# Education (Proposed Investment Plans: Content and Submission; Assessment Criteria; and Plan Summaries) Notice 2025

Pursuant to section 424 and clauses 6 and 24, Schedule 18 of the Education and Training Act 2020 ("Act"), the Tertiary Education Commission ("TEC") gives the following notice.

#### Title

This notice may be cited as the Education (Proposed Investment Plans: Content and Submission; Assessment Criteria; and Plan Summaries) Notice 2025.

#### Commencement

This notice applies from 2 April 2025.

## **Application**

This notice revokes and replaces the following notice:

• the Education (Proposed Investment Plans: Content and Submission; Assessment Criteria; and Plan Summaries)
Notice 2024, published in the *New Zealand Gazette*, 29 February 2024, Notice No. 2024-sl718.

#### Introduction

Pursuant to the Act, TEC gives public notice of the following:

- 1. Under clause 6, Schedule 18 of the Act:
  - the content of TEOs' proposed investment plans ("Plans") (being the particular matters that proposed Plans must address or include in order to meet the requirements in clause 4, Schedule 18) - set out in Part 1 (Content of TEOs' Proposed Plans) of this notice;
  - 2. the kinds of background or supplementary information that TEC requires TEOs to provide in relation to a proposed Plan set out in Part 1 of this notice; and
  - 3. the timetable and process for the submission of proposed Plans to TEC set out in Part 2 (Process and Timetable) of this notice.
- 2. Under section 424 of the Act: the criteria that TEC will use to assess proposed Plans to determine if a TEO's proposed Plan will receive funding approval set out in Part 3 (Criteria for assessing proposed Plans) of this notice.
- 3. Under clause 24, Schedule 18 of the Act: the matters that a TEO that has a Plan must include in its Plan summary set out in Part 4 (Plan summary) of this notice.

Several of the funding mechanisms determined by the Minister for Vocational Education and/or the Minister for Universities under section 419 of the Act specify funding to be paid by TEC to eligible tertiary education organisations ("TEOs") via Plans.

A TEO that is seeking funding from TEC under those funding mechanisms must submit a proposed Plan (unless TEC has exempted a TEO from the requirement to submit a proposed Plan in accordance with clause 9, Schedule 18 of the Act).

All proposed Plans should have a three-year planning horizon. TEC may approve Plans for a period of one, two, or three years.

Where content or criteria below refer to learners most in need, TEOs must consider a range of groups such as those from low socio-economic backgrounds, with low prior achievement, or who are disabled, neurodiverse, Māori and/or Pacific.

A previous or current allocation of TEC funding does not entitle a TEO to future funding at any level from TEC.

# Part 1. Content of TEOs' Proposed Plans

# A. Content of all TEOs' Proposed Plans

Pursuant to clause 6(1)(a), Schedule 18 of the Act, TEC gives public notice of the content of TEOs' proposed Plans (being the particular matters that proposed Plans must address or include in order to meet the requirements in clause 4, Schedule 18).

The amount of detail that a TEO includes in the proposed Plan will vary depending on the size, type, and complexity of the TEO submitting the Plan. TEC recommends that TEOs use the provided templates to develop their proposed Plans, or if not, use the headings from the provided templates when creating their own documents.

#### Mission and Role

Pursuant to clause 4(c), Schedule 18 of the Act, the TEO must describe its mission and role for the term of the proposed Plan. The TEO must specify its role within the overall network of provision, any changes to its mission and role since its last Plan as approved by TEC, and any planned changes to its mission and role during the period covered by the proposed Plan.

The TEO must explain significant changes to the mix of programmes and activities being proposed (including new areas of provision, changes to the regional breakdown of provision, and/or changes to provision of TEC's investment priorities), from its previous Plan (if relevant) and how these are consistent with the TEO's mission and role during the term of the Plan.

A TEO's proposed Plan must demonstrate that the TEO has developed a sustainable plan for fulfilling its specified mission and role through its programmes and activities, and that it has made reasonable progress on activities that contribute to its mission and role since its last Plan.

To reflect section 4(d) of the Act (the purpose of the Act), the TEO must provide evidence of how it will contribute to an education system that honours Te Tiriti o Waitangi ("Te Tiriti") during the term of the proposed Plan.

# Responses to the Tertiary Education Strategy and Plan Guidance Priorities

Pursuant to clause 4(a), Schedule 18 of the Act, the TEO must describe in its proposed Plan how the TEO will give effect to the Government's current and medium-term priorities described in the Tertiary Education Strategy (TES), and, if the TEO has previously received funding via a Plan, what the TEO has achieved since its last Plan to contribute to the achievement of those priorities. Proposed Plans must respond to the priorities that TEC sets in its Plan Guidance and other strategic documents to implement the TES.

# Addressing the Needs of Stakeholders

Pursuant to clause 4(b), Schedule 18 of the Act, the TEO must describe how it will address the needs of interested persons or bodies (including, without limitation, learners enrolled with the TEO) ("key stakeholders"). The TEO must include information about:

- who the TEO's stakeholders are;
- what the stakeholders need from and expect of the TEO;
- what consultation has occurred with stakeholders about the proposed Plan, and the extent and nature of that consultation; and
- $\bullet\,$  how the TEO will respond to those stakeholders' needs and expectations.

## **Learner Success Plans**

The TEC requires, pursuant to clause 6(1)(b), Schedule 18 of the Act, that each TEO that is receiving \$5 million or more in funding from TEC (based on the final on-Plan funding allocation for 2025) must provide either:

- a Learner Success Plan ("LSP") (where the TEO does not have a current LSP); or
- an LSP progress update (where the TEO has a current LSP and is required to submit a proposed Plan).

A TEO that is applying to receive \$5 million or more in on-Plan funding for the first time must provide an LSP with their Plan.

An LSP must:

- · detail the TEO's approach to improving outcomes for all learners (in particular, learners most in need); and
- include a roadmap of tangible goals and milestones to achieve that specified approach.

If TEC determines that a TEO's LSP or LSP progress update is incomplete or inadequate, TEC may request that the TEO resubmit the LSP or LSP progress update at any time. If a TEO makes changes to its LSP that have not been requested by TEC, it must explain why the changes are necessary.

An LSP progress update must detail:

- what the TEO has achieved against its previous LSP;
- · lessons learnt (what has worked, what has not, and why);
- what next steps will be taken as outlined in the roadmap and how those next steps have been informed by the lessons learnt by the TEO; and
- any resulting changes to the LSP.

LSPs and LSP progress updates must be approved by the TEO's Council or Board.

## **Disability Action Plans**

Pursuant to clause 6(1)(b), Schedule 18 of the Act, each TEO that is receiving \$5 million or more in funding from TEC (based on the final on-Plan funding allocation for 2025) is required to submit and publish either:

- a Disability Action Plan ("DAP") (where the TEO does not have a published DAP), or
- a DAP progress update (where the TEO has a published DAP and is required to submit a proposed Plan).

DAP progress updates must detail:

- what the TEO has achieved against its previous DAP;
- lessons learnt (what has worked, what has not, and why);
- what next steps will be taken and how these have been informed by the lessons learnt; and
- any resulting changes to the DAP.

Proposed Plans should include links to the published DAP and/or DAP progress update(s).

If TEC determines that a TEO's DAP or DAP progress update is incomplete or inadequate, TEC may request that the TEO resubmit it at any time.

DAPs and DAP progress updates must be approved by the TEO's Council or Board.

## **Programmes and Activities**

Pursuant to clause 4(d), Schedule 18 of the Act, the TEO must set out a description of all tertiary education programmes and activities (including, without limitation, programmes and initiatives that are to be undertaken by the TEO in order to build its capability) for which it is seeking funding, and specify the amount of funding that is being sought in relation to those programmes and activities.

Pursuant to clause 4(f), Schedule 18 of the Act, the TEO must also set out a description of all tertiary education programmes that it runs other than those for which it is seeking funding.

The description of programmes and activities must include:

- information about planned programmes and activities for which the TEO is seeking funding, including planned learner numbers by New Zealand Qualifications and Credentials Framework Level and the amount of funding sought in relation to those programmes and activities (this information must be provided via the applicable Mix of Provision ("MoP") templates;
- a brief description of other programmes and activities not funded by TEC (this information must be provided either via the MoP templates or as part of a description in the Strategic Intent section of the TEO's proposed Plan);
- details of any programme(s) that the TEO proposes to deliver for people in the care of the Department of Corrections, including proposed delivery site(s) and method of delivery (this information must be included via the MoP template);
- a brief description of significant programmes and activities undertaken through subsidiary bodies [i] including:
  - a description of the main activities undertaken by each subsidiary body;
  - the dollar value of the TEO's investment in each subsidiary body;
  - a brief description of the governance and accountability arrangements in place; and
  - any key new activities the TEO is contemplating undertaking through subsidiary bodies over the Plan period;
- any subcontracting arrangements the TEO has, which the TEO must specify in a Subcontracting Register provided by TEC.

#### **Outcomes and Performance Indicators**

Pursuant to clause 4(e), Schedule 18 of the Act, the TEO's proposed Plan must describe the TEO's proposed outcomes (including, without limitation, in relation to the tertiary education programmes and activities for which funding is sought) and the performance indicators that the TEO will use to measure whether those outcomes have been achieved.

The TEO's proposed outcomes and performance indicators (commitments) must be:

- designed and presented so that they give clear evidence about the quality of the activity being measured;
- relevant, so that they give sufficient information about the TEO's progress toward its proposed outcomes;
- set at a level that represents both a sufficient contribution to the TEC's expectations of sector performance, and an appropriate improvement on the TEO's past performance, with reference to any past proposed outcomes and commitments (if applicable); and

• complete, so that they cover all significant programmes and activities the TEO intends to undertake, and all significant dimensions of those activities.

Performance commitments must be provided via the applicable Educational Performance Indicator Commitments (EPICs) templates.

TEC will provide TEOs with information about any specific metrics they must use when specifying performance commitments, and in some cases will specify minimum performance commitments for TEOs.

TEOs must submit additional performance commitments if required by TEC.

If a TEO has previously submitted performance commitments for a given year and they are not being amended (ie, they already comply with the requirements specified above), the TEO is not required to resubmit commitments for that year.

#### **Performance Issues**

Where quality assurance (including External Evaluation and Review (EER) and other activities through the New Zealand Qualifications Authority (NZQA)) has identified concerns, TEC may require a TEO to submit additional information in its proposed Plan.

Any TEO that has received a Category 3 or 4 EER assessment at the time of submitting its proposed Plan must include a specific narrative in the Strategic Intent section of its proposed Plan that responds to the relevant concerns identified by NZQA.

If TEC determines that a TEO's educational performance is of concern, TEC may require the TEO address this in their LSP or LSP update, and/or submit an improvement plan.

#### **Additional Information About Financial Outlook**

Pursuant to clause 6(1)(b), Schedule 18 of the Act, TEC may require each TEO to provide additional information about its financial outlook to accompany its proposed Plan. Information about financial outlook includes any information and explanations needed to fairly reflect the forecast financial operations and financial position of the TEO.

# **B. Content Requirements Specific to Different Organisations**

# **Additional Requirements for Private Training Establishments**

Pursuant to clause 6(2), Schedule 18 of the Act, for a private training establishment ("PTE") TEC requires the PTE to provide information to enable TEC to determine whether the PTE is meeting TEC's Prudential Financial Standards for PTEs.

## **Additional Requirements for Tertiary Education Institutions**

Pursuant to clause 6(2), Schedule 18 of the Act, TEC requires that, in addition to meeting the requirements set out in Part 1A of this notice, a tertiary education institution's ("TEI") proposed Plan must:

- reflect any TEI outcomes frameworks agreed with TEC;
- align with the TEI's other strategic planning and reporting documents, including its Statement of Service Performance, strategic plan, and Annual Report;
- include forecast financial statements;
- explain how the TEI will manage its capital assets to support its mission and role over the period of the proposed Plan (including any new significant capital initiatives);
- include a forecast Statement of Service Performance to enable the TEI to report in its Annual Report on its performance as compared to its proposed outcomes described in its proposed Plan. [iii] The forecast Statement of Service Performance must:
  - be prepared in accordance with Generally Accepted Accounting Practice, including reporting costs summarised by key output classes/areas;
  - reflect the full scope of the TEI's activities;
  - focus on the outputs/services of the TEI; and
  - include measures and evidence about the quality of these outputs/services; and
- provide evidence of how its Council acknowledges the principles of Te Tiriti in the performance of its functions and in the exercise of its powers.

# Additional Requirements for Te Pūkenga

Pursuant to clause 6(2), Schedule 18 of the Act, Te Pūkenga must demonstrate how its proposed Plan aligns with its charter as set out in Schedule 13 of the Act. Where appropriate, it should also include details on regional decision making about delivery and operations that support regional needs.

# **Additional Requirements for TEOs Delivering Apprenticeships**

Pursuant to section 376(1) of the Act, a TEO that seeks funding for apprenticeship training activities (as defined in section 376(2) of the Act) via a Plan must specify in its proposed Plan how it intends to carry out each apprenticeship training activity.

#### Part 2. Process and Timetable

Pursuant to clause 6(1)(c), Schedule 18 of the Act, TEC gives public notice of the timetables and process for the submission of proposed Plans to TEC. TEC can decide not to accept a proposed Plan that it receives after the relevant dates specified in the timetable below.

All proposed Plans should be submitted by 4 July 2025.

Activity	Timing
TEC publishes a notice in the <i>New Zealand Gazette</i> setting out requirements for Plan content, timetable, assessment and Plan summaries	Early March 2025
TEC releases Plan Guidance and Plan engagement begins	Early March 2025
Government announces Budget 2025	May 2025
TEC provides indicative allocations	From 3 June 2025
TEC releases Plan-related templates	From 9 June 2025
TEC releases Supplementary Plan Guidance to reflect any policy or Budget changes	June 2025
TEOs submit proposed Plans	By 4 July 2025
TEC reviews proposed Plans and has further discussion with providers as needed	July - October 2025
Providers are notified of decisions in writing	From November 2025

## Part 3. Criteria for Assessing Proposed Plans

Pursuant to section 424(1) of the Act, TEC gives public notice of the criteria it will use to assess proposed Plans to determine if they are to receive funding approval.

The criteria below enable TEC to assess the extent to which the TEO's proposed Plan will contribute to achieving Government priorities (outlined in the TES, Plan Guidance, and other strategic documents), learner success outcomes, and address regional and national needs, as well as the TEO's capability to deliver on its proposed Plan.

When assessing proposed Plans against the criteria, TEC will take a holistic approach and may use a range of evidence, including, without limitation:

- the information contained in a proposed Plan and/or previous Plans;
- TEC's engagement and monitoring information including:
  - $\circ$  previous funding allocations,
  - o past delivery, including under-delivery and over-delivery (above 105% where relevant),
  - o achievement against previous learner success plans and disability action plans (where applicable),
  - previous compliance with funding conditions,
  - o organisational and financial data,
  - educational performance indicators,
  - o other indicators of performance,
- quality assurance bodies' information and reports;
- information about the TEO's financial outlook;
- · previous audit results or investigations;
- Plan engagement (where applicable);
- · national and regional demographic and economic data;
- information about the post-study outcomes of learners;
- TEOs' annual reports and strategic plans; and
- $\bullet\,$  TEOs' previous Plans, commitments and progress against the outcomes in those Plans or commitments.

TEC also considers other factors in its investment decisions which may be outside of TEC's and/or TEOs' control, such as (but not limited to) available funding, merit relative to other proposed Plans, skills needs and the network of

provision.

TEC will assess each proposed Plan using the following criteria:

#### **Mission and Role**

Whether the proposed Plan:

- specifies the TEO's mission and role in the tertiary sector for the term of the proposed Plan, and how this is reflected in its programmes and activities and changes to them (both since the last Plan approval and during the term of the proposed Plan), including:
  - new areas of provision;
  - o changes to its regional breakdown of provision;
  - changes to provision of TEC's investment priorities;
- includes details about the types of learners, specialisations and industries, and research intensity;
- provides evidence of strong governance, management and academic leadership capability (including if the TEO has proactively made changes to its governance and leadership);
- provides evidence that the TEO will continue to improve performance, especially for learners most in need.

Whether and to what extent the proposed Plan gives TEC confidence that the TEO:

- has developed a sustainable plan for fulfilling its specified mission and role through its programmes and activities:
- contributes appropriately to the network of provision, including at a regional level;
- has made appropriate progress since the previous Plan (where relevant) on activities that contribute to its mission and role;
- has made appropriate changes (if any) to its provision that are consistent with its mission and role;
- honours Te Tiriti o Waitangi;
- has improved and will continue to improve performance as appropriate, especially for learners most in need.

# Responses to the Tertiary Education Strategy and Plan Guidance Priorities

Whether and to what extent the proposed Plan gives TEC confidence that the TEO:

- by successfully delivering its proposed Plan, including its planned provision and performance commitments, will
  contribute to the achievement of the Government's priorities, including the objectives and priorities described in
  the TES;
- has contributed to the Government's priorities (including those described in the TES) since its last Plan (where relevant); and
- has responded to the priorities that TEC sets in its Plan Guidance and other strategic documents.

# Addressing the Needs of Key Stakeholders

Whether and to what extent the proposed Plan identifies an appropriate range of stakeholders which may include:

- learners enrolled at the TEO or prospective learners (in particular those most in need);
- employers, communities, businesses or industries relevant to the TEO's areas of delivery;
- $\bullet \ \ relevant\ Workforce\ Development\ Councils\ ("WDCs")\ or\ other\ relevant\ industry\ or\ professional\ bodies;$
- iwi, hapū and whānau; and
- relevant regions and communities, including those that support learners most in need.

Whether, and to what extent, the proposed Plan gives TEC confidence that the TEO:

- has consulted with, and will meet the needs, of its key stakeholders and its region, and will meaningfully report
  its progress to key stakeholders; and
- has prepared its proposed Plan in consultation with its stakeholders.

# **Learner Success Plans**

Whether and to what extent the LSP demonstrates:

- a clear commitment by the TEO's governance and management to implementing the LSP;
- a whole of organisation approach;
- a description of the current state of learner success and a roadmap for improving outcomes for all learners, in particular, learners most in need;
- a clear alignment to the Learner Success Framework; and
- a well-defined implementation approach (including outcomes, measures and reporting).

Whether and to what extent the LSP progress update demonstrates:

- satisfactory progress against the LSP (including what has been achieved);
- evidence about the impacts of the interventions;
- · lessons learnt (including what has worked, what has not, and why); and
- next steps (including how the lessons learnt will inform next steps as outlined in the roadmap, and any changes to the LSP as necessary).

#### **Disability Action Plans**

Whether and to what extent the TEO's DAP:

- is consistent with best practice standards as described in the Kia Örite toolkit;
- provides for evaluation strategies and appropriate allocation of responsibility; and
- provides for communication of policies and programmes, goals and targets to support disabled learners.

Whether and to what extent the TEO's DAP progress update demonstrates:

- satisfactory progress against the DAP, including what has been achieved;
- evidence about the impacts of the interventions;
- lessons learnt (including what has worked and what has not and why); and
- next steps (including how the lessons learnt will inform next steps, and any necessary changes to the DAP).

Whether the TEO's Plan includes a link to its published DAP and DAP progress update(s).

# **Programmes and Activities**

Whether and to what extent the proposed Plan and the TEO's past delivery and performance gives TEC confidence that:

- the programmes and activities will support the success of all learners, and in particular learners most in need;
- successful delivery of the programmes and activities proposed by the TEO (including any MoPs and a capital asset plan, where applicable) is likely and will support the goals set out in the TEO's proposed Plan;
- the programmes and activities proposed by the TEO, including any significant changes to these, are consistent with the priorities published in Plan Guidance and Supplementary Plan Guidance; and
- changes to the MoP (including new provision, the regional breakdown of provision, and provision of TEC's investment priorities) are reasonable, consistent with the TEO's mission and role, and make an appropriate contribution to the network of provision.

The extent to which a TEO seeking funding for apprenticeship training activities (as defined in section 376(2) of the Act) via a Plan has specified in its proposed Plan how it intends to carry out each of those activities.

## **Outcomes and Performance Indicators**

Whether and to what extent the outcomes and performance commitments proposed in the TEO's Plan, and the TEO's past performance, give TEC confidence that the performance commitments are:

- relevant, complete and provide information about all significant programmes and activities the TEO intends to undertake and how it will measure its performance against its proposed outcomes; and
- achievable, a sufficient contribution to sector performance and an appropriate improvement on the TEO's past
  performance (with reference to the minimum commitments, where applicable), particularly with respect to
  outcomes for learners most in need.

#### **Performance Issues**

If a TEO's Plan is required to address quality assurance issues (including Category 3 or 4 EER assessments), TEC will consider whether and to what extent the TEO has provided a robust plan to address identified issues and given TEC confidence that learners will be appropriately supported.

Where a TEO is required to address educational performance concerns, TEC will consider whether and to what extent the TEO has adequately addressed identified concerns and given TEC confidence that performance will improve.

### **Additional Criterion for Tertiary Education Institutions**

Pursuant to section 424(3) of the Act, for TEIs only, TEC will assess whether the TEI meets the expectations expressed in this notice regarding the inclusion of a forecast Statement of Service Performance in its proposed Plan.

### Additional Criteria for Te Pükenga

Pursuant to section 424(3) of the Act, for Te Pūkenga only, TEC will assess whether, and to what extent, Te Pūkenga's proposed Plan gives TEC confidence that the planned activities align with all elements of its charter as set out in Schedule 13 of the Act.

Where appropriate, TEC will assess whether and to what extent details on regional decision making about delivery and operations that support regional needs are included in the proposed Plan.

# Additional Criterion for Wananga

Pursuant to section 424(2) of the Act, for wānanga, TEC will assess how the activities of the wānanga (other than those activities that contribute towards the Government's priorities set out in the TES) support the functions and purposes of the wānanga.

# Part 4. Plan Summary

Pursuant to clause 24(1), Schedule 18 of the Act, TEC gives public notice of the matters that a TEO must include in a Plan summary.

A TEO must include in its Plan summary all the material described in Part 1 of this notice.

TEIs must also include in their Plan summary their forecast Statement of Service Performance.

Nothing in this notice requires a TEO to include in its Plan summary information that would:

- disclose a trade secret;
- be likely to unreasonably prejudice the commercial position of the TEO; or
- prejudice or disadvantage the commercial activities of the TEO.

As required by clause 24(2), Schedule 18 of the Act, the TEO's Plan summary must be available for inspection by the public and copies of the TEO's Plan summary must be obtainable, either at no cost or no more than a reasonable cost.

Dated at Wellington this 5th day of March 2025.

TIM FOWLER, Chief Executive, Tertiary Education Commission.

#### Notes

- <u>i.</u> These include all subsidiaries, trusts, or in-substance subsidiaries. They must cover all entities included in the TEO's consolidated group reporting in its most recent Annual Report.
- ii. Refer to sections 306(4) and (5) of the Act and section 156 of the Crown Entities Act 2004.

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