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Report of External Evaluation and Review

College of Law New Zealand Limited

Highly Confident in educational performance

Confident in capability in self-assessment

Date of report: 30 March 2017

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MoE Number: 7637
NZQA Reference: C24280
Date of EER visit: 28 and 29 November 2016

Purpose of this Report

The purpose of this external evaluation and review report is to provide a public statement about the Tertiary Education Organisation's (TEO) educational performance and capability in self-assessment. It forms part of the accountability process required by Government to inform investors, the public, students, prospective students, communities, employers, and other interested parties. It is also intended to be used by the TEO itself for quality improvement purposes.

Introduction

1. TEO in context

Name of TEO:	College of Law New Zealand Limited (COLNZ)
Type:	Private training establishment (PTE)
First registered:	5 December 2003
Location:	Level 8, 3 City Road, Auckland
Delivery sites:	Two permanent delivery sites: Auckland: Level 8, 3 City Road Wellington: Level 6, 90 The Terrace COLNZ hires venues to deliver the Professional Legal Studies Course in Hamilton, Christchurch, and Dunedin.
Courses currently delivered:	Professional Legal Studies Course Online
Code of Practice signatory:	Yes, since 2011
Number of students:	July 2015-June 2016: Domestic: 572 – Māori 9 per cent; Pasifika 5 per cent International: five
Number of staff:	Seven full-time, one part-time
Scope of active accreditation:	Professional Legal Studies Course Online
Distinctive characteristics:	COLNZ is one of only two providers accredited to deliver the Professional Legal Studies Course required for admission as a barrister and solicitor

in New Zealand. The course is delivered by a blend of on-site and online learning, and different course structure options are offered.

COLNZ also offers bespoke continuing professional development training to the legal profession.

Recent significant changes: COLNZ introduced an extended on-site delivery option in January 2016 (learning is seven weeks on-site and six weeks online).

In September 2016, COLNZ obtained NZQA approval to change from delivery of a programme to a training scheme (to commence in January 2017).

COLNZ has recently replaced all student delivery systems and introduced a new customer relationship management system to improve administration of the Professional Legal Studies Course. It has recently moved to the 'Canvas' student and learning management system.

A staff restructure took place in June 2016.

Previous quality assurance history: COLNZ was last quality assured by NZQA in November 2012 (report dated February 2013), when NZQA was Highly Confident in both educational performance and capability in self-assessment. NZQA recommended that COLNZ benchmark course and grade distributions across time and develop a more systematic approach to meeting with key stakeholders.

COLNZ has been accredited by the New Zealand Council of Legal Education (NZCLE) to deliver the Professional Legal Studies Course since 2003 and has delivered that course since 2004.

Re-accreditation occurs three-yearly and involves an on-site monitoring visit every third year. The next on-site visit is scheduled for February 2017. COLNZ is required to submit an annual provider monitoring report to NZCLE. COLNZ's last monitoring report provided to NZCLE was dated 29 January 2016. NZCLE's moderation of COLNZ's report is dated March 2016. Subject to some comments, the moderator identified COLNZ's report as a full and accessible one that satisfied the criteria of the regulations. Comments included:

- COLNZ needed to link reported activities more specifically to educational objectives of the course
- COLNZ's report did not make clear the relationship of the replacement of new technology to some adverse student evaluation comments
- some student evaluation results had been below COLNZ's benchmarks and COLNZ had taken notice in areas most critical. It was not apparent from COLNZ's monitoring report whether some unfavourable student evaluation comments (relating particularly to the use of the website online portal, and mistakes in practice papers) had been identified as having substance (and if these had been addressed)
- more information was required on proposed staff development and training.

Other:

COLNZ is one of five colleges of law established by the legal profession in Australasia and owned by The College of Law Ltd. COLNZ is a wholly owned subsidiary of The College of Law Ltd. COLNZ's Board includes representation from Australian members of The College of Law Ltd, as does COLNZ's course committee. COLNZ reports to a chief academic adviser based in Sydney. The New Zealand and Australian colleges share technological systems and have a shared service model.

As mentioned, the Professional Legal Studies Course is delivered by just two providers in New Zealand: COLNZ, and one other provider which is a 'committee' of and provider arm of NZCLE. NZCLE prescribes the requirements of the Professional Legal Studies Course and is the regulator of its delivery. Thus COLNZ finds itself in the peculiar situation of being regulated by NZCLE whose provider arm is COLNZ's competitor. The number of students COLNZ can enrol is capped – approximately 65 per cent of those seeking to enrol in the Professional Legal Studies Course. Currently, COLNZ indicates that it attracts around this percentage of student enrolments.

2. Scope of external evaluation and review

The Professional Legal Studies Course was the sole focus area selected for the external evaluation and review (EER). It is the sole course COLNZ has registered with NZQA for delivery to tertiary students.

3. Conduct of external evaluation and review

All external evaluation and reviews are conducted in accordance with NZQA's published policies and procedures. The methodology used is described fully in the web document Policy and Guidelines for the Conduct of External Evaluation and Review available at: <http://www.nzqa.govt.nz/providers-partners/registration-and-accreditation/external-evaluation-and-review/policy-and-guidelines-eer/introduction>. The TEO has an opportunity to comment on the accuracy of this report, and any submissions received are fully considered by NZQA before finalising the report.

The EER was conducted over two days by two NZQA evaluators. The EER was informed by interviews with:

- COLNZ's Board chair
- COLNZ's executive director, director of programmes, and client services manager
- The College of Law Ltd's chief academic adviser (Australia)
- COLNZ's senior, permanent instructor (Auckland) and four adjunct instructors (located across New Zealand)
- three assessment markers/moderators
- eight learners currently enrolled at COLNZ's different sites
- four external stakeholders from different law firms.

A range of documentation was reviewed including, but not limited to, COLNZ's EER self-assessment summary, its investment plan, strategic plan and business plan 2016-2017, student evaluation results, student achievement data, COLNZ's monitoring report and review by NZCLE, moderation results, and course information and documentation. The Canvas learning platform was also accessed.

Summary of Results

Statement of confidence on educational performance

NZQA is **Highly Confident** in the educational performance of **College of Law New Zealand Limited**.

COLNZ's achievement of strong learner outcomes is supported by highly effective governance and management committed to the provision of relevant and quality education and the meeting of learners' and stakeholders' needs.

Consistently in each of the last five years, over 90 per cent of learners who enrol with COLNZ have completed the Professional Legal Studies Course and have been assessed as having acquired the core competencies deemed necessary for entering the legal profession. COLNZ's focus on developing learners' confidence, preparedness and coping skills for legal practice are valued by learners and the large law firm stakeholders interviewed for this EER.

COLNZ's ongoing focus on developments in the legal profession, both in New Zealand and Australia, and concern with understanding and responding to future legal education needs, are recognised by key stakeholders who value the close and ongoing engagement with COLNZ about these matters.

COLNZ offers learners and law firms varied options for the completion of the Professional Legal Studies Course, and this flexibility and responsiveness to different needs is valued. Delivery of the course is by experienced and engaging instructors. Students are particularly complimentary about the on-site experience at COLNZ. Student feedback and student evaluation information indicates that aspects of the online component, or students' understanding of expectations, are areas that could benefit from further review. COLNZ has recently acquired a new learning management system and is continuing to explore the opportunities that it can develop using improved technology.

Statement of confidence on capability in self-assessment

NZQA is **Confident** in the capability in self-assessment of **College of Law New Zealand Limited**.

COLNZ has a depth of self-assessment information available to understand the strength of educational performance. Management regularly reviews student evaluation information, student feedback on instructor performance, moderation feedback and instructor observation information. COLNZ discussed and shared examples of how self-assessment information is used to take action and make improvements, though the way that self-assessment information is recorded (or because it is not recorded) did not enable the linkages between analysis and action to be seen independently as a coherent story.

COLNZ analyses learner completion data by grade distribution by subject. Management has an in-depth understanding of individual learner performance across the PTE's delivery. COLNZ understands why learners do not complete. However, recording this information would ensure robust self-information for ongoing analysis. While COLNZ collects valid data on overall course completions year-to-year – which can be reviewed by ethnicity and region – analysis or benchmarking of this information over time (a recommendation from the last EER) was not apparent from COLNZ's self-assessment processes. Nor was this information reviewed at governance level. By contrast, student evaluation information and grade distributions by subject are closely scrutinised.

Findings¹

1.1 How well do students achieve?

The rating for performance in relation to this key evaluation question is **Excellent**.

The rating for capability in self-assessment for this key evaluation question is **Good**.

Each year over the last five years, over 90 per cent of students have successfully completed the Professional Legal Studies Course and achieved the core competencies taught and assessed and considered necessary to enter legal practice.

Consistent achievement of over 90 per cent is an excellent result. COLNZ's curriculum is purposefully structured to develop learners' confidence as they engage in and develop the core competencies needed for entry into legal practice. Students interviewed for this EER indicated that this was their experience. Moreover, learners' self-assessment of their skills at the beginning and end of the course show learners' own perceptions of the great extent to which they believe they have developed core skills, knowledge and confidence. Learners are also taught about what to expect in the law firm environment, and learn tools to help them cope in a stressful profession.

Row A of Table 1 summarises course completion results published by the Tertiary Education Commission (TEC) since 2012.

	2012	2013	2014	2015
Row A: TEC	78.2%	97.2%	98.5%	94.7%
Row B: COLNZ	93%	95%	91%	93%

Sources: TEC and COLNZ

COLNZ identifies that the 2012 TEC course completion figure is due to a previous issue with its internal calculations. The PTE also provided the evaluators with alternative annual course completion data said to better reflect overall course completions, calculated by individual learner and reflecting the COLNZ academic year. This information is presented in Row B of the above table.

Table 2 shows COLNZ's calculations of Māori and Pasifika course completions. Results are shown in numbers (rather than percentages) reflecting a smaller student body.

¹ The findings in this report are derived using a standard process and are based on a targeted sample of the organisation's activities.

Table 2. Māori and Pasifika course completions, 2012-2015				
	2012	2013	2014	2015
Māori	89/96 learners	133/136	92/105	127/146
Pasifika	32/39 learners 1 withdrawal	53/60 learners 1 withdrawal	71/79 learners 0 withdrawal	66/83 learners 7 withdrawals Auckland

Source: COLNZ

Māori learner achievement was strong in 2012 and 2013. In 2015, a higher number of learners did not complete compared with previous years, but this number was just 19 overall, eight of whom are still in progress rather than withdrawn. Pasifika learner achievement also appears lower in 2015, though of the 17 who did not complete, 10 are still in progress rather than withdrawn. Overall, and as shown in the table, Pasifika withdrawals are low.

While COLNZ has a depth of achievement data available, its self-assessment does not include an analysis of or commentary on these course completion results over time or by ethnicity. COLNZ indicated an understanding of reasons for non-completions which were attributed to students' personal issues, stress, bereavements, and general life issues. However, COLNZ's self-assessment information does not record this information. Therefore, it was not possible to confirm this understanding and the reasons for non-completion, including any recurring themes over time and/or any resulting actions taken by COLNZ.

COLNZ's focus is on the real-time achievement of individual learners and learner cohorts, and grade distributions across subjects, and it understands these aspects very well. The breadth and depth of data analysis enables immediate identification of possible areas that may require improvement or discussion with learners and/or staff about individual performance. One example is a changed approach to assessment that was trialled following lower grades in a specific subject area. This has proved successful and is being applied in other assessment areas.

While COLNZ regularly and closely engages with key stakeholders, currently there is an absence of external evidence systematically gathered from stakeholders and/or graduates to support an understanding about the subsequent application of core competencies in the workplace. This could provide COLNZ with another mechanism to confirm the strength of teaching and learning at COLNZ.

1.2 What is the value of the outcomes for key stakeholders, including students?

The rating for performance in relation to this key evaluation question is **Excellent**.

The rating for capability in self-assessment for this key evaluation question is **Good**.

COLNZ is only one of two providers offering a programme that law graduates require to practise as a barrister and solicitor in New Zealand. Completion of the Professional Legal Studies Course is a prerequisite for lawyers to hold a practising certificate. The course provides law graduates with the practical knowledge and skills to undertake core tasks in legal practice.

The strong course completion rates referred to in Findings 1.1 demonstrate that learners have been assessed as gaining the core competencies required and which form this essential qualification.

Key stakeholders from large law firms interviewed for this evaluation value COLNZ's focus on supporting graduates with their resilience and wellbeing, which is specifically aimed at providing tools to cope with the demands of legal practice. They also highly value COLNZ's close engagement and responsiveness. Relationships with key stakeholders are well established and long-standing.

COLNZ is in regular contact with its key stakeholders and undertakes formal meetings twice a year with employers and universities. This engagement relates to understanding satisfaction and areas for course development. Discussions with key stakeholders undertaken for this EER confirmed the regularity and focus of these meetings and their value to the strong relationships and meeting of needs.

COLNZ does not record the outcomes of this engagement. Therefore, it was not possible, through COLNZ's own self-assessment, to view the results of this engagement over time, or to observe any common trends or actions emerging across the breadth of engagement that has occurred.

1.3 How well do programme design and delivery, including learning and assessment activities, match the needs of students and other relevant stakeholders?

The rating for performance in relation to this key evaluation question is **Excellent**.

The rating for capability in self-assessment for this key evaluation question is **Good**.

COLNZ has matched the needs of students and employers within the parameters of a tightly prescribed course, and works hard to understand, and is responsive to, stakeholders' needs.

COLNZ offers different programme delivery options to match the different needs of learners and employers and has worked closely with relevant stakeholders for this

purpose. Different blended learning options are available based on varied hours on and off-site. The option of a private or corporate law elective is provided to learners in line with their career interests. Moreover, various feedback channels have led to the piloting of new course structures and learning options to meet the ever-changing needs of students, e.g. segmented courses and a new extended on-site option.

At an individual level, students interviewed for the EER talked about the flexibility and willingness of COLNZ to work alongside them to respond to changing circumstances and to tailor solutions focused on supporting them to complete the course.

Stakeholders commonly valued the practical and holistic nature of the learning at COLNZ and the fact that COLNZ taught not just academic skills, but focused on graduates' wellbeing and providing knowledge and tools to cope in a stressful industry.

Course subjects are delivered by knowledgeable instructors who share their experiences from legal practice with learners and through input into course materials. Course materials are reviewed to address changes in legislation and legal practice. Structured teaching, learning and assessment activities that increase in complexity were valued by learners because of the way in which this incrementally builds learner confidence, knowledge and skills.

COLNZ has well-established moderation processes in place to ensure valid and consistent assessment. Oral and practice-based (as well as written) assessments are moderated using video assessment evidence. Such moderation processes have been taken on board as good practice by The College of Law Ltd in Australia.

It was apparent from discussions with management that moderation findings are used to review assessment materials and practice. However, the evaluators considered that COLNZ's documentation could better demonstrate and tell the story of the actions it takes by regular analysis of moderation information. Further, the evaluators considered that regular and structured sharing of moderation findings and learnings with instructors, as well as good practice examples, would be of benefit to inform instructor practice. This was confirmed in interviews with instructors and markers, with more than one saying that they would like more information about how well they were doing in their roles.

1.4 How effectively are students supported and involved in their learning?

The rating for performance in relation to this key evaluation question is **Good**.

The rating for capability in self-assessment for this key evaluation question is **Good**.

Information sessions at six law schools, an on-site orientation session, online information and a student handbook provide learners with information about the college, course expectations and guidance to support successful course completion.

The evaluators heard from different sources about COLNZ's responsiveness to individual learner needs and, where possible, the tailoring of learning options and provision of flexibility to minimise barriers to learning and to support learners to successfully balance study and external demands and commitments. COLNZ also mentioned the support given to a small number of learners who have had difficulty with written English and grammar (e.g. extra support time, identification of online support tools).

Students interviewed were impressed with the on-site learning experience and referred to the knowledgeable and engaging instructors, as well as the array of engaging and relevant learning and assessment opportunities provided (e.g. pair work, role plays, video clips). This feedback is consistent with student satisfaction information collected by COLNZ. Students interviewed for this evaluation commented on the value of the depth of feedback they receive on their assessments. They value both the positive reinforcement provided, which contributes to confidence-building, as well as the feedback received on how they can improve their learning.

Online learning is recognised by the students for providing preparation for the on-site components and assessments, including the ability to test knowledge acquisition through online quizzes. Interviews with students identified some confusion about aspects of online learning requirements and experiences of online information not always marrying with assessment materials. COLNZ has also received and has in its focus some mixed student evaluation feedback in relation to the online component, accuracy of information and client service.

COLNZ regularly and closely reviews student evaluation feedback as a core part of understanding the strength of the course structure and design, materials and teaching. Results are coded with evaluation scores being 'at benchmark or above', 'sustainable but below benchmark', or 'below sustainable'. Results are reviewed at both governance and management level. Specifically linking self-improvement actions taken in relation to areas highlighted for improvement would add to the quality of COLNZ's self-assessment, as would information from stakeholders and/or graduates about the subsequent application of core competencies in the workplace (commented on in Findings 1.1).

1.5 How effective are governance and management in supporting educational achievement?

The rating for performance in relation to this key evaluation question is **Excellent**.

The rating for capability in self-assessment for this key evaluation question is **Good**.

Governance and management are innovative and forward thinking and focused on ensuring COLNZ's ongoing relevance to learners and stakeholders. This was evident from discussions with key stakeholders and through understanding COLNZ's strategic plans and activities. For example, COLNZ has invested in an improved new learning management system, and undertaken research with learners and engagement with stakeholders and external experts to understand the future needs of the legal profession. Work is underway in other areas of COLNZ's business to develop its activities and offerings to support and maintain relevance to the legal profession.

Employers from large law firms interviewed for this evaluation highly valued the ongoing close engagement undertaken by COLNZ to understand their current and future needs and to support them to consider areas for development to support their staff.

COLNZ is governed by a stable and engaged Board with representation from both Australia and New Zealand. It has an annual self-evaluation process. The Board meets bi-monthly and is kept well informed of COLNZ's activities. Student evaluation results are tabled and monitored at Board meetings and the results of students' skills self-assessment surveys are reported to the Board. The course committee also analyses this information.

Learner completions data is not reviewed at a governance level and, as stated at Findings 1.1, COLNZ's self-assessment information does not incorporate an analysis and commentary about course completion trends over time. A record of the outcomes of extensive stakeholder engagement is also not kept.

Each instructor interviewed for this EER holds COLNZ in high regard and identified that management actively sought and valued their input into developments.

COLNZ has effective criteria and processes in place to ensure the quality of instructors, who have significant experience in the legal profession and are typically in senior roles and are passionate about supporting students' learning. Teaching observations, moderation of assessment and student evaluations contribute to an understanding of the quality of educational delivery. Despite the different self-assessment information available about instructor practice, COLNZ does not bring together information about instructor performance in a structured way, which could be made available for the benefit of each instructor.

New instructors are supported with individual training, observe experienced instructors, and receive information about course delivery expectations and requirements. An annual training conference brings all instructors together. COLNZ has recently been considering how its new learning management system may be

used to enable a more structured approach to providing a preparatory course for new instructors.

1.6 How effectively are important compliance accountabilities managed?

The rating for performance in relation to this key evaluation question is **Good**.

The rating for capability in self-assessment for this key evaluation question is **Good**.

COLNZ has a structured process in place to review compliance with the Education Act 1989 and NZQA's Rules, as well as to ensure compliance with the requirements of other agencies (e.g. the TEC and NZCLE). COLNZ advises that the group's company secretary in Australia oversees this process.

At the request of the evaluators, COLNZ responded to two seemingly minor compliance matters that required addressing: submitting to NZQA fit and proper person statutory declarations for its governing members; and resubmission of a corrected compliance declaration form as a couple of areas on the form had been completed incorrectly.

COLNZ reports annually to NZCLE's prescriptions and requirements for the Professional Legal Studies Course, which is moderated by NZCLE, which also undertakes a three-yearly monitoring visit. This monitoring is a requirement of continuing re-accreditation. NZCLE has received accreditation to deliver the course since 2003.

COLNZ is a signatory to the Education (Pastoral Care of International Students) Code of Practice, but enrolls only a small number of international students each year. During 2015-2016 just five international learners were enrolled at COLNZ. Typically, these learners are familiar with living and studying in New Zealand, having lived here during the completion of their law degree. As such, some aspects of the Code of Practice are not applicable to COLNZ's engagement with international learners (e.g. marketing and promotion, use of agents, accommodation). Rather, COLNZ assesses the specific needs of each international learner that enrolls.

Notwithstanding, there are some areas that COLNZ should, but does not, specifically focus on as part of ensuring compliance with the Code of Practice. Examples would be adding a section to gain specific details about international students in the enrolment form, checking the currency of students' insurance, and specifically identifying a 24-hour contact name and number and encouraging its use if the need arises.

Focus Areas

This section reports significant findings in each focus area, not already covered in Part 1.

2.1 Focus area: Professional Legal Studies Course Online

The rating in this focus area for educational performance is **Excellent**.

The rating for capability in self-assessment for this focus area is **Good**.

Recommendations

NZQA recommends that College of Law New Zealand Limited:

- Incorporate into self-assessment analysis and commentary the systematic review of overall course completion trends over time.
- Establish a process to systematically engage with employers and/or graduates to capture feedback to understand the applicability of core skills and competencies in the workplace.
- Undertake further, focused engagement with a sample of learners to identify specific areas requiring improvement with online delivery, either now or once any further developments of the learning portal are complete.
- Bring together self-assessment information about instructor performance to provide a coherent picture of performance. Continue to investigate the potential of the new learning management system to provide a structured instructor training tool.
- Add to its recording of self-assessment information to better demonstrate and provide a full picture of how self-assessment information is used to effect change and make improvements over time (e.g. moderation findings, use of student evaluation feedback, stakeholder engagement).
- Revise documentation relating to international students and provision of information to international students in line with the specific requirements of the Code of Practice.

Appendix

Regulatory basis for external evaluation and review

External evaluation and review is conducted according to the External Evaluation and Review (EER) Rules 2013, which are made by NZQA under section 253 of the Education Act 1989 and approved by the NZQA Board and the Minister for Tertiary Education, Skills and Employment.

Self-assessment and participation in external evaluation and review are requirements for maintaining accreditation to provide an approved programme for all TEOs other than universities. The requirements are set through the NZQF Programme Approval and Accreditation Rules 2013, which are also made by NZQA under section 253 of the Education Act 1989 and approved by the NZQA Board and the Minister for Tertiary Education, Skills and Employment.

In addition, the Private Training Establishment Registration Rules 2013 require registered private training establishments to undertake self-assessment and participate in external evaluation and review, in accordance with the External Evaluation and Review Rules (EER) 2013, as a condition of maintaining registration. The Private Training Establishment Registration Rules 2013 are also made by NZQA under section 253 of the Education Act 1989 and approved by the NZQA Board and the Minister for Tertiary Education, Skills and Employment.

NZQA is responsible for ensuring non-university TEOs continue to comply with the rules after the initial granting of approval and accreditation of programmes and/or registration. The New Zealand Vice-Chancellors' Committee (NZVCC) has statutory responsibility for compliance by universities.

This report reflects the findings and conclusions of the external evaluation and review process, conducted according to the External Evaluation and Review (EER) Rules 2013.

The report identifies strengths and areas for improvement in terms of the organisation's educational performance and capability in self-assessment.

External evaluation and review reports are one contributing piece of information in determining future funding decisions where the organisation is a funded TEO subject to an investment plan agreed with the Tertiary Education Commission.

External evaluation and review reports are public information and are available from the NZQA website (www.nzqa.govt.nz).

The External Evaluation and Review (EER) Rules 2013 are available at <http://www.nzqa.govt.nz/assets/About-us/Our-role/Rules/EER-Rules.pdf>, while information about the conduct and methodology for external evaluation and review can be found at <http://www.nzqa.govt.nz/providers-partners/external-evaluation-and-review/policy-and-guidelines-eer/introduction/>.

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