

CONSENT AND MODERATION REQUIREMENTS (CMR) for Compliance and Law Enforcement

(version 4)

From the 4th October 2021 these standards will be managed by a WDC. Please contact the relevant WDC if you have any questions.

Notes:

The WDCs will not be charging for any external moderation activities.

The CMRs will be fully updated by the WDCs over the coming months.

Contact

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Law and Security > Compliance and Law Enforcement

Domain	Standard IDs
Compliance and Regulatory Control	4226-4231, 4233-4239, 4241, 4243, 10425, 10426, 11283-11285, 12814-12816, 13225, 14540-14550, 14933-14937, 19420, 19422, 19584, 21769, 21770, 22051, 22052, 22240-22245, 25196-25199

Requirements for Consent to Assess (RCA)

Introduction

The purpose of the Requirements for Consent to Assess (RCA) is to set out the nature of the process for granting consent to assess and involvement of the standard setting body (SSB) and others in the process, and to set out the SSB's industry or sector-specific requirements for a tertiary education organisation (TEO)¹ or school's quality systems in relation to the gazetted "criteria for accreditation".

Standard Setting Body involvement in consent to assess process

The Skills Organisation (Skills) philosophy is based on a positive approach to consent to assess and a trusting relationship between tertiary education organisations, schools and industry. This contributes strongly towards robust leadership and guidance to provide consistent, excellent, innovative and relevant training for our stakeholders to support the development and advancement of our industries.

Skills takes into account the following factors during the evaluative process of applications:

¹ Tertiary education organisation (TEO) includes public and private tertiary education providers, industry training organisations, government training organisations, and other providers.

- An organisation's track record of compliance with NZQA's quality assurance requirements.
- That high-quality training is available to learners that will enable them to be successful for assessments against standards.
- A track record of an organisation's ability in meeting moderation requirements.
- An organisation's ability to arrange genuine workplace experience for standards that are meant to be assessed in workplace conditions.

Visits to an organisation's premises may require a subject matter expert to be in attendance as well. Applicants will be informed when this is the case.

Levels 1 and 2 Evaluation of documentation by NZQA and industry.

Levels 3 and above Evaluation of documentation by NZQA and industry and visit by industry.

Visit waiver conditions

Industry participation in a site visit may be waived:

- where an organisation with consent to assess wants to extend an existing consent to assess and has a record of successful delivery and assessment;
- where the level of consent to assess sought, combined with low numbers of unit standards, does not warrant a visit;
- where Skills has been consulted in the development of the application.

Areas of shared responsibility

None.

Fees schedule for SSB involvement in process for granting consent to assess

The SSB may choose to charge reasonable fees for their involvement in granting consent to assess. Contact the SSB for further information.

Additional fees can be charged by [NZQA](#), and the Committee for University Academic Programmes (CUAP) for involvement in granting consent to assess. Contact the relevant quality assurance body (QAB) for information.

General requirements for accreditation

These are the general requirements for accreditation of providers gazetted in 1993. Applicants should consult their QAB ([NZQA](#) or CUAP) for details of the requirements.

Criterion 1 Development and evaluation of teaching programmes

There is a system for developing coherent teaching programmes and for their evaluation, which should include evaluation by learners/consumers.

Criterion 2 Financial, administrative and physical resources

Adequate and appropriate financial and administrative resources will be maintained to enable all necessary activities to be carried out.

Adequate, appropriate and accessible physical resources will be available for supporting students to meet the required standards.

Criterion 3 Staff selection, appraisal and development

A teaching staff with the necessary knowledge and skills will be maintained through staff selection, appraisal, and development.

Criterion 4 Student entry

There is a system for establishing and clearly publicising student entry requirements that include no unreasonable barriers.

Criterion 5 Student guidance and support systems

Students have adequate access to appropriate guidance and support systems.

Criterion 6 Off-site practical or work-based components

There are arrangements for ensuring that any off-site practical or work-based components are fully integrated into the relevant programmes.

Criterion 7 Assessment

There is a system for ensuring that assessment is fair, valid, and consistent.

Criterion 8 Reporting

There is a system for providing students with fair and regular feedback on progress and fair reporting on final achievements, with an associated appeals procedure.

There is a reliable system for archiving information on final student achievements.

Industry or sector-specific requirements for consent to assess

Criterion 3 Staff selection, appraisal and development

The applicant organisation must have policies and procedures to ensure that full-time, part-time and visiting staff and any external contractors engaged in the delivery of training and assessment:

- have current and relevant skills and/or knowledge and experience at least one level higher than the level being delivered and assessed, and
- have credit for the unit standards they will assess against or are able to demonstrate equivalent knowledge and skills, and

- have achieved unit standard 4098, *Use standards to assess candidate performance* or are able to demonstrate equivalent knowledge and skills, and
- have at least annual contact with industry partners and opportunities to keep informed about latest developments in technology, industry practice and legislation, and have opportunities for professional development related to the training and assessment they are doing.

Criterion 6 Off-site practical or work-based components

The applicant organisation must have policies and procedures to ensure that off-site practical or work-based activities are covered by the health and safety policies and procedures of the host organisation, and meet the requirements of occupational safety and health legislation.

Where students spend time with an employer for off-site practical or work-based experience, training, assessment, or use of facilities, the applicant organisation must have policies and procedures to ensure that responsibilities for assessment and reporting or credits are clearly specified.

An applicant organisation using employer facilities must provide evidence of access to the facilities in the form of a copy of the memorandum of understanding or other written agreement with the employer.

Criterion 7 Assessment

Skills supports 'best practice' in assessment. The applicant organisation must have policies and procedures in place to support an integrated method of assessment based on an evidence collection model.

The applicant organisation must have a system in place that shows how they plan to assess against the practical industry-specific unit standards.

Non-compliance with consent to assess requirements

Where there is evidence of non-compliance with the requirements for consent to assess, the QAB (NZQA or CUAP) will seek remedial action. In cases where this action is ineffective and non-compliance continues, or in cases of repeated non-compliance, the QAB will take action that can ultimately lead to the withdrawal of consent to assess.

Implementation

Skills is able to provide sufficient trained participants to service the requirements of processes for granting consent to assess.

Moderation Requirements (MR)

A centrally established and directed national external moderation system has been set up by Skills.

Introduction

The purpose of the Moderation Requirements (MR) is to provide details on the national external moderation system, developed by Skills, to ensure that assessment decisions of TEOs and schools with consent to assess are consistent with the national standard. All TEOs and schools with consent to assess against the standards in this CMR must meet the requirements for moderation outlined in this MR.

Skills provides moderators with access to a moderation feedback form to submit feedback on the unit standards they have moderated. This form is used to report anomalies discovered during moderation, or to recommend improvements to Skills. Feedback of a more general nature on the national external moderation system may be sent to Skills at: moderation@skills.org.nz.

Moderation System

The Skills Organisation wishes to work in partnership with TEOs and schools, and to provide support and feedback to ensure that assessment is consistent with the national standard.

All unit standards in the scope of this CMR are moderated through the national external moderation system of Skills, which is detailed below.

The moderation system operates on a planned annual cycle, and is designed to ensure that materials submitted for post-assessment moderation are processed and results reported back to the organisation with consent to assess within a three-week timeframe.

Skills moderation system is committed to assisting organisations in achieving consistency with the national standard.

Moderation principles

Skills has a set of guiding principles that govern moderation. The moderation system should:

- support assessment that is fair, valid, and consistent;
- support 'best practice' in assessment, which includes using an integrated method of assessment based around an evidence collection model;
- detect assessment variance from the national standard and keep the variance to a minimum;
- suit the culture of the particular industry sector;
- protect the integrity of the industry sector qualifications.

Key features of the moderation system include:

- an annual moderation schedule for each organisation with consent to assess communicated to each organisation in February;
- an annual review by Skills of the national external moderation system and its effectiveness;

- feedback and information sharing amongst all participants.

Organisations with consent to assess wishing to improve their assessment process may request a moderation visit from Skills.

Responsibilities of Participants

The Moderation and Assessment Manager is responsible for the management of the moderation system.

The Skills National External Moderators are responsible for carrying out moderation activities as directed by the Moderation and Assessment Manager.

Organisations with consent to assess are required to submit materials to Skills by the specified due date.

Moderation process

Skills will monitor the NZQA credit reporting schedule of all tertiary education organisations with consent to assess in order to facilitate the year's moderation activities. The annual moderation schedule, sent out in February, is individually designed for each organisation with consent to assess, and includes details of moderation activities such as postal, community of practice moderation events or planned on-site visits, and other relevant information. Details of the selection of unit standards are communicated at a later date prior to each moderation activity.

Criteria for the selection of unit standards for moderation:

- unit standards to be assessed for the first time, or that have been reviewed in the last twelve months
- high use unit standards
- 'high risk' unit standards
- recommendations from Industry Advisory Groups
- recommendations from organisations with consent to assess
- identified assessment problems.

The level of moderation required and the selection of unit standards depends on a combination of:

- the total number of assessments being carried out by the organisation with consent to assess;
- the number of unit standards being assessed against by the organisation;
- the moderation history of the organisation;
- any other contributing quality assurance factors or requirements.

Typically, the following assessment material is required for moderation:

- assessment schedule, assessment activities, and marking guide (pre- and post-assessment moderation)
- samples of student evidence, including evidence used for Recognition of Prior Learning (RPL) and Recognition of Current Competence (RCC) (post-assessment moderation).

Pre-assessment moderation

Organisations with consent to assess must submit self-developed assessment materials to Skills for pre-assessment moderation and approval prior to use. Skills reserves the right to charge a pre-assessment moderation fee as detailed in the table below:

Moderation Fees	
Pre-assessment moderation of assessment materials	\$75 per hour plus GST
Resubmission of assessment materials for pre-moderation	\$35 per hour plus GST

Post-assessment moderation

All organisations with consent to assess are required to participate in post-assessment moderation each year when requested.

Organisations with consent to assess must participate in accordance with the annual moderation schedule. Organisations with consent to assess that do not attend community of practice moderation workshops in any calendar year must send their post-assessment moderation material to Skills. The assessment material required for community of practice moderation workshops is listed in the moderation process section above. When the moderation process is concluded, each organisation will receive a moderation report outlining results and recommending improvements, if required.

Organisations with consent to assess may be required to participate in on-site visits conducted by a national external moderator. If the number of participating organisations is four or more then Skills may facilitate community of practice moderation workshops instead of on-site visits. The assessment material required for community of practice moderation workshops is listed in the moderation process section above. On-site visits focus on assessment of practical unit standards through observation of assessment activity and discussion with the organisation with consent to assess on improvements to assessment practice. When the moderation process is concluded, each organisation with consent to assess receives a moderation report outlining results and recommending improvements, if required.

Post-assessment moderation will focus on:

- the highest level at which assessment is occurring;
- newly registered unit standards and/or areas of consent to assess;
- high quantity of assessment occurring.

National external moderators

A national external moderator, with a minimum of five years of current industry experience, is appointed for each industry sector by Skills in consultation with the recognised industry advisory groups or consultation groups. Skills' national external moderators must hold unit standard 11551, *Quality assure assessment*. Several

national external moderators will be contracted in industry sectors with a large number of candidates.

Following each moderation event, the industry sector national external moderator will produce moderation result reports for each moderated organisation and will forward these reports to Skills for distribution to the respective organisation with consent to assess.

Skills monitors the effectiveness of moderation through these reports and informs the industry advisory groups.

Skills will hold at least one annual meeting with all national external moderators to review the moderation process, to ensure consistency between national moderators where more than one is involved in a particular industry sector, and to provide training and support for the moderators and people interested in undertaking these roles.

National external moderators' activities may include:

- compiling moderation reports;
- visits, arranged at the request of organisations with consent to assess, to clarify moderation decisions;
- community of practice moderation.

Confidentiality

Skills and the national external moderators ensure the security and confidentiality of assessment materials and candidates' work received for moderation.

Skills will return assessment materials to the organisation with consent to assess once moderation activities have concluded. Any national external moderator breaching confidentiality guidelines may have his or her contract cancelled.

Reporting

Skills is responsible for evaluating the effectiveness of its national external moderation system, and for providing an annual report to NZQA.

Skills also provides an annual report on the outcome of national external moderation activities to the Skills Board and industry advisory groups.

Funding

The moderation system is funded through the National Moderation Transfer from NZQA and industry contributions.

Skills reserves the right to recover all costs incurred when a national external moderator is required to provide clarification to an organisation with consent to assess as a result of non-compliance with moderation requirements (see Non-compliance with moderation requirements). Refer to table below for cost:

Moderation	
National external moderator to provide clarification	\$75 per hour plus GST
Travel and accommodation	Reimbursement for “actual and reasonable” travel and accommodation expenses. Vehicle mileage as per the current IRD rate

Detailed below are the fees associated with consent to assess applications:

Consent to Assess	
Administration fee	\$75 plus GST per application
Evaluation of documentation	\$150 plus GST
Evaluation of documentation and site visit of up to one day	\$400 per day plus GST
Additional people involved in a site visit	\$300 plus GST
Additional time on site	\$150 plus GST
Advising a provider preparing for consent to assess	\$75 per hour plus GST
Travel and accommodation	Reimbursement for “actual and reasonable” travel and accommodation expenses. Vehicle mileage as per the current IRD rate

Non-compliance with moderation requirements

Non-compliance in meeting the requirements of this moderation system will result in further action by Skills. Ongoing unresolved non-compliance will be referred to the appropriate QAB (NZQA or CUAP). Ultimately the QAB may withdraw consent to assess.

Where an organisation with consent to assess does not meet moderation requirements, the national external moderator will request Skills to obtain further material and/or information from the organisation.

The national external moderator can, on request from an organisation with consent to assess, provide clarification on any issue of non-compliance. This may involve the moderator visiting the organisation or meeting their representative on Skills premises (see Funding).

In cases where moderation uncovers inappropriate assessment methods and/or materials, Skills, in cooperation with the organisation with consent to assess, will outline an improvement plan. The improvement plan will specify the actions to be taken for the organisation to become compliant and the timeframe by which this must be achieved.

Appeals

Skills has in place an appeals process for situations where differences concerning moderation decisions cannot be resolved in the first instance.

The Skills procedure requires the organisation with consent to assess to contact the Moderation and Assessment Manager within three weeks of their receipt of the initial moderation decision. The Moderation and Assessment Manager will review the moderation decision and work towards a resolution. If the difference remains unresolved the organisation can request a review of the moderation decision. The Moderation and Assessment Manager will work with both the organisation with consent to assess and the national external moderator to facilitate a resolution. In situations where no agreement is achieved the moderation panel will make the final decision. It is expected that the resolution of an appeal, in the majority of cases, will be reached within two months following the lodging of the appeal with the Moderation and Assessment Manager.

Moderation Panel

The moderation panel will consist of the Quality Assurance Coordinator and two members appointed by the relevant Industry Advisory Group.

DAS Registration Information

Process	Version	Date
Registration	1	April 1995
Review	2	July 2010
Revision	3	September 2012
Review	4	May 2017

Replacement Information

Replaced CMR(s)	Replacement CMR(s)	Date
0039 v4	0121 v9	May 2017

Unit standards covered by this CMR will be moved to CMR 0121 when they are next reviewed.

The next CMR review is planned to take place during 2020.