AIDE MEMOIRE

SWC 4 December: Policy Approvals for Interim Code of Practice for the pastoral care of domestic tertiary students including those in student accommodation

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<td>To:</td>
<td>Hon Chris Hipkins</td>
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Purpose

1. This paper seeks approval for content for an Interim Code of Practice for the pastoral care of domestic tertiary students. [1]
2. It aims to improve pastoral care outcomes for students in tertiary education and student accommodation, and support them to maintain their wellbeing and achieve in study. [5]

Background

3. On 14 October, Cabinet agreed that I could amend the Education Act to enable the creation of a Code of Practice for pastoral care of domestic tertiary students, and create an Interim Code to take effect on 1 January 2020. [5]

Education (Pastoral Care) Amendment Bill

4. I have been progressing legislation to empower the creation of a Code of Practice and address regulatory gaps relating to the pastoral care of domestic tertiary students. [9]
5. The Select Committee reported the Bill back to the House on 27 November and it awaits second reading. [11]

Interim code of practice for pastoral care of domestic tertiary students

6. The interim code for 2020 sets out a framework to give clarity to providers, students and whānau about the types of support that should be available to students (much of which is already being done). It focuses on student accommodation, and provides a general framework for wider pastoral care. [13-14]
7. My officials have worked closely with a group from the sector to develop this interim code and to ensure that it is workable for 2020. I am grateful for their input. We have also received feedback on the interim code from peak bodies. [15]

8. This code will provide a good foundation for further work on developing an ongoing code next year. [16]

**Proposed content of the Interim Code of Practice**

9. The code has two parts [19]:
   a. a general duty of pastoral care
   b. specific requirements for tertiary education providers that offer accommodation.

10. For each part of the code there are key high level outcomes for the wellbeing of students which are supported by specific practice requirements for providers. [19]

11. The practice requirements are designed to give scope for flexible application of the outcomes by the provider. [22]

**General pastoral care**

12. The general provisions in the code are set out in six outcomes which have been adapted from the Child and Youth Wellbeing Strategy (meaning that it is supported by extensive consultation and engagement across the country). The outcomes are designed to capture the full range of wellbeing contexts. [20]

**Pastoral care in student accommodation**

13. The practice requirements for student accommodation are set out under four outcomes. [23]

14. These requirements have been guided by: [18]
   a. the current international pastoral care code
   b. the 2004 voluntary code of practice for tertiary student accommodation
   c. initial results from the Government’s recent consultation on student voice
   d. submissions to the select committee on the Education (Pastoral Care) Amendment Bill.

15. The aim for developing this part of the code was to have a strong student-centred focus and an emphasis on developing a positive and supportive residential environment. [23]

**Implementation**

16. The Interim Code will be in place by 1 January 2020. [25]

17. NZQA will be the Code Administrator, with some functions delegated to Universities New Zealand for university-related responsibilities. [26]

18. NZQA proposes to focus on information and education in the first half of 2020 which will enable providers to ask questions about the implications of the Code, and avoid misinterpretation or hasty changes. [28]

19. NZQA will investigate any complaints received about the Code throughout 2020. Quality assurance of providers will begin in the second half of 2020. [28, 29]

20. An ongoing Code which will consider the full range of issues and good practice in ensuring student wellbeing through pastoral care will be developed during 2020
with significant sector engagement and input from students and their communities, families and whānau. [30]

Financial implications

21. The Minister of Finance and I have approved funding of up to $1.5 million from Vote Tertiary Education baselines for the administration of the Interim Code by NZQA, as authorised by Cabinet on 14 October. [32]

Impact Analysis

23. The paper attaches officials’ Supplementary Analysis Report required by Cabinet in October. This report has been assessed as “partially meeting” the requirements. [38, 39]

24. Due to the tight timeframe, it has not been possible to quantify all of the costs and benefits. I expect that the Interim Code will provide greater clarity to the sector about Government’s expectations regarding pastoral care, and the main cost will be assessing the implications and demonstrating compliance. [41]

25. NZQA will manage many of the implementation risks through their approach to administration of the Interim Code. Experience with the Interim Code will inform the development of the ongoing Code, and assessment of its likely impacts. [42]

Proactive Release

It is intended that this Briefing is proactively released as part of the Code of Practice for Pastoral Care pack following the release of the Interim Code, as per your expectation that information be released as soon as possible. Any information which may need to be withheld will be done so in line with the provisions of the Official Information Act 1982.

Agree / Disagree

Hon Chris Hipkins
Minister of Education

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