

## Gateway – Conditions on Funding

**Please note:**

*The numbering of the Conditions is not sequential. The Condition after GW016 is GW019.*

### **GW001: TEO to supply information to the TEC**

This condition is imposed under section 159ZD(1) of the Education Act 1989.

As specified in section 159ZD of the Education Act 1989, it is a condition of receiving funding under section 159ZC of the Education Act 1989 that the TEO will supply to the TEC or the Ministry of Education, any financial, statistical, or other information that the TEC or the Ministry (as the case may be) requires the TEO to supply.

The TEO must supply to the TEC information about each Gateway student in accordance with the reporting requirements specified in the “TEC Gateway Handbook”.

### **GW002: TEO to continue to be a state school or state integrated school**

This condition is imposed under section 159ZD(2)(b) of the Education Act 1989.

Throughout the Funding Period, the TEO must continue to be:

- a) a state or a state-integrated New Zealand secondary school; and
- b) quality assured by the Education Review Office.

### **GW003: TEO to continue comply with administrative requirements**

This condition is imposed under section 159ZD(2)(b) of the Education Act 1989.

The TEO must comply with any administrative requirements specified by the TEC, including the administrative requirements specified in the Gateway Handbook.

### **GW004: TEO to ensure a programme is eligible for Gateway**

This condition is imposed under section 159ZD(2)(b) of the Education Act 1989.

The TEO must ensure that a programme of study or training that receives Gateway funding continues to:

- a) lead to credits that contribute to the award of a NCEA and/or a qualification on the NZQF; and
- b) allow each eligible student to participate in structured workplace learning, including the assessment and recognition of that learning in the form of credits towards a NCEA and/or a qualification on the NZQF; and
- c) integrate workplace learning with each eligible student's wider course of study.

**GW005: TEO to ensure a student is eligible for Gateway**

This condition is imposed under sections 159ZD(2)(a) and 159ZD(2)(b) of the Education Act 1989.

The TEO must ensure that a student who is enrolled in an eligible Gateway programme is and continues to be:

- a) a domestic student as defined in section 159 of the Education Act 1989; and
- b) enrolled at a state or state-integrated New Zealand secondary school; and
- c) year 11 or above (a senior student); and
- d) capable of undertaking a structured work placement and achieving credits that contribute to the award of a NCEA and/or a qualification on the NZQF in the workplace.

**GW006: TEO not to use Gateway funding for non-Gateway expenses**

This condition is imposed under section 159ZD(2)(b) of the Education Act 1989.

The TEO must not use Gateway funding to fund:

- a) the cost of school space; or
- b) school office or administrative services other than services specifically for Gateway provision.

**GW007: TEO not to charge a fee for programme or equipment**

This condition is imposed under section 159ZD(2)(b) of the Education Act 1989.

The TEO:

- a) must not charge a tuition fee, or course or equipment costs, to a student for his or her programme of study or training that is funded by Gateway funding; and
- b) must ensure that each student has the equipment necessary for his or her work placement, including tools, equipment, safety clothing and tuition materials, at no cost to the student.

**GW008: TEO to ensure safety on a Gateway programme**

This condition is imposed under section 159ZD(2)(a) of the Education Act 1989.

The TEO must:

- a) take all reasonable and practicable steps to ensure that each student will be safe in his or her work placement; and
- b) monitor the safety of each student in his or her work placement.

**GW009: TEO to ensure employer and student are aware of their obligations**

This condition is imposed under section 159ZD(2)(b) of the Education Act 1989.

The TEO must:

- a) ensure that each employer is aware of its employer obligations and that each workplace is appropriate for structured workplace learning; and
- b) ensure that each student is aware of his or her obligations as an employee.

**GW010: TEO not to seek additional Crown funding for a Gateway-funded programme**

This condition is imposed under section 159ZD(2)(b) of the Education Act 1989.

The TEO:

- a) must not (without the TEC's prior written consent) seek or obtain funding from any Crown source other than the TEC to fund Gateway provision that is funded under the Determination of a Design of Funding Mechanism: Gateway; and
- b) must notify the TEC immediately if it becomes aware of any circumstances that might result in a breach of sub-paragraph (a) of this condition.

**GW011: TEO to use Gateway funding responsibly**

This condition is imposed under section 159ZD(2)(b) of the Education Act 1989.

The TEO must use the Gateway funding:

- a) lawfully, responsibly, and for the purposes for which it is provided; and
- b) in a manner consistent with the appropriate use of public funds.

**GW012: TEO to repay over-funding to the TEC**

This condition is imposed under section 159ZD(2)(b) of the Education Act 1989.

If the TEO receives Gateway funding that is greater than it should have been, or that the TEO was not entitled to receive, the TEO must treat the amount of the over-funding as a debt due to the Crown that:

- a) is repayable on demand; and
- b) may be set-off against all or any funding, or any sum of money payable by the TEC to the TEO.

**GW0013: TEO to ensure information is submitted to NZQA**

This condition is imposed under section 159ZD(2)(a) of the Education Act 1989.

The TEO must ensure that each student's credit achievement information is submitted to the New Zealand Qualifications Authority.

**GW014: TEO to notify issues**

This condition is imposed under section 159ZD(2)(a) of the Education Act 1989.

The TEO must notify the TEC of any issues that may affect the TEO's ability to comply with the Gateway funding conditions, including if the TEO considers that it may be unable to provide the Gateway programmes in accordance with the conditions.

**GW015: TEO to provide TEC with access to premises, employees and information**

This condition is imposed under section 159ZD(2)(b) of the Education Act 1989.

The TEO must provide the TEC with access to its premises, employees, and information for the purposes of:

- a) inspecting the records that the TEO must keep; and
- b) auditing the TEO's compliance with funding conditions and requirements in the Education Act 1989.

**GW016: TEO to meet minimum performance standards**

This condition is imposed under section 159ZC(2)(b) of the Education Act 1989.

The TEO must meet any minimum performance standards specified by the TEC, including:

Gateway performance commitment	Minimum achievement level
Credit achievement	Average level of achievement per student of at least 20 credits on the NZQF or at least 20 NCEA credits, drawn from the Vocational Pathways.

**GW019: TEO to repay funding following revocation of funding approval**

This condition is imposed under section 159ZC(2)(a) of the Education Act 1989.

If the TEC, in accordance with section 159ZF of the Education Act 1989, suspends or revokes some or all of the TEO's Gateway funding before that funding has been used or contractually committed towards the purposes for which it was provided, the TEO must treat the unexpended or uncommitted portion of the Gateway funding as a debt due to the Crown that:

- a) is repayable on demand; and
- b) may be set off against all or any funding or any sum of money payable by the TEC to the TEO.