

Te oranga me te haumaruru ākongā

Learner voice in the new code

April 2021

Consultation closes **21 May 2021**



Why is the code needed?

Education in Aotearoa 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 experiences and outcomes for learners.

Currently, there are two codes – an interim code for domestic learners, and one for international learners

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



A code that prioritises learner voice

Creating an environment that supports learning and wellbeing is a shared responsibility between government, providers, learners, whānau and the wider community

An important part of a well-functioning tertiary education system that supports learner wellbeing is learner voice. This means providers engaging and working with learners so they can influence their educational experience, and advocate strongly for their own and others' needs and aspirations.

The new code prioritises strong and sustainable learner voice and learner-provider partnerships, so that all learners can have their views valued, heard and responded to.



What learner voice supports need to be in place?

The draft code requires providers to improve support for the wellbeing and safety of their learners, and to help ensure learners have a strong and genuine voice in institutional decision-making.

The code proposes that providers recognise learners as a community with rich and diverse perspectives, experiences, backgrounds, and concerns.

It requires providers to work equitably to uphold learners' mana and autonomy by hearing, heeding, and embedding their voices in relevant education provision, decision-making and governance.



This means providers will

have structures in place to actively hear, engage with, and develop the diverse voices of learners and their communities

work with learners and their communities as key partners in developing practices that influence their learning environments, and wellbeing and safety

empower learners and their communities to participate in decision-making processes, including in decisions on how resources and spaces are used, the content of learner rules or codes of conduct, course content and delivery, and the strategic management and governance of the provider.

promote timely and accessible information and resources to increase transparency of governance and to assist learners and their communities to participate fully in decision-making processes.



How do these requirements give effect to Te Tiriti o Waitangi?

The new code reinforces government commitments to Te Tiriti o Waitangi.

It focuses on addressing inequities and strengthens support for taura Māori and whānau to achieve their education aspirations.

The code sets consistent expectations of providers, including building 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.



A new dispute resolution scheme will:

be a place for learners to take complaints that have not been resolved with their provider

deal with disputes in a way that maintains the mana of learners, and address the power imbalance between providers and learners

enable everyone in the dispute to have an opportunity to present their case, be balanced and fair, using accessible evidence

provide flexible, timely, and accessible dispute resolution run by a culturally-safe and competent scheme operator.



A system changing over time

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

During 2022, some other changes to the law will be put in place to, for example:

- strengthen the focus on learner wellbeing and safety,
- minimise provider compliance and administrative costs,
- align support for international and domestic learners, and
- support the additional wellbeing and safety practices in tertiary student accommodation.

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/)