



NEW ZEALAND QUALIFICATIONS AUTHORITY  
MANA TOHU MĀTAURANGA O AOTEAROA

QUALIFY FOR THE FUTURE WORLD  
KIA NOHO TAKATŪ KI TŌ ĀMUA AO!

# Consultation on changes to NZQA rules

September–October 2022

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## Introduction

Two years ago, the New Zealand Qualifications Authority (NZQA) held two meetings to gather industry, employer, and education expert views on the vocational qualifications landscape. Participants agreed there was an opportunity to simplify the system, ensure that employer skills needs are met, and that learners could transfer their learning across delivery modes and different contexts. You can view a summary [here](#). This led to [changes](#) being made to the Education and Training Act 2020 (the Act), including:

- Renaming the New Zealand Qualifications Framework (NZQF) to the Qualifications and Credentials Framework and listing approved micro-credentials on the framework.
- Requiring providers to be accredited to deliver approved micro-credentials listed on the framework.
- Replacing training schemes with micro-credentials.
- Renaming the Directory of Assessment Standards to the Directory of Assessment and Skill Standards.
- Including learning outcomes in skill standards.
- Enabling standard-setting bodies to develop a national curriculum for a qualification, in collaboration with industry and providers and requiring NZQA to recognise national curricula.
- Streamlining the consent to assess process, so that if a provider is granted accreditation for a qualification or credential that includes standards, consent for the standards is automatic.

NZQA is now reviewing the [NZQA Rules](#) to reflect these changes to the Act and to ensure the rules remain up-to-date and fit for purpose. We are consulting with you on our proposed rule changes. We also present skill standard design principles, components, and sample standards for feedback.

We propose the following changes to the NZQA Rules in response to the changes to the Act:

- Including requirements for listing micro-credentials on the framework in the *Qualification and Micro-credential Listing and Operational Rules*.
- Creating rules for the approval and accreditation of micro-credentials.
- Creating rules for the recognition of national curricula ('New Zealand Programmes').
- Removing the requirement for applicants to hold consent to assess for standards before applying for accreditation in the *Programme Approval and Accreditation Rules*.
- Making technical updates to reflect the changes to the Act, including ensuring consistency with new terminology.

We also propose changes to simplify and clarify the rules and ensure they remain up-to-date and fit for purpose, including:

- Adding requirements for listing skill standards on the Directory of Assessment and Skill Standards in the *Directory of Assessment and Skill Standards Listing and Operational Rules*.
- Regulating level 7 diplomas in the same way as level 1–6 qualifications.
- Applying the *Programme Approval and Accreditation Rules* to work-based training.
- Updating the *Offshore Programme Delivery Rules* to clarify offshore delivery and offshore partnerships and allow for programmes that include work placements or practical training to be offered online and offshore.

## Process for making rule changes

The [Education and Training Act 2020](#) (the Act) provides the legal framework for making NZQA Rules.

NZQA Rules are secondary legislation made under the Act. The Act sets out the policy framework. Rules contain detailed requirements, including standards and processes, for putting policy into operation. The development of rules is also guided by the requirements in the [Legislation Act 2019](#). Compliance with rules is required because they form part of New Zealand education law.

The rules cover a range of education quality issues.

The proposed rules must be approved by the Board of NZQA and the Minister before coming into effect. Any issues raised during consultation will be analysed and considered in preparing the proposed rules for the NZQA Board and the Minister to approve.

## Consultation on proposed rule changes

We are consulting and seeking feedback on the following topics:

Topic	Who this is relevant to
Micro-credential approval and accreditation	<ul style="list-style-type: none"> <li>• Those who develop micro-credentials, including workforce development councils</li> <li>• Tertiary education providers who deliver micro-credentials</li> <li>• Tertiary education providers who currently have approved training schemes or micro-credentials</li> <li>• Schools</li> <li>• Learners</li> <li>• Employers and industries</li> </ul>
Skill standards	<ul style="list-style-type: none"> <li>• Standard-setting bodies, including workforce development councils</li> <li>• Tertiary education providers</li> <li>• Schools</li> <li>• Learners</li> <li>• Employers and industries</li> </ul>
New Zealand Programmes (national curricula)	<ul style="list-style-type: none"> <li>• Workforce development councils</li> <li>• Tertiary education providers who offer programmes towards vocational qualifications</li> <li>• Learners</li> <li>• Employers and industries</li> </ul>
Changes to Qualification and Micro-credential Listing and Operational Rules including micro-credentials and level 7 diplomas	<ul style="list-style-type: none"> <li>• Workforce development councils</li> <li>• Qualification developers</li> <li>• Micro-credential developers</li> <li>• Tertiary education providers who offer programmes towards level 7 diplomas</li> <li>• Learners</li> <li>• Employers and industries</li> </ul>
Offshore programme delivery	<ul style="list-style-type: none"> <li>• Tertiary education providers who offer programmes offshore</li> <li>• Learners</li> </ul>

Industry training transition	<ul style="list-style-type: none"> <li>• Te Pūkenga</li> <li>• Private training establishments</li> </ul>
Changes to Programme Approval and Accreditation Rules	<ul style="list-style-type: none"> <li>• Tertiary education providers who apply for programme approval or accreditation</li> <li>• Tertiary education providers who enrol international students</li> </ul>
Changes to Student Fee Protection Rules	<ul style="list-style-type: none"> <li>• Any person who receives money from a student for the purpose of enrolling, or helping a student to enrol, in a course at a provider, including providers, agents and suppliers</li> </ul>
Record keeping requirements and definition of assessment materials	<ul style="list-style-type: none"> <li>• All tertiary education providers</li> </ul>
Amended requirements for the annual declaration of compliance	<ul style="list-style-type: none"> <li>• All tertiary education providers</li> </ul>
Site visits of new site	<ul style="list-style-type: none"> <li>• Private training establishments</li> </ul>
Clarify when the annual registration fee is due	<ul style="list-style-type: none"> <li>• Private training establishments</li> </ul>

### What we are seeking your feedback on

Please read the sections that are relevant to you and consider the effects the proposed rule changes would have on you or your organisation.

We ask specific questions we would like you to answer. We also welcome other comments on the proposed changes set out in this document.

Wherever possible, please provide examples to illustrate your point.

### How to have your say

Submissions can be made online at <https://www.nzqa.govt.nz/rules-consultation>.

**Submissions close at 5pm on 21 October 2022.** Once submitted, your information will become a formal record for this programme of work.

### Use of information

The information provided in your submission will be used to inform the NZQA Rules changes and supporting guidelines and operational processes. All personal information you supply to NZQA in either an online or written submission will only be used to assist in the development of the rules and supporting processes. We will retain this information in accordance with NZQA policies and processes. We may contact you directly to ask for clarification of any parts of your submission.

NZQA may upload PDF copies of submissions received to its websites and may share the submissions with the Minister of Education and with other agencies. We may also quote you or use excerpts from your submission in the consultation summary or reports. We will consider that you have consented to this unless you clearly specify otherwise in your submission.

For further information on how your personal information is managed please visit [www.nzqa.govt.nz/participantprivacy](http://www.nzqa.govt.nz/participantprivacy).

## **Use of sector-identifying information**

The information which identifies either your personal or organisational association with the education sector will be used in the analysis and included in official reports. This level of information enables us to better understand your association with the sector.

## **What happens next**

We will make the draft rules available for viewing by 3 October 2022. You will be able to access these from the submissions link above.

We will analyse the responses to this consultation and will publish a summary. We will consider the feedback and make any appropriate amendments to the draft rules.

Subject to the approval of the NZQA Board and the Minister, the rule changes are expected to come into effect by the end of 2022. We will publish the updated rules on the NZQA website.

We will update our guidelines relating to the rule changes. We will work with our stakeholders to establish the supporting guidelines and processes associated with the rule changes.

## **Transition to new products**

The proposed rules changes will mean changes to some existing products over time, including:

- some existing training schemes becoming qualifications or being approved as micro-credentials under the new rules
- unit standards being replaced by skill standards
- some programmes being replaced by New Zealand Programmes
- some level 7 diplomas being replaced by New Zealand diplomas
- programmes of industry training transitioning to programmes.

We will work collaboratively with providers, sector representative groups, workforce development councils and other stakeholders to plan and communicate these transitions and to minimise any potential disruption to learners.

## **Further questions**

Please direct any questions that you have in relation to the submission process to [rules2022@nzqa.govt.nz](mailto:rules2022@nzqa.govt.nz).

## Micro-credential approval and accreditation

### What do we propose?

We will create new rules for the approval and accreditation of micro-credentials. These rules will be similar to the rules for approval and accreditation of programmes leading to qualifications but will be adapted for micro-credentials.

We will revoke the existing *Training Scheme Rules*.

Providers who currently have approved training schemes and micro-credentials will continue to hold approval for these. From 2023, NZQA will work with providers who currently have training schemes to transition these into the rules for micro-credentials.

The requirements for listing and awarding micro-credentials in the *Qualification and Micro-credential Listing and Operational Rules* are covered in the “Qualification and Micro-credential Listing” section of this consultation.

### Why?

The changes set out in the Education and Training Amendment Act mean NZQA can approve the content of micro-credentials and accredit providers to offer approved micro-credentials.

We will make new rules for the approval and accreditation of micro-credentials. We want the rules to meet the challenges facing our tertiary system through:

- Increasing the **relevance** of educational products to reduce skills mismatch and improve productivity, and to better support lifelong learning.
- Assuring the **quality** of micro-credentials to support formal recognition and portability of skills development.
- Increasing **equity** by reducing barriers to gaining credentials through more flexible pathways to gaining awards.

### How will it work?

Providers (Te Pūkenga, universities, wānanga, registered establishments, government training establishments and relevant schools), workforce development councils and other bodies can apply for approval of a micro-credential. Approved micro-credentials will be listed on the New Zealand Qualifications and Credentials Framework and will be available for other providers to seek accreditation for, where appropriate. Providers can apply for accreditation to deliver the micro-credential at the same time as applying for approval, or separately.

NZQA will review all current NZQA-approved training schemes and micro-credentials against the new micro-credential approval rules over a transition period of up to three years. We will establish a timeline for reviewing these and communicate with the relevant providers. We will work collaboratively with providers, sector representative groups and workforce development councils on these reviews.

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### NZQA-approved micro-credentials:

Are education products that certify the achievement of a set of skills and knowledge.

Meet an employer, industry, and/or a community need.

Include an assessment component.

Are smaller than qualifications.

Can be at any level on the framework.

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## Universities

The New Zealand Vice Chancellors Committee (NZVCC) may exercise the powers of NZQA as far as they are applicable to universities, including approval and accreditation for universities. Universities New Zealand, acting on behalf of NZVCC, will be responsible for the approval and accreditation of micro-credentials for universities and will set out the processes for universities to follow.

### Criteria for approval of micro-credentials

We propose the rules include these criteria for approving the content of micro-credentials:

1. *Title, aim and structure*

The micro-credential has an appropriate title, aim, learning outcomes, level and credit value (up to 40 credits). Its structure is coherent and meets the aim and learning outcomes.

2. *Standards*

Where suitable skill standards exist, they are included in the micro-credential.

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Skill standards are a type of standard that includes learning outcomes.

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3. *Need and acceptability*

There is evidence of the need for the micro-credential.  
It is supported by stakeholders and, where appropriate, the relevant workforce development council.

4. *Requirements*

Requirements for admission, recognition of prior learning and credit transfer, practical components, length and structure, assessment, reassessment and appeals, and completion are clearly set out.

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Admission requirements should include literacy or language proficiency and any prior knowledge or experience a learner will need to succeed.

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5. *Assessment and moderation*

Assessment methodologies are valid and appropriate for the assessment of student achievement, given the stated learning outcomes. There is an effective system for moderation of assessment materials and decisions.

6. *Review and monitoring*

There is an effective process for the regular review of the micro-credential that assesses its currency and content and updates it accordingly.

There is an effective process for monitoring the quality of outcomes for learners and stakeholders.

The level of language proficiency or literacy needed for the micro-credential should be included in the admission requirements for the micro-credential. NZQA will not set universal English language proficiency requirements for international students enrolling in micro-credentials. Requiring a learner to prepare for and sit an internationally recognised English proficiency test to enrol in a micro-credential may be disproportionate.

We will not include the existing requirement that micro-credentials do not duplicate any other quality assured learning. This is because two similar micro-credentials may be meeting the needs of different learner groups, or ensuring learners have choices about what and where to learn.



## Criteria for accreditation to deliver micro-credentials

We propose the rules include these criteria for accreditation to deliver micro-credentials:

### 1. *Delivery*

What will be delivered is clearly set out, coherent, appropriate for the level and the needs of the intended learners and supports achievement of the learning outcomes. How it will be delivered is appropriate for the type of provider, the delivery mode(s) and the location or situation of the intended learners.

### 2. *Assessment and moderation*

The institution has the capability and capacity to ensure assessment materials and decisions are fair, valid, consistent and appropriate for the level and stated learning outcomes.

### 3. *Resources and staff*

The institution has the capability and capacity to deliver the micro-credential, including suitably qualified or experienced staff, facilities, educational and physical resources, and learner support services.

### 4. *Review*

There must be adequate and effective review of the delivery of the micro-credential, including outcomes for learners and the institution's capability to provide the micro-credential.

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If the micro-credential contains standards, there is no need to have consent to assess for those standards first. When a provider is accredited to deliver the micro-credential, it is authorised to assess against the standards.

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The micro-credential rules will also cover further details including requirements for applications for approval and accreditation, granting of approval and accreditation, requests for Te Hono o Te Kahurangi quality assurance, requirements to maintain approval and accreditation, changes to approved micro-credentials or accreditation, sub-contracting arrangements, and special reviews.

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The rules will be based on programme approval and accreditation rules but will be adapted for micro-credentials.

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## Stacking of micro-credentials

Micro-credentials may be stacked together as part of a programme leading to a qualification.

Although micro-credentials are developed and delivered as stand-alone products, they may also build upon or complement each other. We will not require a micro-credential developer to indicate if the micro-credential is intended to be stacked. However, where several micro-credentials are developed together or a programme is developed alongside them, the relationship between them should be stated, and how they contribute to achieving the qualification outcomes.

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Programmes containing micro-credentials will be approved under the programme approval rules. A micro-credential being approved as a micro-credential does not guarantee its suitability as a component of a programme.

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## Questions

1. Are the proposed criteria for micro-credential approval and accreditation suitable?
2. Is there anything missing in the proposed changes set out in this section?

## Skill standards

### What do we propose?

Skill standards are intended to be the building blocks of vocational qualifications, which all providers will use to support portability of learning and consistent graduate outcomes.

During 2022, workforce development councils and NZQA have co-led Paerewa Ako me te Marautanga ā-motu, the skill standards and national curriculum sector working group. This sector working group has proposed design principles for skill standards. Information on the group can be found at <https://www.nzqa.govt.nz/providers-partners/rove/simplifying-the-design-of-vocational-qualifications/working-group/>.

The proposed rule changes relating to skill standards and national curricula (New Zealand programmes) build on that design work.

We will include the requirements for listing skill standards on the Directory of Assessment and Skill Standards in the *Directory of Assessment and Skill Standards Listing and Operational Rules*.

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A skill standard specifies the skills, levels of performance and learning outcomes to be achieved.

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We would like your feedback on the listing details, which are discussed below, and the proposed skill standard design principles, components, and sample standards available [here](#).

### Why?

The changes to the Education and Training Act give prominence to skill standards by changing the Directory of Assessment Standards to the Directory of Assessment and Skill Standards. NZQA will list skill standards on the directory as distinct from assessment standards. We need to update our rules to specifically include the listing of skill standards.

### How will it work?

Standard-setting bodies can develop skill standards. Te Pūkenga is expected to use skill standards and work in collaboration with workforce development councils to improve the consistency of vocational training.

Once a skill standard is listed on the Directory it can be used as a component of a qualification or micro-credential. Over time, skill standards will replace unit standards as the core components of vocational qualifications. We expect skill standards will become mandatory in most New Zealand qualifications and micro-credentials. They will be common building blocks that all providers use. This will support portability of learning and consistency of graduate outcomes.

Providers will be able to deliver skill standards when they gain accreditation to deliver a programme or micro-credential with those skill standards in it. Providers can also apply for consent to assess a skill standard separately.

## Details in the listing and operational rules

The *Directory of Assessment Standards Listing and Operational Rules* will become the *Directory of Assessment and Skill Standards Listing and Operational Rules*.

The details for skill standards to be listed on the directory will include:

- a title that reflects the outcomes of the standard
- a classification, credit value and level (consistent with the level descriptors in the New Zealand Qualifications and Credentials Framework)
- a statement of purpose
- the learning outcomes and criteria to be achieved
- indicative content
- the grades that can be awarded
- learner prerequisites
- resources and guidance information directly relevant to the assessment or performance of the standard
- the name and contact details of the standard-setting body
- the intended period for ongoing review
- the referenced consent and moderation requirements
- status (e.g. current, expiring, expired).

The process for listing skill standards will be similar to the current process for listing assessment standards.

### Questions

1. Is there anything else you think needs to be included in the design of skill standards to ensure collaboration, portability and consistent outcomes?
2. Do you think any of the proposed listing details for skill standards are not required, or are any missing?
3. Do you have any feedback on the skill standard design principles?
4. Do you have any feedback on the skill standard components?
5. Do you have any feedback on the sample skill standards?

## New Zealand Programmes (national curricula)

### What do we propose?

We propose calling the national curricula for tertiary qualifications ‘New Zealand Programmes’. This is to avoid confusion, as the term national curriculum is currently used to refer to the New Zealand Curriculum and Te Marautanga o Aotearoa. These set the direction for student learning in schools and kura.

Paerewa Ako me te Marautanga ā-motu, the skill standards and national curriculum sector working group, has been exploring the role of a New Zealand Programme as a pathway leading to a New Zealand qualification.

We propose including the requirements for NZQA to recognise New Zealand Programmes in a new rule set.

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A New Zealand Programme is supported by a dynamic, ongoing community of practice that promotes collaboration and excellent graduate outcomes.

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### Why?

The changes to the Education and Training Act 2020 mean that all standard-setting bodies, including workforce development councils, may develop and maintain a New Zealand Programme for a New Zealand qualification for which they are responsible. They can then apply to NZQA to recognise the New Zealand Programme. We need to set out how this will be done in our rules.

### How will it work?

A New Zealand Programme provides a pathway to achieving a New Zealand qualification. Standard-setting bodies may develop and maintain a New Zealand Programme for a New Zealand qualification for which they are responsible, but it is not mandatory.

New Zealand Programmes will be developed collaboratively. For vocational qualifications, workforce development councils will work with providers, regulatory bodies, industry and others to ensure that the New Zealand Programme reflects the needs of industry and good educational practice. The application for recognition of a national curriculum will include evidence of collaborative development and processes for keeping it current.

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New Zealand Programmes will build on the skill standards within a New Zealand qualification by providing further context, structure, and information to guide a provider’s individual approach to teaching and assessment.

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Where a New Zealand Programme has been developed and recognised by NZQA, the standard-setting body can indicate if all providers must use the New Zealand Programme for that qualification. This is to encourage consistency of learner achievement and employer confidence in graduate outcomes. The standard-setting body can apply to have the New Zealand Programme specified as mandatory in the qualification conditions through the *Qualification and Micro-credential Listing and Operational Rules*.

A standard-setting body may apply concurrently for a new qualification to be listed and for its associated New Zealand Programme to be recognised.

Providers must seek accreditation under the *Programme Approval and Accreditation Rules* to deliver a New Zealand Programme. Providers who are already accredited to deliver an approved programme for a particular qualification will need to transition into the New Zealand Programme where it is specified as mandatory. The timeframe for the transition will depend on a range of factors, including the credit value and learner enrolments.

## Requirements for New Zealand Programmes

The requirements for New Zealand Programmes to be recognised by NZQA will include:

- a title that identifies the qualification to which the programme leads
- a purpose statement
- the list of component skill standards
- the structure and length of the programme
- the delivery methods
- any assessment requirements in addition to those specified in the standards
- any resource requirements in addition to those specified in the standards
- regulations setting out any admission requirements, credit recognition and transfer, recognition of prior learning, and progression within the programme
- details of how accredited providers will transition into the New Zealand Programme
- the name and contact details of the standard-setting body.

### Questions

1. We have proposed the name 'New Zealand Programme' to describe the national curriculum. If you do not support this name, please suggest another name.
2. Do you think any of the proposed requirements for the recognition of New Zealand Programmes are not required, or are any missing?

## Qualification and Micro-credential Listing

### What do we propose?

The *NZQF Qualification Listing and Operational Rules* will become the *Qualification and Micro-credential Listing and Operational Rules*.

We will define the New Zealand Qualifications and Credentials Framework (NZQCF) as the Qualifications and Credentials Framework described in section 436 of the Education and Training Act.

We will include the requirements for listing and awarding micro-credentials in the rules. We will make some changes to treat level 7 diplomas in the same way as level 5 and 6 diplomas in the rules. We will also simplify the approval process.

### Micro-credentials

#### Why?

The amendments to the Education and Training Act mean NZQA will list approved micro-credentials on the Qualifications and Credentials Framework.

Existing training schemes will be treated as micro-credentials and will be reviewed over the next three years. All current approved training schemes and micro-credentials will be listed as micro-credentials on the framework. We will contact relevant providers to request any information we need for listing.

#### How will it work?

Providers (Te Pūkenga, universities, wānanga, registered establishments, government training establishments and relevant schools), workforce development councils and other bodies can apply for a micro-credential to be listed on the framework. The process for applications to list micro-credentials will be similar to the process for qualifications.

The process for awarding micro-credentials will be similar to awarding qualifications. Achieved micro-credentials, when reported to NZQA, will be recorded on the learner's New Zealand Record of Achievement.

We will also update other rules that apply to qualifications to include micro-credentials.

#### Details in the Listing and Operational Rules

The details for micro-credentials to be listed on the framework will include:

- the title
- the credit value and level
- the New Zealand Standard Classification of Education code
- the purpose of the micro-credential
- the name of the developer
- who can award the micro-credential
- any standards that are used
- the period for regular review (usually 1–3 years).

## Level 7 Diplomas

### Why?

During our 2018 and 2019 consultations on the New Zealand Qualifications Framework we asked if we should remove level 7 diplomas from the NZQF or extend the regulatory framework for qualifications at levels 1–6 to include level 7 diplomas.

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This will only apply to diplomas at level 7, not graduate diplomas, graduate certificates or degrees

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The feedback we received told us that most people wanted to keep level 7 diplomas and wanted us to regulate them the same as level 1–6 qualifications.

We already have the same approval and accreditation requirements for non-university programmes leading to level 7 diplomas as we do for programmes at levels 1–6.

### How will it work?

We will update *the Qualification and Micro-credential Listing and Operational Rules* so the rules for qualifications listed at levels 1 to 6 will include level 7 diplomas. This will apply for non-university qualifications. We will also make any other clarifying changes needed to reflect this intention.

### Impact

This proposal will mean that qualifications leading to level 7 diplomas (except for any developed by universities) will be reviewed and replaced with *New Zealand diplomas*. This is likely to happen over a five-year period, as the qualifications come up for review. As the qualifications are replaced, programmes leading to those qualifications will also need to be updated or replaced.

We will also update the guidelines for monitoring programmes leading to level 7 diplomas, to align with the monitoring requirements for diplomas at levels 5 and 6.

## Simplifying the approval process

We propose omitting workforce development councils from the additional requirements in rule 10.3 for applications to list qualifications at levels 1 to 6 and level 7 diplomas. We also propose reducing the process for approval to list qualifications at level 1 to 6 and level 7 diplomas from two stages to a single process.

We will remove rule 10.3(a) which requires applicants to use the application form. Information on how to apply for approval to list a qualification will be available on NZQA's website.

### Questions

1. Do you think any of the proposed listing details for micro-credentials are not required, or are any missing?
2. What impact would the proposals for level 7 diplomas and simplifying the approval process have on you or your organisation?
3. Would any groups or individuals be disadvantaged by these proposals, and how?

## Offshore programme delivery

### What do we propose?

Providers need approval to deliver a programme offshore, including a New Zealand Programme, if that programme leads to a qualification on the New Zealand Qualifications and Credentials Framework and is delivered in another country or online/by distance to international learners living in another country.

We will update the *Offshore Programme Delivery Rules* to clarify the definition of offshore delivery. We will clarify the definition of offshore partner organisations and what NZQA requires of these arrangements. We will update our requirements for programmes with work placements or practical training to be more enabling of this occurring offshore. We will also include a requirement for providers to ensure they meet their responsibilities for the well-being and safety of offshore learners.

Offshore programme delivery rules do not apply to micro-credentials, as offshore delivery of micro-credentials will be part of the micro-credential accreditation process.

These rules do not apply to NCEA which cannot be delivered offshore.

### Why?

We often receive questions from providers wanting to know when they can enrol an overseas learner in a programme that is not approved for offshore delivery, as this is currently not clear in the rules. We have also received requests to clarify the definition of an offshore partner.

Many programmes leading to vocational qualifications include practical training or work placements. Our current rules do not easily allow these types of programmes to be delivered in a blended mode (online with some face-to-face) offshore. We want to update the rules to be more enabling for vocational programmes to be delivered this way.

The Education (Pastoral Care of Tertiary and International Learners) Code of Practice 2021 (the Code of Practice) came into effect on 1 January 2022 and requires providers to ensure their wellbeing and safety practices respond effectively to the distinct needs of their offshore learners. This needs to be reflected in the rules.

### How will it work?

We will update the definition of offshore programme delivery. We define it as the provision of a programme leading to a qualification on the New Zealand Qualifications and Credentials Framework that has any delivery physically in another country or online/by distance to international learners living in another country.

We are proposing to update the definition of an offshore partner organisation. We propose to define it as an overseas organisation used by an institution to deliver any:

- teaching, training, or supervision of learning activities
- assessment
- work placements, internships, on-the-job training or other practical training
- academic or pastoral support.

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If a programme is approved for distance delivery in New Zealand, providers will not need to seek offshore approval to enrol domestic learners who are living or travelling overseas.

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We will update the requirements for offshore partnerships. An offshore partner must be recognised and reputable, have good governance and management, including financial management, and operate within any legal or regulatory requirements in that country (such as being approved by the relevant authority). It must have appropriate experience in education or in educating, training or assessing learning in the workplace.

We will update the criteria for student support and complaints. Providers will need to ensure their wellbeing and safety practices respond effectively to the distinct needs of their offshore learners and comply with the Code of Practice.

### **Enabling work placements and practical training**

Our rules will be more enabling for vocational programmes to be delivered online and to learners based offshore. However, this does not mean NZQA will approve all arrangements for work placements or practical training. Programmes will be evaluated on a case-by-case basis.

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This applies to work placements, internships, on-the-job training, or other practical training.

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We will update our guidelines to set out what providers will be expected to include in their application for offshore delivery of programmes that have work placements or practical training.

For some qualifications work experience in another country may be suitable for meeting the graduate outcomes and preparing learners for work in that field in New Zealand. For other qualifications, overseas work experience may not be sufficient.

To meet criterion 1 of the *Offshore Programme Delivery Rules*, applications will need to show that the programme would produce graduates who are comparable to their New Zealand-trained peers and that professional qualifications meet the criteria of the relevant registration body. A programme leading to a New Zealand qualification will usually be delivered and assessed in English or Te Reo Māori.

Applications will also need to show:

- Support from workforce development councils, other standard-setting bodies or industry regulatory bodies where appropriate.
- The language or languages of instruction and assessment that will be used, and how these will be shown on the award and communicated to potential learners.
- Details of the arrangements, including responsibilities and accountabilities, and how the work placement or practical training will be overseen, verified and assessed.
- How the partner organisation delivering the practical training meets the requirements for partner organisations set out in the rules.
- How the employer/workplace is assessed.
- How the learner's safety and well-being during the work placement or practical training will be supported.

## **Questions**

1. How well do our definitions for offshore delivery and partner organisations reflect your situation?
2. Do you think there is anything missing in the proposed requirements for offshore partner organisations?
3. Do you think there is anything missing in the requirements for offshore work placements/practical training?

## Industry training transition

### What do we propose?

We propose setting out clear expectations and guidelines for work-based training programmes that transition from programmes of industry training. These guidelines will apply to Te Pūkenga's Work-based Learning subsidiary and the private training establishments who have learners undertaking this type of training.

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NZQA will set out our expectations for applications for work-based training programmes in guidelines and an optional template.

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### Why?

A goal of the reform of vocational education is that programmes leading to a qualification can be used by learners in the workplace, campus or blended delivery modes. This will enable learners to move seamlessly between providers, regions and workplaces to continue their programme of study.

Currently, most programmes of industry training are approved under the *NZQF Industry Training Programme Rules*, which only apply to transitional industry training organisations. Industry training functions are transitioning to Te Pūkenga and private training establishments as part of the reform of vocational education.

Programmes of industry training are expected to be replaced over time as workforce development councils review qualifications, develop skill standards and determine whether a New Zealand programme is required. It is also expected that Te Pūkenga as part of its consolidation will bring programmes leading to the same qualification together.

### How will it work?

Te Pūkenga and private training establishments will need to apply for any new or revised programmes that include work-based training under the *Programme Approval and Accreditation Rules*. The *NZQF Industry Training Programme Rules* will be revoked but existing programmes will remain and transition over time.

Other types of work-based learning — such as practicums, internships and simulated workplace situations — are currently included in programmes and quality assured under the *Programme Approval and Accreditation Rules*. There are no changes to the approval and accreditation processes for these programmes.

We expect the guidelines for work-based training programmes will evolve over time as the current training functions transfer to and are embedded in Te Pūkenga and the relevant private training establishments, and the future work-based training programmes emerge.

### Question

What impact will applying the *Programme Approval and Accreditation Rules* to work-based training have on your organisation?

## Other changes

### Programme Approval and Accreditation Rules

The NZQF *Programme Approval and Accreditation Rules* will become the *Programme Approval and Accreditation Rules*.

We propose changes to the *Programme Approval and Accreditation Rules*:

- We will remove the requirement for self-assessment reports in rules [5.1\(d\)](#), [5.2\(d\)](#), [7.1\(c\)](#), and [7.2\(c\)](#). Self-assessment should be evident in the quality of the application and supporting evidence, so we do not need a separate self-assessment report.
- We will remove [rule 7.4](#), which requires the applicant to hold consent to assess for any standards that are included in the programme before applying for accreditation. Consent to assess will now be granted as part of accreditation.
- We will add "or a programme taught in a language other than English" after "English language programme" in [rule 18.1\(a\)](#). This is to clarify that if a programme is not being delivered in English, the English language proficiency requirements do not apply.
- We will change "from the date the student is enrolled" to "after the completion of the programme in which the student is enrolled" in [rule 18.1\(b\)](#). This is to align the requirements for keeping enrolment information with the requirements for keeping other records.
- We will change "proposed date of enrolment" to "start date of the programme" in [rule 18.2\(d\)](#). This is to provide clarity and consistency regarding the validity of English proficiency tests.
- We will remove references to the expired NZCEL from the [Table of Internationally Recognised English Proficiency Outcomes for International Students](#) in the Appendix ('the table').

Over the past 3 years we have had a temporary provision in place allowing providers to accept the online 'at-home' form of the English language proficiency tests listed in the table. This was due to many English language proficiency testing centres being closed because of COVID-19 restrictions. This provision is in place until the end of 2022 while we have been evaluating the 'at-home' versions of the tests and considering their suitability to be listed on the table for permanent use.

At this stage we are not proposing listing any of the 'at-home' tests on the table. This is based on recommendations from a subject matter expert we engaged to research the suitability and reliability of these tests, and to align with other government agencies. This means from 1 January 2023, 'at-home' tests will not be used as evidence of English language proficiency.

We will continue to monitor the use and reliability of the 'at-home' tests and will revisit this decision as more research and information becomes available.

### Student Fee Protection Rules

We propose setting out clearer requirements for approving suppliers in [rule 11](#). We will require a supplier to:

- be an independent trustee as defined in section 10(1) of the Act and have no conflict of interest in carrying out the role of trustee for the PTE
- have experience in managing trust accounts that have multiple beneficiaries and frequent transactions
- provide evidence of secure and adequate data processing capacity
- provide evidence of an ability to resolve competing claims and finalise refunds within agreed time frames.

The new requirements will only apply to new mechanisms. Existing mechanisms will be grandparented.

We propose removing [Mechanism 2](#) ‘company or parent body guarantees’ from the mechanism options. This mechanism is not widely used – only three private training establishments have this mechanism, and NZQA has not approved any new use of this mechanism in more than 15 years. We will grandparent the three existing parent body guarantees.

We also propose removing [Mechanism 5](#) ‘student-based insurance policies’ as this mechanism has not been used for over 10 years and there has been no provider of this mechanism in New Zealand since then.

We will add “if” to [rule 13.7\(b\)](#) for clarity: ‘if and when the Mechanism is triggered’.

### **Quality Assurance (including External Evaluation and Review) Rules**

We propose including a definition for assessment materials to clarify student assessment material retention requirements. The proposed definition is:

*Assessment materials means the assessment tasks, instructions and guidance given to learners, the assessed learner evidence, and the resources used by the assessor to make judgements about learner performance. This includes assessment materials of education or training provided by sub-contractors of the TEO.*

We will amend the requirements for the annual declaration of compliance in [rule 16](#). The declaration will not need to comply with section 9 of the Oaths and Declarations Act 1957. This means institutions will still provide an annual declaration, but the declaration does not need to be witnessed.

We will amend the record keeping requirements for institutions other than private training establishments in [rule 17](#). We will allow Te Pūkenga, wānanga and government training establishments to negotiate an individual sampling agreement for retaining records with NZQA. We will also clarify that private training establishments must comply with the record keeping requirements set out in the *PTE Enrolment and Academic Records Rules*.

### **PTE Enrolment and Academic Records Rules**

We propose including the definition of assessment materials. This will be the same definition we propose for including in the *Quality Assurance (including External Evaluation and Review) Rules*.

### **PTE Registration Rules**

We will include a rule to clarify that NZQA may visit a new temporary or permanent delivery site as part of the site approval process.

### **Annual Fee Rules**

We will amend [rule 6.1](#) – when the PTE annual registration fee is payable – to say ‘PTE annual registration fee is payable for each calendar year, in arrears, upon invoice by NZQA’. This is to provide clarity.

## Technical updates and revocations

We will make changes to all rule sets except the assessment (including examination) rules as these are updated separately. We will make technical updates to reflect the changes to the Act. This will include ensuring consistency with new terminology.

We will revoke the *Training Scheme Rules*, the *NZQF Industry Training Programme Approval Rules* and the *Transitional ITO Prescribed Quality Assurance Requirements Rules*.

### Questions

1. Do you have any feedback on the proposed changes to the NZQF Programme Approval and Accreditation Rules?
2. Do you have any feedback on the proposed changes to the Student Fee Protection Rules?
3. Do you have any feedback on the proposed changes to the Quality Assurance (including External Evaluation and Review) Rules?
4. Do you have any feedback on the proposed changes to the PTE Enrolment and Academic Records Rules?
5. Do you have any feedback on the proposed changes to the PTE Registration Rules?
6. Do you have any feedback on the proposed changes to the Annual Fee Rules?

## In closing

Would you like to provide any further feedback or comments on any of the proposed changes? You may like to consider:

- What impact would these changes have on you or your organisation?
- Would any groups or individuals be disadvantaged by or benefit from these changes, and how?
- Are there any other implementation issues that we would need to consider?

## List of all consultation questions

### Micro-credential approval and accreditation

1. Are the proposed criteria for micro-credential approval and accreditation suitable?
2. Is there anything missing in the proposed changes set out in this section?

### Skill standards

1. Is there anything else you think needs to be included in the design of skill standards to ensure collaboration, portability and consistent outcomes?
2. Do you think any of the proposed listing details for skill standards are not required, or are any missing?
3. Do you have any feedback on the skill standard design principles?
4. Do you have any feedback on the skill standard components?
5. Do you have any feedback on the sample skill standards?

### New Zealand Programmes (national curricula)

1. We have proposed the name 'New Zealand Programme' to describe the national curriculum. If you do not support this name, please suggest another name.
2. Do you think any of the proposed requirements for the recognition of New Zealand Programmes are not required, or are any missing?

### Qualification and Micro-credential Listing

1. Do you think any of the proposed listing details for micro-credentials are not required, or are any missing?
2. What impact would the proposals for level 7 diplomas and simplifying the approval process have on you or your organisation?
3. Would any groups or individuals be disadvantaged by these proposals, and how?

### Offshore programme delivery

1. How well do our definitions for offshore delivery and partner organisations reflect your situation?
2. Do you think there is anything missing in the proposed requirements for offshore partner organisations?
3. Do you think there is anything missing in the requirements for offshore work placements/practical training?

### Industry training transition

What impact will applying the *Programme Approval and Accreditation Rules* to work-based training have on your organisation?

## **Other changes**

1. Do you have any feedback on the proposed changes to the NZQF Programme Approval and Accreditation Rules?
2. Do you have any feedback on the proposed changes to the Student Fee Protection Rules?
3. Do you have any feedback on the proposed changes to the Quality Assurance (including External Evaluation and Review) Rules?
4. Do you have any feedback on the proposed changes to the PTE Enrolment and Academic Records Rules?
5. Do you have any feedback on the proposed changes to the PTE Registration Rules?
6. Do you have any feedback on the proposed changes to the Annual Fee Rules?

## **Final question**

Would you like to provide any further feedback or comments on any of the proposed changes? You may like to consider:

- What impact would these changes have on you or your organisation?
- Would any groups or individuals be disadvantaged by or benefit from these changes, and how?
- Are there any other implementation issues that we would need to consider?