



NEW ZEALAND QUALIFICATIONS AUTHORITY  
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## Guidelines for the Education (Pastoral Care of International Students) Code of Practice 2016 – Tertiary

July 2016

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**NZQA  
125 The Terrace  
PO Box 160  
Wellington 6140**

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# Introduction

## Purpose and principles

These guidelines are for use by tertiary organisations.

These are guidelines to help support signatories, and potential signatories, to establish practices that meet the legislative outcomes of the Education (Pastoral Care of International Students) Code of Practice 2016 – the Code.

The Code prescribes (alongside other quality assurance prescriptions in the Education Act 1989) the outcomes sought from signatories for their international students, and the key processes required of signatories to support the well-being, achievement, and rights of international students.

## Scope

These guidelines are designed as a starting point only, giving broad advice around the Code. They are not government policy. They do not cover all requirements under the Outcomes of the Code. They do not cover every situation that signatories may come across, and not all of the information and advice will be relevant to all signatories.

## How to use these guidelines

These guidelines must be read in conjunction with the Code. They have been structured around key outcome areas of the Code, and have reference to relevant clauses for ease of use. An additional topic around signatory self-review has also been included.

The expertise in student care lies with the international education sector – these guidelines help to bring some of that expertise into a common space to share, connect and grow.

The New Zealand international education industry is made up of a wide range of operations, some with only a few international students to others with hundreds.

There is no one-size-fits-all when ensuring the best care for international students – signatories must understand their own unique path to actively support their international students and continually review and improve what they do.

## How to become a signatory

Guidance on how to become a signatory including forms, please refer to the page on the NZQA website on how to apply for approval to enrol international students for more information:

<http://www.nzqa.govt.nz/providers-partners/caring-for-international-students/guidelines-applications-and-information-for-signatories/code-of-practice-application-forms/>

## Understanding the terms ‘reasonable’ and ‘as far as possible/practicable’

The terms ‘reasonable’ and ‘as far as possible or practicable’ are used throughout the Code to help guide signatories. This acknowledges the variety of signatories’ circumstances, and the types of students they enrol.

## Students under 18

The guidelines recognise that while the majority of students at tertiary providers are over 18 year olds, some signatories will enrol students under 18 years of age. *The Guidelines for the Education (Pastoral Care of International Students) Code of Practice 2016 – Schools contains information for supporting school aged students.*

# Outcome 1: Marketing and promotion

## Reference in the Code

Marketing and promotion

Outcome 1: Marketing and promotion

What signatories must do – go to clause 11, page 6

## The intent of this outcome

The intent of this outcome is to ensure prospective students and their families have a full and realistic picture of what it will be like to live and study in New Zealand, and in particular at your institution. This means supporting them up-front with robust information so they can make a sound decision about whether studying with you is the best decision for them – so as well as all the benefits, they will need to be aware of the costs they will face, the reality of day-to-day life, and where relevant, what kind of employment opportunities they are likely to have during and after study. It is important that this information is regularly reviewed so it remains current.

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## Creating a picture for people of what it is like to study with you

Make sure your marketing material is realistic and personalised to your institution. Photos of your buildings, of the facilities you have, the grounds and even the surrounding region all help to paint a picture of what it is like to study with you and live in your local area.

You might like to include links to regional information and other websites that give a flavour of Kiwi culture so people can get an idea about where they are coming to and can start to do some research of their own. Use government links to help provide general information about living in New Zealand, what our education system is like, immigration, study and work rights.

Potential students will also need to understand as far as possible all the costs they will face, for both living and studying; not just the tuition fees, but other costs such as textbooks, field trips, exam costs, accommodation, living costs, local transport – include as much as possible, as well as costs that might be hidden, and make sure it is relevant to your local situation.

Students will also want to know what types of accommodation are available, including the standards they should expect.

If you have some quotes or case studies from past students, you might like to use these to tell the story of what it is like to study with you.

Do not reinvent the wheel: check out what other signatories in your region are doing – can you join together and develop an information resource about your local area?

## Providing information on your quality assurance results

There are a number of ways you could provide students with information about your quality assurance results.

One way could be to have the information on your website and direct students to this. The information you have should be meaningful and accessible.

To do this, you could include general information about how quality assurance for your type of institution is managed, and have a link to your latest quality assurance review with some direction for students on the information that is relevant to them (rather than making them read through the whole review material).

Do you have results that you can highlight from the i-graduate International Student Experience Survey? Then you might like to link to that too.

Here is some example wording and advice, broken into provider type, of how this could be done.

### **EER reviews of tertiary education organisations**

NZQA assesses the standard of education for tertiary education organisations through a regular system of external evaluation and review (EER). Through periodic EER, tertiary education organisations are held accountable to their students, employers, funders, quality assurance bodies and other interested parties.

You could then provide a link to your latest EER report on the NZQA website and point students to the section of your report that refers to international students.

### **Quality assurance of universities**

The Academic Quality Agency for New Zealand Universities (AQA) provides external academic quality assurance for all New Zealand universities via a five-yearly cycle of audits. Key principles underpinning AQA academic audits are: peer review, evidence-based, externally benchmarked, and enhancement-led.

You could then refer to the sections in your AQA Academic Audits that refer to Code obligations.

### **Useful links**

- Study in New Zealand: [www.studyinnewzealand.govt.nz](http://www.studyinnewzealand.govt.nz)
- NZQA's Studying in New Zealand: [www.nzqa.govt.nz/studying-in-new-zealand](http://www.nzqa.govt.nz/studying-in-new-zealand)
- Immigration New Zealand's Studying in New Zealand: <https://www.immigration.govt.nz/assist-migrants-and-students/assist-students>
- New Zealand Now: [www.newzealandnow.govt.nz](http://www.newzealandnow.govt.nz)
- Tourism New Zealand: [www.tourismnewzealand.com](http://www.tourismnewzealand.com)

# Outcome 2: Managing and monitoring agents

## Reference in the Code

Agents

Outcome 2: Managing and monitoring agents

What signatories must do – go to clause 13, page 7

## The intent of this outcome

The intent of this outcome is to address the fact that agents play an important role in the lives of international students and their families. It is vital that agents act with the utmost integrity at all times so it is important that agents you contract with are clear on their obligations, and that you have procedures to make sure they provide students and their families with the best information and support possible.

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## Ethical standards

New Zealand is a signatory to the London Statement of Principles. The Principles promote best practice among the education agents and consultant professions that support international students.

The Ethical Principles are that agents and consultants:

- practise responsible business ethics
- provide current, accurate and honest information in an ethical manner
- develop transparent business relationships with students and signatories through the use of written agreements
- protect the interests of minors
- provide current and up-to-date information that enables international students to make informed choices when selecting which agent or consultant to employ
- act professionally
- work with New Zealand signatories to raise ethical standards and best practice.

The agents you use must abide by these ethical principles at all times, and you will need to have procedures in place to manage any breach of these standards.

## Agent contracts

You need to have a written contract with each agent you use. The following are some ideas for what could be included in a contract:

- The role of the agent
- The commission, and circumstances in which it will be paid (including what happens if a student withdraws from enrolment)
- Processing fees
- Expectations of the roles/duties of the agent/signatory while the agent is recruiting students for the signatory and while the student is enrolled
- Ethical standards and obligations under the Code

- The process for how complaints about an agent will be managed and the grounds and process for termination of contracts.

When contracting accommodation agents, you should request:

- History, experience and relevant training
- Written references (referees could include other signatories)
- Registration with the New Zealand Police Vetting Service
- Evidence of ability to communicate with all parties (you, homestay families, students).

When contracting recruitment agents, you should:

- request a company or agency profile
- undertake reference checks (referees could include other signatories)
- conduct an interview if possible.

## Monitoring the behaviour of agents

It is important to have a policy and ongoing process to monitor the behaviour of agents you have contracted. This could be done by regular feedback from students. It could also be done using a common process via a group of signatories who share the same agents. Evidence can be gathered from several sources including student surveys.

You should also have a process to regularly ensure that agents have complete and accurate information about your institution and your programmes.

Examples of unethical behaviour could include:

- Putting students the agent has acted for previously under pressure to transfer to the signatory, or to another signatory, for the purpose of obtaining additional commission
- Producing materials with unsubstantiated claims
- Representing your institution in a misleading or dishonest manner
- Providing inadequate or unsafe accommodation
- Not attempting to align students well to the programme and level of study that suits the student's needs.

You should have processes and procedures for monitoring agent performance, and clear communication lines for guidance of, and information provision to, all agents.

When considering whether the performance of an agent is satisfactory and/or appropriate, the best interests of students must be placed first in any decisions.

## Laws to note

Under the Immigration Advisers Licensing Act 2007 (the IALA), any person providing New Zealand immigration advice anywhere in the world must be licensed by the Immigration Advisers Authority, unless they are exempt. There is a narrow exemption for offshore student advisers providing immigration advice in relation to student visas only. This exemption does not apply in New Zealand and does not allow an offshore adviser to provide advice to applicants, or secondary or related applicants, on any other visa type including work, visitor or guardian visas. If an offshore adviser wishes to provide advice on both student and other visa types, they must apply for a licence.

Immigration New Zealand is required by the IALA to refuse to process applications for visas that have been made by unlicensed advisers. If students or signatories know or suspect an agent is providing immigration advice outside the scope of the exemption, the matter can be referred to the Immigration Advisers Authority.



Full details of the licensing regime are available from the Immigration Advisers Authority's website [www.iaa.govt.nz](http://www.iaa.govt.nz)

# Outcome 3: Offers, enrolment and contracts

## Reference in the Code

Offers, enrolment, and contracts

Outcome 3: Offers, enrolment, and contracts

What signatories must do – go to clause 15, page 8

## The intent of this outcome

The intent of this outcome is to ensure you have good systems and documentation set up to manage the offer, enrolment and contract for each new student, and ensure that students and their families are clear on their obligations and responsibilities.

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## Making sure your programme of study is the right fit

As part of any offer of place and enrolment of a student, you must ensure that the education instruction you offer is appropriate for the student's expectations, English language proficiency and academic capability.

The programme should be at a realistic level for the student to succeed. You should assess the proficiencies of all students, and their career intentions, and determine if their future intentions match the educational opportunities you offer. This includes assessing the proficiencies of students who have changed from one signatory to another. There are many ways you can do this; for example:

- Interviews with students (these could take place offshore or via Skype or another form of communication)
- Questions on the enrolment/application form
- Through the admissions process (e.g. letters stating how the programme of study will contribute to the career intentions of the prospective student)
- Testing and assessment in skill requirements for individual subject areas
- Assessment of English language ability
- The student's academic record and attendance (and achievement) at previous schools and/or organisations in New Zealand should be examined and taken into account before the offer is made.

## Ensuring full disclosure

It is important that your prospective students understand that full disclosure is vital to help ensure care and safety of the student. Non-disclosure can also affect insurance. This might include any medical conditions or other health issues. You should make clear to any prospective students the repercussions of any non-disclosure.

## English language proficiency and academic capability

There are a number of ways you can test for English language proficiency and academic capability; for example:

- Request an academic transcript or school reports in English. This should be a notified or verified copy
- Request results of accredited English examinations (including IELTS and TOEFL)

- Assess English competency using an English test administered by another signatory
- Administer your own recognised language assessment
- Request references.

As part of good practice, you should advise students in writing:

- If they will be required to undertake tests on their arrival in New Zealand
- Of the standard that must be achieved through testing in New Zealand
- If programme placement, or programme placement at a particular level, is dependent on that testing
- The repercussions for students if they do not reach the required standard.

Note that you will need to ensure that any specific English language testing requirements set out in other legislation are applied. For example, that the *English language requirements for certain international students in the New Zealand Qualification Framework Programme Approval and Accreditation Rules 2013 (Version 2)* are applied.

## Good Practice for contracts

It is important that your contract is clear and easily understood. It is helpful to provide a “read only” version of the contract in a number of languages for the students/ for their reference. It is advisable to stipulate that the English version is the one that must be signed and forms the contract. This is so that the provider knows what has been agreed to.

It is important that each student and their family have enough information to make an informed decision about whether to enrol, including understanding their rights and legal obligations. Information can be given in a number of ways including going through documents with the student/ either in person, or via another communication method and ensuring they are clear on each section. Having an agent go through the information in their own language can be helpful. Schools may like to provide a declaration document which the agent and student sign.

Students need to understand the importance of providing your organisation with full and honest information. This might include health, behaviour or academic issues. Your organisation should make clear to students the repercussions of any non-disclosure. This may include termination of the contract or altering the agreement with the student to accommodate their needs. The student has the right under the Privacy Act 1993 to obtain access to and request corrections of any personal information held by your organisation concerning them. You will want to make sure you are familiar with the relevant legal obligations in the Privacy Act 1993 and may like to include reference to it in your contract.

It is highly recommended that organisations get all contracts thoroughly checked by a lawyer.

## Entering into a contract

It is important that each student, and their family where relevant, has enough information to make the final decision to enrol, and understand their rights and legal obligations.

You will need to have a process in place to ensure the student fully understand the information you provide them, along with their rights and obligations.

This could be done in a number of ways, including:

- Going through the information with the student either in person or via another communication method and ensuring they are clear on each section
- Having an agent go through the information in their own language
- Obtaining written confirmation from the student acknowledging that they have read and fully understood the information you have provided.

Other elements include (note that this is not an exhaustive list, as relevant contract content will vary between signatories):

- Refund policy and process and student fee protection policy
- Attendance policy (and absence procedures)
- Expected standards of student behaviour, including what happens around dismissal
- Any accommodation requirements/limitations
- Orientation date and expectations for attendance
- Immigration and visa requirements
- Holiday policy (for under 18-year-olds)
- Requirement to inform of change of contact details in New Zealand and in the home country
- Insurance requirements
- Declaration of any medical or learning needs (and a note that international students are not eligible for special needs funding).

## **Termination process**

You must advise students of your termination process, including situations in which you reserve the right to terminate tuition. These may include:

- Continued and/or unexplained absenteeism
- Provision of false or misleading information by the student on enrolment
- Inadequate progress by the student
- In the event of disruptive or criminal behaviour by the student (including such behaviour outside your premises)
- An inability to attend for reasons such as illness or family obligations, where the student cannot make up the missed programme time and needs to re-enrol if they wish to complete the programme
- Any breach of disciplinary regulations.

Students should be clear on each of the steps that you will follow when considering termination of enrolment. Decisions should be transparent and based on an evidence/information base to ensure that any decision is fair and that any inaccurate information can be corrected. You should include advice for both the student of their advocacy and representation rights. When seeking to terminate, follow your advised process.

You should also make sure students are advised that Immigration New Zealand will be notified in the event of any termination.

# Outcome 3: Offers, enrolment, and contracts – Insurance

## Reference in the Code

Offers, enrolment, and contracts

Outcome 3: Offers, enrolment, and contracts – Insurance

What signatories must do – go to clause 16 (5), page 9

## The intent of this outcome

The intent of this outcome is to help ensure students get the right advice about insurance, and have insurance policies in place to protect them against significant financial costs arising from any incidents.

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It is important to note that the requirements for insurance set out in the Code mirror the requirements for a student visa, so students may also have to provide this information as part of their student visa application.

## New Zealand provisions

Most international students are not entitled to publicly funded health services while in New Zealand, so may be liable for the full costs of any treatment. Full details on entitlements to publicly funded health services are available through the Ministry of Health – go to [www.health.govt.nz](http://www.health.govt.nz).

The Accident Compensation Corporation provides accident insurance for all New Zealand citizens, residents, and temporary visitors to New Zealand, but international students may still be liable for all other medical and related costs. For more information, go to [www.acc.co.nz](http://www.acc.co.nz).

## Questions and answers on insurance

### What period should insurance cover?

It must include cover for students' travel to and from New Zealand and within and outside New Zealand for the duration of time that the student is enrolled. Signatories may wish to advise students to continue with adequate insurance to cover them for any extended travel they plan to take in New Zealand before and after their enrolment ends.

### What monetary values should insurance cover have?

The aim of insurance cover is to protect students from significant financial costs arising from incidents, so the amount of insurance cover needs to be adequate. Amounts for health cover, for example, should be unlimited sum insured.

### How can I be sure that the insurance offered meets the minimal standards of the Code, especially where the policies are in a foreign language?

It is recommended that signatories get written attestation from insurance suppliers that the insurance policy offered meets the minimum standards prescribed by the Code, or other standards that you may have set as part of your institution's policy. It is advisable to keep a copy of the students insurance policy on file

To demonstrate that an institution is meeting its obligations under the Code, institutions may wish to keep a copy of the student's insurance policy on file. Where the insurance policy is not in English, students can be asked to declare in writing that the policy covers the requirements set out in the Code.

### **What indicates an acceptable insurance company?**

An acceptable insurance company is a reputable and established insurer with a credit rating no lower than 'A' from Standard and Poors or B+ from A M Best, and is able to provide services 24 hours a day, seven days a week.

### **Is insurance required by international students that hold visitor or work visas?**

Yes, they are still deemed to be international students as defined in the Education Act.

### **Is it appropriate for a signatory to insist that a student must purchase a particular insurance policy arranged by the signatory?**

Requiring students to purchase a particular insurance policy from a particular insurance company could raise concerns under the Fair Trading Act or Commerce Act. Offering to arrange good insurance cover for students, and disclosing the levels, etc. of cover, is a service that could be offered, and it would be up to the student to decide.

Students have the right to make an informed choice about which insurance policy to purchase, as long as their choices are in compliance with the Code.

However, signatories do have the option to design their own internal policy around the minimum or better levels of insurance cover a student must have, and can refuse to enrol students if they do not wish to comply with that internal policy. This information would need to be clearly outlined and given to students prior to enrolment.

### **Should insurance companies be limited to New Zealand-based insurers?**

If signatories are concerned that they may find it difficult to assess the appropriateness of insurance policies issued in a language other than English from outside New Zealand, it is recommended they seek written attestation from insurance suppliers that policies offered are consistent with the requirements of the Code.

From the students' point of view, purchasing insurance from their home countries may provide the following advantages:

- Insurance policies are written and communicated in their native languages, so may be easier for them to understand and make a claim
- Insurance policies from their home countries may be more culturally appropriate to international students
- Purchasing insurance from offshore may be more feasible for international students so they can hold insurance before they travel to New Zealand, and hence cover their trips as well.

However, it should be noted that New Zealand-based insurance companies already have the advantage of working with local signatories to provide group insurance cover for students, which is potentially more competitive than individual insurance policies purchased offshore.

### **Are international students required to have health screenings?**

International students do not need to be screened for acceptable health when applying for a student visa, but they must hold acceptable medical insurance as part of their visa conditions. Immigration New Zealand defines 'acceptable insurance' as insurance that is compliant with the Code and acceptable to the student's education provider.

If a student will be studying a programme that is six months or longer and they come from a country outside the list of low TB incidence countries, they will be required to provide a Chest X-ray Certificate. The student will need to go to one of Immigration New Zealand's approved panel physicians who will complete the chest x-ray form for them and submit it to Immigration New Zealand electronically.

The Immigration New Zealand website has [a list of approved panel physicians](#).

# Outcome 4: Immigration matters

## Reference in the Code

Immigration matters

Outcome 4: Immigration matters

What signatories must do – go to clause 17, page 9

## The intent of this outcome

The intent of this outcome is to ensure that students are entitled to undertake their programme, and that they understand their rights and responsibilities around immigration matters.

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## About student visas

A student visa (or a limited visa granted for the purpose of study) is required for international students coming to New Zealand to study for more than three months. Study must be the main purpose of the visit.

For students whose study period is less than three months, they may enter under a visitor's visa.

Full details of immigration requirements, advice on rights to employment in New Zealand while studying, and reporting requirements are available from Immigration New Zealand, and can be viewed on their website at: <https://www.immigration.govt.nz/new-zealand-visas>

## Determining the student's entitlement to study in New Zealand

Checking students have the valid and appropriate visa can be done in a number of ways, including:

- Using Immigration New Zealand's VisaView service which can be accessed through: <https://www.immigration.govt.nz/about-us/our-online-systems/visaview>
- Sighting the visa in the passport.

Once you have sighted the student's visa, you should check that the:

- Name of the signatory is on the visa
- Student is enrolled in the programme that is stated on the visa
- Dates on the visa are current.

It is important that you practise the following:

- If you sighted the actual passport and visa, photocopy the title page and the visa page of the student's passport and keep this information on file
- If you used Immigration New Zealand's VisaView service, print the enquiry results page and keep this information on file
- Enter the commencement and expiry dates of the visa and passport into a computer database.

## Visa conditions

A student visa (or a limited visa granted for the purpose of study) is subject to conditions and any breaches must be reported to Immigration New Zealand.

Visa conditions include, but are not limited to:

- Having sufficient funds for maintenance while in New Zealand
- Attending the programme at all times unless there are genuine reasons for any absences, and making satisfactory academic progress
- Studying at the place of study specified on the student visa
- Having acceptable insurance for the duration of the student visa
- Working no more than the hours specified on the student visa
- Living with a parent or legal guardian if required.

## Notifying Immigration New Zealand of breaches of conditions and monitoring academic progress and attendance

You are required to “report to Immigration New Zealand known or suspected breaches of visa conditions by international students”. You must report breaches or suspected breaches as soon as you become aware of the situation.

As noted above, as part of their visa conditions students must meet any attendance requirements for their programme of study and also make satisfactory academic progress. You must have processes in place to monitor the academic progress of the student and also attendance, where this is a requirement for the programme.

Immigration New Zealand may request evidence from signatories to confirm that students are complying with these particular visa conditions.

## Notifying Immigration New Zealand of terminations of enrolment

If a student’s enrolment is terminated, you must immediately notify Immigration New Zealand by completing the Termination of enrolment form which can be found on the Immigration New Zealand website: [www.dol.govt.nz/immigration/StudentTermination](http://www.dol.govt.nz/immigration/StudentTermination)

## Further information

Immigration requirements and questions relating to a student’s immigration status rest with Immigration New Zealand.

Please refer to Immigration New Zealand’s website for details:

<https://www.immigration.govt.nz/new-zealand-visas/options/study>

Immigration New Zealand also has a set of questions and answers for students:

<https://www.immigration.govt.nz/new-zealand-visas/options/study/already-studying-change-situation>

Information about pathway visas can be found here: <https://www.immigration.govt.nz/assist-migrants-and-students/assist-students/student-visa-information/pathway-visas>



# Outcome 5: Orientation

## Reference in the Code

Orientation

Outcome 5: Orientation

What signatories must do – go to clause 19, page 10

## The intent of this outcome

The intent of this outcome is to ensure that students, and where relevant their parents or legal guardians, have a robust orientation to help them settle in well to life and study in New Zealand.

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## Orientation and its flow-on into ongoing safety and well-being

Orientation for students, and their parents where relevant, to life and study in New Zealand is not a one-off experience – it is a process that runs from before a student arrives, through the first weeks, and possibly even months after they get here. There is a natural flow-on from orientation into the advice and support that you provide for the ongoing safety and well-being of students. Refer to Outcome 7: Student advice, support services for advice about student handbooks/manuals.

## Setting the foundation

It is important to ensure students have information *before* they get here, so they can learn as much as possible about what life and study will be like in New Zealand, and learn about the unique aspects of your institution, location and community.

Consider providing orientation material online, both for ease of information maintenance (it can be harder to update hardcopy documents) and also to make it easier for students to browse information before they get here.

If possible and feasible, you might like to consider providing information in the student's first language so it is easy to understand, and include information on what to do if something goes wrong – for example, what to do if someone isn't at the airport to pick them up.

Ensure your orientation information is appropriate for the length of the programme. Shorter programmes will require different orientation information for students than longer programme.

Keep the lines of communication open so students can ask questions and clarify information. Make sure the message is clear that there's always someone to talk to and it is okay to talk.

## Managing information overload

A good orientation programme will take into account information overload. A planned approach will ensure that students can absorb information. Checking students' understanding of information and putting in place ways to repeat important messages will help students not only to cope with their study, but also manage the impact of living and studying in a culture foreign to them. A good approach for Code Signatories is to 'triage' the most important information for students at orientation to help them absorb this.

## Making the material relevant

A good orientation is not about throwing as much information as possible at students. Giving out information to students at relevant points is key. So perhaps information about the first few days might involve what happens from when they first touch-down in New Zealand, such as navigating the airport, to what to expect on the first day.

Some signatories say that if the only thing a student knows on the first day of orientation is who to talk to if they need any help, then that's a success.

You can then progressively give out more information as it becomes relevant.

Making information relevant to particular situations is also important. You may have short-term students for example, where issues, such as homesickness, may not be as relevant.

### **Example from a signatory – the power of workshops**

*“We’ve been running workshops with students where we create different scenarios and workshop these, getting the students to discover solutions to problems themselves, and having the relevant information surrounding this available so they know where to find it. It is a good way to connect situations and make sense of how information can be accessed and used.”*

## **The importance of agents in orientation and support**

Agents are often the main source of information for pre-arrival information, orientation and support for students. It is vital that you provide agents with ongoing training and support, consider prescribed actions within agent contracts, and have a process in place to gain feedback from students around the information agents provide.

## **Orientation for parents/legal guardians of under-18s**

Orientation for parents/legal guardians who are new to life in New Zealand can help to ensure they have a warm welcome to the country, have good support while living here, and are able to make informed choices.

The scope of the orientation information required by parents/legal guardians will depend on whether they are accompanying the student to New Zealand. Communication is the key whether on-shore or overseas.

### **Example from a signatory – regular information for parents offshore**

*“We use regular monthly newsletters to help parents gain an understanding of the experiences their child is having while they’re here.”*

As with student orientation, this should be done over a period of time, in the person's first language if possible, and be relevant to their individual situation and your local area.

Along with all the information you provide around a general guide to living in New Zealand and your local information, it is also important to set the expectations of the student so the parents/guardians are aware of this, such as attendance, the structure of your institution and support networks.

Giving parents/guardians time, encouragement and opportunity to talk is vital, as is couching information in a positive way.

# Outcome 6: Safety and well-being

## Reference in the Code

Safety and well-being

Outcome 6: Safety and well-being

What signatories must do – go to clause 21, page 10

## The intent of this outcome

The intent of this outcome is to ensure students are as well supported as possible to have a safe, happy, healthy and successful time living and studying in New Zealand.

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## Student safety

It is imperative that all students study in a safe environment. Providers will have a number of policies and procedures to support student safety which students should be made aware of, including how to deal with bullying.

As international students are living in a new country, often without the support of family, it is particularly important that providers ensure they look for signs of distress and inform students about support services that are available in the institution or community.

International students are required to be given contact details for staff who can help them with health and safety issues. This includes details of a 24/7 contact person who can help them deal with issues that occur outside of work hours.

## Students at risk

One of the health issues signatories may need to contend with is around a student's mental health. If possible, try to have a connected network of people for a student, so there is more chance of issues being spotted. This allows the student lots of opportunity to speak to someone who can then follow up and get the support they need – for example, seeing their local family doctor for support and referral to community mental health services if necessary. Building trust is essential.

You may need to consider that unexpected issues around mental health can take time and resources to address. Some situations may become tricky when not “extreme” enough to pass to an agency, but are still a major issue for you to manage. Insurance can also be a factor if issues fall outside coverage and treatment is needed, when decisions around who covers costs need to be made. Decisions may also need to be made around when to pass care back to the student's parents/guardians, and there may be issues with accommodation and possible lack of homestay families to take students.

Some things you will want to think about are drawing on the processes you already have in place for domestic students and connecting with good resources and support.

There are good resources on the Mental Health Foundation website: [www.mentalhealth.org.nz/get-help/in-crisis/worried-about-someone](http://www.mentalhealth.org.nz/get-help/in-crisis/worried-about-someone)

<https://www.mentalhealth.org.nz/get-help/in-crisis/helplines>

### Example from a signatory – leveraging events

*“We leverage from mental health week each year which has information on television and materials available. We run workshops during that time, and it provides a chance to remind students that it is okay to seek help, to understand signs in themselves and others, and encourages conversation around any issues.”*

## Age appropriate support and students here with family

The type and amount of guidance required is dependent on the age of the student and their living arrangements. Accommodation arrangements need to be sustainable for the time students are studying. Students over 18 are considered adults and therefore while you can provide advice and support, decisions are ultimately those of the student. A similar situation occurs for students who are living with their parents – students who are living with family are likely to have more support than those who are new to the country and are alone. When thinking about the type and amount of guidance required, it is worth considering that international students over 18 are often more vulnerable than domestic students.

## Make the connections

Be proactive – look for signs of distress in a student or if something is not right. Create a linked chain with all your staff and wider institution and community who are in contact with students – do not rely on just one support person. Involve teaching staff, other students/buddies, the local community – so if someone sees that something is not right, they will pass the information on to a person who can follow up.

## Managing non-disclosure of issues

It is important to ensure students are aware at the outset that they must disclose information to you. You may need to emphasise that a disclosure doesn't necessarily mean that you will not take a student, but is important in order for you to know about any conditions a student may have. Make sure your agents are supported to communicate this too.

It may help to provide some examples to students of the risks of non-disclosure – for example, the risks of you not knowing that a student needs to take medication regularly, or whether their medical insurance covers them for any pre-existing conditions. They may need to pay for the latter from their own funds if they seek treatment in New Zealand.

## Communication with parents/guardians

Ensuring you have a good system for managing communication with parents/guardians when something goes wrong is vital. Depending on the circumstances, you will need to consider privacy and other relevant laws.

Always keep the lines of communication open, and always keep what's best for the student in mind.

### Example from a signatory – support roles for students

*“It is important to understand that staff roles may have to change through any discipline process, in particular for students who are here without family. They will need a support person, in particular if they are going to court or if there are other processes involved that make them vulnerable. My job description has this written into it – that my role will change to that of a support person for a student if required.”*

## Issues with medication

Students who have medical conditions may need additional support. You may need to ensure you remind students to take their medication, particularly if they have been in a situation at home where someone has done this for them.

There may also be differences in medication between countries to consider, so ensuring medications can be obtained locally before the student arrives is important, as is connecting the student with a doctor immediately they arrive in the country. They should get to know their local community pharmacist who can give trusted health advice alongside their family doctor.

## Critical incidents

Developing a critical incident plan that covers all situations can be difficult.

Plans need to cover a lot of detail and have processes to connect to external agencies such as insurance companies, hospitals, embassies, government agencies etc.

You will also need to keep in mind that incidents may end up including the whole institution, for example if media is involved, if embassy liaison is required, if there's a need to coordinate victim support sessions, right down to the fine details of administration (for example, in the event of a death you will want to ensure that no automated communication goes out addressed to that person).

It is easy for plans to need to become out of date, or to not cover everything you need until the plan has been tested.

You may need to consider doing a trail run of a few scenarios with your plan and test its effectiveness. Talk to other experienced signatories and get your plan peer reviewed.

## 24/7 hour contact person

Have processes to manage your 24/7 contact for students, and keep in mind that this cannot be one person constantly – ensure you have a good rotation of people.

Ensure your students understand what this contact is for and the types of situations where they should use it. You do not necessarily want students using this number if they've lost their house key for example. Being clear in the beginning will help.

It will help to define what an emergency is, and make it clear that the contact person is not for emergency services – so they need to know when to call 111 instead.

## Cross-cultural training for staff

Cross-cultural training means the development of competency in and understanding of communication and behaviour patterns in another culture. Audiences for this may include:

- Office and administration staff
- Accommodation staff/homestay coordinators
- Teachers, lecturers and departmental managers
- Sports coaches.

Ways to provide cross-cultural training:

- Staff meetings – invite an ex-student
- Professional development
- Community meetings
- A handbook of information about the relevant cultures for staff.

When arranging supervision, you should ensure that supervisory staff have the following skills, knowledge, and attributes:

- Ability to understand the needs of international students
- Understanding of possible situations that may arise (such as lost luggage/passport, health problems)
- Understanding of New Zealand laws, especially with respect to minors
- Knowledge of first aid, including safety procedures, emergency services in New Zealand
- Have a current First Aid Certificate
- Institutional knowledge, including knowledge of policy, procedures, practices and people

- Communication skills (including knowledge of students' first language, or access to a first language speaker if appropriate – to ensure that students can communicate their needs to someone).

## Ratios of supervisors to students

Ratios should take into account that pastoral care cannot be separated from educational and supervisory issues for young students. You need to have regard to the skills, knowledge, and attributes of staff, and the risk factors, when determining appropriate ratios.

Ratios may differ according to the skill sets of supervisors – for example, if supervisors have first language skills a lower ratio may be appropriate.

The *LEOTC Provider Guidebook* has some useful guidance: <http://eotc.tki.org.nz/LEOTC-home/For-providers>

Adult-to-student ratios refer to the number of adult supervisors who must accompany students on any class visit or trip outside the institution. It is important that the ratio is high enough to ensure a high-quality learning experience and a safe event. Appropriate ratios for LEOTC will vary according to student needs, age group, activity, location, and the experience of the staff and adult helpers involved. If in doubt, be conservative or seek professional advice when deciding on ratios.

Take the following into account as part of risk assessment:

- Professional competence of staff
- Competence of volunteer assistants/adult helpers
- Gender, age, behaviour, and ability of students
- Special needs of students (medical/educational)
- Duration and nature of the activity (e.g. land-based, water-based)
- Nature of the site
- Site requirements (e.g. permits)
- Contingency options (e.g. weather changes, delays)
- First aid cover
- Access to emergency services
- Season and weather forecast.

It is very important to remember when deciding on ratios that not all adults have the experience and skills to be a supervisor.

## Attendance issues

To ensure the safety of students, you must have documented procedures to follow if a student is found not to be attending their programme. Elements to consider:

- Clear advice of any attendance requirements (e.g. 100 per cent attendance required unless there are good reasons for absence, such as sickness, and any obligations to attend catch-up classes or sessions)
- A summary of the absence procedures and the consequences of failure to attend
- The requirements and procedures for notifying legitimate absences
- The requirements and procedures for applying for longer periods of absence.

Information on the repercussions for non-attendance should be part of commencement/orientation packs, explained to students (and parents/guardians if relevant) during orientation, and explained on the institution's website and in promotional materials.

You must have a process to monitor attendance. This could be done in a number of ways; for example:

- Marking an attendance register
- Following up within a designated timeframe
- Monitoring handing in of assignments
- Monitoring attendance at compulsory tutorials
- Interviewing students who have performed poorly.

If a student is failing to attend, you should meet with the student. Students may need to be directed to your support services.

## **Useful resources**

New Zealand Police have useful resources for keeping safe information for visitors: [www.police.govt.nz/advice/personal-community/keeping-safe/visitors-safety-guide](http://www.police.govt.nz/advice/personal-community/keeping-safe/visitors-safety-guide)

Your Local Doctor: [www.yourlocaldoctor.co.nz](http://www.yourlocaldoctor.co.nz)

New Zealand Now: <https://www.newzealandnow.govt.nz/living-in-nz/healthcare/healthcare-services>

Healthpoint provides up-to-date information about healthcare providers, referral expectations, services offered and common treatments: <http://www.healthpoint.co.nz/>

Health Navigator New Zealand: <http://www.healthnavigator.org.nz/>

Health and Safety Reform Act 2016 information: <http://www.mbie.govt.nz/info-services/employment-skills/workplace-health-and-safety-reform>

# Outcome 6: Safety and well-being – Accommodation

## Reference in the Code

Safety and well-being

Outcome 6: Safety and well-being – Accommodation

What signatories must do – go to clause 26, page 12

## The intent of this outcome

The intent of this outcome is to ensure students have a safe and comfortable living environment, especially for those students coming to a new country and culture, and might be away from home for the first time without friends and family nearby.

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## Scope of responsibility

The scope of responsibility around accommodation depends on the age of the student and whether accommodation has been organised by the student themselves, or through a third party such as an accommodation agent. If using an agent, you must ensure that the agent is compliant with the Code.

If you have arranged accommodation, no matter what the age of the student, you are responsible for ensuring that the accommodation is fit for purpose.

## What to look for to ensure suitable accommodation

Elements of suitability may include:

- Level of safety and security
- Location
- Standard of bathrooms and other facilities
- Standard of cleanliness
- Temperature and heating
- Appropriate bedroom furniture
- Appropriate linen and bedding
- Study desk and chair with adequate lighting
- Provisions for emergencies, e.g. first aid supplies, smoke alarms
- Whether the physical and emotional environment is safe for the student.

For students aged over 18 in an unlicensed boarding establishment, does the premises have:

- Resource consent
- Building consent
- A health licence (this may not be applicable in some areas).

Granting of applicable consents will generally involve compliance with requirements such as provision of adequate bathroom facilities, fire safety procedures, appropriate noise levels, and provision of adequate car parking.



Boarding establishments that provide meals should have a commercial grade kitchen and comply with food hygiene regulations.

When assessing the suitability of a boarding establishment's employees and managers:

- Ensure that all current and prospective boarding establishment employees and contractors are police vetted where students under 18 will be living in the boarding establishment
- Assess the residential facilities of the boarding establishment
- Determine whether the boarding establishment will provide a safe physical and emotional environment
- Monitor and manage any risks to the safety of students.

## Support for students arranging their own accommodation

Encourage students to think ahead about accommodation and ideally arrive ahead of time to secure somewhere to live.

It is important that students understand that it is not always easy to get accommodation, and that they will need time to acclimatise and assess the local environment to find somewhere appropriate. They'll need information around the fact that landlords will most likely want to meet them in person, and they will need to get a realistic perspective of distances and transport links.

If students cannot arrive early, it is important that they understand the need for securing temporary accommodation for a reasonable amount of time so they can settle in and not have to rush to find somewhere permanent to live.

Students aged over 18 may wish to take responsibility for their own accommodation, in which case you will need to ensure they are well informed about New Zealand tenancy laws, costs, and other day-to-day aspects of independent living.

General information on renting can found here: <https://www.tenancy.govt.nz/>

Information on quality standards for renting can be found here: <http://www.mbie.govt.nz/info-services/housing-property/tenancy/residential-tenancies-regulations-for-insulation-and-smoke-alarms>

### Example from a signatory – providing for the transition as part of enrolment

*“As part of our enrolment contract we offer temporary accommodation covering the first two to four weeks from when they arrive, and include this as part of the student's overall fees. This then allows the student time when they first arrive to adjust to their new life, and also means we have more dedicated time to support them to find an appropriate place to live.”*

## Homestay

As defined in the Code, homestay is accommodation provided in the residence of a family or household in which no more than four international students can be accommodated.

It is important that homestay caregivers set up the rules of the home early, so students understand what life with that particular family is like and what the expectations of the student will be.

If possible, providing ongoing training for your homestay caregivers is also good practice, such as cultural sensitivity training. Workshops, such as how to manage teenagers, are also useful.

Try to keep mixing it up. For example, you could look to bring outsiders in to talk on different topics. A good no-cost way of providing information and training is to bring in more experienced homestay caregivers to talk to new families, or bring people together to discuss and learn from each other's experiences.

You could look to build your community with other signatories too, and share information – for example, some signatories will alert others if they are no longer using a particular homestay.

### **Example from a signatory – building a community**

*“Fostering and growing your local homestay community with regular newsletters and get-togethers, such as barbeque or pizza afternoons is a good idea to build a sense of community and connect people together. It will help to create a family-friendly community for ongoing involvement of longer-term homestay families, and to help integrate new families.”*

## **Accommodation visits and student interviews –students under 18 years old**

There is no one-set approach for every under student under 18 years old and home situation when it comes to home visits – the approach to home visits will vary depending on circumstances.

You will want to consider the length of time a particular homestay has been with you – you might want to visit more regularly to begin with for new students and caregivers, then conduct fewer checks over time. If you have regular connection points, and foster a community of homestay signatories, this will help keep everyone connected.

Always get student feedback to ensure there is a happy home environment – regular student feedback is critical for access to information to minimise exploitation and dangerous practice.

### **Things to think about with student feedback interviews**

Ask open-ended questions that allow the student to openly describe the reality of the accommodation that they are living in. These could include:

- The student’s living circumstances
- Any issues arising out of their living situation
- Whether the number of people in the accommodation has changed.

The same questions should not be asked at each interview, although you should be checking the basics each time, such as whether everything is okay, whether there are any issues, and making sure students are being treated well.

You should have a documented process in place to follow when meeting with students to discuss accommodation. Problems discovered in the interview should be referred to the appropriate person. Serious concerns should be followed up immediately.

### **Accommodation for groups**

Ensure students in groups are chaperoned if they are on short-term stays and using motels, and always ensure you provide 24/7 support.

## **New Zealand laws to note for under 18 year olds**

Take note of legal requirements regarding care and supervision of children under the Care of Children Act 2004; the Children, Young Persons and their Families Act 1989; and the Summary Offences Act 1981. New Zealand law generally requires that a child aged under 16 must live with a parent, legal guardian or lawfully authorised caregiver. It is also an offence for a person who has care of a child aged under 14, to leave the child for a time that is unreasonable, or under conditions that are unreasonable having regard to all the circumstances.

## Useful links

- Police vetting service: [www.police.govt.nz/advice/businesses-and-organisations/vetting](http://www.police.govt.nz/advice/businesses-and-organisations/vetting)
- Vulnerable Children Act 2014: Guidelines for compliance in universities: [www.universitiesnz.ac.nz/node/831](http://www.universitiesnz.ac.nz/node/831)
- Children's worker safety checklist, as part of the supporting material provided under the Vulnerable Children's Act 2014: [www.childrensactionplan.govt.nz/assets/CAP-Uploads/childrens-workforce/Childrens-worker-safety-checking-under-the-Vulnerable-Children-Act-RC-v1-02.pdf](http://www.childrensactionplan.govt.nz/assets/CAP-Uploads/childrens-workforce/Childrens-worker-safety-checking-under-the-Vulnerable-Children-Act-RC-v1-02.pdf)
- Tenancy Services: [www.tenancy.govt.nz](http://www.tenancy.govt.nz)
- Trademe: [www.trademe.co.nz](http://www.trademe.co.nz) and Realestate: [www.realestate.co.nz](http://www.realestate.co.nz)
- Disputes Tribunal: [www.justice.govt.nz/tribunals/disputes-tribunal](http://www.justice.govt.nz/tribunals/disputes-tribunal)
- Information about accommodation for international students in Auckland: <http://www.aucklandnz.com/study/live>
- Information about accommodation for international students in Hamilton: <http://www.studywaikato.co.nz/waikato-region/accommodation-guide>
- Information about accommodation for international students in Wellington: <http://www.studyinwellington.com/getting-here/accommodation/>
- Information about accommodation for international students in Christchurch: <http://www.christchurcheducated.co.nz/life/accommodation/>
- Information about accommodation for international students in Dunedin: <http://www.dunedinnz.com/study/accommodation>

# Outcome 7: Student support, advice, and services

## Reference in the Code

Student support, advice, and services

Outcome 7: Student support, advice, and services

What signatories must do – go to clause 27, page 13

## The intent of this outcome

The intent of this outcome is to ensure that students are fully informed about services and advice so they have good ongoing support while they live and study in New Zealand.

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## The link with orientation

Much of the information from your orientation will flow into ongoing student support, advice, and services. It is important to view these together, to ensure that you take a holistic approach to the well-being of students.

## Cultural sensitivity and age appropriate advice

Information needs to be age appropriate and culturally sensitive, while ensuring that a student has sufficient knowledge to enable them to operate safely during their stay.

This means considering cultural and age sensitivities – for example, there may be some topics that are not relevant or appropriate to cover, and there may not be the same reference points for some topics, such as alcohol.

## Publish your information so people can see it

Consider publishing key information, policy summaries, and procedures students need to follow on your website as a FAQ.

## Make sure your information is easy for students to understand

A student manual should be concise. Write it in language and with information that is age appropriate to your students. Start with questions such as: What do our students need to know? Consider including photographs of the staff and the classroom exteriors to help students find their way around. Keep the latest (dated) version of the manual on the website.

## Orientation information

A plan for the orientation of the student should be included in the student manual (and the application). Road, water, and weather safety information should be reinforced. Typically, promotional documents include photos of happy people enjoying the outdoors in sunny weather. This does little to prepare people from warmer climates for how cold it can be in New Zealand at any time of year, or how the traffic might be coming from a different direction.

Use plain language, and be considerate of cultural perspectives, beliefs, values which vary across cultures and could cause cultural misunderstanding

## Take into account language barriers

Write any documentation that is intended for prospective students as though they were someone who knows nothing about your institution. Rewrite it again as though they've never been to New Zealand before. Rewrite it then for someone who may have a limited knowledge of English. Use simple sentences.

You may have good pastoral systems for domestic students, but you need to explain these as they apply to international students.

## Integration and ongoing support

There are many ways to create opportunities for students to integrate into your institution and the local community.

Fostering community links can help students integrate into the local environment, and encourage students to get involved in events and activities, such as sports. This also helps to develop good resilience and encourage pro-active problem-solving life skills.

Ensuring a regular one-on-one check-in with each student will also help you identify any issues that may arise – some signatories do this every four to six weeks, but you will need to use your judgement and assess what may be needed for each case.

### Example from a signatory – buddies

*“We set up buddy systems with other students which can help to break silos. We found it necessary to emphasise with domestic students the value of connecting with their international peers, something which can be tricky as students often already have a base of friends and may not necessarily be interested in connecting with others.”*

## Get feedback and review regularly

Test student support advice and material directly with your students to get their feedback. Do this regularly with both new and more experienced students.

### Example from a signatory – process to check students' knowledge

*“We conduct an electronic survey with our students, asking questions such as: who is your support person? Where do you go for help on a particular issue? It provides us with a good test as to what information students have retained and where we could improve how we provide information to students, or where gaps in knowledge might be. It also helps to remind students that help is here if they need it.”*

## New Zealand's health and disability services

Health and disability services in New Zealand may work quite differently to other health systems in other countries where a student may have lived. Students can look at the health system in two parts: primary and secondary health care. Primary health care includes the family doctor, dentist, pharmacist, allied health – such as physiotherapists, podiatrists, counselling and other services.

Secondary health care is that found within the hospital system which can be either public or private.

Students can also see specialists in the hospital environment, who work in the community as well.

A family doctor or general practitioner (GP) is a part of the primary health sector and looks after the health of all the family. This is the most important person a student should see for their health in

New Zealand. Their family doctor is the first person a student should visit if they are worried about their health or the health of their family.

There are a range of services a family doctor can provide: doctor and nurse consultations, illness management, prescriptions, medical certificates, minor surgery, sexual health and contraception, travel advice and immunisations, injury management – e.g. ACC injury assessments and treatment – information about services for people with disabilities, migrants and refugees and Asian communities.

Students should see their GP first. Hospital emergency care is for emergencies.

Where a student can find a GP and other medical services:

1. Search the Health Point website to find a GP close to where they live:  
<http://www.healthpoint.co.nz/>
2. Phone the Local Citizens Advice Bureau (CAB) near where they live, study or work.
3. Ask friends or family or ethnic association for help.
4. If the student is at university, they can register with their student health, well-being and counselling centre.
5. If a student is still unsure about their health or their family's health or where to go, they can call the Healthline number: 0800 611 116.
6. Oral health – to find a private dentist, search [www.dentalcouncil.org.nz/](http://www.dentalcouncil.org.nz/)
7. Students should know their rights. Students have the right to be treated with respect by health and disability providers. If they have any concerns or wish to complain, they should contact the organisation that provided their care or the Health and Disability Commission:  
[www.hdc.org.nz/complaints](http://www.hdc.org.nz/complaints) Phone 0800 112233 <http://www.hdc.org.nz/the-act--code/the-code-of-rights>

The quickest way for a student to make an appointment is by phone. The student can mention their language if they need language support, e.g. Korean, and a free interpreter can be arranged. The student should present their Student ID card when they go to their appointment. Students will need to pay the cost of a GP visit (even though they may be eligible for cheaper fees) and other private services. Each private clinic charges differently.

For international students, the cost of most services will be covered by their medical insurance. However, some services may not be covered. The student will need to check with their insurer first before they use the service. Once the student visits the service, they will be charged and will be asked to pay for their visit – which they can then claim back from your insurer. Some universities will have a process where they will look after the paperwork for students if they are using the university's preferred insurer. Remind students to let their medical practice know when they are leaving New Zealand.

In New Zealand, the number to call in an emergency is 111 for Ambulance, Fire and Police. If the student needs need language support, they can receive free access to trained interpreters when they visit the family doctor, public hospital or other public health services. If they become ill, but it is not urgent or not so serious, they should visit their regular family doctor first.

If the family doctor is closed during the weekend or after-hours (at night and early morning, or weekends), the student can go to a private after-hours urgent care clinic. If the clinic is unable to treat the illness or injury, they will refer the student to a hospital emergency department.

After-hours clinics are often open when GPs are closed. There will be a higher cost charged to use this service, but it is worth it if the student needs care after-hours and it's not an emergency. It is a good idea for students to know where the nearest private urgent care clinic is. The student can find out whether their family doctor is open by calling by phone. If the family doctor is closed, the student will be put through to a telephone triage service. This means the student can speak to a nurse and also find out where the nearest urgent care clinic is and the opening hours.

If a student thinks there is an emergency, they can call an ambulance by dialling 111. International students may need to pay the cost of the ambulance. Students can use trained interpreters for language support – this is free in all public hospitals and public health services. In New Zealand, the ambulance service is provided by St John Ambulance (except the Wellington Free Ambulance Service in the Wellington region). It is a charitable organisation which does not belong to any hospital or government department.

## ACC

In New Zealand the government runs a “no faults” insurance-type scheme known as ACC (Accident Compensation Corporation) to cover the costs of any accident you might have while in New Zealand. This scheme applies equally to kiwis and foreign visitors, such as international students.

If a student sees the doctor with an accident-related matter, it is important to let the receptionist and doctor know that their concern is accident-related. Students can pay less for accident-related consultations. Students will need to find out from their insurer about co-payments above what the ACC will pay. Students who need language support can also call ACC directly which will provide an interpreter.

## Part-time work for international students

Students may be able to work part-time, up to 20 hours per week, and full-time during scheduled holidays on a student visa. Ensure students understand the difference between scheduled breaks, and other times when they are not required to regularly attend classes such as exam times or while working on a dissertation. There are a number of requirements that students must meet to be able to work while studying – Immigration New Zealand has full details:

[www.immigration.govt.nz/migrant/stream/study/canistudyinnewzealand](http://www.immigration.govt.nz/migrant/stream/study/canistudyinnewzealand)

Students should be advised of the risk of exploitation. Anyone currently being forced to work in New Zealand illegally for less than the minimum wage and/or excessive hours is advised to call the Labour Inspectorate on 0800 20 90 20. They can also contact anonymously:

<http://www.crimestoppers-nz.org> 0800 555 111.

## Topics

Your orientation and ongoing support material might include the following topics (note, this list is not exhaustive and some topics might not be relevant to, or appropriate, for your students).

General information:

- Information on the New Zealand study environment, and in particular the structure and norms of your institution
- The routine activities of daily living
- Living costs and budget advice
- Banking information and how to open a bank account
- Climate and clothing
- Surrounding rural or urban environment

- Information about cultural, recreational, and sporting activities
- Transport arrangements, and if relevant licensing and driving in New Zealand – including what side to drive on, New Zealand road conditions

#### Welfare and safety:

- How to access academic and pastoral care support
- Student rights and how to make a complaint
- Bullying policies
- Management of emergency situations, including emergency numbers and contact lists
- Health and medical treatment
- Information on how to access mental health and counselling support for a range of issues, including culture shock, depression, relationship difficulties, failing exams, plagiarism
- Water safety – including what to wear, rips, that the weather can change quickly

#### Socialising:

- Keeping safe information
- Culturally appropriate behaviour in New Zealand
- Socialising with older students
- Drinking and alcohol
- Relationships and consent.

### Useful links

- Water Safety New Zealand: [www.watersafety.org.nz/resources-and-safety-tips/safety-info-tips/the-water-safety-code](http://www.watersafety.org.nz/resources-and-safety-tips/safety-info-tips/the-water-safety-code)
- NZTA information for visiting drivers: [www.nzta.govt.nz/safety/driving-safely/visiting-drivers/](http://www.nzta.govt.nz/safety/driving-safely/visiting-drivers/) and Drive Safe: [www.drivesafe.org.nz/](http://www.drivesafe.org.nz/)
- Alcohol laws and penalties: [www.police.govt.nz/advice/drugs-and-alcohol/alcohol-laws-and-penalties](http://www.police.govt.nz/advice/drugs-and-alcohol/alcohol-laws-and-penalties)
- Sun safety: <http://sunsmart.org.nz/>
- Budgeting resources: [www.sorted.org.nz/life-events/studying](http://www.sorted.org.nz/life-events/studying)
- Sexual and reproductive advice: <http://shop.familyplanning.org.nz/international-students-sexuality-education-toolkit>
- Earthquakes and other natural disasters: <http://getthru.govt.nz>
- Citizens Advice Bureau: [www.cab.org.nz](http://www.cab.org.nz)



# Outcome 8: Managing withdrawal and closure

## Reference in the Code

Managing withdrawal and closure

Outcome 8: Managing withdrawal and closure

What signatories must do – go to clause 29, page 14

## The intent of this outcome

The intent of this outcome is to ensure good systems and processes are in place for students so they are clear on what happens if a student withdraws from a programme, does not attend, or if your institution closes for any reason. This includes aspects such as student fee protection, along with hand-over of care after enrolment ends.

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## Withdrawal process

It is important to have a process for when students withdraw, and to ensure withdrawals are formally documented.

Points in the withdrawal process you may wish to include could be:

- Refund entitlement in the event of withdraw
- Having a withdrawal or leaving form for students to complete that records the date of withdrawal, the student's last day of tuition, the reasons for withdrawing, whether or not the student has been granted a refund, and the date of notification to Immigration New Zealand that the student has withdrawn
- Advice on where students go when they leave their programme early
- Hand-over of care procedures for students under the age of 18
- Advice that Immigration New Zealand will be notified when a student withdraws.

Provide the student with a copy of the withdrawal form.

You must have a process to monitor attendance. This could be done in a number of ways; for example:

- Marking an attendance register
- Following up within a designated timeframe
- Monitoring handing in of assignments
- Monitoring attendance at compulsory tutorials
- Interviewing students who have performed poorly.

If a student is failing to attend, you should meet with the student. Students may need to be directed to your support services.

## Ensuring hand-over of care of under 18s after enrolment ends

You will need to ensure you have a procedure in place for hand-over of care after enrolment ends of students under 18 years of age.

### **Example from a signatory – end-of-year form**

*“We have a process for every student with a form for the end of year that states when they’re leaving and when they’re returning so we can manage our end of year process. We enter this information into our database and have copies of correspondence with parents and any return ticket for our records.”*

## **Refund policies**

The Code advises the minimum conditions which need to be included in a refund policy. In addition, refund policies should have regard to:

- The Education Act 1989
- NZQA’s Student Fee Protection Rules 2013
- The Fair Trading Act 1986
- The Consumer Guarantees Act 1993
- The Human Rights Act 1993
- The individual contract with the student and/or parent/legal guardian.

To make clear under what conditions a refund is made, you may wish to consider providing the student with information on:

- Circumstances in which a student may or may not be eligible for a refund
- Any timeframe that students must comply with to obtain a refund
- The process that must be followed to apply for a refund (such as filling out a particular form and submitting it to a particular person/department)
- Any supporting documentation that will be required for a refund application to be considered, for example a fees receipt and offer-of-place letter or medical certificate.

It is important to ensure that fees are correctly receipted so that refunds are made back to the appropriate party.

## **Student fee protection**

The student fee protection policy must preserve international student tuition and homestay fees so that they can be accessed in the event of signatory closure, or if a signatory is unable to offer or continue a programme to students.

Public tertiary signatories have obligations under section 228 of the Education Act 1989. Private training establishments (PTEs) have obligations under Part 18 of that Act. All signatories have obligations under the Consumer Guarantees Act 1993.

In the event of a closure or programme discontinuation, signatories that are unregulated, other than by the Code, as far as student fee protection policy is concerned, should ensure that students are given financial credit for what they have not completed and enable them to be placed elsewhere to continue or complete their studies.

Student fee protection covers all payments made to a PTE by, or on behalf of, a student. If paid to a PTE, these will include:

- Fees (including programme-related costs)
- Accommodation
- Living expenses.

NZQA’s Student Fee Protection Rules protect the interests of domestic and international students, especially if a PTE stops offering a programme in which students have enrolled. For more

information go to: [www.nzqa.govt.nz/providers-partners/approval-accreditation-and-registration/student-fee-protection](http://www.nzqa.govt.nz/providers-partners/approval-accreditation-and-registration/student-fee-protection)

### **Note on making personal information available to students**

Note that you must make student records available to a student, should they request them. You will want to make sure you are familiar with the relevant legal obligations in the Privacy Act 1993.

# Outcome 9 and 10: Grievance procedures

## Reference in the Code

Grievance procedures

Outcome 9: Dealing with grievances

What signatories must do – go to clause 31, page 15

Outcome 10: Compliance with International Student Contract Dispute Resolution Scheme

What signatories must do – go to clause 33, page 15

## The intent of these outcomes

The intent of this outcome is to ensure a robust, transparent and accessible process is in place to resolve any grievances students may have.

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## The complaints process

Each student, along with their parents or caregivers if appropriate, must know what your grievance process is, and who within your institution to contact if they want to make a complaint.

You must also make it clear that if their complaint is not resolved via your internal process that they can contact NZQA who will assess their complaint. NZQA has developed a student-focused brochure with contact information. Ensure each international student and/or their family receives a copy of this brochure.

If the complaint is of a financial/contractual nature, NZQA will refer it to the Dispute Resolution Scheme operator, iStudent Complaints (who have been appointed to this role by the Ministry of Education). Information about the Dispute Resolution Scheme operator can be found at their website: <http://www.fairwayresolution.com/istudent-complaints>

Your education agents must also know about your complaints process, and the process to manage complaints via NZQA.

You should provide your students with the information below so they can contact NZQA if their complaint is not resolved by your internal process.

### **If your complaint is not resolved – contact NZQA**

If your education provider has not resolved your complaint, and you still wish to have it resolved, then you can contact NZQA. NZQA is a government organisation. They can provide an independent assessment of your complaint.

1. Download the [Complaint Form](#) (PDF, 33KB)
2. Send your completed Complaint Form, along with any supporting evidence, to:

The Complaints Officer  
Quality Assurance Division  
P O Box 160  
Wellington 6140

**or**

email a scan of your completed form, along with scans of any supporting evidence, to [gadrisk@nzqa.govt.nz](mailto:gadrisk@nzqa.govt.nz)

If you need more information on the complaints process, contact NZQA on 0800 697 296.

## **Discipline process**

A clear and transparent process for managing issues is important, along with understanding and accounting for the fact that each situation will be unique.

You will need to take into account any relevant New Zealand laws and contractual obligations.

You will also need to consider that often a situation may include a number of issues, so your process may need to cover a mix of continual issues, rather than each individual issue.

Learn from things that go wrong – look at what happened, where there may be gaps, and where you might be able to make changes in future.

## **Some areas to think about when developing your complaints process**

- Make your process easy to understand – think about a flow chart, or step-by-step instructions, in plain English, as well as other languages if possible
- Involve students in the development of your process and in its review
- Develop your process in consultation with your international student staff
- Include clear direction on who to go to for support
- Advise students to approach the staff member closest to the problem in the first instance (with support if appropriate)
- Identify different complaint types and the person to whom each type of complaint would be addressed
- Include photographs and locations of appropriate staff for ease of identification for students
- Include your process in pre-enrolment packs and explain the process at orientation (keep it simple and positive)
- Tell students about the process both verbally and in writing
- Let students know that they have a right to an advocate, and make sure advocates have institutional knowledge (policies, procedures, people) and are able to listen without prejudice to the student's point of view
- Let students know that they may bring another support person with them (such as a friend or family member or a homestay parent) during any stage of the complaints process
- Refer students to their students' association if appropriate
- Integrate a process for managing any complaints about the education agents you commission
- Make sure you put the outcome of any complaints in writing
- Ensure you document your complaints, gather feedback on the effectiveness of your process, and develop a way of integrating these into your internal review process so you can continually improve.

# Self-review

## The intent of this section

The intent of this section is to support you in setting up robust policies, processes, procedures, practices and documentation to ensure you have all the systems in place to manage the welfare and safety of your international students. Having a system to maintain these, and a self-review process that seeks to constantly evaluate and improve what you are doing is critical.

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## Set up robust systems

Information should be contained in a desk manual or the electronic equivalent and needs to include handbooks for each audience. The manual should have all the policies, procedures and forms you will follow in relation to international students. This also acts as a reference guide for future staff. The document should be reviewed annually. Good practice would include the latest version number and last-reviewed date in the footer.

## Independent peer review of material

Have someone else review and critique systems and documentation from the perspective of what happens when something goes wrong. As unwelcome as that might be, things do go wrong and it is useful if processes have been tested. Use a peer reviewer who has a good record of performance.

## Get independent legal advice on your contracts

NZQA does not critique any contracts (including enrolment applications) so these should be checked by a legal advisor.

## Gaining student and community input

Gaining insights, advice and feedback from your international students, their families and friends in the development and ongoing monitoring and evaluation of your policies, processes and services is key to making sure you are delivering on your Code obligations.

You should also seek to actively engage and collaborate with student representatives and relevant community-based cultural and ethnic groups in the design and delivery of student support services.

## Self-review – How did I do it? How well did I do it? How do I know?

Self-review is not about ticking off a check list to prove you have the paperwork, processes, procedures and practices in place. It is about measuring the effectiveness of what you do. It is about asking: How does our institution comply with the Code? How well? How do we know?

There are many ways to go about managing your self-review process, and lots of tools you can use.

Gaining advice, support and good practice material examples from other signatories who have a good track record in the management of international students is also useful, providing you ensure you personalise any material resources you get from others to your own circumstances and environment, and take into account any permission and copyright concerns.

Make sure you document your self-review.

## **Example of what a high-performing signatory might do as part of self-review**

As part of Outcome 6 of the Code “Safety and well-being”, 22(e) signatories must ensure that at all times (24 hours a day, seven days a week) there is at least one staff member available to be contacted by an international student in an emergency.

To ensure they comply with this, a signatory might look to set up and document a roster of staff members who each take a turn being responsible for an emergency mobile phone, or responsibility might be spread across a number of staff members, all at the same time. There would be documentation for staff so they know the expectations for this role as an emergency contact and the nature of dealing with calls. They would also have contingency processes in place to cover unexpected staff sickness or leave, and a process for ensuring students know the number to call and the parameters for its use. That's the “How” basically covered.

So, how well are they doing this and how do they know? A signatory might use some statistics, such as the number of calls received from students, the nature of the call, and the fact that all were answered and resolved within a pre-set period of time (for example, calls were picked up either immediately or the student contacted within one hour), and combine this with feedback from staff and students on how well the system is working. A signatory would then be able to show, for example, how they dealt with any negative feedback or with issues that cropped up, and how they made enhancements to their system in response.

## **Examples of things that are likely to be in your institution manual**

- International student policy
- Declaration form for designated caregiver
- Agent contracts
- Refund policy
- Attendance policy
- Tuition and accommodation contracts for students
- Process for maintenance of contact register
- Accommodation policy and procedures
- Internal grievance policy
- Termination policy (including refund policy).

## Agencies

New Zealand Qualifications Authority: [www.nzqa.govt.nz](http://www.nzqa.govt.nz)

Education New Zealand: [www.enz.govt.nz](http://www.enz.govt.nz)

Study in New Zealand: [www.studyinnewzealand.com](http://www.studyinnewzealand.com)

Ministry of Education: [www.education.govt.nz](http://www.education.govt.nz)

Immigration New Zealand: [www.immigration.govt.nz](http://www.immigration.govt.nz)

New Zealand Police: [www.police.govt.nz](http://www.police.govt.nz)

New Zealand Transport Agency: [www.nzta.govt.nz](http://www.nzta.govt.nz)

Ministry of Health: [www.health.govt.nz](http://www.health.govt.nz)

Ministry of Social Development: [www.msd.govt.nz](http://www.msd.govt.nz)

Child, Youth and Family: [www.cyf.govt.nz](http://www.cyf.govt.nz)

Accident Compensation Corporation: [www.acc.co.nz](http://www.acc.co.nz)

Human Rights Commission: [www.hrc.co.nz](http://www.hrc.co.nz)

Office of Ethnic Communities: <http://ethniccommunities.govt.nz>

Language Line: <http://ethniccommunities.govt.nz/browse/language-line>

Tenancy Services: [www.tenancy.govt.nz](http://www.tenancy.govt.nz)

Family Planning: [www.familyplanning.org.nz](http://www.familyplanning.org.nz)

Mental Health Foundation: [www.mentalhealth.org.nz](http://www.mentalhealth.org.nz)

Citizens Advice Bureau: [www.cab.org.nz](http://www.cab.org.nz)

Alcohol: <http://alcohol.org.nz>

New Zealand Drug Foundation: [www.drugfoundation.org.nz](http://www.drugfoundation.org.nz)

Harmful gambling: <http://choicenotchance.org.nz>

Lifeline: [www.lifeline.org.nz](http://www.lifeline.org.nz)

## Sector bodies

International Education Association (ISANA): [www.isana.org.au](http://www.isana.org.au)

Universities New Zealand: [www.universitiesnz.ac.nz](http://www.universitiesnz.ac.nz)

English New Zealand: [www.englishnewzealand.co.nz](http://www.englishnewzealand.co.nz)

Independent Tertiary Education New Zealand (itenz): [www.itenz.co.nz](http://www.itenz.co.nz)

Independent Tertiary Institutions (ITI): [www.iti.org.nz](http://www.iti.org.nz)



## Laws and Acts

There are a number of pieces of legislation that you will need to be aware of that can be found at [www.legislation.govt.nz](http://www.legislation.govt.nz) – just search for the name of the Act for more information. There could be a variety of reasons for reference to these. Here are just a few examples.

### **Education (Pastoral Care of International Students) Code of Practice 2016:**

[www.education.govt.nz/ministry-of-education/legislation/code-of-practice-for-the-pastoral-care-of-international-students](http://www.education.govt.nz/ministry-of-education/legislation/code-of-practice-for-the-pastoral-care-of-international-students)

### **Education Act 1989**

For student rights and responsibilities relating to education in New Zealand.

### **Immigration Act 2009**

For provisions around student responsibilities relating to visas/permits.

### **Consumer Guarantees Act 1993**

For information about guarantees for goods and services.

### **Fair Trading Act 1986**

For obligations around disclosure of consumer information relating to the supply of goods and services.

### **Human Rights Act 1993**

For provisions on harassment and discrimination.

### **Vulnerable Children's Act 2014; Care of Children Act 2004; Children, Young Persons, and Their Families Act 1989; and Summary Offences Act 1981**

In particular for information around vetting for caregivers, responsibilities of care, and understanding of New Zealand laws with respect to minors, including reasonable provision for supervision and care of students under the age of 14.

### **Residential Tenancies Act 1986**

For useful information for students intending to rent a house or flat.

### **Privacy Act 1993**

For information around holding personal information and communicating with parents/guardians.

### **Motor Vehicle Sales Act 2003**

This has provisions relating to appropriate practices in the sale of motor vehicles.

### **Disputes Tribunals Act 1988**

For provisions relating to small claims.

### **Smoke-free Environments Act 1990**

For the legal age to sell and buy cigarettes, and other provisions relating to the use of cigarettes and tobacco.

### **Sale of Liquor Act 1989**

For information about legal ages for purchase and consumption of liquor.

### **Misuse of Drugs Act 1975**

For information about drug control laws.

## Rules

### **Student Fee Protection Rules 2013**

[www.nzqa.govt.nz/providers-partners/approval-accreditation-and-registration/student-fee-protection](http://www.nzqa.govt.nz/providers-partners/approval-accreditation-and-registration/student-fee-protection)

## Contact details for NZQA Code Administrator

### Tertiary Contact

[Code.Enquiries@nzqa.govt.nz](mailto:Code.Enquiries@nzqa.govt.nz)