

Te oranga me te haumaru ākonga

Wellbeing and safety of tertiary learners in student accommodation

April 2021

Consultation closes **21 May 2021**



What is the code about?

Wellbeing means that learners have safe, inclusive and healthy environments in which to learn, live and socialise. It refers to mental, physical, family, social and spiritual health.

This view of wellbeing applies to learners as individuals and as members of whānau and communities.

Creating an environment that supports learning and wellbeing is a shared responsibility between government, providers, learners, whānau, and the wider community. There are further responsibilities for supporting the wellbeing of learners in student accommodation.

Evidence shows that when learners have safe, inclusive, and healthy environments for learning, living and socialising, they are more likely to succeed in their learning.

A code gives providers a framework for assessing and improving their wellbeing and safety practices.



Why is the code needed?

Education in Aotearoa New Zealand is changing. The needs of all learners, their whānau and communities, and honouring Te Tiriti o Waitangi are being put first to deliver more equitable benefits for learners.

Currently, there are two codes: the interim code of pastoral care of domestic tertiary learners, and the code for international students (in tertiary education and schools).

From 1 January 2022, providers will need to meet the same clear set of expectations for domestic and international learners' safety and wellbeing, but will have the flexibility to put in place processes that respond to the needs of their particular learners and communities.

A section of the new draft Code (Part 5) sets out specific additional requirements related to student accommodation that is exempt from the Residential Tenancies Act (RTA).



What wellbeing and safety supports need to be in place?

The tertiary student accommodation section of the draft code focuses on:

empowering residents to manage their own wellbeing and safety and receive appropriate support when they need it (outcome 9)

an environment supporting inclusion, connection and academic achievement (outcome 10)

effective accommodation contracts and accommodation administration practices (outcome 11)

well maintained accommodation facilities and services (outcome 12).

Outcomes in the code for all learners - such as mental health, learner voice, complaints, safe and inclusive environments - also apply to those in accommodation.



What does the proposed Code require of providers?

Accommodation providers are required to have practices for:

Providing more detail on the training accommodation staff should receive and that training should be appropriate to their role.

Disclosing the relationship between the education provider and accommodation owner and operator.

Detail wellbeing practices on provider websites.

Have contracts that are reasonable and in accordance with legal information

Provide residents with sufficient information to understand their rights and obligations under refund policies



How do these requirements for wellbeing and safety give effect to the Te Tiriti o Waitangi?

The proposed code reinforces government commitments to Te Tiriti o Waitangi, focuses on addressing inequities and strengthens support for Māori ākonga and whānau to achieve education aspirations.

The proposed code sets consistent expectations of providers:

- how they partner with students to provide support and services for their safety and wellbeing, and
- how they involve ākonga, whānau, hapu and iwi in plans for wellbeing and safety.

Providers are expected to build their capacity to give effect to Māori learners' rights under Te Tiriti o Waitangi, including opportunities and safe spaces for learners to use te reo and tikanga Māori to support their connection to their identity, language and culture.



What do the proposals mean for international students?

Part 5 of the draft code will be applicable to international tertiary students living in student accommodation that is exempt from the RTA.

This means providers will have to meet the same requirements for all students, and international students will have the same level of support.

Requirements from the existing international code have been retained in Parts 6 and 7 of the proposed code, including accommodation requirements for international students under 18 and those living in other types of accommodation.



A system changing over time

Changes to the code will come into effect from 1 January 2022.

Some other changes to the legislation will be put in place during 2022 to:

- strengthen the focus on learner wellbeing and safety,

- minimise provider compliance and administrative costs, and

- make sure the code and code administrator settings are fit for purpose.

Further changes to the code and dispute resolution scheme are expected from 2022 onwards, to align with revised law changes.



Want to find out more and have a say?

[Find out more on the Kōrero Mātauranga website at](#)

conversation.education.govt.nz/conversations/wellbeing-and-safety

The deadline for submissions is midnight **21 May 2021**.



For more information...

See how this aligns with the Tertiary Education Strategy on our Education website at education.govt.nz/assets/Documents/NELP-TES-documents/FULL-TES-2020.pdf

See how this aligns with Ka Hikitia Ka Hāpaitia the Māori Education Strategy on our Education website at education.govt.nz/our-work/overall-strategies-and-policies/ka-hikitia-ka-hapaitia/ka-hikitia-ka-hapaitia-the-maori-education-strategy/

See how this aligns with the Action Plan for Pacific Education our Education website at education.govt.nz/our-work/overall-strategies-and-policies/action-plan-for-pacific-education-2020-2030/

See how this aligns with the Strategic Recovery Plan for International Education on our Education at [website education.govt.nz/news/rebuilding-international-education/](https://education.govt.nz/news/rebuilding-international-education/)