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Proposed tertiary student wellbeing and safety changes open for consultation

Source: Ministry of Education

The Ministry of Education is inviting feedback on a package of changes to help improve the wellbeing and safety for all tertiary and international learners.

"Our research tells us that learners succeed best when their wellbeing and safety is considered by education providers. And the Government's Tertiary Education Strategy (TES) asks that all tertiary institutions operate places of learning that are safe, inclusive and free from racism, discrimination and bullying. We are inviting people to help shape positive environments for all our tertiary learners," Andy Jackson, Tumuaki Tuarua | Deputy Secretary, Te Ara Kaimanawa, Ministry of Education says.

The consultation runs from 7 April until 21 May, with opportunities for ākonga, whānau, communities and tertiary education professionals to share their views in-person and online. The proposed code will replace the current codes for domestic and international learners.

"The education system in Aotearoa New Zealand is changing. Learners, whānau, communities, and honouring Te Tiriti o Waitangi are being put at the centre. The proposed changes to domestic and international tertiary learners respond to these shifts," Andy Jackson says.

"There's a need for an accessible, culturally responsive, effective, and equitable system of supports for learner wellbeing and safety. The proposals we are consulting on build on what's already working well, address existing gaps and make improvements to better meet the needs of ākonga.

"The wellbeing and safety of tertiary and international learners is a shared responsibility between government, tertiary education providers, learners, whānau and the wider community. The proposed code will set clear and consistent expectations of tertiary and international education providers and how they partner with learners to provide services for their wellbeing and safety," Andy Jackson says.

A proposed dispute resolution scheme for domestic tertiary learners and providers to settle contractual or financial disputes that are unable to be resolved using provider or sector complaints processes is being developed in parallel with the new Code.

The new code and dispute resolution scheme will be implemented in 2022.

Learn more about the proposed changes and have your say on the Kōrero Mātauranga website.

[Te oranga me te haumarū ākonga | Learner wellbeing and safety](#)

About the proposed changes

A new code of pastoral care for all tertiary and international students will be developed this year for implementation from 1 January 2022.

Simplifying the current situation, the proposed code will apply to all domestic and international students in tertiary education, regardless of whether they are full-time, part-time, in apprenticeships or employment, learning on-campus or on-line.

There are no substantial changes proposed to the requirements for schools enrolling international students.

Disputes can have big educational, financial and emotional impacts on learners and their whānau. A stronger dispute resolution scheme will help resolve issues and make the tertiary education system fairer and more accessible for everyone.

Supporting the proposed changes are a set of proposed law changes that will make sure the new code and dispute resolution scheme are supported by legislation and fit for purpose. They will make sure the code and dispute resolution scheme consistently focus on learner wellbeing and safety, and make it easier for providers to implement the code.

About the consultation

Consultation is open 7 April - 21 May.

Everyone's views are invited, especially ākonga, whānau, communities and those working or volunteering in the tertiary and international education sector. Feedback is sought on the proposed code for the wellbeing and safety of all tertiary and international learners, a new dispute resolution scheme for domestic tertiary learners, and proposed legislative changes to clarify and streamline providers' responsibilities to learners.

The Education and Training Act 2020 requires the Minister to consult before issuing a Code and dispute resolution scheme. The Ministry has launched this consultation on behalf of the Minister.

Learn more about the consultation and have your say on the Kōrero Mātauranga website.

[Te oranga me te haumarū ākonga | Learner wellbeing and safety](#)

Interim code changes

On Wednesday, 31 March 2021, the Minister issued minor and technical changes to the interim code. These include updating the expiry date of the interim code and references to the Education and Training Act 2020, and being clearer about what the Code Administrator must do if it uses powers to enter student accommodation (clause 33). Tertiary providers don't need to do anything differently, and NZQA will ensure that it meets the new requirements. You can view the updated code [here](#). These changes follow from Parliamentary review of the interim code by the Regulations Review Committee.

-ENDS-

For more information, please contact the Ministry of Education media team

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