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External Evaluation and Review Report

Bay Learning Academy Limited
trading as Bay Learning Academy

Date of report: 25 June 2019

About Bay Learning Academy Limited trading as Bay Learning Academy

Bay Learning Academy provides tuition in English language skills to international students. These skills may lead to a qualification and/or sufficient English language skills to enable students to travel, progress to higher-level education in New Zealand, use English language skills in their country of origin, or gain a qualification to teach English to others.

Type of organisation:	Private training establishment (PTE)
Location:	22 Taupo Avenue, Bayfair, Mount Maunganui Tauranga; Level 1, 17 Albert Street, Auckland
Code Practice signatory:	Yes
Number of students:	Domestic: three International: 38 equivalent full-time students
Number of staff:	One full-time, seven part-time
TEO profile:	See: NZQA – Bay Learning Academy Limited
Last EER outcome:	In 2015, Bay Learning Academy was found to be Confident in both educational performance and capability in self-assessment.
Scope of evaluation:	New Zealand Certificate in English Language (NZCEL) (Levels 1-4); General and Skills-based English (Training Scheme); International Students: Support and Wellbeing
MoE number:	7154
NZQA reference:	C33429
Dates of EER visit:	19 and 20 February 2019

Summary of Results

Bay Learning Academy (BLA) meets learners' need for English language tuition through regular testing of progress and effective day-to-day pastoral care. However, current self-assessment processes are not sufficiently rigorous or embedded to ensure NZQA's confidence in BLA's educational performance or capability in self-assessment.

Not Yet Confident in educational performance

- Offering all four levels of NZCEL has challenged the organisation's performance capabilities, as has meeting NZCEL external moderation requirements.
- Students studying NZCEL levels 1-3 succeeded in improving their English, but few completed the respective qualification as it did not meet their needs well. Levels 1-3 are no longer offered.

Not Yet Confident in capability in self-assessment

- NZCEL level 4 continues to be offered at both campuses (Tauranga and Auckland) as it meets students' needs by providing a pathway to tertiary study. However, assessment has not been validated as consistent.
- New processes and record-keeping systems are at the initial stages of being developed. Monitoring consistency of processes across the Tauranga and Auckland campuses requires further attention.
- There are ongoing concerns about BLA's understanding and management of its compliance accountabilities including inconsistent and outdated policies and Code of Practice procedures, and anomalies with student visas.
- At this time, governance and management oversight is not sufficiently developed or systematic to assure NZQA that compliance requirements are consistently met.

Key evaluation question findings¹

1.1 How well do students achieve?

Performance:	Marginal
Self-assessment:	Marginal
Findings and supporting evidence:	<p>The majority of students enrolled in NZCEL levels 1-3 are not seeking a New Zealand qualification and therefore have no incentive to complete the qualification once their English language needs are met. This has meant that qualification completion rates are low for levels 1-3 of NZCEL.</p> <p>As such, NZCEL levels 1-3 were not fit for purpose for the majority of BLA students. To correct this mismatch, BLA began offering General and Skills-based English from November 2018.</p> <p>General English students are tested at the beginning and end of their study. The results show that students at all levels of English make progress over their time of study, irrespective of the length of study undertaken.</p> <p>National external moderation of unit standards conducted by NZQA in 2017-2018 raised concern about BLA's assessment and moderation in respect of the NZCEL programmes. Less than half of the standards subject to national external moderation across these two years were verified.</p>
Conclusion:	<p>Student achievement across General English courses is satisfactory. English language needs are met. However, the qualification completion rates of NZCEL students at all levels are low. NZCEL level 4 continues to be offered at both campuses because it seems to meet student needs well. However, moderation of assessment for NZCEL level 4 has not been validated as consistent.</p>

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

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

Performance:	Good
Self-assessment:	Good
Findings and supporting evidence:	<p>Students vary in their reasons for undertaking study. Some students want to improve their English, others to travel in New Zealand.</p> <p>A range of external stakeholders in Tauranga confirmed that BLA provides worthwhile educational and community engagement, where students can apply new skills and knowledge and contribute positively to the local community. Many students volunteer and participate in community organisations around Tauranga. These experiences provide students with opportunities for improving their English language skills, understanding New Zealand culture, and contributing to the community.</p> <p>Graduates gain relevant employment and engage in further study. Student satisfaction with BLA is good, and leaving speeches show that many students develop close connections with the academy and the teaching staff.</p> <p>Student numbers have grown steadily over recent years, as has repeat business. These outcomes and ‘word-of-mouth’ recommendations indicate that BLA is adding value to its students.</p> <p>BLA understands and knows its students well and is responsive to student feedback. Self-assessment activities are day-to-day and mostly informal. While this has worked in a small organisation with one campus and a full-time manager, it is no longer sufficient with two campuses to manage and with increased student numbers.</p>
Conclusion:	To better demonstrate the value that BLA offers to its stakeholders requires more systematic gathering and analysis of feedback from a range of stakeholders. Additional key staff appointments in both Tauranga and Auckland provide an opportunity to review and improve current practices.

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

Performance:	Good
Self-assessment:	Good
Findings and supporting evidence:	<p>Programme review in 2018 led to replacing the NZCEL levels 1-3 with General and Skills-based English. Student progress is assessed informally each week and more formally every six weeks. Individual progress is the key indicator for students and tutors. Academic progress is measured by individual learning plans, and student goals are regularly reviewed.</p> <p>There are many opportunities for students to provide feedback, including end-of-week feedback used by the teachers to help improve their teaching. Other feedback is used to make changes; for example, theme-based topics for afternoon classes and a quiz for the TESOL class (Teaching English to Speakers of Other Languages). Satisfaction levels with the teaching and learning are good. Teachers meet regularly and reflect on learner progress and any issues with student attendance.</p> <p>BLA is responsive to student needs. A regular whole school test is used to review student grammar and vocabulary. Analysis of results identifies students who can be moved up a class. All the academic staff, apart from the manager, are part-time. When required, extra hours are available for staff to contribute to programme design, delivery and review. This indicates that staff are valued by governance and management.</p> <p>A current tutor is a BLA TESOL graduate. One-to-one IELTS² classes are an effective way to meet individual student learning needs. Participation in a migrant support network has led to BLA offering language tuition for employers and providing teachers for four groups.</p>
Conclusion:	BLA has increased student numbers, developed an Auckland campus, and increased its involvement in community initiatives. However, more effective analysis of student feedback would have initiated the approval process for a General English programme sooner.

² International English Language Testing System

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

Performance:	Good
Self-assessment:	Good
Findings and supporting evidence:	<p>Day-to-day student support is strong at the Tauranga campus. Management and staff know the students individually and support their interests and needs. Orientation is thorough and practical, so students know where to find local amenities and whom to contact if they have a problem.</p> <p>Student goals are discussed on entry, and individual learning plans are used to monitor student progress. Students benefit from small classes. A recurring reason given by students for studying at BLA was that the teaching and learning environment is family-oriented and tutors are patient, approachable and responsive to learner needs.</p> <p>The mixture of nationalities supports the learning experience. Students reported that meeting people from cultures other than their own was one of the highlights of their experience at BLA. This also encourages English language usage as English is the only shared language.</p> <p>Attendance expectations are closely monitored, and non-attendance is dealt with in a prompt and firm manner.</p> <p>However, inconsistent and outdated policies and anomalies with student visas indicates that the Code of Practice is not sufficiently understood or prioritised to ensure effective student support.</p>
Conclusion:	<p>BLA's family atmosphere, small classes and responsiveness to students' academic and social needs minimise barriers to learning. More detailed attention to Code of Practice requirements would complement these strengths and provide assurance to BLA and NZQA that both the intent and the requirements of the code are fully understood and their importance recognised.</p>

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

Performance:	Marginal
Self-assessment:	Marginal
Findings and supporting evidence:	<p>There is a flat staffing structure at BLA where teachers take on a variety of roles. Staffing is stable and staff are valued by governance and management. Staff are suitably qualified for their roles, and their performance is reviewed effectively.</p> <p>An update meeting is held each week at Tauranga to discuss students starting and leaving that week. A more formal fortnightly staff meeting is minuted and actions are followed up. A teacher representative attends board meetings, which occur four times a year. In addition to the formal meetings, board members speak often with staff, and two board members are on the staff. Communication with the recently appointed Auckland campus manager is frequent and largely informal.</p> <p>While organisational purpose and direction is clear, the director's time is spread across all aspects of the organisation, both academic and business. This now includes having two campuses to coordinate. These factors have led to ineffective management of some educational matters. For example, poor moderation outcomes for all levels of NZCEL has been ongoing over time.</p> <p>The creation of new positions (homestay coordinator and marketing coordinator in Tauranga and a campus manager in Auckland) has increased capability. However, it is too early to judge the effectiveness of these appointments.</p> <p>To its credit, BLA was instrumental in the establishment of the Tauranga branch of TESOLANZ (an association of ESOL tutors) and has supported nationwide discounted professional development opportunities for TESOLANZ members.</p>
Conclusion:	<p>Governance and management understand their roles, are student-focused, generous with their time, and well intentioned. Offering all four levels of NZCEL has challenged the organisation's performance outcomes, as has meeting external moderation requirements. The demands of the Auckland campus have also stretched governance and management capacity.</p>

1.6 How effectively are important compliance accountabilities managed?

Performance:	Marginal
Self-assessment:	Marginal
Findings and supporting evidence:	<p>BLA has worked to improve its compliance with NZQA Rules and the Code of Practice since an NZQA monitoring visit in September 2018, and its own self-assessment processes. This has resulted in the creation of an Auckland campus manager position, improved compliance with student fee protection requirements, a more in-depth code self-assessment, and some improvements to documentation and student information.</p> <p>However, during the EER on-site visit, NZQA identified further anomalies across several areas of BLA's policies, procedures and practices. This raises ongoing concerns about BLA's understanding and management of its compliance accountabilities. These concerns include errors and omissions in student documentation; inconsistent and outdated policies and procedures; and instances where students were allowed to start without their visa status having been verified.</p> <p>Offers of place for the NZCEL level 4 programme in Auckland are typically for 20 weeks, but the programme was approved for 24 teaching weeks. In addition, a student on a visitor visa was not able to complete the programme in the 12 weeks allowed by the visa. This should not recur now that BLA has a more flexible training scheme approved.</p> <p>There are some areas where practices could be strengthened, such as checking prior to a student's first day that they have arranged insurance, and recording verbal warnings on students' files.</p>
Conclusion:	<p>New processes and record-keeping systems are at the initial stages of being developed, particularly for the Auckland campus. It is too early to judge the effectiveness of coordination between the two campuses. It is essential that BLA monitors policies, procedures and practices more closely for effective compliance management to occur.</p>

Focus Areas

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

2.1 Focus area: General and Skills-based English (Training Scheme)

Performance:	Good
Self-assessment:	Marginal
Findings and supporting evidence:	<p>BLA ceased to offer NZCEL levels 1-3 (in November 2018) and replaced these qualifications with an NZQA-approved training scheme called General and Skills-based English. Students progress in their English language development and are satisfied with their teaching and learning.</p> <p>BLA has made changes to the training scheme name and content approved by NZQA. The approved programme was originally titled General English and Conversation and is now referred to as General and Skills-based English. This is because the content offered in the afternoon programme was modified by BLA in response to student need. This change met NZQA approval.</p> <p>However, enrolment on NZCEL continued as key staff did not seem to understand that the training scheme had been approved.</p>

2.2 Focus area: New Zealand Certificate English Language (Level 4)

Performance:	Good
Self-assessment:	Marginal
	<p>NZCEL level 4 continues to be offered at both campuses because it meets student needs well. However, assessment for NZCEL level 4 has not been validated as consistent. This reduces NZQA's confidence that academic standards and integrity are being upheld.</p>

2.3 Focus area: International Students: Support and Wellbeing

Performance:	Good
Self-assessment:	Marginal
Findings and supporting evidence:	Day-to-day pastoral care at BLA is highly responsive, student-focused and informal. However, there were discrepancies in practice and documentation, as reported at 1.6. These discrepancies indicate that systems are not sufficiently developed or rigorous to ensure that international students are effectively supported.

Recommendations

Recommendations are not compulsory but their implementation may improve the quality and effectiveness of the training and education provided by the tertiary education organisation (TEO). They may be referred to in subsequent external evaluation and reviews (EERs) to gauge the effectiveness of the TEO's quality improvements over time.

NZQA recommends that Bay Learning Academy Limited, trading as Bay Learning Academy:

- Develop a more systematic self-assessment approach (across both campuses and with staff input) that covers all the organisation's responsibilities and accountabilities to all stakeholders.
- Consider better ways to record self-assessment activities to enable data collection that can be systematically analysed to determine the value of improvements over time. This includes actions taken to address internal and external moderation outcomes.
- Develop the effectiveness of governance oversight to anticipate and respond to change while operating a sustainable business model aligned to the PTE's educational purpose.
- Review all BLA policies, systems, practices and documentation, to ensure that they are clear, effective and meet all requirements and that they are being implemented consistently.

Requirements

Requirements relate to the TEO's statutory obligations under legislation that governs their operation. This include NZQA Rules and relevant regulations promulgated by other agencies.

Appendix

Conduct of external evaluation and review

All external evaluation and reviews are conducted in accordance with NZQA's published rules. The methodology used is described in the web document <https://www.nzqa.govt.nz/providers-partners/external-evaluation-and-review/>. 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.

Disclaimer

The findings in this report have been reached by means of a standard evaluative process. They are based on a representative selection of focus areas, and a sample of supporting information provided by the TEO under review or independently accessed by NZQA. As such, the report's findings offer a guide to the relative quality of the TEO at the time of the EER, in the light of the known evidence, and the likelihood that this level of quality will continue.

For the same reason, these findings are always limited in scope. They are derived from selections and samples evaluated at a point in time. The supporting methodology is not designed to:

- *Identify organisational fraud³*
- *Provide comprehensive coverage of all programmes within a TEO, or of all relevant evidence sources*
- *Predict the outcome of other reviews of the same TEO which, by posing different questions or examining different information, could reasonably arrive at different conclusions.*

³ NZQA and the Tertiary Education Commission (TEC) comprehensively monitor risk in the tertiary education sector through a range of other mechanisms. When fraud, or any other serious risk factor, has been confirmed, corrective action is taken as a matter of urgency.

Regulatory basis for external evaluation and review

External evaluation and review is conducted under the Quality Assurance (including External Evaluation and Review (EER)) Rules 2016, which are made by NZQA under section 253(1)(pa) of the Education Act 1989 and approved by the NZQA Board and the Minister authorised as responsible for Part 20 of the Education Act.

Self-assessment and participation and cooperation in external evaluation and review are requirements for:

- *maintaining accreditation to provide an approved programme for all TEOs other than universities, and*
- *maintaining consent to assess against standards on the Directory of Assessment Standards for all TEOs including ITOs but excluding universities, and*
- *maintaining training scheme approval for all TEOs other than universities.*

The requirements for participation and cooperation are set through the Programme Approval and Accreditation Rules 2018, the Consent to Assess Against Standards Rules 2011 and the Training Scheme Rules 2012 respectively. These rules were also made by NZQA under section 253 of the Education Act 1989 and approved by the NZQA Board and the Minister.

In addition, the Private Training Establishment Rules 2018 require registered private training establishments to undertake self-assessment and participate in external evaluation and review as a condition of maintaining registration. The Private Training Establishment Registration Rules 2018 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, training schemes and consents to assess and 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 Quality Assurance (including External Evaluation and Review (EER)) Rules 2016. 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). All rules cited above are available at <https://www.nzqa.govt.nz/about-us/our-role/legislation/nzqa-rules/>, while information about the conduct and methodology for external evaluation and review can be found at <https://www.nzqa.govt.nz/providers-partners/external-evaluation-and-review/>.

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