

## Workplace Literacy and Numeracy – conditions on funding

### WPL001: TEO to supply information to the TEC

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

As specified in section 159YC(1) and section 159ZD(1) of the Education Act 1989, it is a condition of a TEO receiving funding that the TEO will supply to the TEC, from time to time as required by the TEC, and in the form specified by the TEC, any financial, statistical, or other information that a TEO is required by the TEC to supply.

#### *TEO to supply reports*

A TEO that receives WPL funding under an Investment Plan must submit:

- a) a progress report for the period 1 January to 31 May no later than 10 working days after 31 May;
- b) a progress report for the period 1 January to 30 September no later than 10 working days after 30 September; and
- c) a final report for the period 1 January to 31 December no later than 31 January of the following year.

Each progress report must:

- a) be submitted in accordance with the template; and
- b) relate to the specific delivery commitments outlined in the TEO's Investment Plan; and
- c) include the following information:
  - (i) the number of learners enrolled in each programme of workplace training; and
  - (ii) learner enrolment information, including the National Student Number (NSN), tuition hours received and enrolment start/finish dates for each learner enrolled in each WPL programme of study or training during the period covered by the report; and
  - (iii) the name of the business in which each learner is employed.

Each final report must be submitted in accordance with the template and include the following information:

- a) the number of learners in each WPL programme of study or training; and
- b) the number of learner hours delivered; and
- c) the NSN and details of any learners not reported on in the progress reports; and

- d) a summary of learner demographics; and
- e) the regions in which the TEO delivered the provision; and
- f) a declaration that confirms that:
  - (i) the TEO has monitored each learner's progress; and
  - (ii) the TEO used the Literacy and Numeracy for Adults Assessment Tool (including Starting Points) to carry out initial and progress assessments of each learner; and
  - (iii) the TEO has met its performance commitments.

A TEO that is delivering a programme of workplace training as an employer must supply to the TEC the following reports in accordance with its funding letter:

- a) a programme commencement report
- b) two progress reports and
- c) one final report.

Each report must be in the form of the template attached to its funding letter.

*TEO to supply financial viability information to the TEC*

The TEO must supply to the TEC information relating to the financial viability of the TEO if the TEC requests that information.

*TEO to supply information to the TEC in certain situations*

The TEO must notify the TEC immediately if:

- a) any record that the TEO is required to keep under the Education Act 1989 has been lost or damaged; or
- b) the TEO is no longer able to comply with a condition of funding.

*PTE to supply information to the TEC in certain situations*

This condition applies to a private training establishment (PTE).

The PTE must notify the TEC immediately if:

- a) its New Zealand Qualifications Authority (NZQA) registration or accreditation is cancelled; or
- b) it is in liquidation or receivership; or
- c) it has a change of ownership or governance; or
- d) it changes its name; or

- e) it changes the location or locations at which the PTE delivers a course or courses.

For the purposes of this condition, a change of ownership or governance means any of the following:

- a) the merger of a PTE with another company or organisation; or
- b) transfer or sale to a trust; or
- c) transfer or sale of all or part of the business (assets) to a new owner; or
- d) change to the control of a PTE (private company); or
- e) change in a director of the PTE (private company).

#### **WPL002: TEO to continue to meet specified criteria**

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

The TEO must, for the length of the funding period, continue to be:

- a) an institute of technology or polytechnic (ITP); or
- b) a private training establishment (PTE); or
- c) a wānanga; or
- d) a university; or
- e) a state school or state-integrated school; or
- f) an employer that:
  - (i) is an organisation as defined by section 159B of the Education Act 1989; and
  - (ii) is a body corporate; and
  - (iii) delivers literacy, numeracy, or literacy and numeracy provision to a minimum of 20 of its employees.

#### **WPL003: TEO to continue to meet quality assurance requirements**

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

This condition applies to a TEO that receives WPL funding, unless the TEO is an employer as defined in Condition WPL002.

The TEO must, for the length of the funding period, continue to be quality assured by the:

- a) NZQA, if the TEO is an ITP, PTE, or wānanga;
- b) New Zealand Vice-Chancellors' Committee (trading as Universities NZ), if the TEO is a university; or
- c) Education Review Office, if the TEO is a state school or state-integrated school.

**WPL004: TEO to ensure learners meet criteria**

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

The TEO must ensure that each learner that the TEO enrolls in an eligible programme of study or training:

- a) is, and continues to be a New Zealand citizen or resident of New Zealand; and
- b) has low skill levels of literacy, numeracy, or literacy and numeracy; and
- c) is, and continues to be, in the paid workforce; and
- d) is not:
  - (i) enrolled as a full-time learner at a TEO; or
  - (ii) accessing TEC-funded literacy, numeracy, or literacy and numeracy provision at another TEO or workplace.

*Definition of low skill level in literacy, numeracy, or literacy and numeracy*

For the purposes of this condition, a learner has a low skill level in literacy, numeracy, or literacy and numeracy:

- a) if the learner has fewer than 80 credits on the New Zealand Qualifications Framework (NZQF); or
- b) if the learner has more than 80 credits on the NZQF, the learner has fewer than 12 credits in literacy, numeracy, or literacy and numeracy in unit standards and/or achievement standards.

**WPL005: TEO to ensure programmes meet criteria**

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

The TEO must ensure that a programme of study or training in which an eligible learner is enrolled continues to be a programme that:

- a) provides literacy, numeracy, or literacy and numeracy study or training that is specific, rather than embedded, within the programme; and
- b) contributes to the Government's priority for literacy and numeracy, as set out in the Tertiary Education Strategy 2014-2019; and
- c) provides high quality literacy and numeracy learning that represents value for money; and
- d) enables each learner to use English and numeracy skills to meaningfully engage in New Zealand society; and
- e) is effective in improving each learner's literacy, numeracy, or literacy and numeracy skills; and
- f) is able to be tailored to meet the needs of each individual learner; and
- g) is innovative in addressing the literacy and numeracy needs of each learner; and
- h) improves each learner's workplace literacy, numeracy, or literacy and numeracy skills; and
- i) has adequate processes for reporting on a learner's progress in improving literacy, numeracy, or literacy and numeracy skills; and
- j) is taught by a tutor who holds an appropriate qualification (such as the National Certificate in Adult Literacy and Numeracy Education (Vocational)).

A TEO that is an employer as defined in Condition WPL002, or a TEO that works with a specific employer, must ensure that a programme of study or training in which an eligible learner is enrolled in continues to be a programme of study or training that:

- a) provides high quality literacy and numeracy learning that is tailored to the needs of the workplace; and
- b) contributes to the development of sustainable employee literacy and numeracy practices within the workplace; and
- c) has targeted literacy and numeracy outcomes that reflect the priorities and needs of the workplace; and
- d) has the support of the employer's senior management.

#### **WPL006: TEO not to charge fees**

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

The TEO must not charge a fee to a learner who is participating in an eligible programme for which the TEO receives WPL funding.

**WPL007: TEO not to receive other Crown funding**

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

The TEO must:

- a) not (without the TEC's prior written consent) seek or obtain funding from any Crown source other than the TEC to fund a programme or training scheme that receives is WPL funding; and
- b) notify the TEC immediately if it becomes aware of any circumstances that might result in a breach of paragraph a) of this condition.

**WPL008: TEO to use funding responsibly**

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

The TEC must use the 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.

**WPL009: TEO to repay excess funding**

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

If the TEO receives WPL funding that is greater than it should have been, or that it 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.

*Funding that was greater than it should have been - TEOs (other than employers)*

Unless the TEO is an employer as defined in Condition WPL002, the TEC will determine whether the TEO received funding that was greater than it should have been by:

- a) multiplying the number of places specified in the TEO's Investment Plan by 40 (the minimum number of hours required per place); and
- b) subtracting the total number of hours delivered in the calendar year from the figure in (a).

For example:

*(Places in Investment Plan x 40 hours) - total hours delivered = under/over delivery (recoverable amount where there is under delivery).*

*Funding that was greater than it should have been – Employers*

If the TEO is an employer as defined in Condition WPL002, the TEC will determine whether the TEO has received funding that was greater than it should have by analysing the information provided to the TEC in the TEO's final report.

The TEC will develop the details of its funding recovery through discussions with each TEO that is an employer.

### **WPL010: TEO to use Literacy and Numeracy for Adults Assessment Tool**

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

The TEO must have in place an effective assessment process for identifying a learner's literacy, numeracy, or literacy and numeracy gains, including the use of the Literacy and Numeracy for Adults Assessment Tool.

In order to comply with this condition, the TEO must:

- a) carry out an initial assessment of each learner at the beginning of the programme of study or training in which the learner is enrolled; and
- b) carry out a progress assessment of each learner at the end of the programme of study or training in which the learner is enrolled.

### **WPL011: TEO to provide specified amount of provision to learners**

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

The TEO must:

- a) on average, deliver 40 hours of literacy, numeracy, or literacy and numeracy tuition to each learner; and
- b) deliver the tuition within a 10 to 40 week period.

### **WPL012: TEO that is an employer not to subcontract**

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

This condition applies to a TEO that is an employer as defined in Condition WPL002.

The TEO must not subcontract the provision of a programme of study or training to another TEO unless:

- a) the TEO receives the TEC's written consent prior to subcontracting, and
- b) the TEO complies with any conditions imposed by the TEC on giving consent to subcontract; and
- c) the TEO will ensure that the subcontracted TEO has in place an effective assessment process for identifying each learner's literacy, numeracy, or literacy and numeracy gains, including the use of the Literacy and Numeracy for Adults Assessment Tool.

In order to comply with this condition, the subcontracted TEO must:

- a) carry out an initial assessment of each learner at the beginning of the programme of study or training in which the learner is enrolled; and
- b) carry out a progress assessment of each learner at the end of the programme of study or training in which the learner is enrolled.

#### **WPL013: TEO to meet benchmarks**

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

This condition applies to a TEO that receives WPL funding, unless the TEO is an employer as defined in Condition WPL002.

The TEO must meet the following delivery benchmarks:

- a) by 31 May, the TEO must have delivered at least 40% of the provision specified in its Investment Plan; and
- b) by 30 September, the TEO must have delivered at least 70% of the provision specified in its Investment Plan.

The TEC will monitor the TEO's compliance with this condition through the progress reports that the TEO must supply to the TEC under condition WPL001.

#### **WPL014: Tertiary Education Institutions to keep enrolment records**

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

This condition applies to a Tertiary Education Institution (TEI) that receives WPL funding via an Investment Plan.

The TEI must keep accurate and up-to-date records of enrolments in accordance with any requirements developed by the TEC.

### **WPL015: TEO to tailor delivery for self-referred learners**

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

This condition applies to a TEO that receives WPL funding, unless the TEO is an employer as defined in Condition WPL002.

A programme of study or training that receives WPL funding and is delivered to self-referred employees must be tailored to each individual learner's literacy, numeracy, or literacy and numeracy needs with respect to that learner's workplace environment, and must be delivered:

- a) on an individual (one-to-one) basis; or
- b) if delivered in a group setting, to a group of no more than five WPL learners.

### **WPL016: TEO to verify learner identity**

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

The TEO must verify the identity of each learner enrolled in a WPL programme of study or training by doing one or more of the following:

- a) confirming that all data fields match the learner's NSN; or
- b) receiving an assertion through the Department of Internal Affairs' [RealMe®](#) online identity verification service; or
- c) sighting the original or certified copy of a current passport; or
- d) sighting the original or certified copy of one or more of the following documents:
  - (i) a birth certificate; or
  - (ii) a certificate of identity; or
  - (iii) a New Zealand certificate of citizenship; or
  - (iv) an expired passport that has not been cancelled; or
- e) if a learner is unable to obtain a birth certificate for the purposes of (d)(i) above, contacting the TEC to confirm that a whakapapa statement signed by both the learner and a kaumātua is acceptable evidence of identity.

For the purposes of this condition a certified copy is a photocopy that has been endorsed as a true copy of the original. To be certified, the document must:

- f) be certified by an official of the issuing authority or a person authorised by law in New Zealand to certify documents, such as a Justice of the Peace, a lawyer, or a court official (Court Registrar or Deputy Registrar); and

- g) have the signature of the person certifying on each page, with the name and title of the person shown clearly below his or her signature.

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