



Guidelines for maintaining registration as a private training establishment

NZQA

Mana Tohu Mātauranga o Aotearoa
New Zealand Qualifications Authority



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1. Introduction

This document provides guidance to organisations that have been granted registration as a private training establishment (PTE) by the New Zealand Qualifications Authority (NZQA).

It provides information about starting out as a PTE and the requirements for maintaining registration.

Changes made since April 2022

In January 2023 the PTE Registration Rules 2022 were updated in line with amendments to the Education and Training Act 2020 which came into effect on 1 August 2022. As a result, this guide has been updated to

- reflect new rules titles
- rename training schemes, micro-credentials
- rename the New Zealand Qualifications Framework, the New Zealand Qualifications and Credentials Framework
- allow NZQA to visit a new site. (Rule 6.1.1 (g) of the PTE Registration Rules).

Welcome

Before NZQA registers a PTE, we need to be certain it will be governed and managed with integrity and provide high-quality education and a sound and stable learning environment. This has been evidenced through business plans, quality management systems / tikanga whakahaere, financial plans, and stakeholder consultation.

Now your PTE is registered there are NZQA requirements and rules you must meet in your first year of operation and there are on-going obligations. This guide covers the on-going requirements for maintaining your PTE registration in alphabetical order, by topic.

2. NZQA Rules

Section 348(1) of the Education and Training Act 2020 (the Act)

It is a condition of registration that the PTE will at all times comply with the NZQA rules made under section 452 of the Act.

PTEs need to be familiar with the NZQA rules and ensure that they always comply with them.

NZQA rules that apply to PTEs

[Private Training Establishment Registration Rules 2022](#) (hereafter the 'Registration Rules')

[Annual Fee Rules 2022](#)

[Consent to Assess Against Standards on the Directory of Assessment and Skill Standards Rules 2022](#)

[Micro-credential Approval and Accreditation Rules 2022](#)

[Offshore Programme Delivery Rules 2022](#)

[Programme Approval, Recognition, and Accreditation Rules 2022](#)

[PTE Enrolment and Academic Records Rules 2022](#)

[Qualification and Micro-credential Listing and Operational Rules 2022](#)

[Quality Assurance \(including External Evaluation and Review \(EER\)\) Rules 2022](#)

[Student Fee Protection Rules 2022](#)

[Student Funds Trust Deposit Exemption Rules 2022](#)

And

[The Education \(Pastoral Care of Tertiary and International Learners\) Code of Practice 2021](#)
(hereafter 'The Code')

[Download the Code in English \(PDF, 925KB\)](#)

[Download the Code in Te Reo Māori \(PDF, 939KB\)](#)

3. First steps

Confirm your NZQA contact person

If you have any questions, your Approvals and Accreditation or Quality Assurance Māori contact person is there to help. They will usually be the evaluator for the PTE registration application. If you are not sure who it is, contact us at qaadmin@nzqa.govt.nz

Check also that the PTEs contact people, for Quality Assurance, Code of Practice, and NZQA Moderation systems (if applicable) are listed correctly on the PTEs profile.

Confirm your provider code

Your provider code is usually a 4-digit number used by the Ministry of Education (MoE) to identify your organisation. It is allocated as part of the registration process.

A provider code might be referred to as an EDUMIS number, MoE school code, NZQA number, Institution number or an Organisation number.

Get an Education Sector Logon with the appropriate access for your needs

Your PTE needs to apply to the Ministry of Education for an Education Sector Logon account at the following link: <http://services.education.govt.nz/education-sector-logon/access/>.

This logon will give you online access to your organisation profile. It is also where you will apply for most NZQA approvals. You will need different levels of access for different tasks, eg

- Checking learner RoAs
- Reporting results
- Applying for approval of programmes, micro-credentials or consent to assess.

If you need help getting this logon or the right level of access, contact the Ministry of Education at Service.desk@education.govt.nz

Sign up to eQuate

NZQA's newsletter, eQuate, covers regulation changes, ongoing requirements, upcoming events, and other information that may be important to know. [Subscribe to eQuate.](#)

4. First year

Deliver at least one programme or micro-credential

Develop a programme or micro-credential, submit it for approval through your TEO logon and, once accreditation is approved, start delivering the micro-credential or programme. (You must wait until the application has been approved by NZQA before enrolling students.)

Go to the application guidelines:

[Guidelines for programme approval and accreditation of New Zealand Certificates Levels 1-6 and New Zealand Diplomas Levels 5-7](#)

[Guidelines for micro-credential listing, approval and accreditation](#)

Apply for consent to assess against any unit standards you want to assess

If you are planning delivery that will include standards, seek support from the workforce development council (WDC) or Standard Setting Body (SSB) that looks after the standards. Consult the Consent and Moderation Requirements (CMR) document that covers the standards and make sure your application refers to how you will meet each of the general and industry criteria.

Go to the application guidelines:

[Guidelines for applying for consent to assess standards listed on the Directory of Assessment Standards](#)

Lapse of registration

Your PTE registration lapses if you do not provide an approved programme or micro-credential to enrolled students within one year of registration or during any twelve-month period. (Section 352(1) of the Act).

Extensions to PTE registration

NZQA expects PTEs to proactively plan and monitor when they deliver their approved programmes and micro-credentials. If unforeseen events delay enrolling learners on an approved programme or micro-credential in the first 12 months, you may apply to NZQA for an extension of your registration status. This will be considered by the Manager Approvals and Accreditation or Manager Quality Assurance Māori. Talk to your NZQA contact person as soon as possible.

Deliver other education

PTEs are allowed to develop, deliver, and enrol domestic students on courses that are not NZQA-recognised.

Ensure that the promotional material for non-approved courses does not imply or suggest that those courses are endorsed or approved by NZQA in any way. See Section 4.4 [Public information](#).

The Annual Return Statutory Declaration checks what you have delivered

NZQA checks if your PTE has provided an approved programme or micro-credential each year by asking you to declare it in the Annual Return Statutory Declaration.

Your PTE must declare:

- whether you have provided at least one programme or micro-credential in the preceding 12 months, and

- if there are any approved programmes or micro-credentials that you have not provided.

Advise NZQA if the accreditation has lapsed, or you wish to withdraw accreditation.

Your PTE can contact NZQA at any time to request the withdrawal of a programme or micro-credential accreditation.

See Section 4.3 [Annual Return Statutory Declaration](#) and Section 4.3 [Approved Delivery](#)

5. Validation

All newly registered PTEs are required to undergo a validation visit within 6 months of the first student enrolment. If the PTE does not have any enrolled students six months after registration, NZQA can agree to delay the validation visit.

The validation visit focusses on selected aspects of the Registration Rules and related provisions of the Act. The purpose of the validation visit is to check that the PTE is meeting registration requirements by operating as it has 'promised' in the application. Validation includes the day-to-day operation of the PTE and may include sampling student enrolment records, checking the website and other information provided to students is correct, checking moderation system results, and other systems for quality management and self-assessment.

The validation work is charged at \$190 (excluding GST) per hour, in the same way applications are charged. NZQA preparation for the visit and any follow up work is charged. The PTE must also cover NZQA travel costs.

Steps in the validation process

- 1 NZQA and PTE agree when the validation will take place.
- 2 NZQA carries out a 'desk review' of the PTE, from documentation NZQA holds on file and from the PTE's public information, in relation to selected Registration Rules:
 - 6.1.1. Status, ownership, interests, sites, and environment
 - 6.1.2. Public information
 - 6.1.3. Business management
 - 6.1.4. Information to students
 - 6.1.5. Student interests
 - 6.1.6. Staff
 - 6.1.7. Quality management system
 - 6.1.8. Assessment and moderation
- 3 NZQA contacts the PTE to begin the process, share documentation and information via email.
- 4 A decision on whether the validation visit will be in person/on site, or virtually, is made and visit arranged.
- 5 The visit is undertaken by two NZQA evaluators.
- 6 Any non-compliance is addressed
- 7 Validation is completed.
- 8 The PTE is put on the schedule for its first EER.

6. On-going requirements

Annual Return Statutory Declaration

Rule 16(1)-(2) of the Quality Assurance (including External Evaluation and Review (EER)) Rules 2022

1. Institutions must provide to NZQA, within 5 months of the end of the financial year of the institution an annual statutory declaration as to their compliance with the Education and Training Act 2020 and NZQA Rules.
2. In providing the declaration required by Rule 16.1, institutions must use the compliance declaration form published on the NZQA website

The PTE's governing body needs to ensure that it has sufficient oversight and assurance of the PTE's compliance with the Education and Training Act 2020 ('the Act') and NZQA Rules.

The governing body needs to be able to confidently attest to the organisation's compliance in the Annual Return Statutory Declaration. This declaration must be submitted to NZQA within five months of the end of the PTE's financial year.

Approved delivery and lapse

Statement of education

Section 348(1)(b) of the Act

It is a condition of registration that the PTE will keep up to date its written statement of the kinds of education it proposes to provide; and the outcomes it seeks to achieve through the provision of those kinds of education.

PTEs must continue to meet the needs of:

- their students
- relevant communities (including whānau, hapū, iwi, or hāpori Māori)
- other key stakeholders (including any relevant academic, employer, industry, runānga, mārae, professional and other bodies).

Over time, there may be changes to the kinds of education that your PTE offers, and the outcomes that you are looking for. See [Making changes to approved programmes and micro-credentials](#).

As part of your PTE's regular review process, you must keep its statement of education updated and be prepared to present it to NZQA on request at any time.

Deliver an approved programme or micro-credential every year

To avoid lapse of registration, your PTE needs to ensure that, within any 12-month period, you deliver at least one of your approved programmes or micro-credentials to enrolled students.

If you anticipate not using one of your programmes or micro-credentials for over 12 months, but want to use it in the future, you can apply to NZQA for an extension of the time in which to resume delivery.

Apply for this extension before the 12 months of non-usage ends. NZQA will grant or decline the

extension after looking at the circumstances.

Lapse of accreditation

Section 443 of the Act - programmes

An accreditation to provide an approved programme granted to an institution lapses when—

- (a) 12 months have passed since accreditation was granted and the institution has not during that time provided all or part of the programme to which the accreditation relates; or
- (b) 12 months have passed since the institution last provided all or part of the programme to which the accreditation relates; or
- (c) the programme to which the accreditation relates ceases to be an approved programme; or
- (d) the status of the qualification to which the accreditation relates is discontinued on the Qualifications and Credentials Framework.

Section 447 of the Act – micro-credentials

An accreditation to provide an approved micro-credential granted to an institution lapses when –

- 12 months have passed since the accreditation was granted and the institution has not during that time provided the micro-credential to which the accreditation relates; or
- 12 months have passed since the institution last provided the micro-credential to which the accreditation relates.

Assessment and moderation

Rule 6.1.8(a) of the Registration Rules

The PTE must:

- a. Operate a coherent system to ensure assessment and moderation requirements are met across all programmes for which it has accreditation, across all its approved micro-credentials, and across all of its consents to assess.

The PTE's system for the moderation of assessment should include:

- pre-assessment moderation (to ensure the validity of its assessment tools and activities)
- post-assessment moderation (to ensure its assessment decisions are accurate and consistent).

Meet the requirements of any relevant Consent and Moderation Requirements

PTEs that hold consent to assess against standards must comply with the requirements set out in the Consent and Moderation Requirements for the relevant standards.

These requirements may include participating in and meeting the requirements of the national external moderation system (NEM) managed by the relevant standard setting body.

Complaints, discipline, and appeals

Section 6.1.4(e)-(f) of the Registration Rules

- e. Inform students of the PTE's processes for receiving and responding to student complaints, and of NZQA's complaint processes for students regarding PTEs
- f. Inform students of the student discipline and appeals processes and procedures.

Rule 6.1.5(a)-(b) of the Registration Rules

- a. Ensure the PTE's complaints processes are easily accessible for students:
- b. Be fair and equitable in conducting its interactions with students and in implementing its student complaints, discipline, and appeals policies and procedures.

Complaints, discipline and appeals are distinct areas:

Complaints processes set out how a student can raise their concerns or grievances with the PTE and how the PTE will respond.

Discipline processes set out a PTE's expectation of students' behaviour, and what will happen if a student fails to meet those expectations.

Appeals processes set out what a student can do if they consider that an academic decision (an assessment result or programme outcome) is not fair or reasonable.

Information about these processes should be clear, detailed, and readily available for students (e.g. in their Student Handbook, public website).

Dealing with complaints

The PTE's complaint process should include, as a minimum:

- points of contact and escalation
- reasonable timeframes
- adequate support for students
- clear documentation of outcomes
- Reference to the [Tertiary Dispute Resolution](#) process.

See the NZQA website for NZQA's expectations about how students and PTEs should work together in good faith to resolve complaints.

NZQA has a formal student complaint process which is available if a PTE's complaint process fails to resolve the student's concerns to their satisfaction. Students must be made aware of the NZQA [Complaint process](#).

Enrolment and Academic Records

Dealing with students' request for information

PTEs must respond to current and past student requests for information in a timely manner. Students are entitled to have ready access to their enrolment and academic information.

PTE record keeping obligations are set out in the [PTE Enrolment and Academic Records Rules](#).

[2022](#), as well as under the Privacy Act 2020.

If relevant, your PTE should provide information to students about how to access their online NZQA Record of Achievement.

Enrolment records and assessment materials must be kept until at least two years after the completion of the education or training in which the student is enrolled.

Records to be kept permanently

- Records of individual student assessment and examination results (for example, for prescriptions, papers, or assessment standards) that include the name of the student, the date of achievement and the relevant grade.
- Any cross credits, credit transfer, and recognition of prior learning arrangements for individual students, and the evidential basis for them.
- Records of the achievement of awards or qualifications by the students.
- Records of student attendance, which are to be kept for at least the duration of the student's enrolment.

Delivery sites and environment

Rule 6.1.1(d)-(g) of the Registration Rules

(d) prior to a new site being used by a PTE for the provision of study or training, the PTE must:

(i) for a new permanent site, seek NZQA approval:

(ii) for a new temporary site, notify NZQA and provide relevant details:

(e) allow NZQA to visit the new site referred to in paragraph (d)

(f) ensure the premises and sites it uses (including for any off-site learning) remain safe and adequate for the study or training provided, for its staff, for the number of students enrolled, for meeting students' specific needs:

(g) in other respects operate a safe and legally compliant environment, including (without limitation) the equipment it uses.

The [NZQA website](#) provides information about how and when to apply for approval of a new permanent site and notify NZQA of a new temporary site.

Permanent delivery sites

A delivery site is considered to be permanent when a PTE has a regular and ongoing presence at the site. Your PTE is likely to either own the premises or have a lease or rental agreement that provides security of tenure.

Temporary delivery sites

A temporary delivery site is used on an infrequent or irregular short-term basis. Short-term use refers to a period up to a maximum of 26 weeks.

Health and safety at delivery sites

Your PTE needs to develop, implement and regularly review health and safety policies and practices to ensure that the PTE meets all of its obligations to students and staff.

Disability

To meet the Code, your PTE needs to develop, implement and regularly review accessibility policies and processes that cater to the needs of disabled learners.

PTEs must comply with the Health and Safety at Work Act 2015. For further information is see the Ministry of Business, Innovation and Employment website at <https://worksafe.govt.nz/>.

External evaluation and review (EER)

Rule 6.1.9(a) of the Registration Rules

The PTE must:

- a. Undertake on-going self-assessment and participate in EER in accordance with EER requirements.

Self-assessment and external evaluation and review (EER) are an integral part of NZQA's evaluative quality assurance framework.

For new PTEs, an EER is scheduled after the validation visit is completed. The EER will be within the first one to two years after registration, at which time a category rating will be allocated. Until an EER has been completed, no category rating is given.

For information about category ratings see:

[Provider categories after external evaluation and review](#)

Resources for self-assessment and EER

The key features of self-assessment and NZQA's requirements for EER are set out in the Quality Assurance (including External Evaluation and Review (EER)) Rules 2022 available on the NZQA website

[Quality Assurance Rules 2022](#)

From 1 July 2022, the 2021 Code has been included in the EER. The Code and Guidance to support implementation and self-review of the Code is on the NZQA website:

[Tertiary and International Learners Code of Practice](#)

Additional guidance and resources for self-assessment and EER resources are available from the NZQA website at:

[External evaluation and review](#)

Financial matters

Rule 6.1.3(a) and (f)-(g) of the Registration Rules

The PTE must:

- a. [Unless it is funded by the Tertiary Education Commission] complete and supply to NZQA

the Annual Financial Return within five months of the end of the financial year of the PTE.

f. Keep its financial records up to date, ensure the financial records follow Generally Accepted Accounting Principles and financial reporting standards, and maintain an adequate system of internal financial controls.

g. Ensure it remains financially sustainable and able to meet its financial commitments.

PTEs that are funded by the Tertiary Education Commission (TEC) submit financial returns directly to TEC.

All other PTEs must submit an Annual Financial Return to NZQA within five months of the end of their financial year. Category 1 PTEs only have to submit an Annual Financial Return every second year.

The Annual Financial Return must be completed by an independent chartered accountant and may be an Independent Assurance Practitioner's Report (IAPR) or Auditor's Report.

More information about the Annual Financial Return is available on the NZQA website:

[Annual requirements](#)

If NZQA has concerns about a PTE's financial sustainability, it may ask to see additional information such as a copy of the PTE's latest financial accounts.

If your PTE intends to change its financial year end, you must advise your contact person.

Information to students

The Registration Rules and the Act set out the minimum information that a student is entitled to have (i) before they commit to enrolling and (ii) after they are enrolled.

PTEs that are signatories to the Code need to be aware of the additional information they need to provide to prospective and enrolled international students.

Prospective students (pre- enrolment)

It is important that prospective students receive enough information to be able to make an informed decision if both the PTE and programme (or micro-credential) are a good fit for them.

If NZQA requests it, PTEs need to be able to provide evidence that a student has received the specified information.

Information that private training establishments must give prospective students

A private training establishment must:

ensure that all information made available to prospective students contains full details of—

the total fees for each programme or micro-credential, including fees for class or lecture materials, books, special clothing, safety equipment, tools, and any other items that are or may be provided to students enrolled in that programme or micro-credential, and including any students' association membership fees; and

(ii) the class or lecture materials, books, special clothing, safety equipment, tools, and other items that are or may be required by the establishment to be bought or provided by students enrolled in each programme or micro-credential; and

(b) before accepting the enrolment of any prospective student, give the student a written statement of—

(i) the total costs of the programme or micro-credential and all other financial commitments associated with the programme or micro-credential; and

(ii) the cost of fees charged for student services provided by the establishment; and

(iii) any material conflicts of interest of any of the governing members of the establishment; and

(iv) any interests of a kind described in any statement required under section 344(2)(c)(ii);
and

(c) give every prospective student a written statement of the student's entitlements under sections 357 and 529, in the event that the student withdraws from a programme or micro-credential.

[Section 354 of the Act](#)

All students' enrolment

Private training establishments must:

- inform students, including newly enrolling students, of its EER category and its statements of confidence:
- inform students, including newly enrolling students, of any conditions NZQA has placed on the PTE's registration, of any compliance notice that has been issued by NZQA to the PTE that has not been complied with, and any notice of intention to cancel registration of the PTE that has been issued by NZQA to the PTE:
- inform students enrolled or being enrolled at the PTE in an approved programme or micro-credential (for which the PTE has accreditation), or in standards for which the PTE has a consent to assess, of:
 - any conditions placed by NZQA on the approved programme, the approved micro-credential, the accreditation, or the consent to assess:
 - any notice of intention issued by NZQA to withdraw the programme or micro-credential approval, the accreditation or the consent to assess:
 - any compliance notice issued by NZQA to the PTE in respect of the programme, the micro-credential, the accreditation or the consent to assess:
- inform students of the PTE's processes for receiving and responding to student complaints, and of NZQA's complaint processes for students regarding PTEs:
- inform students of the student discipline and appeals processes and procedures:
- inform students of regulations applying to programmes in which the students are enrolled:
- ensure any student receives in a timely manner a copy any of the information set out in paragraphs (a) and (c) to (f) of this rule 6.1.4, where the student requests that information:
- ensure students have ready access to their enrolment and academic information.

[Rule 6.1.4](#)

The Services for Tertiary Education Organisations ([STEO website](#)) provides information for funded PTEs, that can also be used by unfunded PTEs, including a 'generic' enrolment form.

Legal status and ownership

Rule 6.1.1(a) and (b) of the Registration Rules

The PTE must:

- a. Continue to be a body corporate
- b. Seek NZQA approval where the ownership of the PTE changes, prior to the ownership change taking place.

Section 352(3) of the Act

A PTE's registration lapses on the date that it ceases to be a body corporate.

NZQA can grant registration to a specific body corporate, which can be:

- a limited liability company registered by the New Zealand Companies Office (identified by a company number)
- an incorporated society registered on the Register of Societies and Trusts (identified by a registered number)
- a charitable trust registered by the Charities Office (identified by a registered number).

Once your PTE is registered, you cannot transfer or sell your registration to a different body corporate.

If your PTE ceases to be a limited liability company, incorporated society or registered charitable trust, you are required to inform NZQA.

If you want to change the legal status of your PTE, please contact NZQA to discuss this before taking any action.

You need to notify NZQA immediately if the legal name of your PTE's body corporate changes but retains the same company/registered number.

Changing ownership

For a limited liability company, a change of ownership is where:

- the body corporate (limited liability company) that was granted registration as a PTE remains the same; but
- there is a change to the shareholder(s) of that limited liability company. This usually happens as a result as a sale of shares.

A PTE intending to change its ownership must apply for NZQA approval **30 working days prior** to the planned ownership change taking place. NZQA must confirm that the new owners have the capability and resources to continue operating the PTE appropriately, and that students' education will not be disrupted.

Detailed information explaining the application process is available on NZQA's website. PTEs

considering a change of ownership are encouraged to seek NZQA advice.

[Change of ownership.](#)

Making changes to approved programmes and micro-credentials

PTEs must keep approved programmes and micro-credentials up to date following self-assessment and review processes and qualification or standards review.

A compilation of change reports for qualifications and standards registered on the New Zealand Qualifications and Credentials Framework is updated here:

[Qualifications and Assessment Standards Approvals](#)

Check these reports every month so your PTE is aware of new approvals, reviews and changes to qualifications and standards. These may inform programme development.

These reports cover the review rationale, the changes made because of the review; impact on organisations with consent to assess; and information about transition to the new versions of unit standards and qualifications.

The requirements for making change applications are set out in the guidelines:

[Guidelines for programme approval and accreditation of New Zealand Certificates Levels 1-6 and New Zealand Diplomas Levels 5-7](#)

[Guidelines for micro-credential listing, approval and accreditation](#)

NZQA fees

Section 352(4) of the Act

If a registered private training establishment is required under the Act to pay any fees to NZQA and fails to pay those fees after receiving two reminder notices within three months, the registration of the PTE lapses on the date that is one calendar month after the date of the second reminder notice from NZQA.

Section 349 of the Act

Every registered PTE must pay NZQA an annual registration fee.

Rule 6.1.3(c) of the Registration Rules

PTEs must complete and supply to NZQA the Annual Registration Fee Return by 30 June each year, the form for which is available on the NZQA website.

The fees that NZQA will charge your PTE include:

- the Annual Registration Fee
- fees to evaluate your applications
- fees associated with EER and other monitoring.

For more information about fees, including a copy of the Annual Registration Fee Return, see

[Completing the Annual Fee Return Form](#)

Public information

Rule 6.1.2 of the Registration Rules

The PTE must:

- a. Keep the information in its NZQA online profile up to date
- b. Ensure the public information it provides is accurate, clear and not misleading
- c. When providing information on education or training linked to its status as a registered PTE, where that education or training is not approved by NZQA (through programme or micro-credential accreditations, or consents to assess against standards), ensure that the information makes it clear that the education or training is not approved by NZQA.

The PTE is responsible for keeping information in its online profile up-to-date, including its contact details. (Access your online profile by logging into the TEO online services.)

Provide clear and accurate information

You need to make sure that any public information your PTE provides (websites, social media, advertising, signage) is accurate, clear and not misleading. Review it from time to time to ensure that it remains current.

Do not refer to courses as 'NZQA-approved'

A PTE must take care not to commit one of the misrepresentation offences listed in section 391 of the Act. These offences include falsely claiming to have approval or accreditation for a programme, or a micro-credential, or consent to assess against standards.

Only the PTE's own NZQA-approved programmes and micro-credentials can be advertised as such.

Use both the registered and trading name of your PTE

The Companies Act 1993 requires companies to clearly state their legal name in all documentation. NZQA expects PTEs to ensure that their registered PTE name (not just their trading name) is transparent in *all* documentation (e.g. website, brochures, manuals, offers of place, student handbook, employment agreements, certificates etc.)

See information on changing a PTE trading name:

[Change to trading name](#)

Programme monitoring

Where NZQA requests it, PTEs who deliver approved programmes must participate in programme monitoring.

NZQA has a range of programme monitoring activities, which focus on one or more of the criteria to maintain programme approval and accreditation.

NZQA may carry out:

- a visit to the TEO and moderation of learner work samples

- moderation only
- internal moderation systems monitoring
- programme review monitoring.

NZQA carries out most of its current monitoring activities at Levels 1-6 and Level 7 diplomas remotely.

For more information see [NZQA's approach to programme monitoring at levels 1-6 and level 7 diplomas](#)

Quality management system (QMS)

Rule 6.1.7(a)-(b) of the Registration Rules

The PTE must:

- keep its quality management system (as required under Rule 4.1(f)) up to date:
- follow and implement the content of its quality management system.

Rule 4.1(f) of the Registration Rules specifies that a PTE's QMS must cover all aspects of its business, with a minimum of policies and procedures for:

- organisational self-assessment
- decision-making, financial delegations, and financial controls
- personnel recruitment and management
- information management, including systems for the collection, recording and transfer of student records, and financial, statistical and other information that the PTE must supply to, or keep available for, government agencies
- enrolment procedures
- management of risks
- compliance with the rules made under section student complaints, student discipline and appeals, ensuring the policies and procedures are fair and equitable
- compliance with rules made under section 452(1)(e) of the Act for student fee protection.

Reviewing your QMS

NZQA expects a PTE to review its QMS on a regular basis for its own continuous improvement.

Documented information is retained and maintained to support the operation of business processes and to have confidence that the processes are being carried out as planned. The QMS should be subject to continual improvement resulting from critical review and changing stakeholder requirements on a regular basis.

The review should consider whether the PTE's policies and procedures:

- are up-to-date
- meet external regulations
- remain appropriate for the organisation

- are being consistently followed by all staff.

The review should be documented and any changes to the QMS recorded.

Refunds to students

Sections 357, 529 and 530 of the Education and Training Act 2020

Student Fee Protection Rules 2022

Section 354(c) of the Act

A PTE must give every prospective student a written statement of his or her [refund] entitlements under sections 357 and 529, in the event that the student withdraws from a programme or micro-credential.

If a student wishes to withdraw from a programme or micro-credential, their refund entitlement depends on:

- whether they are a domestic or international student
- the length of the programme or micro-credential they were enrolled in
- when the student requested a withdrawal.

There are statutory minimum refunds, but a PTE may choose to make its refund policy more generous than the minimum entitlement.

Statutory minimum refunds

[Courses less than three months in duration](#)

[Courses longer than three months](#)

[Withdrawing after the withdrawal period](#)

See more:

[Student fee protection.](#)

Reporting requirements for unfunded international providers

Rule 6.1.3(d) of the Registration Rules

A PTE [that is a signatory to the Code and does not receive TEC funding] must electronically transmit to the Ministry of Education from its student management system the student and other information required by the Ministry as set out on the Ministry's website.

The Ministry of Education website specifies the information that unfunded international providers must provide every year.

<https://applications.education.govt.nz/unfunded-international-providers-uip-data-collection-portal>

Staff

Rule 6.1.6(a)-(e) of the Registration Rules

The PTE must:

- a. Engage sufficient competent staff to meet its responsibilities to students:
 - b. Ensure its teaching staff are sufficiently experienced and qualified to at least one level above the students being taught, or have demonstrated equivalent experience, for the tuition they are providing:
 - c. Ensure that the skills and subject knowledge of teaching staff are current and relevant to the needs of learners and relevant stakeholders:
 - d. Ensure that management and administration staff competently fulfil their roles:
- Keep its organisation chart up to date, including current staff names for each role.

Your PTE should be able to satisfy NZQA that the number and type of your staff meets your responsibilities to students.

NZQA defines 'engaging sufficient competent staff' as meaning that a PTE uses appropriate recruitment and selection practices to make sure it has enough personnel with:

- subject knowledge and teaching expertise
- assessment and moderation expertise
- educational management expertise
- quality management expertise
- student support skills
- financial and administration expertise
- pastoral care expertise.

The student-teacher ratio will vary according to the kinds of education your PTE provides and the student profile.

Choosing qualified staff

Staff must be recruited in accordance with the position descriptions, Quality Management System policies and/or business plans provided to support the PTEs registration.

Where approved programmes, approved micro-credentials and consents to assess, prescribe the requirements for skills and subject knowledge, qualified staffing must be maintained.

NZQA acknowledges that fully qualified teaching staff may not always be available. If staff are recruited based on their experience being deemed equivalent to a qualification, ensure that it is higher than the level of the education or training the staff are delivering.

Have policies and a system to manage staff

Your PTE's recruitment, performance development, and management system should ensure that the skills and subject knowledge of the teaching staff remain current and relevant.

Monitoring the effectiveness of your teaching staff should be a priority for PTE self-assessment.

The PTE's recruitment, and performance development and management system should also help to ensure the competence of management and administration staff.

The PTE should have policies and processes for providing staff with ongoing training and resources, relevant to their roles, as required by the Code, Outcome 1, Process 4, clause 10 (2). See [Guidance for Tertiary Providers](#) page 21.

The PTE's staff organisation chart should be up-to-date and available if NZQA requests it. The chart should contain the staff positions (whether employees or contracted staff) and the names of the staff currently in, or appointed to, those positions.

Statutory declarations as a fit and proper person and conflicts of interest

Section 348(1)(c) of the Act

It is a condition of registration that the PTE will:

- a) ensure that existing governing members keep their Statutory declaration as a fit and proper person and of conflicts of interest up to date; and
- b) ensure that any new governing member submits a Statutory declaration as a fit and proper person and of conflicts of interest to NZQA before commencing as a governing member of the PTE.

Section 346(1) of the Act

The PTE must continue to ensure that:

- a) every governing member of the establishment is a fit and proper person (after considering the criteria set out in section 347); and
- b) the establishment has in place effective arrangements for managing any conflicts of interest that exist or may arise; and
- c) no governing member of the establishment has a material conflict of interest that NZQA considers is or is likely to be unmanageable; and
- d) no governing member of the establishment has an interest of a kind described in section 344(2)(c)(ii) that NZQA considers is or is likely to be unmanageable

Section 10 of the Act

This section of the Act defines **governing members** as being:

- a) any director:
- b) any member occupying a position equivalent to that of a director:
- c) if the establishment is a trust, any trustee:
- d) if the establishment is a partnership, any partner:
- e) any senior manager:
- f) any shareholder with a controlling interest in the establishment

senior manager, in relation to a private training establishment, means—

- a) the chief executive officer or person occupying an equivalent position; or
- b) any member of staff in charge of academic issues, marketing, administration, finance, student fee trust funds, or student services.

Section 347 of the Act

This section of the Act sets out the matters that NZQA gives weight to when considering whether a governing member is a fit and proper person for that position.

The NZQA website has a copy of the Statutory declaration as a fit and proper person and of conflicts of interest form, and guidance on how to fill it out.

PTEs must have policies and processes to ensure that:

- it appoints governing members who are fit and proper persons for the role
- it checks, manages, and declares governing members' interests and conflicts of interest as set out in the Act (to both NZQA and prospective students).

NZQA expects your PTE to manage the suitability of your governing members.

If NZQA becomes concerned that one of your governing members is not a fit and proper person for the role, it will raise this with your PTE. You will have the opportunity to provide additional information or take appropriate action.

In serious cases a governing member may need to vacate their position.

In extreme circumstances (see section 350(2)(b) of the Act) NZQA may decide that a governing member is not deemed to be a fit and proper person for their role. This may be grounds for cancelling a PTE's registration.

Student welfare and rights

Once registered, a PTE has to demonstrate it is meeting students' needs and taking a holistic approach to students' well-being (under Rules 6.1.3 and 6.1.5, and the Code).

Your PTE's policies and procedures must cover the organisational practices that will meet the Outcomes of the Code.

International learners

Sections 527 and 532-534 of the Act

If your PTE intends to enrol international students, it must become a signatory to the Education (Pastoral Care of Tertiary and International Learners) Code of Practice 2021 (the Code).

Domestic tertiary learners

Section 534 of the Act

The purpose of the Code is to support the Government's objectives for the education of domestic tertiary students by

- requiring providers to take all reasonable steps to maintain the well-being of domestic tertiary students; and
- ensuring, so far as is possible, that domestic tertiary students have a positive experience that supports their educational achievement.

Rule 6.1.5(c)-(e) of the Registration Rules

PTEs are required to:

c. Implement an approach to student well-being that encompasses, where relevant, taha whānau (social/cultural), taha wairua (spiritual), taha hinengaro (emotional/mental) and taha tinana (physical) dimensions to encourage and enable student progress:

d. Meet the needs of students consistent with the description required of the PTE under Rule 4.1(c):

e. Provide its students with access to educational and non-educational support and guidance services to meet their individual needs and helping them towards achievement of educational success.

For many students, particularly Māori students, their academic progress is interdependent with their holistic well-being, which includes social, cultural, spiritual, emotional, mental and physical dimensions.

Examples of educational support and guidance services

- individual academic support from specialist student advisors
- student peer mentoring systems arranged by the PTE.

Example of non-educational support and guidance services

- Student counselling services.

The Code

The Code, in respect of domestic tertiary students, is binding on all providers.

In addition, in order to enrol international students, you must become a signatory to the Code.

Under the Code, your organisation must take a whole-of-provider approach to maintain a strategic and transparent learner wellbeing and safety system that responds to the diverse needs of its learners.

This includes:

- Working proactively with learners and other stakeholders to develop, publish, and regularly review learner wellbeing and safety goals and plans
- Using your strategic goals and plans to regularly self-review how well your learner wellbeing and safety practices are achieving the outcomes and practices of the Code
- Documenting self-review reports on the quality of your learner wellbeing and safety practices for your own records and for external evaluation and review (EER, Code monitoring), and
- Publishing self-review reports, in readily available, accessible formats, for learners, staff, and the general public.

NZQA is the Code administrator, responsible for monitoring and supporting providers to give effect to the Code.

Self-assessment of student support

Your PTE's self-assessment should consider the key evaluation questions 'How effectively are students supported and involved in their learning?' and 'How effectively are important compliance accountabilities managed?' and include self-review of learner safety and wellbeing practices, as set out in Outcome 1 of the Code

To support PTE self-assessment, see:

- the Tertiary Evaluation Indicators. These contain more detailed research-based indicators relating to student well-being. They are available on the NZQA website at [Tertiary evaluation indicators – an overview](#)
- NZQA's guidance and toolkits for self-review of performance against the Code, also available on the NZQA website at [Tertiary and International Learners Code of Practice](#)

Student fee protection (SFP)

Sections 355 and 356 of the Education and Training Act 2020
Student Fee Protection Rules 2022
Student Funds Trust Deposit Exemption Rules 2022

The Act requires PTEs to have appropriate arrangements in place for protecting fees paid by students.

This requirement does not apply to fees payable for programmes and micro-credentials that are \$500 (GST inclusive) or less.

PTEs are required to have their proposed arrangement approved by NZQA and in place before accepting any fees from students. The Student Fee Protection Rules 2022 set out, in detail, the options that a PTE can consider for its arrangement, and other obligations (such as the requirement for annual audit of student fee protection).

See more:

[student fee protection](#)

Sub-contracting

Rule 6.1.3(e) of the Registration Rules

A PTE must:

Not associate itself with provision of NZQA approved study or training under sub-contracted arrangements unless the arrangements comply with the sub-contracting requirements in the rules relating to programme or micro-credential accreditation or consent to assess against standards (as applicable).

Programme and micro-credential accreditation, and consent to assess against standards, are granted by NZQA to a specific PTE.

You must not allow another organisation to deliver on your behalf without first following the appropriate process as set out in the NZQA Rules.

Programme Approval, Recognition, and Accreditation Rules 2022	Rule 20
Micro-credential Approval and Accreditation Rules 2022	Rule 14
Consent to Assess Against Standards on the Directory of Assessment and Skill Standards Rules 2022	Rule 8

When do you have to apply to NZQA?

NZQA sub-contracting approval is required if the sub-contractor:

- is not registered, or
- does not have their own accreditation to deliver the approved programme, or micro-credential, or
- does not have the relevant consents to assess.

The Rules outline the information that must be included in an application for sub-contracting approval. NZQA must be satisfied all criteria are met before granting approval.

Te Hono o Te Kahurangi

Te Hono o Te Kahurangi (THoTK) is a whare ako framework and methodology NZQA uses for quality assurance in the non-university tertiary sector.

PTEs can choose between two evaluative approaches when they send an application to NZQA. They can choose either the Standard approach, or Te Hono o Te Kahurangi.

If your organisation uses kaupapa Māori and teaches mātauranga Māori, Te Hono o Te Kahurangi lets you engage with NZQA using Māori approaches and values. The framework also contains practices that will add to learner success by assuring national consistency.

Te Hono o Te Kahurangi guidelines for evaluative quality assurance

These guidelines provide information to tertiary education organisations about how NZQA quality assures educational outcomes. They also show how we prioritise Mātauranga Māori and the acceleration of Māori learner success in tertiary education.

A summary of Te Hono o Te Kahurangi quality assurance processes for tertiary education organisations.

[Guidelines for evaluative quality assurance](#)