

Draft tertiary evaluation indicators on ‘compliance’

Please note that the following indicators on ‘compliance’ are interim drafts only. They are intended to provide some preliminary guidance for tertiary education organisations (TEOs) about to engage in external evaluation and review (EER). Any questions about their application in your own organisation’s case should be directed in the first instance to your assigned Lead Evaluator. NZQA welcomes any constructive suggestions for the further refinement of these indicators. In any case, NZQA will be reviewing the complete set of tertiary evaluation indicators over the next few months, and will be incorporating any improvements to these particular indicators at that time.

Indicators	Why the indicator is important	Some prompts to aid evaluative enquiry	Evidence could include	Background information
<p>The TEO has effective compliance management processes</p>	<p>Compliance management is part of a TEO’s important ‘business as usual’ responsibilities</p> <p>Effective management systems will help to ensure compliance occurs</p> <p>A foundation of legal and ethical practice provides the necessary base for the TEO’s educational performance</p>	<ul style="list-style-type: none"> • TEOs have robust internal processes to manage compliance • TEOs actively review changes in the regulatory environment affecting their operation • TEOs have robust internal processes to monitor compliance • TEO programme management and staff are actively involved in compliance monitoring • TEOs seek Tertiary Education Commission approval for continued funding following programme changes • TEO staff receive regular updates and professional development regarding relevant changes to regulations and legislation • Non-compliances are rectified in a timely manner • When serious cases of non-compliance are identified, the TEO notifies the relevant regulator. • Communication and access to information within TEOs are open and transparent. 	<p>The evidence of compliance may include meeting minutes, relevant TEO records, records of student attendance, programme approval and delivery documents, audit reports, TEO risk management plan, survey results (student, employer, etc), timetables and delivery schedules, student or course handbooks, TEO risk management documents and any other relevant information.</p> <p>Evaluators will include in the EER topic-specific interview questions for staff and students, and/or direct observation of performance, as appropriate.</p>	<p>Effective systems for management of compliance are an empirically proven mechanism for improving and maintaining compliance within TEOs. Lewthwaite, Dickson, et al, 2016</p>

Compliance indicator	Why the indicator is important	Some prompts to aid evaluative enquiry	Evidence could include	Background information
<p>Conformance with relevant NZQA rules</p>	<p>NZQA rules cover key aspects of NZQA's responsibilities for qualifications and quality assurance.</p>	<ul style="list-style-type: none"> • TEOs have effective processes to be informed about the implications of relevant rules • Practical steps are taken to comply with the rules in each area relevant to the TEO • TEOs have robust internal processes to monitor compliance with the rules • Improvements in compliance with rules are effected in a timely manner • Significant non-compliances is rectified promptly 	<p>The evidence of compliance may include meeting minutes, relevant TEO records, records of student attendance, programme approval and delivery documents, audit reports, TEO risk management plan, survey results (student, employer, etc), timetables and delivery schedules, student or course handbooks, TEO risk management documents and any other relevant information.</p> <p>Evaluators will include in the EER topic-specific interview questions for staff and students, and/or direct observation of performance, as appropriate.</p>	<p>NZQA rules are made under section 253 of the Education Act 1989</p> <p>The rules can be found at: http://www.nzqa.govt.nz/about-us/our-role/legislation/nzqa-rules/</p> <p>PTE and industry training organisation rules relate to registration, annual fees, enrolment and academic records, student fee protection, refund criteria</p> <p>EER rules apply to all TEOs other than universities</p> <p>New Zealand Qualifications Framework (NZQF) rules relate to qualification listing, programme approval and accreditation, off-shore programme delivery, industry training programmes</p> <p>Rules for standards and assessment relating to the directory of assessment standards (DAS)</p> <p>Training scheme rules</p>

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<p>Conformance with the Education (Pastoral Care of International Students) Code of Practice 2016</p>	<p>The Code sets out the legislated outcomes for practices relating to the pastoral care of international students</p> <p>This indicator is only relevant to those TEOs with international students i.e. not New Zealand citizens and not holders of a New Zealand residence class visa</p>	<ul style="list-style-type: none"> • The TEO has effective self review systems in place to manage the welfare and safety of international students • TEOs have robust processes to manage their commitments as code signatories • TEOs have robust internal processes to monitor compliance with the Code • TEOs involve relevant managers and staff in monitoring international student welfare • TEOs actively review changes in the regulatory environment impacting on international students • Communication and access to information relating to international student welfare within TEOs are open and transparent. • The TEO has effective grievance procedures for international students • Staff and management are involved in appropriate professional development in relation to international students 	<p>The evidence of compliance may include meeting minutes, relevant TEO records, records of student attendance, programme approval and delivery documents, audit reports, TEO risk management plan, survey results (student, employer, etc), timetables and delivery schedules, student or course handbooks, TEO risk management documents and any other relevant information.</p> <p>Evaluators will include in the EER topic-specific interview questions for staff and students, and/or direct observation of performance, as appropriate.</p>	<p>The Minister for Tertiary Education, Skills and Employment establishes the Education (Pastoral Care of International Students) Code of Practice 2016 pursuant to section 238F of the Education Act 1989</p> <p>NZQA has published guidelines to support the code of practice available on the NZQA website: http://www.nzqa.govt.nz/assets/Providers-and-partners/Code-of-Practice/tertiary-guidelines-code-of-practice.pdf</p> <p>NZQA maintains a list of all education providers that are approved signatories to the Code of Practice.</p> <p>This indicator relates to non-university tertiary education organisations that enrol international students</p>

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Consistency with NZQA programme approvals	Programmes are approved to deliver the graduate profile and outcomes of the relevant qualification for enrolled students that complete the course and graduate	<ul style="list-style-type: none"> Programmes are delivered to the hours and mode(s) approved by NZQA. Changes to programmes are submitted to NZQA for approval as per NZQA rules. Programme managers and staff are informed about programme approvals and take active steps to ensure delivery within the approval 	<p>Programme planning documentation</p> <p>Hours (learning, teaching)</p> <p>Exam/assessment timing</p> <p>Programme leaders/managers interviews</p> <p>Student and staff interviews</p> <p>Evidence of changes to delivery – entry requirements, total hours, mode, qualification level, student numbers (actual and EFTS),</p>	<p>NZQA guidelines for applying for approval of programmes leading to New Zealand qualifications at levels 1 – 6 on the NZQF and the accreditation of organisations to provide approved programmes</p> <p>http://www.nzqa.govt.nz/providers-partners/approval-accreditation-and-registration/programme-approval-and-provider-accreditation/</p> <p>http://www.nzqa.govt.nz/assets/Providers-and-partners/Registration-and-accreditation/guidelines-approval-programme-accred.pdf</p>

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<p>Legal and ethical performance - policies and practices are legal and ethical</p>	<p>A reliable foundation of legal and ethical practice is the basis for successful provision of, and success in, tertiary education.</p> <p>Legal and ethical practice protects internal and external stakeholders.</p> <p>This indicator is included in the event that EER evaluators come across significant illegal or unethical practice in a TEO during the course of their enquiry.</p>	<ul style="list-style-type: none"> • TEOs have appropriate guidelines and/or policies relating to legal requirements/considerations • TEOs have appropriate guidelines and/or policies relating to ethical requirements/considerations • Communication and access to information about relevant legal and ethical considerations within TEOs are open and transparent <p>Possible prompt questions:</p> <ul style="list-style-type: none"> • What are the mechanisms for ensuring that the TEO complies with all legal requirements? • How well is the TEO maintaining its compliance with legal requirements and how does it know how well it is doing this? • How do staff and management actively seek to avoid harm to students? • How do management and staff identify and understand appropriate ethical behaviour? 	<p>The evidence of compliance may include meeting minutes, relevant TEO records, records of student attendance, programme approval and delivery documents, audit reports, TEO risk management plan, survey results (student, employer, etc), timetables and delivery schedules, student or course handbooks, TEO risk management documents and any other relevant information.</p> <p>Records of staff professional development.</p> <p>Evaluators will include in the EER topic-specific interview questions for staff and students, and/or direct observation of performance, as appropriate.</p> <p>The use of steps and measures in place aimed at the 'avoidance of harm', e.g. principles, professional codes of practice/conduct, professional development activities, case study or critical incident follow-up.</p> <p>The use of complaints processes for dealing with incidents.</p> <p>Any records of evaluations of the efficacy of complaint processes.</p> <p>Absence of incidents featuring behaviour that may be, or are, harmful to others.</p>	<p>The Baldrige Criteria of Education Excellence has identified legal and ethical behaviour as an important part of educational leadership (Baldrige 2008).</p>