brief description of how the offshore delivery will be integrated within the New Zealand provider's organisational self-assessment and quality management system.

#### Enquiry question

To what extent are the quality assurance policies and procedures relating to offshore education complete, applied, understandable and consistent with actual practice?

## Applications for offshore programme delivery

### Rule 7

#### Applications for offshore programme delivery by institutions other than universities

- 7.1 Applications for offshore programme delivery (from institutions other than universities) must describe how the offshore programme delivery will comply with the rules specified in paragraphs (a) to (c) of Rule 4.2.
- 7.2 Applicants will be advised if the application requires a site visit or further work.
- 7.3 Where the requirements for the application have been met, the application will be approved and the applicant will be advised.
- 7.4 Where the requirements have not been met, the application will not be approved, and the applicant will be advised accordingly.
- 7.5 Details of successful applications will be published on the NZQA website.

#### Guidance

Applicants must use the online application form and clearly indicate in the first section of the form that the application relates to offshore programme delivery.

Information describing how the institution meets Rule 4.2 (a) to (c) must be attached to the online application form.

## Applications for offshore programme delivery by universities

### Rule 8.1

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

#### Guidance

Rule 8.1 does not affect institutions quality assured by NZQA.

## Requirements to maintain approval

### Rule 9

#### Requirements to be met to maintain approval for offshore delivery

Institutions with offshore programme delivery approval must

- (a) continue to meet the deemed programme rules and the criteria in Rules 5.1 and 6.1
- (b) ensure there is a permanent and accurate record kept of student enrolment and achievement
- (c) as part of the institution's participation in self assessment and external evaluation and review, ensure there are regular reviews of the programme and its delivery offshore, including reviews of any delivery by an offshore partner organisation.

### Guidance

Institutions will be expected to demonstrate compliance with the Offshore Delivery Rules.

NZQA will expect to see that systems are in place to ensure permanent and accurate student records. Where student records are held offshore by a partner organisation, the institution must ensure the security of records and be able to access them from New Zealand.

The New Zealand tertiary institution should ensure that regular reviews of the programme and its offshore delivery are well integrated into ongoing self-assessment and that the results of this self-assessment are used to improve the offshore delivery.

Offshore delivery can be selected as a focus area for NZQA's periodic external evaluation and review.

### Information for inclusion in the application

Evidence that systems are in place

- for a permanent record of enrolment and achievement for all students in offshore programmes
- to include offshore delivery in the institution's self assessment and external evaluation and review
- for regular reviews of the offshore programme and its delivery, including reviews of any delivery by any offshore partner.

## Appendix 1

### NZQF Offshore Programme Delivery Rules 2012

#### 1. Authority

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

#### 2. Commencement and application

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

#### 3. Interpretation

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

“Act” means the Education Act 1989:

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

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

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

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

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

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

“Deemed programme rules” means the Criteria for Approval and Accreditation of Programmes published in the New Zealand Gazette (No 113) of 28 July 2011 at page 3207, which are deemed by section 44(1)(a) of the Education Amendment Act 2011 to be Rules made under section 253 of the Act; and includes any Rules replacing the Criteria for Approval and Accreditation of Programmes prior to, on, or after the expiry of the Criteria on 31 December 2012:

“External evaluation and review”, for the purposes of the definitions of “Category 1 institution” and “Category 2 institution”, means the quality assurance system known as self assessment and external evaluation and review, in which institutions are required to participate by rules made under section 253 of the Act:

“Institution” has the same meaning as in section 249(1) of the Act in relation to programme approval, and as in section 250(1) of the Act in relation to accreditation:

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

“NZQA” means the New Zealand Qualifications Authority:

“NZQF” means the New Zealand Qualifications Framework:

“Offshore partner organisation” means an organisation that is used, or is to be used, by an institution for all or part of offshore programme delivery:

“Offshore programme delivery” means provision of a programme overseas that leads to a qualification on the NZQF:

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

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

#### **4. Programme approval and accreditation requirements for offshore programme delivery**

4.1 Applications for programme approval and accreditation for offshore programme delivery may only be made by universities and by Category 1 and Category 2 institutions.

4.2 Institutions must meet the following rules prior to carrying out offshore programme delivery:

- (a) the deemed programme rules; and
- (b) Rule 5.1 (containing the special programme approval criteria); and
- (c) Rule 6.1 (containing the special accreditation criteria); and
- (d) Rule 7.1 (content of an application).

4.3 For the avoidance of doubt, an institution is required to obtain accreditation whether or not it is using an offshore partner organisation.

4.4 Where an institution is using an offshore partner organisation, the institution remains responsible under these rules for the actions and performance of the offshore partner organisation in relation to the offshore programme delivery.

#### **5. Special programme approval criterion for offshore programme delivery**

5.1 The special programme approval criterion for offshore programme delivery is:

##### **CRITERION 1 PROGRAMME DESIGN AND DELIVERY**

The institution ensures the design of the offshore programme is suited to delivery in the host country and suited to the needs of the intended and enrolled students.

The institution ensures that the following matters are comparable to New Zealand based programme delivery:

- programme learning outcomes;
- content;
- acceptability to the qualification developer, relevant academic bodies, employers, industry bodies, professional bodies, and other relevant bodies and communities;
- student workload (particularly credit value, level, and duration).

#### **6. Special accreditation criteria for offshore programme delivery**

6.1 The special accreditation criteria for offshore programme delivery are:

##### **CRITERION 2 OFFSHORE RELATIONSHIPS**

The institution must ensure that any offshore partner organisation being used for the offshore programme delivery:

- is recognised as a legal entity in the host country;
- has appropriate financial performance and stability.

Where the offshore partner organisation is used for delivery of teaching the institution must take reasonable steps to be satisfied that the offshore partner organisation:

- has sufficient and appropriate tertiary education experience and is lawfully allowed to provide tertiary education in the country in which the delivery occurs;
- has an ownership and structure (*including in management and administration*) suitable for the offshore programme delivery;
- is a reputable provider of education in its host country and any other country;
- is providing teaching facilities, educational resources, and student services and support that are appropriate.

##### **CRITERION 3 FORMAL AGREEMENT WITH OFFSHORE PARTNER ORGANISATION**

The institution must have in place a formal agreement with any offshore partner organisation that is executed by their senior officials with formal legal authority to enter the agreement on behalf of both of them.

The agreement must include provisions that:

- define how the institution and offshore partner organisation will continue to comply with these rules and the deemed programme rules;
- identify clear channels of authority and accountability for decision-making between the institution and the offshore partner organisation for the offshore programme delivery;
- cover compliance with local requirements relating to the offshore programme delivery;
- appropriately manage all actual and potential conflicts of interest.

#### CRITERION 4 RESOURCES

The institution ensures it has appropriate resources to enable successful outcomes for overseas students, and that the resources are of comparable quality, type and availability to those used in New Zealand.

#### CRITERION 5 ASSESSMENT AND MODERATION

The institution ensures that assessments conducted offshore apply assessment methods and criteria consistent with approved programmes for New Zealand delivery while allowing for appropriate adaptation for offshore delivery.

The institution undertakes moderation of offshore examinations and assessments.

#### CRITERION 6 ACADEMIC AND OTHER STAFF

The institution ensures that the qualifications, experience, teaching skills, management, and oversight of offshore teaching staff are suitable and effective for the offshore programme delivery.

The institution's staff selection, management, and oversight are appropriately adapted to offshore delivery.

#### CRITERION 7 STUDENT SUPPORT AND COMPLAINTS

The institution ensures the student and academic support services, and the procedures to manage student complaints, are effective for offshore programme delivery.

#### CRITERION 8 STUDENT INFORMATION

The institution ensures that relevant and accurate information relating to the programme is provided to intending and enrolled students, including information on the language of programme delivery and assessment, and information on available student support and guidance.

#### CRITERION 9 FEE REFUNDS AND CLOSURES

The institution ensures that fee refund provisions are clear, and will not undermine the educational reputation of New Zealand.

In the event of programme closure for any reason, the institution ensures there is appropriate alternative provision of education available to offshore students enrolled at the time.

#### CRITERION 10 QUALITY ASSURANCE AND MANAGEMENT

The institution ensures that the special considerations for offshore programme delivery are incorporated within its quality assurance and management systems, and that all applicable quality assurance requirements in the host country are identified and met.

### **7. Applications for offshore programme delivery by institutions other than universities**

- 7.1 Applications for offshore programme delivery (*from institutions other than universities*) must describe how the offshore programme delivery will comply with the rules specified in paragraphs (a) to (c) of Rule 4.2.
- 7.2 Applicants will be advised if the application requires a site visit or further work.
- 7.3 Where the requirements for the application have been met, the application will be approved and the applicant will be advised.
- 7.4 Where the requirements have not been met, the application will not be approved, and the applicant will be advised accordingly.
- 7.5 Details of successful applications will be published on the NZQA website.

**8. Applications for offshore programme delivery by universities**

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

**9 Requirements to be met to maintain approval**

- 9.1 Institutions with offshore programme delivery approval must:
- (a) continue to meet the deemed programme rules and the criteria in Rules 5.1 and 6.1:
  - (b) ensure there is a permanent and accurate record kept of student enrolment and achievement:
  - (c) as part of the institution's participation in self assessment and external evaluation and review, ensure there are regular reviews of the programme and its delivery offshore, including reviews of any delivery by an offshore partner organisation.

**10. Transitional provisions for institutions other than universities**

- 10.1 Institutions (*other than universities*) that were carrying out offshore programme delivery at the time these Rules came into force, but had not previously obtained approval for offshore delivery of the programme, must apply for offshore programme delivery approval under these Rules by 31 December 2013.
- 10.2 Institutions (*other than universities*) that were carrying out offshore programme delivery at the time these Rules came into force, but had previously obtained approval for offshore delivery of the programme, must reapply for offshore programme delivery approval under these Rules by 31 December 2013.
- 10.3 Institutions of the kind described in Rules 10.1 and 10.2 that have not obtained offshore programme delivery approval under these Rules by 30 June 2014 will be non-compliant with these Rules if they continue to provide the programme overseas after that date.

## Appendix 2

### Membership of the Offshore Education Sector Reference Group

#### Chair

Tim Fowler, Deputy Chief Executive Quality Assurance, NZQA

#### Members

- Janet Calder, Quality Improvement Manager, Te Wānanga o Aotearoa
- Don Campbell, Chief Executive, Whitireia Community Polytechnic
- Karen Chalmers, Director, International and Policy, NZQA
- Edwige Fava, President, New Zealand Association of Private Education Providers (NZAPEP)
- Penny Fenwick, Executive Director, Universities New Zealand (2011)
- Dugald Scott, Pro Vice-Chancellor (Education), Victoria University of Wellington (2012)
- Mark Hornby, Nominee, English New Zealand
- Murray Johnson, Principal Analyst, Tertiary Education Commission
- Phil Ker, Chief Executive, Otago Polytechnic
- Paul Lister, Manager, Policy, International Division, Ministry of Education
- Neil Miller, Executive Director, Independent Tertiary Providers (ITI)
- Kathy Maclaren, Manager, Service Delivery, NZQA (Project Working Group Nominee)
- Judith Brown, Manager, ITP Sector Relationship Management Unit, NZQA (Project Working Group Nominee).