

## **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.

NOTE NZ Training has students enrolled in one, two or three day courses. They come just for the sessions and there is no ongoing learning or learner relationship.

Phase in the gap analysis process:	MAKE SENSE		
Information we can gather to use as evidence of our compliance with this clause – see original analysis	COMPLIANT	GAP (in evidence)	GAP (in practice)
<p><b>Process 1: Strategic goals and strategic plans</b> <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, <del>including student accommodation</del>, describing how they will –</p> <p>(a) give effect to the outcomes sought and processes required by this code; and</p>	COMPLIANT		
<p>(b) contribute to an education system that honours Te Tiriti o Waitangi and supports Māori–Crown relations.</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>	COMPLIANT but not documented	Added to the staff, quality and management minutes template	
<p>(b) make amendments to their learner wellbeing and safety strategic goals and strategic plans within a reasonable timeframe following the review.</p>	COMPLIANT but not documented	Added to the staff, quality and management minutes template	

<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>COMPLIANT but not documented</p>	<p>Added question/ comment area to stakeholder and learner surveys</p>	
<p>(b) reviewing their learner wellbeing and safety strategic goals and strategic plans described in subclause (2).</p>	<p>COMPLIANT but not documented</p>	<p>Added question/ comment area to stakeholder and learner surveys</p>	
<p><b>Process 2: Self review of learner wellbeing and safety practices</b> <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>COMPLIANT but not documented</p>	<p>Added note to quality manager's role to ensure this is documented in plans and minutes</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>COMPLIANT but not documented</p>	<p>Added question/ comment area to stakeholder and learner surveys</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>COMPLIANT – will appear in monthly statistics of current learners and quarterly stats from stakeholder surveys.</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>COMPLIANT Minutes of staff and management meetings document this</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>COMPLIANT Pastoral Care and Code info forwarded to all learners on enrolment</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>COMPLIANT as above documents updated as year progresses</p>		

(c) self-review reports on the quality of their learner wellbeing and safety practices described in clause 8.	Not COMPLIANT	Created a self review update report every quarter by Quality Assurance Manager	
<b>Process 4: Responsive wellbeing and safety systems</b> <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.	COMPLIANT Student concerns sheet filled out and actioned as needed  Staff/ management meeting minutes		
<b>Clause 10 (2).</b> Providers must provide staff with ongoing training and resources tailored to their roles in the organisation, in relation to – (a) Te Tiriti o Waitangi; and	Not COMPLIANT	Staff completing professional development PD on the Treaty	Practice incorporated all aspects to support the Treaty naturally.
(b) the provider's obligations under this code; and	Not COMPLIANT	Staff completing PD related to code etc	
(c) understanding the welfare issues of diverse learner groups and appropriate cultural competencies; and	COMPLIANT but not documented	Created a summary sheet with input from all staff on welfare issues etc	Practice incorporated all aspects inside the sessions naturally
(d) identifying and timely reporting of incidents of racism, discrimination, and bullying; and	COMPLIANT But not well documented. May appear in	Added a note to the staff and management minutes related to this. And student concerns raised.	

	students concern log and actions		
(e) physical and sexual violence prevention and response, including how to support a culture of disclosure and reporting; and	COMPLIANT Posters in the class rooms.		
(f) privacy and safe handling of personal information; and	COMPLIANT		
(g) referral pathways (including to local service providers) and escalation procedures; and	COMPLIANT but not documented	Added to company policies re referrals and support for students	
(h) identifying and timely reporting of incidents and concerning behaviours; and	COMPLIANT Student concerns log to be filled in by admin from students and tutor comments		
(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.	COMPLIANT In the Pastoral Care document		

<p><b>Clause 10 (3).</b> Providers must have plans for assisting learners, and responding effectively, in emergency situations in the learning <del>or residential</del> <del>community</del> (whether localised or more widespread), including –</p> <p>(a) making these plans readily available to learners when they begin their study; and</p>	<p>COMPLIANT Emergency evacuation info is provided to all learners with EVERY class And posters are on the wall</p>		
<p>(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</p>	<p>COMPLIANT Staff trained in First Aid and Emergency</p>		
<p>(c) co-ordinating decision-making across the provider when responding to emergencies; and</p>	<p>COMPLIANT Most senior manage present takes control</p>		
<p>(d) disseminating timely, accurate, consistent, and accessible information to learners and staff during emergencies; and</p>	<p>COMPLIANT A tiny school and we go outside together</p>		
<p>(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</p>	<p>Not COMPLIANT</p>	<p>To be covered in the PD session re Code and Treaty etc</p>	
<p>(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 –</p>	<p>COMPLIANT Risk reports and risk analysis and actions points documented</p>		

<ul style="list-style-type: none"> <li>i. engaging with relevant government agencies (e.g. the New Zealand Police, Ministry of Health, New Zealand Qualifications Authority, Tertiary Education Commission); and</li> <li>ii. the follow-up de-briefing processes to support all learners and relevant staff; and</li> </ul>			
<p>(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.</p>	<p><b>COMPLIANT</b> In stats kept and then in meeting minutes for staff and management and quality team</p>		

## 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:	MAKE SENSE		
Key required processes	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> <ul style="list-style-type: none"> <li>(a) proactively building and maintaining effective relationships with diverse learner groups within their organisation; and</li> </ul>		<p>Actions being taken to better deal with non English speakers and to ensure learners are heard</p>	<p>Actions being taken to better deal with non English speakers and to ensure learners are heard</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	COMPLIANT	Further representation being added	
(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		Actions being taken to better deal with non English speakers and to ensure learners are heard	Actions being taken to better deal with non English speakers and to ensure learners are heard
(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	Not really applicable	As a 2 to 3 day course provider there are few if any decisions to make	
(e) providing timely and accessible information to learners to increase transparency of providers' decision-making processes.	COMPLIANT A full info pack is provided to every enrollee, about all the conditions and processes and expectations		
<p><b>Process 2: Learner complaints</b></p> <p><b>Clause 13.</b> Providers must –</p> <p>(a) work with learners to effectively respond to, and process complaints (including appropriate engagement with support people); and</p>	COMPLIANT The learner and tutor concerns logs record this and the immediate actions taken		

<p>(b) inform learners on how the complaint will be handled and how it is progressing; and</p>	<p><b>COMPLIANT</b> There is a complaint flyer on the wall of each class that clearly shows what to do and how it will be processed</p>		
<p>(c) handle complaints in a timely and efficient way, including having practices that –</p> <ul style="list-style-type: none"> <li>i. are appropriate to the level of complexity or sensitivity of the complaint; and</li> <li>ii. consider the issues from a cultural perspective; and</li> <li>iii. include the provision of culturally responsive approaches that consider traditional processes for raising and resolving issues (for example, restorative justice); and</li> <li>iv. comply with the principles of natural justice; and</li> </ul>	<p><b>COMPLIANT</b> Handled immediately and documented on the concerns register. Communication with the learner may be verbal but will also be by email so there is a documented paper trail of learner centred communication.</p>		

<p>(d) ensure that the complaints process is easily accessible to learners (and those supporting them), including having practices for –</p> <p>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</p>	<p>COMPLIANT There is a complaint flyer on the wall of each class that clearly shows what to do and how it will be processed</p>		
<p>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</p>	<p>COMPLIANT as above</p>		
<p>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</p>	<p>COMPLIANT as above</p>		
<p>iv. providing the opportunity for groups of learners to make joint complaints; and</p>	<p>COMPLIANT as above</p>		
<p>(e) record complaints; and</p>	<p>COMPLIANT record on concerns log and actions taken</p>		
<p>(f) report annually to provider management, learners, other stakeholders, and the code administrator (including on provider websites where available) on –</p>	<p>COMPLIANT Noted in the annual statistics</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>and qualitative data noted</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>COMPLIANT There is a complaint flyer on the wall of each class that clearly shows what to do and how it will be processed</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, the Dispute Resolution Scheme, the Disputes Tribunal, the Human Rights Commission or the Ombudsman; and</li> </ul>	<p>COMPLIANT There is a complaint flyer on the wall of each class that clearly shows what to do and how it will be processed</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>COMPLIANT Dispute resolution documents and processes are provided to all staff and discussed in staff meetings.</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:	MAKE SENSE		
Key required processes	COMPLIANT	GAP (in evidence)	GAP (in practice)

<p><b>Process 1: Safe and inclusive communities</b></p> <p><b>Clause 16 (1).</b> Providers must have practices for –</p> <p>(a) reducing harm to learners resulting from discrimination, racism (including systemic racism), bullying, harassment and abuse; and</p>	<p>COMPLIANT</p> <p>In class posters mentioned above clearly outline this</p>		
<p>(b) working with learners and staff to recognise and respond effectively to discrimination racism (including systemic racism), bullying, harassment and abuse; and</p>	<p>COMPLIANT</p> <p>On posters and in staff meetings</p>		
<p>(c) promoting an inclusive culture across the learning environment; and</p>			
<p>(d) upholding the cultural needs and aspirations of all groups throughout the learning environment; and</p>			
<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; and</li> <li>ii. about the cultural, spiritual, and community supports available to them; and</li> </ul>	<p>COMPLIANT as per in class posters mentioned above</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>COMPLIANT however courses are only 1 to 3 days long</p>		

<p><b>Process 2: Supporting learner participation and engagement</b>  <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>COMPLIANT as per in class posters and minuted in staff meetings</p>		
<p>(b) connect, build relationships and develop social, spiritual and cultural networks; and</p>	<p>COMPLIANT but short courses only 1 to 3 days</p>		
<p>(c) use te reo and tikanga Māori to support Māori learners' connection to identity and culture.</p>	<p>COMPLIANT on posters and te reo speaker on staff</p>		
<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>COMPLIANT full info on how to succeed in the sign up pack for each course</p>		
<p>(b) maintaining appropriate oversight of learner achievement and engagement; and</p>	<p>COMPLIANT close knit environment Learners who struggle are helped. Documented follow ups are saved to their files.</p>		
<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>COMPLIANT as per in class posters</p>		

(d) providing learners with advice on pathways for further study and career development, where appropriate.	N/A as they are just doing a driver's licence		
<b>Process 3: Physical and digital spaces and facilities</b>  <b>Clause 18.</b> Providers must have practices for–	COMPLIANT Safety checks are documented and done weekly????		
(a) providing healthy and safe learning environments; and			
(b) identifying and, where possible, removing access barriers to provider facilities and services; and	COMPLIANT All students must be mobile enough for stairs as they will be drivers		
(c) involving learners in the design of physical and digital environments when making improvements; and	COMPLIANT Discussions are held in class of any improvements or needs	Tutor would document this in the class notes for the day	
(d) engaging with Māori and involving Māori in the design of physical and digital environments where appropriate.			

### 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:	MAKE SENSE		
Key required processes	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>	<p>COMPLIANT In Pastoral Care and in the SIGN UP documents</p>		

<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>	N/A no food is provided		
<p><b>Process 2: Promoting physical and mental health awareness</b> <b>Clause 21.</b> Providers must have practices for – (a) providing opportunities and experiences for learners that improve their physical and mental health and wellbeing and safety; and</p>	COMPLIANT Taught in the driver ed courses		
<p>(b) promoting awareness of practices that support good physical and mental health that are credible and relevant to learners; and</p>	COMPLIANT Taught in the driver ed courses		
<p>(c) supporting learners' connection to their language, identity, and culture; and</p>	COMPLIANT Posters in rooms etc		
<p>(d) providing accurate, timely information and advice to learners about – i. how they can access medical and mental health services through the provider or through community and public services, including culturally responsive services; and ii. how they can report health and safety concerns they have for their peers; and iii. how to respond to an emergency and engage with relevant government agencies; and iv. how they can make positive choices that enhance their wellbeing.</p>	COMPLIANT as per in class posters		

<p><b>Process 3: Proactive monitoring and responsive wellbeing and safety practices.</b></p> <p><b>Clause 22 (1).</b> Providers must have practices for –</p> <p>(a) requesting that domestic learners 18 years and over provide a name and up-to-date contact details of a nominated person; and</p>	<p>NOT COMPLIANT</p>	<p>Added this to the enrolment form in case of accident or illness at school</p>	
<p>(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</p>	<p>NOT COMPLIANT</p>	<p>Added to the above form as criteria... Critical health or driving accident in training or assessment</p>	
<p>(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</p>	<p>Not needed to date but the above points will provide the access to advise the contacts</p>		
<p>(d) enabling learners to communicate health and mental health needs with staff in confidence, <del>including accommodation staff,</del> so that the provider can proactively offer them support; and</p>	<p>COMPLIANT In class posters mentioned above clearly outline this</p>		
<p>(e) providing opportunities for learners to raise concerns about themselves or others in confidence; and</p>	<p>COMPLIANT In class posters mentioned above clearly outline this</p>		

(f) identifying learners at risk and having clear and appropriate pathways for assisting them to access services when they need it; and	COMPLIANT	Covered in PD and tutor support guide document	
(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	COMPLIANT	Covered in PD and tutor support guide document	
ii. protecting learners and staff who experience harm from other learners and/or staff, including sexual assault; and	COMPLIANT	Covered in PD and tutor support guide document	
(h) making arrangements with disabled learners or those affected by health and wellbeing difficulties to accommodate learning needs, including for study off-campus; and	N/A All learners must have mobility to drive and function on the road		
(i) responding to disruptive and threatening behaviour in a way that is sensitive to a learner's situation; and	COMPLIANT	Covered in PD and tutor support guide document	
(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.	COMPLIANT work with each learner to accommodate changes etc		
<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.	Not applicable as no one under 18 and no international students		

<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>	<p>Not applicable as no one under 18 and no international students</p>		
<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>	<p>COMPLIANT on Risk reports and risk analysis and discussed in minuted staff, quality and management meetings</p>		