

Introduction

1. Thank you for the opportunity to comment on the consultation document *Draft Code of Good Practice for New Zealand Apprenticeships* (the Code)
2. As the National Centre for Tertiary Teaching Excellence, Ako Aotearoa's mandate is to support the best possible outcomes for all learners in tertiary education. We do this through supporting change projects that lead to benefits for learners, providing professional development, and leading discussion in the sector on key strategic issues. Our focus lies across the entire tertiary system, from postgraduate research degrees to fundamental skills and 'second-chance' learning, and involves all aspects of tertiary education that support good learner outcomes. The quality of workplace-based learning – including apprenticeships – is an important part of our mandate and we have supported a large number of projects in relevant areas.¹
3. We have divided our submission into overarching general comments, and those relating specifically to the Sections of the Code.

General Comments

4. We would like to congratulate the authors on the accessibility of the Code. In comparison to the more 'technical' format of the *Modern Apprenticeships Code*, this version is written in a clear and user-friendly style. This will be particularly valuable for those apprentices (and employers) with lower literacy levels.
5. We also support the decision to take a 'descriptive' rather than 'prescriptive' approach to preparing the Code, in which the specific expression of good practice principles is intended to reflect the context of a particular apprenticeship. The diversity of potential apprenticeship settings means that this approach is more suitable than attempting to establish detailed requirements around expected practices.
6. Ako Aotearoa recognises that, unlike many other learning contexts, an apprenticeship involves the learner in a dual relationship: an educational one and a formal employment relationship. We have largely confined our comments to education aspects, and assume that other stakeholders will comment on any employment-relevant issues. We do, however, strongly support the continued inclusion of an explicit expectation that an employer will be a 'good employer', as discussed in paragraph 18 below.
7. We also recognise that the Code relates to *in situ* management of apprenticeships rather than such dimensions as good practice in assessment, programme design,

¹ Our 2014 synthesis report *Learning in and for Work* presents and analyses findings from 33 work-focused projects funded between 2008 and 2014. This is available at www.ako.aotearoa.ac.nz/learninginandforwork

and organisational capability. However, management arrangements do need to allow for the expression of good practice in these other areas.² In this respect, we believe that the Code's principles and expectations of apprenticeship management support high quality workplace learning, teaching, and organisational approaches.

8. We note that the expectations outlined in the Code align well with the findings in our 2014 *Learning in and for Work* synthesis report regarding what supports successful workplace-focused learning.
9. In this vein, it is worth noting that workplace- and community-based learning is common in many non-apprenticeship settings, including internship and placement courses or components, and professional postgraduate qualifications. As shown in *Learning in and for Work*, the same concepts and principles outlined in this Code are also key to ensuring successful outcomes in these contexts.
10. We therefore recommend that the TEC and other government agencies encourage organisations, faculties, and course designers who use workplace or community-based education experiences to use this Code as a reference when developing and delivering such programmes. For example, internship and placement courses should include clear agreements about the skills, knowledge, and capabilities a learner is expected to develop as a result, and involve obligations on the 'host' organisation to be an active participant in learning. We note that providers could include their use of this Code or adaption of its content, as supporting evidence when participating in external quality assurance processes.

Proposed Principles

11. Ako Aotearoa strongly supports the proposed principles.
12. We recommend that the TEC considers including a brief paragraph for each principle describing what is meant by that term. For example, we assume that the principle of *Communication* is not simply about delivering information but about establishing a dialogue, developing a clear understanding about what information is needed when etc. The nature of these principles can be inferred from the content of the Code, but – given the Code's descriptive approach – it would assist the apprenticeship partners to have TEC's definitions clearly explained.

Good Practice for Apprentices

13. Ako Aotearoa supports the proposed set of expectations/ practices.
14. We recommend that the description for *Be informed* also refers to the prospective apprentice having reflected on their existing capabilities, preferences, and desired career paths. This is implicit in the current description, but an explicit statement emphasises the point that learners should be making active education and career choices that offer them the best possible chance of achieving their personal goals.
15. We recommend that the description for *Communicate clearly* also refers to communicating with any relevant provider of off-the-job training.

² See Scott's Higher Education Quality & Standards Framework, described at www.aqa.ac.nz/geoffscottkeynote, for a discussion of the interaction between good practices in different dimensions.

Good Practice for Employers

16. Ako Aotearoa supports the proposed set of expectations/ practices.
17. We particularly support the expectation to *Ensure active teaching and mentoring*. This emphasises the employer's responsibility to create a suitable environment in which learning can take place, and that they must be an active partner in the apprentice's training.
18. We note that the *Be a good employer* expectation is important given the dual nature of apprenticeship arrangements; it is important that apprentices are treated in a fair and equitable manner in comparison to other employees, and not exploited due to their status as learners. We strongly support the inclusion of this expectation.
19. We note that it is largely left implicit that the employer is expected to support an apprentice to complete their whole qualification.³ Given anecdotal evidence that some employers only intend for apprentices to complete the parts of their qualification most relevant to their current job, or provide less support for components that aren't seen as highly relevant, we recommend that the TEC consider a stronger statement to this effect.

Good Practice for ITOs

20. Ako Aotearoa supports the proposed set of expectations/ practices.
21. We particularly support the clear expectation that the training plan will be based on a comprehensive needs analysis of the individual apprentice and include recognition of prior learning.
22. We recommend that the expectation to *Provide ... good information* includes, wherever possible, reference to relevant outcomes, labour market information and potential career paths. This is important information that will assist potential learners in making the right decisions regarding their career paths (and support them to meet the expectations of apprentices established under this code).
23. We recommend that the description for... *implementation of the training plan* explicitly refers to reporting on progress to both the apprentice and the employer.
24. We are concerned at placing the caveat 'where possible...' on the expectation that ITOs will provide support for overcoming barriers to training. We believe that this is a core and fundamental duty of ITOs, and recommend that this statement be amended to create a stronger obligation on the part of the ITO to provide such support. This could be achieved by simply removing the caveat, or by rephrasing to, for example: "The [ITO] provides all practical assistance to the apprentice and the employer to overcome any barriers to training".

³ The Code does refer to the employer ensuring "... that over time the apprentice's work cover the breadth and depth of skills and experience needed to complete the apprenticeship and become work competent" (p.4), but our expectation is that the employer would, for example, continue to allow time off, provide mentoring and materials where relevant etc. for all elements of a qualification. This includes elements that an individual employer does not consider directly job or work-relevant.

Further Information

25. We recommend that the TEC include additional and more specific expectations for directly-funded organisations who are managing apprenticeships.
26. The Code rightly notes that the expectations of both employers and ITOs apply to these organisations, and that – as non-education organisations – there is a further expectation to ensure that they have the capability to train and support apprentices before seeking funding. However, the nature of these organisations as both employer and formal educator changes the apprenticeship relationship, and it is vital that this does not disadvantage the apprentice. This should be explicitly acknowledged in the Code.
27. Some relevant requirements (for example, expecting that the funded organisation operates a robust Self Assessment process, and that training arrangements are subject to appropriate external review and quality assurance processes) can be addressed mainly through funding contracts with the TEC and/or oversight from other external agencies. However, in order to ensure the best quality outcomes for apprentices, there are some requirements that should be reflected through explicit expectations in this Code. These relate to three areas:
 - a. ensuring that a distinction is maintained between apprentices' employment and learning relationships with the organisation (e.g. access to learning resources and/or assessments must not be unfairly restricted due to employment disputes, and employment prospects must not be affected by any disputes over assessment);
 - b. ensuring that the support provided to apprentices is at least comparable to that available through the relevant ITO, and that it can be accessed in a confidential manner (e.g. some apprentices may not feel comfortable accessing support if they need to do so via their line manager); and
 - c. ensuring that apprentices access training that will genuinely support their desired career development, and that reflects the government's expectation that the direct-funding initiative will not simply subsidise job- or employer-specific training.
28. These areas are critical to ensuring good outcomes for apprentices from the direct-funding initiative, and it is therefore important that expectations relating to these points are made explicit in the Code rather than being left implicit within such expectations as *Good employer* or *Support the apprentice*.

Conclusion

29. In conclusion, Ako Aotearoa would like to reiterate its support for the draft Code. The principles and expectations outlined in the Code provide a good basis for ensuring good outcomes from New Zealand Apprenticeship for all three partners in the apprenticeship relationship. We would also support its use as a basis or reference when designing other types of programmes or courses that make use of workplace- or community settings.
30. We look forward to the further development of this Code, and would be pleased to offer any further support or advice that would be of use.

Dr Peter Coolbear
Director, Ako Aotearoa

Nicholas Huntington
Senior Project/ Research Analyst, Ako Aotearoa

24 March 2015