



NEW ZEALAND QUALIFICATIONS AUTHORITY
MANA TOHU MĀTAURANGA O AOTEAROA

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Approved version 2

Industry Training Organisation Prescribed Quality Assurance Requirements Rules 2015

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1. Authority

- 1.1 These Rules are made under section 253(1)(gb) of the Education Act 1989, for the purposes section 13B of the Industry Training and Apprenticeships Act 1992, and prescribe quality assurance requirements for Industry Training Organisations.

2. Commencement

- 2.1 These Rules commence on the day after the date of approval by the Minister for Tertiary Education, Skills and Employment under section 253(5) of the Education Act 1989. [*Commencement date was 12 May 2015*]

3. Interpretation

- 3.1 In these Rules, unless the context otherwise requires, –

Education Act means the Education Act 1989

External evaluation and review means the quality assurance system known as external evaluation and review that is set out in rules from time to time made under section 253 of the Education Act¹

ITA Act means the Industry Training and Apprenticeship Act 1992

ITO means industry training organisation as defined in section 2 of the ITA Act

NZQA means the New Zealand Qualifications Authority, continued under section 256A(1) of the Education Act

NZQF means the Qualifications Framework as defined in section 159 of the Education Act 1989

Recognise has the same meaning as in section 2 of the ITA Act.

¹ At the time this Version 2 was published these Rules are the Quality Assurance (including External Evaluation and Review (EER)) Rules 2016

4. Prescribed Quality Assurance Requirements

Existing ITOs

4.1 In relation to an organisation that is currently recognised as an ITO the prescribed quality assurance requirements are to:

4.1.1 Participate in external evaluation and review, which may include consideration of –

- (a) whether the organisation has, or will have, and is likely to maintain, adequate and appropriate systems and processes, and capability, knowledge and experience to do the following:
 - (i) manage, operate and govern the organisation as an ITO (in so far as governance relates to sub-paragraphs (ii) and (iii) below);
 - (ii) develop, acquire and maintain skill standards, programmes, training schemes, and consents to assess;
 - (iii) develop and maintain arrangements for the delivery of industry training, including the assessment and moderation of that training²; and
 - (iv) comply with relevant rules made by NZQA under section 253(1) of the Education Act³; and
- (b) if the ITO's industry coverage has changed, the ITO's management of that change; and

4.1.2 Have and implement adequate and appropriate systems and processes to do the matters referred to at points (i) to (iv) of sub-rule 4.1.1(a); and

4.1.3 Have and utilise adequate and appropriate capability, knowledge and experience to do the matters referred to at points (i) to (iv) of sub-rule 4.1.1(a).

Applicant ITOs

4.2 In relation to organisations that are not currently recognised as ITOs, the prescribed quality assurance requirements are to participate in a pre-recognition assessment carried out by NZQA, which may include consideration of whether the organisation has, or will have, and is likely to maintain, adequate and appropriate systems and processes, and capability, knowledge and experience, to:

- (a) manage, operate and govern the organisation as an ITO (in so far as governance relates to paragraphs (b) and (c) below);
- (b) develop, acquire and maintain skill standards, programmes, training schemes, and consents to assess;

² The 2018 amendment mistakenly referred to sub-paragraph (b)(iii), which does not exist. It is clear the amendment was for sub-paragraph (a)(iii) so has been made to that sub-paragraph.

³ At the time this Version 2 was published the relevant rules (in addition to those referred to in footnote 1) were:

- NZQF Programme Approval and Accreditation Rules 2018
- NZQF Industry Training Programme Approval Rules 2012
- NZQF Qualification Listing and Operational Rules 2016
- Directory of Assessment Standards Listing and Operational Rules 2011
- Consent to Assess Against Standards on the Directory of Assessment Standards Rules 2011
- Training Scheme Rules 2012
- Assessment and Examination Rules for Tertiary Education Organisations with Consent to Assess Entering Candidates for Externally Assessed Achievement Standards 2018

- (c) develop and maintain arrangements for the delivery of industry training, including the assessment and moderation of that training; and
- (d) comply with relevant rules made by NZQA under section 253(1) of the Education Act⁴.

Explanatory note

This note is not part of these Rules, but is intended to indicate their general effect.

The ITA Act adds to NZQA's functions the function to monitor, through the exercise of its powers under the ITA Act, compliance by ITOs with the prescribed quality assurance requirements, and to address non-compliance (which includes issuing quality assurance improvement notices and compliance notices).

The ITA Act also gives NZQA an advisory role in relation to ITO recognition; whereby the Minister must consult with NZQA as to whether the ITO has, or will have and is likely to maintain, systems, processes, capability, knowledge, and experience to enable the organisation to comply with the prescribed quality assurance requirements.

These rules specifically prescribe the requirement to participate in external evaluation and review by NZQA (a quality assurance mechanism) and specify what the external evaluation and review may take into account.

The "prescribed quality assurance requirements" are defined in the ITA Act as meaning the quality assurance requirements prescribed by NZQA under section 253(1)(gb) of the Education Act. As rules relating to quality assurance can be made under other paragraphs of sub-section 253(1), these rules serve to incorporate both current and future rules that are relevant to ITOs into the definition of prescribed quality assurance requirements in the ITA Act.

⁴ Refer to footnote 3.