



Te Oranga me  
Te Haumaru Ākonga

**Learner Wellbeing  
and Safety**

## Self-review Toolkit for Tertiary Education Providers

### Tool A: gap analysis

The Education (Pastoral Care of  
Tertiary and International Learners)  
Code of Practice 2021

**NZQA**

NEW ZEALAND QUALIFICATIONS AUTHORITY  
MANA TOHU MĀTAURANGA O AOTEAROA

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

## Contents

Tool A: gap analysis.....	3
<b>Organisational structures to support a whole-of-provider approach to learner wellbeing and safety .....</b>	<b>4</b>
Outcome 1: A learner wellbeing and safety system .....	4
Outcome 2: Learner voice .....	12
<b>Wellbeing and safety practices for all tertiary providers .....</b>	<b>17</b>
Outcome 3: Safe, inclusive, supportive, and accessible physical and digital learning environments .....	17
Outcome 4: Learners are safe and well .....	21

## Tool A: gap analysis

This optional tool sets out the areas of practice you need to review to check your compliance with the Code.

You can use this tool to help you:

- **Prepare** for a gap analysis, by identifying the information you need to evidence your compliance with the Code at each clause
- **Make sense** of your gathered information, by noting any gaps in your current practice and/or evidence of current practice.

KEY	
COMPLIANT	<ul style="list-style-type: none"><li>• We have the required practices in place</li><li>• We have sufficient evidence on which to make judgements about the effectiveness of our practices</li></ul>
GAP (in evidence)	<ul style="list-style-type: none"><li>• We have the required practices in place but...</li><li>• ...we have limited evidence on which to make judgements about the effectiveness of those practices</li></ul>
GAP (in practice)	<ul style="list-style-type: none"><li>• We do not have the required practices in place</li></ul>

If you are a provider with student accommodation or Code signatory, you can **insert additional pages into this tool** relating to **Student Accommodation (Outcomes 5-7)** and/or **International Learners (Outcomes 8-12)** after Outcome 4.

Use the links below to download any additional pages as required:

- [Student Accommodation](#)
- [International Tertiary Learners](#)

## Organisational structures to support a whole-of-provider approach to learner wellbeing and safety

### Outcome 1: A learner wellbeing and safety system

Providers 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 their learners.

Phase in the gap analysis process:	PREPARE	MAKE SENSE		
Key required processes	Information we can gather to use as evidence of our compliance with this clause	COMPLIANT	GAP (in evidence)	GAP (in practice)
<p><b>Process 1: Strategic goals and strategic plans</b></p> <p><b>Clause 7 (1).</b> Providers must have strategic goals and strategic plans for supporting the wellbeing and safety of their learners across their organisation, including student accommodation, describing how they will –</p> <p>(a) give effect to the outcomes sought and processes required by this code; and</p>	<p>Policy in place – Under Review as per DAP plan. EER comments Board Strategic goals to align with College plan under development</p>	Compliant		
<p>(b) contribute to an education system that honours Te Tiriti o Waitangi and supports Māori-Crown relations.</p>	<p>Policy – Under Review in partnership with the Student Council. Appointed Cultural Liaison</p>	Compliant		

<p><b>Clause 7 (2).</b> Providers must –</p> <p>(a) regularly review their learner wellbeing and safety strategic goals and strategic plans as described in subclause (1); and</p>	<p>Review started in early 2024 and had been ongoing. In 2023 the College absorbed students from two other providers, hence the previous gap that has now been rectified. 2024 Newly built Code of Practice Site for Staff on SharePoint. With tracking system. Reporting from SELMA SMS has improved. Newly built Code of Practice pages in Moodle. Staff PD Student comms re the support available. Newly developed Learner Success Plan Newly developed Disabilities action plan</p>	<p>Complete Compliant</p>		
<p>(b) make amendments to their learner wellbeing and safety strategic goals and strategic plans within a reasonable timeframe following the review.</p>	<p>Yes – via AA. Meeting minutes – AA and SAS Extensions, deferments, CTE, LOA, APR</p>	<p>Compliant</p>		

<p><b>Clause 7 (3).</b> Providers must work proactively with learners and stakeholders (and document this work) when –</p> <p>(a) developing their learner wellbeing and safety strategic goals and strategic plans described in subclause (1); and</p>	<p>Student council. New Structure to Student Council with a Lead elected and a Coordinator to support. The SC will become more autonomous the Lead working with the CE and AD.</p>			
<p>(b) reviewing their learner wellbeing and safety strategic goals and strategic plans described in subclause (2).</p>	<p>To involve the SC in these developments as above.</p>	<p>Compliant</p>		
<p><b>Process 2: Self review of learner wellbeing and safety practices</b></p> <p><b>Clause 8 (1).</b> Providers must use strategic goals and strategic plans described in clause 7(1) to regularly review the quality of their learner wellbeing and safety practices to achieve the outcomes and practices of this code, at a frequency or by a date determined by the code administrator.</p>	<p>In 2023 a gap was identified in strategic documentation. Gap addressed through the development of the LSP and DAP, early check-in during enrolment and the beginning the semester. SAS is now the Pastoral Care Team, with weekly meetings and ongoing communication regarding student needs and monitoring of student with additional needs. Improved tracking and reporting.</p>	<p>Compliant</p>		
<p><b>Clause 8 (2).</b> Providers must review their learner wellbeing and safety practices using –</p> <p>(a) input from diverse learners and other stakeholders; and</p>	<p>Via student council Student Voice survey available on LMS</p>	<p>Compliant</p>		

<p>(b) relevant quantitative and qualitative data (including from learner complaints) that is, as far as practicable, and consistent with the provider’s obligations under current privacy legislation, disaggregated by diverse learner groups.</p>	<p>Covered but not the focus of course feedback surveys. Email and anecdotal feedback 2024 Student Voice survey available on LMS</p>	<p>Compliant</p>		
<p><b>Clause 8 (3).</b> Providers must, in a timely manner, following a review described in subclauses (1) and (2) take appropriate action to address any deficiencies in learner wellbeing and safety practices.</p>	<p>2024 Newly built Code of Practice Site for Staff on SharePoint. With tracking system. Reporting from SELMA SMS has improved. Newly built Code of Practice pages in Moodle. Staff PD Student comms re the support available. Newly developed Learner Success Plan Newly developed Disabilities action plan</p>	<p>Compliant</p>		

<p><b>Process 3: Publication requirements</b></p> <p><b>Clause 9.</b> Providers must make the following information readily available, in accessible formats, to learners, staff and the general public, including on their websites (where available) –</p> <p>(a) strategic goals and strategic plans for supporting the wellbeing and safety of learners described in clause 7(1); and</p>	<p>2024 – LSP and the DAP refer to those documents</p>	<p>Compliant</p>		
<p>(b) revisions to strategic goals and strategic plans for supporting the wellbeing and safety of learners described in clause 7(2); and</p>	<p>As previous see LSA and DAP</p>	<p>Compliant</p>		
<p>(c) self-review reports on the quality of their learner wellbeing and safety practices described in clause 8.</p>	<p>Ongoing review in place</p>	<p>Compliant</p>		
<p><b>Process 4: Responsive wellbeing and safety systems</b></p> <p><b>Clause 10 (1).</b> Providers must gather and communicate relevant information across their organisation (including student accommodation) and from relevant stakeholders to accurately identify emerging concerns about learners’ wellbeing and safety or behaviour and take all reasonable steps to connect learners quickly to culturally appropriate social, medical, and mental health services.</p>	<p>Selma notes on individual students Student council Pastoral care processes SharePoint Pastoral Care site for information out to staff and tracking of students with additional needs, Academic staff debriefing meetings and the Code Team meetings</p>	<p>Compliant</p>		



<p><b>Clause 10 (2).</b> Providers must provide staff with ongoing training and resources tailored to their roles in the organisation, in relation to –</p> <p>(a) Te Tiriti o Waitangi; and</p>	<p>Current Education Perfect course SharePoint site and Moodle</p> <p>Te Tiriti o Waitangi policy is currently in review with the newly established Cultural Liaison</p>	<p>Ongoing Compliant</p>		
<p>(b) the provider’s obligations under this code; and</p>	<p>PD completed this year across all staff</p>	<p>Compliant</p>		
<p>(c) understanding the welfare issues of diverse learner groups and appropriate cultural competencies; and</p>	<p>Review the interview questions and enrolment form indication of additional needs. Developed SharePoint and Moodle. Provided specific staff training on Te Tiriti o Waitangi and Neurodiversity Reliant on students coming forward with their needs Additional needs register</p>	<p>Compliant</p>		
<p>(d) identifying and timely reporting of incidents of racism, discrimination, and bullying; and</p>	<p>Complaints policy has been reviewed and consultation with Student Council</p>	<p>Compliant</p>		
<p>(e) physical and sexual violence prevention and response, including how to support a culture of disclosure and reporting; and</p>	<p>Policy – to review</p>	<p>In development</p>		
<p>(f) privacy and safe handling of personal information; and</p>	<p>Privacy policy Risk management Handling of client information</p>	<p>Compliant</p>		

(g) referral pathways (including to local service providers) and escalation procedures; and	External counselling. Internal referral - student progress reports	Compliant		
(h) identifying and timely reporting of incidents and concerning behaviours; and	Students freely disclose (rare - interactions with CLs) Communication via absence notifications - improved the system as a result of review.	Compliant Under review		
(i) wellbeing and safety awareness and promotion topics including – i. safe health and mental health literacy and support; and ii. suicide and self-harm awareness; and iii. promoting drug and alcohol awareness; and iv. promoting healthy lifestyles for learners.	i. In course content - website ii. In course content - clinic iii. In course content – Public Health iv. In course content from PPNM and via Paua Clinic v. The level 5 Public Health course covers all of these items, it is very comprehensive.	Compliant		
<b>Clause 10 (3).</b> Providers must have plans for assisting learners, and responding effectively, in emergency situations in the learning or residential community (whether localised or more widespread), including – (a) making these plans readily available to learners when they begin their study; and	Move to online is rapid in an emergency response. Improved H&S procedures and training. Regular fire drills	Compliant		
(b) ensuring that there are suitably prepared staff members available to be contacted by a learner, or learners, in the event of an emergency; and	Procedures in place for some. Good first aid coverage. Good H&S training After hour response.	Compliant Under review		College mobile?

(c) co-ordinating decision-making across the provider when responding to emergencies; and	Often do as a case-by-case	Compliant Under review		
(d) disseminating timely, accurate, consistent, and accessible information to learners and staff during emergencies; and	Procedure in development Incident flow chart in development.	Compliant Under review		
(e) ensuring all relevant staff are aware of the indicators of imminent danger to a learner or others and what action they can reasonably provide to help make them safe; and	Well covered- student progress: sufficient knowledge on mental health, abuse Procedure in review	Compliant Under review		
(f) keeping a regularly updated critical incident and emergencies procedures manual which guides staff involved in emergency situations which contains the immediate and ongoing actions required including – i. engaging with relevant government agencies (e.g. the New Zealand Police, Ministry of Health, New Zealand Qualifications Authority, Tertiary Education Commission); and ii. the follow-up de-briefing processes to support all learners and relevant staff; and	Under review	Compliant Under review		
(g) recording critical incidents and emergencies and reporting these back annually (at an aggregate level and, as far as practicable, disaggregated by diverse learner groups) to provider management, learners, other stakeholders, and the code administrator.	Hasn't arisen other than covid Process for incidents to be reported monthly to Academic Board. Process for Clinic. Tracking system in development	Compliant Under review		

## Outcome 2: Learner voice

Providers understand and respond to diverse learner voices and wellbeing and safety needs in a way that upholds their mana and autonomy.

Phase in the gap analysis process:	PREPARE	MAKE SENSE		
Key required processes	Information we can gather to use as evidence of our compliance with this clause	COMPLIANT	GAP (in evidence)	GAP (in practice)
<p><b>Process 1: Learner voice</b></p> <p><b>Clause 12.</b> Providers must have practices for –</p> <p>(a) proactively building and maintaining effective relationships with diverse learner groups within their organisation; and</p>	<p>Student council review and more autonomous.</p> <p>Additional needs register – completed.</p> <p>Student Hub on the LMS to be developed</p> <p>Tauria hub to be reviewed</p> <p>Recruiting Maori liaison person – completed</p>	Compliant		
<p>(b) working with diverse learners and their communities to develop, review, and improve learner wellbeing and safety strategic goals, strategic plans and practices; and</p>	<p>Student council</p> <p>Additional needs register</p> <p>Individual meetings with students.</p> <p>Refer to LSA and DAP</p> <p>PD with Staff – ongoing</p>	Compliant		
<p>(c) providing formal and informal processes for actively hearing, engaging with, and developing the diverse range of learner voices and those of their communities; and</p>	<p>Student council – key to this</p> <p>Open door policy</p> <p>New feedback mechanism on the LMS</p> <p>Student Feedback Review</p>	Compliant		

(d) providing timely and accessible resources to learners to support them and their learner communities to develop the necessary skills to enable them to participate fully in decision-making processes; and	Academic Success programme Staff availability - Academic Director, Library Manager, Pastoral care staff, Student council	Compliant		
(e) providing timely and accessible information to learners to increase transparency of providers' decision-making processes.	Student handbook Course guidelines Orientation Forum notices Build Student Hub on LMS	Compliant		
<b>Process 2: Learner complaints</b>  <b>Clause 13.</b> Providers must –  (a) work with learners to effectively respond to, and process complaints (including appropriate engagement with support people); and	Evidence is how readily individuals will seek help. The policy and procedures are in development and consultation.	Compliant Under review		
(b) inform learners on how the complaint will be handled and how it is progressing; and	Policy, procedures. Communicated to those involved and BOD	Compliant		
(c) handle complaints in a timely and efficient way, including having practices that – i. are appropriate to the level of complexity or sensitivity of the complaint; and ii. consider the issues from a cultural perspective; and iii. include the provision of culturally responsive approaches that consider traditional processes	2023 Mould issue in clinic - resolved  2024 – Cultural Liaison services contracted to support students and staff concerns. Regular meetings with CE, policy review. Regular meetings with AD new tracking of student issues.	Compliant		

for raising and resolving issues (for example, restorative justice); and iv. comply with the principles of natural justice; and	New policy			
(d) ensure that the complaints process is easily accessible to learners (and those supporting them), including having practices for – i. providing learners with clear information on how to use the internal complaints processes (including the relevant people to contact), and the scope and possible outcomes of the processes; and	2024 review and development Student handbook Student Voice Feedback on Moodle Moodle under Policies Orientation	Compliant		
ii. addressing barriers to accessing this information (for example, due to language, lack of internet access, fear of reprisal, desire for anonymity), such as providing alternative ways of raising a complaint; and	New policy and procedures Student Voice Feedback on Moodle	Compliant		
iii. providing an opportunity for a support person or people (who can be chosen by the learner) to guide and support the learner through the complaints process; and	Yes – part of policy – offered when formal meetings are set up. Cultural liaison available where requested.	Compliant		
iv. providing the opportunity for groups of learners to make joint complaints; and	Specify in policy and procedure	Complaint Under review		
(e) record complaints; and	Appeals and Complaints Committee Management If escalated BOD	Compliant		

<p>(f) report annually to provider management, learners, other stakeholders, and the code administrator (including on provider websites where available) on –</p> <ul style="list-style-type: none"> <li>i. the number and nature of complaints made and their outcomes (at an aggregate level and, as far as practicable, disaggregated by diverse learner groups); and</li> <li>ii. learner experience with the complaints process and the outcome of their complaint; and</li> </ul>	<p>Student Support tracker SELMA Appeals and Complaints Committee tracker</p>	<p>Compliant Under review</p>		
<p>(g) promote and publicise complaint and dispute resolution processes available to learners including, but not limited to, the provider’s internal complaints process, the education quality assurance agency complaints process, the code administrator’s complaints process, and the Dispute Resolution Schemes; and</p>	<p>In student handbook On Moodle Students are told when a meeting is organised or for academic complaints</p>	<p>Compliant Under review</p>		
<p>(h) advise learners, on the next steps available to them if the provider does not accept the complaint (or the learner or provider perceives that the provider does not have the cultural competency to deal with it), or the learner is not satisfied that the provider has made adequate progress towards resolving the complaint, or the learner is not satisfied with the provider’s internal complaints process or outcome, including –</p> <ul style="list-style-type: none"> <li>i. how to seek resolution of a contractual or financial dispute by way of a complaint or referral to an appropriate body or agency depending on the subject matter of the dispute, for example, the code administrator,</li> </ul>	<p>As per policy and procedures.</p>	<p>Compliant Under review</p>		

<p>the Dispute Resolution Scheme, the Disputes Tribunal, the Human Rights Commission or the Ombudsman; and</p> <p>ii. how to make a complaint to the code administrator if a learner believes that the provider is failing to meet the outcomes or requirements of this code.</p>				
<p><b>Process 3: Compliance with the Dispute Resolution Scheme</b></p> <p><b>Clause 14.</b> Providers must ensure they are familiar with the relevant Dispute Resolution Scheme rules for domestic and international learners and ensure compliance with those rules in a dispute to which it is party.</p>	<p>In policy and procedures</p>	<p>Compliant Under review</p>		



## Wellbeing and safety practices for all tertiary providers

### Outcome 3: Safe, inclusive, supportive, and accessible physical and digital learning environments

Providers must foster learning environments that are safe and designed to support positive learning experiences of diverse learner groups.

Phase in the gap analysis process:	PREPARE	MAKE SENSE		
Key required processes	Information we can gather to use as evidence of our compliance with this clause	COMPLIANT	GAP (in evidence)	GAP (in practice)
<b>Process 1: Safe and inclusive communities</b>  <b>Clause 16 (1).</b> Providers must have practices for –	Policy Pastoral Care policy and supporting documents Student reps SharePoint build for staff LMS Moodle build for students	Compliant		
(a) reducing harm to learners resulting from discrimination, racism (including systemic racism), bullying, harassment and abuse; and				
(b) working with learners and staff to recognise and respond effectively to discrimination racism (including systemic racism), bullying, harassment and abuse; and	Pastoral care posters In policy and procedures On SharePoint and LMS	Compliant & Ongoing		
(c) promoting an inclusive culture across the learning environment; and	Events – immersion, orientation, Student Council Cultural Liaison On SharePoint and LMS	Compliant & Ongoing		
(d) upholding the cultural needs and aspirations of all groups throughout the learning environment; and	Cultural day	Compliant & Ongoing		

<p>(e) providing all learners with information –</p> <ul style="list-style-type: none"> <li>i. that supports understanding, acceptance, and connection with all learners, and collective responsibility for an inclusive learning environment; an</li> <li>ii. about the cultural, spiritual, and community supports available to them; and</li> </ul>	<p>Student handbook Orientation On the LMS</p>	<p>Compliant &amp; Ongoing</p>		
<p>(f) providing learners with accessible learning environments where they can connect with others, build relationships, support each other, and welcome their friends, families, and whānau.</p>	<p>Access through Microsoft teams Spaces on-campus for private meetings On the LMS Immersion Day College Liaison - Grad chats Student Voice Survey Expo day Community courses</p>	<p>Compliant &amp; Ongoing</p>		
<p><b>Process 2: Supporting learner participation and engagement</b></p> <p><b>Clause 17 (1).</b> Providers must provide learners with opportunities to –</p> <p>(a) actively participate and share their views safely in their learning environment; and</p>	<p>Class discussion Student council Course feedback - surveys On the LMS Immersion Day College Liaison - Grad chats Create a dynamic learning environment</p>	<p>Compliant &amp; Ongoing</p>		
<p>(b) connect, build relationships and develop social, spiritual and cultural networks; and</p>	<p>College events – as above Paua Clinic access</p>	<p>Compliant &amp; Ongoing</p>		
<p>(c) use te reo and tikanga Māori to support Māori learners' connection to identity and culture.</p>	<p>Casual use in class Bilingual signs for job roles Cultural Liaison</p>	<p>Continuous improvement</p>		

	Staff PD			
<p><b>Clause 17 (2).</b> Providers must have practices for supporting learners through their studies, including –</p> <p>(a) enabling learners to prepare and adjust for tertiary study, and</p>	<p>NZ Cert Academic Success programme Learning Support Agreement CL and support from other staff – LM Refer to the learner success plan and the disabilities action plan</p>	Compliant		
<p>(b) maintaining appropriate oversight of learner achievement and engagement; and</p>	<p>Attendance procedures and follow-up Academic Admin and Student Progression meetings</p>	Compliant		
<p>(c) providing the opportunity for learners to discuss, in confidence, any issues that are affecting their ability to study and providing learners with a response to their issues; and</p>	<p>Pastoral care meetings Learner support agreement meetings Clinic progress meetings Clinic mentor</p>	Compliant		
<p>(d) providing learners with advice on pathways for further study and career development, where appropriate.</p>	<p>Study pathways Availability of ESP and AD College liaison Grad Chats Alumni Association</p>	Compliant		
<p><b>Process 3: Physical and digital spaces and facilities</b></p> <p><b>Clause 18.</b> Providers must have practices for–</p> <p>(a) providing healthy and safe learning environments; and</p>	<p>Fire surveys Building WoF Resolution of mould issues Building repairs and maintenance</p>	Compliant		

(b) identifying and, where possible, removing access barriers to provider facilities and services; and	Zoom recordings and classes LMS	Compliant		
(c) involving learners in the design of physical and digital environments when making improvements; and	Consultation with the Student Council Student Voice Survey Course Feedback Ideas board in Cheal	Compliant		
(d) engaging with Māori and involving Māori in the design of physical and digital environments where appropriate.	Māori consultation for development of new programmes Consultation with the Student Council Student Voice Survey Course Feedback Ideas board in Cheal	Compliant		

### Outcome 4: Learners are safe and well

Providers must support learners to manage their physical and mental health through information and advice, and identify and respond to learners who need additional support.

Phase in the gap analysis process:	PREPARE	MAKE SENSE		
Key required processes	Information we can gather to use as evidence of our compliance with this clause	COMPLIANT	GAP (in evidence)	GAP (in practice)
<p><b>Process 1: Information for learners about assistance to meet their basic needs.</b></p> <p><b>Clause 20 (1).</b> Providers must have practices for enabling all learners and prospective learners to identify and manage their basic needs (the essential material requirements to support wellbeing and safety including housing, food and clothing), including providing accurate, timely and tailored information on how they can –</p> <ul style="list-style-type: none"> <li>(a) access services through the provider or through community and public services that will help them maintain reasonable standards of material wellbeing and safety; and</li> <li>(b) access suitable accommodation and understand their rights and obligations as a tenant in New Zealand; and</li> <li>(c) maintain a healthy lifestyle.</li> </ul>	<ul style="list-style-type: none"> <li>(a) Financial support on occasions – limited Referral</li> <li>(b) Promote some places for casual accommodation</li> <li>(c) In course material; support through Paua Clinic</li> <li>(d) Food basket consultation with Student Council</li> <li>(e) Student Council meetings</li> </ul>	Compliant & Ongoing		

<p><b>Clause 20 (2).</b> If food is made available by the provider on campus or in student accommodation, the provider must ensure that the food available includes a range of healthy food options that is obtainable at a reasonable cost.</p>	<p>N/A Healthy food options provided when catering events Food basket consultation with Student Council Part of the curriculum</p>	<p>Compliant</p>		
<p><b>Process 2: Promoting physical and mental health awareness</b></p> <p><b>Clause 21.</b> Providers must have practices for –</p> <p>(a) providing opportunities and experiences for learners that improve their physical and mental health and wellbeing and safety; and</p>	<p>Invited to use physical space for exercise Garden In course material – assessment in PPNM and Mindbody Stationary bikes in Cheal and Library</p>	<p>Compliant</p>		
<p>(b) promoting awareness of practices that support good physical and mental health that are credible and relevant to learners; and</p>	<p>Delivered in curriculum Noticeboard Cheal</p>	<p>Compliant</p>		
<p>(c) supporting learners' connection to their language, identity, and culture; and</p>	<p>Policy and procedures Culture day</p>	<p>Compliant</p>		
<p>(d) providing accurate, timely information and advice to learners about –</p> <ul style="list-style-type: none"> <li>i. how they can access medical and mental health services through the provider or through community and public services, including culturally responsive services; and</li> <li>ii. how they can report health and safety concerns they have for their peers; and</li> <li>iii. how to respond to an emergency and engage</li> </ul>	<p>On request and case-by-case Referrals to contracted counsellors Use of CSSF Paua Clinic Access LMS Learning support agreement meetings Pastoral Care</p>	<p>Compliant</p>		

with relevant government agencies; and iv. how they can make positive choices that enhance their wellbeing.	Policy and procedures			
<b>Process 3: Proactive monitoring and responsive wellbeing and safety practices.</b>  <b>Clause 22 (1).</b> Providers must have practices for –  (a) requesting that domestic learners 18 years and over provide a name and up-to-date contact details of a nominated person; and	Enrolment information On SMS – SELMA	Compliant		
(b) describing the circumstances in which the nominated person referred to in paragraph (a) should be contacted in relation to their wellbeing and safety; and	Yes – policy Enrolment information Policy and procedures SELMA - SMS	Compliant		
(c) contacting the person nominated by domestic learners 18 years and over, in the circumstances described in accordance with paragraph (b), or where the provider has reasonable grounds for believing that the disclosure is necessary to prevent or lessen a serious threat to the student’s life or health; and	Arises only rarely. ESP has contacted next-of-kin Policy and procedures	Compliant		
(d) enabling learners to communicate health and mental health needs with staff in confidence, including accommodation staff, so that the provider can proactively offer them support; and	Enrolment process Additional needs register SharePoint tracker Yes – pastoral care appointments	Compliant		
(e) providing opportunities for learners to raise concerns about themselves or others in confidence; and	Enrolment Policy and procedures Student Voice feedback	Compliant		

<p>(f) identifying learners at risk and having clear and appropriate pathways for assisting them to access services when they need it; and</p>	<p>Policy and procedures for Enrolment  Student progress  Concerns raised by fellow students  Student Voice feedback  New section in the Enrolment Form as per TEC requirements</p>	<p>Compliant</p>		
<p>(g) identifying learners who are at risk of harming others, and  i. having clear and appropriate pathways for assisting them to access services when they need it; and</p>	<p>Policy and procedures  SharePoint  LMS  Pastoral care team</p>	<p>Compliant</p>		
<p>ii. protecting learners and staff who experience harm from other learners and/or staff, including sexual assault; and</p>	<p>Policy and procedures  SharePoint  LMS</p>	<p>Compliant</p>		
<p>(h) making arrangements with disabled learners or those affected by health and wellbeing difficulties to accommodate learning needs, including for study off-campus; and</p>	<p>Additional needs register  Special arrangements for assessments  Disabled carpark &amp; toilet; ramp  Monitored through enrolment</p>	<p>Compliant</p>		
<p>(i) responding to disruptive and threatening behaviour in a way that is sensitive to a learner’s situation; and</p>	<p>Policy and procedures  Student Code of Conduct</p>	<p>Compliant</p>		
<p>(j) supporting learners whose study is interrupted due to circumstances outside their control, and providing inclusive, accessible re-entry processes for their transition back into tertiary study.</p>	<p>LoA procedures  Pastoral care</p>	<p>Compliant</p>		



<p><b>Clause 22 (2).</b> Providers must have up-to-date contact details and next of kin for domestic tertiary learners under 18 and international tertiary learners.</p>	SMS - SELMA	Compliant		
<p><b>Clause 22 (3).</b> Providers must contact the next of kin for domestic tertiary learners under 18 years and international tertiary learners if there is concern regarding the wellbeing or safety of a learner.</p>	SMS - SELMA	Compliant		
<p><b>Clause 22 (4).</b> Providers must maintain a record of reported risks, including any concerns raised in relation to the effective administration of this code.</p>	SMS - SELMA Meeting minutes	Compliant		



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## Self-review Toolkit for Tertiary Education Providers

### Tool A: international tertiary learners

The Education (Pastoral Care of  
Tertiary and International Learners)  
Code of Practice 2021

**NZQA**

NEW ZEALAND QUALIFICATIONS AUTHORITY  
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## Contents

Tool A: gap analysis – international tertiary learners .....	28
<b>Additional wellbeing and safety practices for tertiary providers (signatories)</b>	
<b>enrolling international learners .....</b>	<b>29</b>
Outcome 8: Responding to the distinct wellbeing and safety needs of international tertiary learners .....	29
Outcome 9: Prospective international tertiary learners are well informed .....	30
Outcome 10: Offer, enrolment, contracts, insurance and visa.....	34
Outcome 11: International learners receive appropriate orientations, information and advice	42
Outcome 12: Safety and appropriate supervision of international tertiary learners.....	45

## Tool A: gap analysis – international tertiary learners

This optional tool sets out the areas of practice you need to review to check your compliance with the Code.

You can use this tool to help you:

- **Prepare** for a gap analysis, by identifying the information you need to evidence your compliance with the Code at each clause
- **Make sense** of your gathered information, by noting any gaps in your current practice and/or evidence of current practice.

KEY	
COMPLIANT	<ul style="list-style-type: none"><li>• We have the required practices in place</li><li>• We have sufficient evidence on which to make judgements about the effectiveness of our practices</li></ul>
GAP (in evidence)	<ul style="list-style-type: none"><li>• We have the required practices in place but...</li><li>• ...we have limited evidence on which to make judgements about the effectiveness of those practices</li></ul>
GAP (in practice)	<ul style="list-style-type: none"><li>• We do not have the required practices in place</li></ul>

You may **combine this part** with the others of **Tool A** relating to **All Tertiary Education Providers (Outcomes 1-4)** and/or **Student Accommodation (Outcomes 5-7)**.

Use the links below to download any additional pages as required:

- [All Tertiary Education Providers](#)
- [Student Accommodation](#)

## Additional wellbeing and safety practices for tertiary providers (signatories) enrolling international learners

### Outcome 8: Responding to the distinct wellbeing and safety needs of international tertiary learners

Signatories must ensure that practices under this code respond effectively to the distinct wellbeing and safety needs of their diverse international tertiary learners.

Phase in the gap analysis process:	PREPARE	MAKE SENSE		
Key required processes	Information we can gather to use as evidence of our compliance with this clause	COMPLIANT	GAP (in evidence)	GAP (in practice)
<p><b>Process 1:</b></p> <p><b>Clause 35.</b> Signatories must engage with diverse international tertiary learners to understand their wellbeing and safety needs under the outcomes of Parts 3, 4 and 5 of this code.</p>	<p>Policy Pastoral Care policy and supporting documents (Part 5 – N/A)</p>	<p>Compliant</p>		

### Outcome 9: Prospective international tertiary learners are well informed

Signatories ensure that prospective international tertiary learners receive clear, accessible, accurate and sufficient information, and make informed choices about the study and services a signatory provides before they begin their study.

Phase in the gap analysis process:	PREPARE	MAKE SENSE		
<b>Key required processes</b>	Information we can gather to use as evidence of our compliance with this clause	COMPLIANT	GAP (in evidence)	GAP (in practice)
<b>Process 1: Marketing and promotion</b>  <b>Clause 37.</b> Each signatory must have marketing and promotion practices, that include – <ul style="list-style-type: none"> <li>(a) proactively seeking to understand the information needs of prospective international tertiary learners; and</li> </ul>	Website pages International Student handbook Social media promotion	Compliant Under review		
<ul style="list-style-type: none"> <li>(b) developing and providing information to prospective international tertiary learners and reviewing the information to ensure it is kept up to date; and</li> </ul>	Website pages International Student handbook Social media promotion	Compliant Under review		

<p>(c) ensuring that prospective international tertiary learners receive, as a minimum, up-to-date accessible and timely information about the following –</p> <ul style="list-style-type: none"> <li>i. the signatory’s quality assurance evaluations; and</li> <li>ii. the educational instruction, staffing, facilities, and equipment available to international tertiary learners; and</li> <li>iii. the Dispute Resolution Scheme; and</li> <li>iv. potential learning outcomes for international tertiary learners, including pathways for further study, employment, and residency where applicable; and</li> <li>v. estimated study and living costs for international tertiary learners, including any additional fees or levies that are on top of the basic tuition fee; and</li> <li>vi. accommodation and transport, or ways to obtain such information.</li> </ul>	<p>Website pages International Student handbook And other documentation</p>	<p>Compliant Under review</p>		
<p><b>Process 2: Managing and monitoring education agents</b></p> <p><b>Clause 38.</b> Signatories must have practices for effectively managing and monitoring the performance and conduct of education agents in relation to learner safety and wellbeing under this code, including –</p> <ul style="list-style-type: none"> <li>(a) carrying out and recording reference checks on potential education agents to ensure as far as possible that they are not involved in any conduct that is false, misleading, deceptive, or in breach of the law; and</li> </ul>	<p>Agent contracts</p>	<p>Compliant Under review</p>		

<p>(b) entering into written contracts with each of its education agents; and</p>	<p>Agent contracts</p>	<p>Compliant Under review</p>		
<p>(c) during the term of a contract, monitoring the activities and performance of its education agents in relation to –</p> <ul style="list-style-type: none"> <li>i. their obligations as specified in the contract; and</li> <li>ii. whether they provide prospective and enrolled international tertiary learners with reliable information and advice about studying, working, and living in New Zealand; and</li> <li>iii. whether they act with integrity and professionalism in their dealings with prospective and enrolled international tertiary learners; and</li> <li>iv. whether they have engaged in any activity or conduct that, in the opinion of the signatory, is or may be in breach of the law or that jeopardises the signatory’s compliance with this code; and</li> </ul>	<p>Agent contract (N/A – one contract in place but no enrolments through agents)</p>		<p>In development</p>	
<p>(d) managing the education agents by –</p> <ul style="list-style-type: none"> <li>i. terminating contracts with an agent if there is evidence which, on balance of probabilities, shows that the education agent – <ul style="list-style-type: none"> <li>a. has been involved in any serious, deliberate, or ongoing conduct that is false, misleading, deceptive, or in breach of the law; or</li> <li>b. has jeopardised the signatory’s compliance with this code; or</li> </ul> </li> </ul>	<p>Agent contract (N/A – one contract in place but no enrolments through agents)</p>		<p>In development</p>	



ii. taking appropriate action to address misconduct by act or an omission by an education agent in relation to the other matters described in subclause (c); and				
(e) ensuring that its education agents have access to, and maintain, up-to-date information relevant to their duties as specified in the contracts with the signatory.	Website International Student Handbook	Compliant Under review		

### Outcome 10: Offer, enrolment, contracts, insurance and visa

Signatories must have practices for enabling learners to make well-informed enrolment decisions in relation to the educational outcomes being sought by the learner and ensuring that all relevant parties are clear about their interests and obligations prior to entering into the enrolment contract.

Phase in the gap analysis process:	PREPARE	MAKE SENSE		
Key required processes	Information we can gather to use as evidence of our compliance with this clause	COMPLIANT	GAP (in evidence)	GAP (in practice)
<p><b>Process 1: Offer of educational instruction</b></p> <p><b>Clause 40.</b> Signatories must ensure that the educational instruction offered to international tertiary learners is in accordance with the Act and is appropriate for international tertiary learners' expectations, English language proficiency, academic ability, and the educational outcomes being sought.</p>	<p>Enrolment criteria Documentation gathered on enrolment Applicant Interview</p>	Compliant		

<p><b>Process 2: Information to be provided before entering contract</b></p> <p><b>Clause 41 (1).</b> Signatories must have practices that ensure prospective international tertiary learners (or the parents or legal guardian of international students under 18 years) receive, as a minimum, accurate, timely and tailored information about the following before entering into a contract with the learner –</p> <ul style="list-style-type: none"> <li>(a) the most recent results of their evaluations by education quality assurance agencies; and</li> <li>(b) quality improvement or compliance notices and conditions imposed under the Act that the code administrator directs must be disclosed to prospective international tertiary learners; and</li> <li>(c) the education provided and its outcome, for example, whether a qualification is granted; and</li> <li>(d) refund conditions that comply with the process in clause 46; and</li> <li>(e) staffing, facilities, and equipment; and</li> <li>(f) available services and supports; and</li> <li>(g) insurance and visa requirements for receiving educational instruction from the signatory; and</li> <li>(h) this code and the relevant Dispute Resolution Scheme Rules; and</li> <li>(i) full costs related to an offer of educational instruction.</li> </ul>	<p>Website International Students handbook Relevant policies</p>	<p>Compliant Under review</p>		
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<p><b>Clause 41 (2).</b> Each signatory must ensure that, before entering into a contract of enrolment or enrolling with the signatory, each international tertiary learner (or the parents or legal guardian of international students under 18 years) is informed of the learner’s rights and obligations in relation to receiving educational instruction from the signatory, including the rights under this code.</p>	<p>Website International Students handbook Enrolment information</p>	<p>Compliant</p>		
<p><b>Process 3: Contract of enrolment</b></p> <p><b>Clause 42 (1).</b> Each signatory must ensure that a contract of enrolment is entered into between the signatory and each international tertiary learner (or the parents or legal guardian of international students under 18 years) that includes the following information and terms –</p> <ul style="list-style-type: none"> <li>(a) clear information about the beginning and end dates of enrolment; and</li> <li>(b) the grounds for terminating the contract of enrolment; and</li> <li>(c) the circumstances under which the learner’s conduct may be in breach of the contract of enrolment; and</li> <li>(d) the type of disciplinary action short of termination of the contract of enrolment, that may be taken by the signatory against the student (for example suspension or exclusion); and</li> <li>(e) the process that the signatory must follow when seeking to terminate the contract of enrolment under paragraph (b) or to take disciplinary action under paragraph (d).</li> </ul>	<p>Enrolment information and documentation</p>	<p>Compliant</p>		

<p><b>Clause 42 (2).</b> Each signatory must ensure that the contract of enrolment is fair and reasonable.</p>	<p>Policy Documentation</p>	<p>Compliant</p>		
<p><b>Process 4: Disciplinary action</b></p> <p><b>Clause 43.</b> Any process undertaken under clause 42(1)(e) for terminating the contract of enrolment under clause 42(1)(b) or for taking disciplinary action under clause 42(1)(d) must be in accordance with the principles of natural justice (which includes those necessary to ensure the prompt, considered, and fair resolution of the matter that is the subject of the action).</p>	<p>Policy Documentation</p>	<p>Compliant</p>		

<p><b>Process 5: Insurance</b></p> <p><b>Clause 44 (1).</b> Each signatory must have practices that ensure, as far as practicable, each international tertiary learner who is enrolled with the signatory for educational instruction of 2 weeks' duration or longer has appropriate insurance covering –</p> <ul style="list-style-type: none"> <li>(a) the international tertiary learner's travel – <ul style="list-style-type: none"> <li>i. to and from New Zealand; and</li> <li>ii. within New Zealand; and</li> <li>iii. if the travel is part of the educational instruction, outside New Zealand; and</li> </ul> </li> <li>(b) medical care in New Zealand, including diagnosis, prescription, surgery, and hospitalisation; and</li> <li>(c) repatriation or expatriation of the international tertiary learner as a result of serious illness or injury, including cover of travel costs incurred by family members assisting repatriation or expatriation; and</li> <li>(d) death of the international tertiary learner, including cover of – <ul style="list-style-type: none"> <li>i. travel costs of family members to and from New Zealand; and</li> <li>ii. costs of repatriation or expatriation of the body; and</li> <li>iii. funeral expenses.</li> </ul> </li> </ul>	<p>Enrolment process Applicant documentation</p>	<p>Compliant</p>		
<p><b>Clause 44 (2).</b> Subclause (1)(a)(i) and (ii) includes the international tertiary learner's travel to and from their country of origin or citizenship before their educational instruction begins and after it ends (which may be outside of the enrolment period).</p>	<p>Enrolment process Applicant documentation</p>	<p>Compliant</p>		

<p><b>Clause 44 (3).</b> Subclause (1)(a)(i) does not include the international tertiary learner’s travel to other countries unless that travel is primarily for the purpose of embarking on connecting flights to and from New Zealand.</p>		Compliant Under review		
<p><b>Process 6: Immigration matters</b></p> <p><b>Clause 45.</b> Signatories must have practices that as far as possible will ensure that international tertiary learners are entitled to study in New Zealand under the Immigration Act 2009, including –</p> <p>(a) ensuring that each international tertiary learner who enrolls with the signatory has the necessary immigration status for study in New Zealand; and</p>	Enrolment process Applicant documentation	Compliant		
<p>(b) reporting to Immigration New Zealand known or suspected breaches of visa conditions by international tertiary learners; and</p>	Policy	Compliant		
<p>(c) notifying Immigration New Zealand of terminations of enrolment.</p>	Policy	Compliant		
<p><b>Process 7: Student fee protection and managing withdrawal and closure</b></p> <p><b>Clause 46 (1).</b> Signatories must ensure that –</p> <p>(a) fees paid by international tertiary learners are secure and protected in the event of student withdrawal or the ending of educational instruction or the closure of a signatory; and</p>	Student Fee Protection procedures	Compliant		

(b) its refund policies are fair and reasonable; and	Policy	Compliant		
(c) it provides its international tertiary learners (or the parents or legal guardian of international tertiary learners under 18 years) with sufficient information to understand their rights and obligations under those refund policies.	International Student handbook Policies	Compliant		
<p><b>Clause 46 (2).</b> A refund policy must include refund conditions for the following situations –</p> <ul style="list-style-type: none"> <li>(a) failure by an international tertiary learner to obtain a study visa; and</li> <li>(b) voluntary withdrawal by an international tertiary learner; and</li> <li>(c) the signatory ceasing to provide a course of educational instruction as contracted with an international tertiary learner, whether as the result of a decision by the signatory or as required by an education quality assurance agency; and</li> <li>(d) the signatory ceasing to be a signatory; and</li> <li>(e) the signatory ceasing to be a provider.</li> </ul>	International Student handbook Policy	Compliant Under review		



<p><b>Clause 46 (3).</b>  In the situation in subclause (2)(c) or (d), the tertiary signatory must deal with fees paid for services not delivered or the unused portion of fees paid as follows –</p> <ul style="list-style-type: none"> <li>(a) refund the amount in question to the international tertiary learner (or the learner’s parent or legal guardian); or</li> <li>(b) if directed by the international tertiary learner or the code administrator or the agency responsible for fee protection mechanisms, transfer the amount agreed with the student (or the student’s parent or legal guardian if the student is under 18 years) to another signatory.</li> </ul>	<p>Policy  Student Fee Protection</p>	<p>Compliant</p>		
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### Outcome 11: International learners receive appropriate orientations, information and advice

Signatories must ensure that international tertiary learners have the opportunity to participate in well-designed and age-appropriate orientation programmes and continue to receive relevant information and advice to support achievement, wellbeing and safety.

Phase in the gap analysis process:	PREPARE	MAKE SENSE		
<b>Key required processes</b>	Information we can gather to use as evidence of our compliance with this clause	COMPLIANT	GAP (in evidence)	GAP (in practice)
<b>Process 1: Provision of information</b>  <b>Clause 48.</b> Signatories must –  (a) ensure that information and advice provided by the signatory to international tertiary learners is accurate, age-appropriate, up to date and presented in a way that meets the ongoing needs of diverse learners; and	Website International Student Handbook	Compliant Under review		
(b) ensure that ongoing provision of information and advice is appropriate to the needs of the learner (or the parents or legal guardian of international learners under 18 years) within the particular learning, communal and residential context; and	Website International Student Handbook Pastoral care team	Compliant Under review		
(c) provide the names and contact details of designated staff members responsible for international tertiary learner support; and	Orientation Pastoral care team	Compliant Under review		currently no devoted College mobile phone

(d) provide appropriate information relating to health and safety of international tertiary learners (including in relation to any disabilities or impairments a learner may have); and	Policy Disability Action Plan Additional Needs register	Compliant		
(e) provide information about the termination of enrolment; and	Policy International Student Handbook	Compliant Under review		
(f) provide information to international tertiary learners (or the parents or legal guardian of international learners under 18 years) about their legal rights and obligations and, where possible, the risks when learners receive or accept advice or services; and	International Student Handbook Pastoral care team	Compliant		
(g) provide information about the international tertiary learner's rights and entitlements, including any entitlement to a fee refund, if the learner voluntarily withdraws from the educational instruction; and	International Student Handbook Policy	Compliant		

<p>(h) provide each international tertiary learner with full information and advice on –</p> <ul style="list-style-type: none"> <li>i. all relevant policies of the signatory; and</li> <li>ii. the services, support, and facilities that the signatory offers; and</li> <li>iii. where applicable, how to adjust to a different cultural environment; and</li> <li>iv. where applicable – <ul style="list-style-type: none"> <li>(a) minimum wages and labour conditions in New Zealand; and</li> <li>(b) maximum hours of work permitted under visa conditions; and</li> <li>(c) how to access information and support regarding employment; and</li> <li>(d) how to report misconduct by employers; and</li> </ul> </li> </ul>	<p>International Student Handbook Enrolment documentation Website</p>	<p>Compliant</p>		
<p>(i) for an international tertiary learner under 18 years ensure where applicable, that any parent, legal guardian, or residential caregiver of the learner has access to the information, advice or programme that has been provided to the learner.</p>	<p>N/A</p>			

## Outcome 12: Safety and appropriate supervision of international tertiary learners

Signatories ensure that international tertiary learners are safe and appropriately supervised in their accommodation and effectively communicate with the parents or legal guardian of learners under 18 years.

Phase in the gap analysis process:	PREPARE	MAKE SENSE		
Key required processes	Information we can gather to use as evidence of our compliance with this clause	COMPLIANT	GAP (in evidence)	GAP (in practice)
<p><b>Process 1: International tertiary learners under 18 years</b></p> <p><b>Clause 50.</b> In relation to international tertiary learners under 18 years, each signatory must have additional practices including –</p> <p>(a) not enrolling an international tertiary learner 10 years or older but under 18 years who does not live with a parent or legal guardian unless –</p> <ul style="list-style-type: none"> <li>i. the learner is in a properly supervised group of learners whose educational instruction is not for more than 3 months; or</li> <li>ii. the learner is in the care of the manager of tertiary student accommodation covered in Part 5 of this code; or</li> <li>iii. the learner is in the care of a residential caregiver; and</li> </ul>	N/A – no learners under 18			
<p>(b) maintaining effective communications with the parents, legal guardian, or residential caregivers of international tertiary learners concerning their wellbeing and progress in study; and</p>	N/A			

<p>(c) ensuring that at least 1 staff member is designated to proactively monitor and address any concerns about international tertiary learners under 18 years; and</p>	N/A			
<p>(d) if the international tertiary learner is in the care of a residential caregiver, –</p> <p>a. ensuring that a plan is in place for the transfer of care of the learner from the residential caregiver to the learner’s parent or legal guardian, or another person approved by the parent or legal guardian, for –</p> <p>(a) each transfer that occurs during the period of enrolment; and</p> <p>(b) the transfer that occurs at the end of enrolment; and</p> <p>b. ensuring that the parent or legal guardian is notified of each transfer plan.</p>	N/A			
<p><b>Process 2: International tertiary learners under 10 years</b></p> <p><b>Clause 51 (1).</b> Each signatory must ensure that its international tertiary learners under 10 years live with a parent or legal guardian</p>	N/a no learners under 10			
<p><b>Clause 51 (2).</b> The requirements in clauses 49 and 50 apply, in addition to this clause, to international tertiary learners who are under 10 years.</p>				

<p><b>Process 3: Decisions requiring written agreement of parent or legal guardian</b></p> <p><b>Clause 52.</b> Each signatory must ensure that, where appropriate, it obtains the written agreement of the parent or legal guardian of an international tertiary learner under 18 years with respect to decisions affecting the learner.</p>	N/A			
<p><b>Process 4: Accommodation for international tertiary learners under 18 years</b></p> <p><b>Clause 53 (1).</b> In relation to an international tertiary learner under 18 years who is in the care of a residential caregiver while living in accommodation that is <b>not subject to Part 5</b> of this code, the signatory must –</p> <p>(a) ensure that the learner’s accommodation is safe, is in acceptable condition, and meets all regulatory and legislative requirements; and</p>	N/A			
<p>(b) ensure that the safety check referred to in clause 54 is completed and is up to date; and</p>	N/A			
<p>(c) ensure that an appropriate check is completed and is up to date for each person who is 18 years or over and who resides at the residential caregiver’s accommodation, for the purpose of ensuring the safety of the learner; and</p>	N/A			
<p>(d) have a written agreement with the residential caregiver that specifies the role and responsibilities of each party in relation to the care of the learner; and</p>	N/A			

(e) maintain effective communication with the learner and the learner's parent or legal guardian when accommodation issues arise, and take responsibility for addressing those issues, including reporting them to relevant authorities and moving learners to appropriate accommodation; and	N/A			
(f) conduct sufficient learner interviews and home visits to monitor and review the quality of residential care, taking into consideration the age of the learner, the length of the stay, and other relevant factors; and	N/A			
(g) if the learner's residential caregiver is a designated caregiver ensure that the parent or legal guardian of the learner has provided written agreement that the designated caregiver will be subject to the signatory's approval and that the signatory is not responsible for the learner's day-to-day care when the learner is in the custody of the designated caregiver; and	N/A			
(h) if the learner's residential caregiver is a supervisor described in clause 54(3), ensure that the parent or legal guardian of the learner has provided written agreement that the signatory is not responsible for the learner's day-to-day care when the learner is in the custody of that supervisor; and	N/A			
(i) ensure that there is appropriate separation of international tertiary learners from others of different ages in the accommodation; and	N/A			
(j) ensure that the learner is appropriately supervised in the accommodation.	N/A			



<p><b>Clause 53 (2).</b> For the purposes of clause 53(1)(c), a person who is 18 years or over and who resides at the residential caregiver’s accommodation includes a person of that age who –</p> <ul style="list-style-type: none"> <li>(a) temporarily resides at that accommodation; or</li> <li>(b) is or will be residing at that accommodation for 1 or more periods in any month (whether or not for valuable consideration), each period of which is 5 or more consecutive nights.</li> </ul>	N/A			
<p><b>Clause 53 (3).</b> To avoid doubt, if the residential caregiver is a supervisor described in clause 54(3) or a designated caregiver, the signatory must meet the requirements of this clause and ensure the safety, health, and wellbeing of the international tertiary learner.</p>	N/A			
<p><b>Process 5: Safety checks and appropriate checks for learners under 18 years</b></p> <p><b>Clause 54 (1).</b> The safety check for the residential caregiver referred to in clause 53(1)(b) must include –</p> <ul style="list-style-type: none"> <li>(a) a confirmation of identity; and</li> </ul>	N/A			
<ul style="list-style-type: none"> <li>(b) a reference check that includes contacting at least 1 of the following persons or bodies for the purpose of obtaining information that the signatory considers relevant to a risk assessment – <ul style="list-style-type: none"> <li>i. the residential caregiver’s current or previous employer, professional body, or registration authority; and</li> </ul> </li> </ul>	N/A			

<ul style="list-style-type: none"> <li>ii. the licensing authority that is relevant to the residential caregiver’s business or professional activities; and</li> <li>iii. a person who is not related to the residential caregiver; and</li> </ul>				
(c) a police vet, to obtain information that is relevant to a risk assessment; and	N/A			
(d) an interview with the residential caregiver, to obtain information that the signatory considers relevant to a risk assessment; and	N/A			
(e) a risk assessment that takes into account all of the information that was obtained under paragraphs (a) to (d), to determine whether the residential caregiver poses a risk to the safety of the international tertiary learner; and	N/A			
<p><b>Clause 54 (2).</b> The safety check for the residential caregiver referred to in clause 53(1)(b) is <b>up to date</b> if it is completed within 3 years after the date of the latest safety check.</p>	N/A			
<p><b>Clause 54 (3).</b> Subclause 53(1)(b) to (e) does not apply to a residential caregiver who –</p> <ul style="list-style-type: none"> <li>(a) is a supervisor referred to in paragraph (e) of the definition of residential caregiver in clause 5(1); and</li> <li>(b) is not a resident of New Zealand; and</li> <li>(c) is travelling with, and accompanying, the international tertiary learner for the purpose of supervising them during the learner’s educational instruction.</li> </ul>				

<p><b>Clause 54 (4).</b> An appropriate check referred to in clause 53(1)(c) is <b>up to date</b> if it is completed within 3 years after the date of the latest check.</p>				
<p><b>Process 6: Accommodation for international tertiary learners 18 or over</b></p> <p><b>Clause 55 (1).</b> In relation to an international tertiary learner 18 years or over who lives in accommodation provided or arranged by a signatory and <b>not subject to Part 5</b>, the signatory must –</p> <p>(a) ensure that the learner’s accommodation is safe, is in acceptable condition, and meets all regulatory and legislative requirements; and</p>	N/A			
<p>(b) maintain effective communication with the learner when accommodation issues arise, and must take responsibility for addressing those issues, including reporting them to relevant authorities.</p>	N/A			
<p><b>Clause 55 (2).</b> In this clause, accommodation issues include issues of health and wellbeing arising from a learner’s accommodation or connected with it.</p>				

