



Te Pūkenga

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9 December 2024

Lauren Doocy

By email: fyi-request-29197-9b87b43b@requests.fyi.org.nz

Tēnā koe Lauren

Request under the Official Information Act 1982

Thank you for your email of 14 November 2024, requesting information from Whitireia and WelTec | Te Pūkenga – New Zealand Institute of Skills and Technology (Whitireia and WelTec).

You supplied weblinks to two historic requests for information sent to Whitireia Community Polytechnic via the FYI.org.nz website, as follows:

1. Dated 1 August 2017 titled Rate of sexual violence on campus across a ten year period.
2. Dated 7 May 2020 titled Technology Fund.

Referencing these two requests you asked:

Please provide the information requested in the following unanswered OIA Requests...

This letter provides a formal decision on your request under the Official Information Act 1982 (OIA).

The decision

Request 1 dated 1 August 2017

We note this request was made over seven years ago. We carried out a search for the response, but unfortunately must refuse this part of your request under section 18(e) of the OIA as a copy of a response to this request “*does not exist or, despite reasonable efforts to locate it, cannot be found*”.

Request 2 dated 7 May 2020

A copy of the response to this request dated 19 May 2020 is attached at **Appendix One**. Some information has been withheld from the documents under section 9(2)(a) of the OIA to protect the privacy of natural persons. We do not consider the need to withhold this information is outweighed by the public interest in its release.

You have the right to make a complaint to the Ombudsman under section 28(3) of the OIA if you are not happy with this response. Information about how to do this is available at www.ombudsman.parliament.nz or by calling 0800 802 602.

We may publish our OIA responses and the information contained in our reply to you on our website. Before publishing we will remove any personal or identifiable information.

Ngā mihi

A handwritten signature in black ink, appearing to read 'Gus Gilmore', with a large circular flourish above the name.

Gus Gilmore
Tumuaki | Chief Executive

19 May 2020

s 9(2)(a)

Tēnā koe s 9(2)(a)

Request under the Official Information Act 1982

As per your request dated 11 May 2020, we provide the following information under the Official Information Act for Whitireia Community Polytechnic (Whitireia) and the Wellington Institute of Technology (WelTec).

1. *How much money is the government giving the New Zealand Institute of Skills and Technology W+W campuses for the Technology Fund?*

Copy of the letters are attached to this correspondence.

2. *What technology will W+W spend the fund amount on? Please provide a breakdown of how the W+W will spend the funding money it receives. For example number of laptops, PCs and other forms of technology.*

We cannot confirm this until we match students with equipment – laptops and internet access.

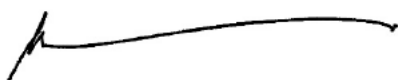
3. *Is the fund specifically for use during the Covid-19 emergency? What happens to the technology at the end of the Covid-19 emergency?*

Following the Government's announcements and policy guidelines the allocated equipment remains property of Whitireia and WelTec even at the end of the COVID-19 emergency. Students will have to return the equipment at the end of 2020 academic year and then it can be reallocated to other students in need in 2021.

You may wish to refer to the Tertiary Education Commission (TEC) website for further details around this specific funding. Link [here](#).

I trust this answers your questions.

Nāku, nā



Mark Oldershaw
Chief Executive

6 May 2020

Tēnā koe Justin Lester

Technology Access Fund for Learners Funding

The Minister of Education announced the creation of a new fund, the Technology Access Fund for Learners (TAFL) on Saturday 2 May 2020. The purpose of the fund is to help tertiary education organisations (TEOs) and transitional industry training organisations (TITOs) support learners to continue to access tertiary education and training that has been disrupted as a result of the COVID- 19 pandemic.

The Minister has delegated the power to allocate and distribute funding to relevant TEOs and TITOs to the TEC. The fund does not fall within the statutory framework for Funding allocated under sections 159YA or 159ZC of the Education Act 1989.

We are writing to inform you that we are proposing to pay out some of this funding to your organisation soon after **6 May 2020** when NZIST receives the funding from the Tertiary Education Commission (TEC).

This letter sets out:

- the **period** for which the TEC will provide funding from the Technology Access Fund for Learners;
- the **amount** of funding that your organisation will receive;
- the **conditions** that apply to the funding; and
- any **other provisions** relevant to your organisation's receipt of this funding.

Guidance on the TAFL was sent to you in the letter dated 4 May 2020 and contained additional information on how the funding is to be used, who is eligible to receive it, and the TEC reporting requirements for the fund.

What actions do you need to take now?

1. Review the documents
2. Confirm your acceptance of the funding, whether in full or in part.
3. Return the declaration form

We ask that you review the funding allocation in Appendix 1, the fund specific conditions in Appendix 2, and the TAFL guidance on the TAFL was sent to you in the letter dated 5 May 2020.

You will need to return the completed declaration form that is provided in Appendix 1. The declaration allows you to state how much of the allocation you accept. Any funding not used at this time, can be re-allocated to assist other learners. Please note there will also be other opportunities throughout the year for you to return any unused funding to us to for re-allocation.

By accepting the funding you are confirming you acknowledge, and will comply with, the conditions attached as Appendix 2 to this letter. The funding may be recovered if we consider that it has been used incorrectly, or it has not been used by 31 December 2020.

If you have any questions please email pmo@vocationaleducation.ac.nz.

Nāku noa, nā

Chris Collins

Interim Chief Executive

cc Mark Oldershaw, Chief Executive

RELEASED UNDER THE
OFFICIAL INFORMATION ACT 1982

Appendix 1: Funds, Funding and Funding Periods

Wellington Institute of Technology Limited

The funding allocation contained in this letter is GST exclusive.

Fund <i>Funding period: 23 March 2020 – 31 December 2020</i>	2020 Funding (ex GST)
Technology Access Fund for Learners	\$96,339

RELEASED UNDER THE
OFFICIAL INFORMATION ACT 1982

DECLARATION

I Justin Lester

.....
(Please insert name)

of Wellington Institute of Technology Limited

.....
(Please insert address)

declare that:

1. Wellington Institute of Technology accepts \$ 96,339 of Technology Access Fund for Learners funding;
2. Wellington Institute of Technology will comply with all the conditions of Funding for which Funding was allocated by New Zealand Institute of Skills and Technology pursuant to the conditions attached as Appendix 2; and
3. Wellington Institute of Technology will provide accurate data in its reports.

Signed:



Name: Justin Lester

Date: 8 May 2020

Please complete and return this form to pmo@vocationaleducation.ac.nz.
Please put Technology Access Fund for Learners- Wellington Institute of Technology-6008 in your emails subject line.

Appendix 2: Conditions on Funding

Purpose of Fund

The purpose of the Technology Access Fund for Learners (TAFL) Funding is to help tertiary education organisations (TEOs) and transitional industry training organisations (TITOs) support learners to continue to access tertiary education and training that has been disrupted due to COVID-19.

The power to allocate and distribute this Funding to relevant TEOs and TITOs has been delegated by the Minister, and does not fall within the statutory framework for funding received under sections 159YA or 159ZC.

In consideration for receiving this Funding, you agree to the conditions set out below.

Technology Access Fund for Learners Funding Conditions

The following Conditions apply to the TAFL Funding you receive from 5 May 2020 to 31 December 2020 (Funding Period):

- (a) the conditions set out below;
- (b) Base Funding Conditions set out in the Funding Conditions Catalogue;
- (c) the specific Conditions of any Funding you receive from any other Fund or the conditions of any grant you receive under section 321 of the Education Act, whichever is relevant; and
- (d) the Conditions in the Education Act (unless otherwise stated in the following Conditions).

1. Organisation eligibility

1.1 You must be a TEO or TITO that:

- (a) for the duration of the Funding Period, continues to receive Funding from at least one of the following Funds:
 - i. Employer-led Workplace Literacy and Numeracy;
 - ii. Industry Training Fund;
 - iii. Intensive Literacy and Numeracy Fund;
 - iv. Intensive Literacy and Numeracy – English for Speakers of Other Languages;
 - v. Intensive Literacy and Numeracy – Refugee English;
 - vi. Student Achievement Component – Qualification at Level 3 and above on the NZQF;
 - vii. Student Achievement Component – Qualification at Levels 1 and 2 on the NZQF;
 - viii. TEO-led Workplace Literacy and Numeracy
 - ix. Youth Guarantee; or

- (b) have received a grant under section 321 of the Education Act in the 2019 or 2020 calendar years.
- 1.2 If you are eligible for TAFL Funding under Condition 1.1(a), you must, for the duration of the Funding Period, continue to meet the organisation eligibility conditions of the Relevant Fund(s).

2. Learner eligibility

2.1 If you are eligible for TAFL Funding under Condition 1.1(a), you must ensure that TAFL Funding is only used in respect of a learner who, for the length of the Funding Period, is, and continues to be:

- (a) a learner for which you receive funding under the Relevant Funds(s);
- (b) an eligible learner in accordance with the learner eligibility conditions of the Relevant Fund(s); and
- (c) enrolled in a technology-enabled programme that is being delivered wholly or partially online by you.

2.2 If you are eligible for TAFL Funding under Condition 1.1(b), you must ensure that TAFL Funding is only used in respect of a learner who, for the length of the Funding Period, is, and continues to be:

- (a) a learner for which the TEO or TITO uses money it received under the grant under section 321 of the Education Act;
- (b) an eligible learner in accordance with any learner eligibility requirements imposed as part of your conditions under section 321(3) of the Education Act; and
- (c) enrolled in a technology-enabled programme that is being delivered wholly or partially online by you.

3. Programme eligibility

3.1 If you are eligible for TAFL Funding under Condition 1.1(a), you must ensure that you only use TAFL Funding for a programme of study or training that, for the length of the Funding Period:

- (a) meets the programme eligibility requirements of the Relevant Fund(s); and
- (b) is a technology-enabled programme that is being delivered wholly or partially online.

3.2 If you are eligible for TAFL Funding under Condition 1.1(b), you must ensure that you only use TAFL Funding for a programme of study or training that, for the duration of the Funding Period:

- (a) meets any programme eligibility requirements imposed on you as part of your conditions under section 321(3); and
- (b) is a technology-enabled programme that is being delivered wholly or partially online.

4. Use of Funding

4.1 You must only use the TAFL Funding:

- (a) for costs incurred from 23 March, and during the Funding Period; and
- (b) to enable learners to continue accessing tertiary education and training that has been disrupted due to COVID-19 by supporting access to:
 - i. suitable devices and related support;
 - ii. adequate internet connections and related support; and/or
 - iii. other support that assists learners in engaging in technology-enabled tertiary education.¹

4.2 You must not use TAFL Funding for:

- (a) developing a technology-enabled delivery platform or capability; or
- (b) developing technology-enabled course materials

4.3 You must use all reasonable efforts to ensure that TAFL Funding is not used for any internet connections or related support provided after the relevant programme of study or training has ended.

5. Funding Priorities

5.1 In applying TAFL Funding, you must develop an effective and efficient prioritisation strategy to enable learners to continue accessing tertiary education and training that has been disrupted due to COVID-19. In developing this strategy you must prioritise:

- (a) vulnerable learners;
- (b) learners most in need of additional support to access technology-enabled tertiary education; and
- (c) learners who face technological and skill barriers to accessing technology-enabled tertiary education.

6. Your responsibilities

6.1 Learner Technology Support Strategy

- (a) You must prepare a Learner Technology Support Strategy (LTSS) in the manner and form prescribed by TEC that sets out your planned approach to using the TAFL Funding. The LTSS must include information on:

¹ The terms 'related support' and 'other support' include supporting TEO and TITO capability to deliver quality online provision providing it relates to supporting learners to continue to access tertiary education.

- i. how you will prioritise which learners receive assistance with accessing technology- enabled learning;
- ii. how you plan to use your TAFL Funding allocation; and
- iii. how you will ensure that TAFL Funding is used in compliance with these Funding Conditions.

6.2 Devices

- (a) We acknowledge and agree that you will retain ownership of devices purchased with the Funding pursuant to Condition 4.1(b)(i).
- (b) You must ensure that devices purchased with the Funding pursuant to Condition 4.1(b)(i) are:
 - i. provided to learners as soon as reasonably practicable;
 - ii. recovered from learners upon the completion of their programme of study or training; and
 - iii. redistributed to other learners as soon as reasonably practicable.
- (c) You must make clear to all learners receiving devices purchased with TAFL Funding that such devices must be returned to you as soon as reasonably practicable upon the completion of the learner's programme of study or training.

6.3 Learners' costs

You must not create any liability for any ongoing costs for learners.

6.4 Access to and supply of information

- (a) You must provide us with access to your premises, employees and information for the purposes of:
 - i. inspecting the records that you keep; and
 - ii. auditing your compliance with these Funding Conditions.
- (b) You must supply to us, from time to time as required by us, and in a form specified by us, any financial, statistical, or other information that we require you to supply.

7. TEC's responsibilities

- (a) TEC are responsible for publishing and regularly updating a list of all TEOs and TITOs that have received TAFL Funding. By receiving TAFL Funding, you consent to the following information being published:

- i. the total amount of TAFL Funding that you have received;
- ii. the amount of TAFL Funding that you have spent;
- iii. the nature of support that has been provided by you; and
- iv. the number of learners that have been supported by you and the extent to which those learners have remained engaged in tertiary education.

8. Inducement

- (a) Notwithstanding any other condition of the Relevant Fund(s), devices provided to learners pursuant to Condition 4.1(b)(i) and internet connections provided to learners pursuant to Condition 4.1(b)(ii) are not inducement.
- (b) You must ensure that any marketing, advertising, or other such communications do not mention, imply, or otherwise convey that you can provide services other than those permitted by these Funding Conditions.

9. Collaboration

You are encouraged to collaborate with other TEOs and TITOs as well as with TEC and the Ministry of Education wherever possible to enter into agreements for bulk purchases with internet providers and hardware suppliers.

10. Reports

- (a) By **22 May 2020**, you must provide us with your LTSS.
- (b) You must submit:

Progress Reports

- i. a Progress Report no later than 15 May 2020;
- ii. a Progress Report no later than 29 May 2020;
- iii. a Progress Report no later than 12 June 2020;
- iv. a Progress Report no later than 26 June 2020;
- v. a Progress Report no later than 27 August 2020;
- vi. a Progress Report no later than 27 October 2020; and

Final Reports

- vii. a Final Report no later than 27 January 2021.

11. Records

- 11.1 You must keep accurate and up-to-date records:
- (a) that demonstrate compliance with these Funding Conditions (including invoices); and
 - (b) of the following information:
 - i. the total amount of your TAFL allocation that has been spent;
 - ii. what your TAFL Funding allocation has been used for (e.g., internet access / connections, hardware);
 - iii. the NSNs of each learner you have supported using TAFL Funding, including information on ethnicity, gender, and disability status;
 - iv. any significant amendments to your LTSS.
- 11.2 You must assign a unique serial number to each device distributed to a learner. Using these serial numbers, you must maintain a fixed-asset register to record the devices distributed to each learner.
- 11.3 You must retain all records of your use of TAFL Funding for a minimum of seven years.

12. Repayment of Technology Access Fund for Learners Funding

If you receive TAFL Funding that was greater than it should have been, that you were not entitled to receive, or that remains unspent at the end of the Funding Period, you 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 us to you.

13. Suspension and revocation of Technology Access Fund for Learners Funding

We may suspend or revoke some or all TAFL Funding given to you if we are satisfied on reasonable grounds that you have not complied, or are not complying, with these Funding Conditions.

Definitions

Unless otherwise defined in these Funding Conditions, capitalised terms used in these Funding Conditions have the meaning given to them in the [Funding Conditions Catalogue](#).

- (a) "Progress Report" means a report, in the manner and form prescribed by us, that includes the following information:
 - i. the total amount of your TAFL allocation that has been spent to date;
 - ii. a summary of what your TAFL Funding allocation has been used for;
 - iii. the NSNs of each learner you have supported using TAFL Funding, including information on ethnicity, gender, and disability status;

- iv. the time period for which the support is or has been provided; and
- v. whether there have been any significant amendments to your LTSS. This information will be required in all reports after you have submitted your LTSS.

(b) “Final Report” means a report, in the manner and form prescribed by us that includes information to be advised by us.

“Relevant Fund(s)” means the Fund(s) listed in Condition 1.1(a)(i) to (vii) under which the TEO or TITO is receiving Funding.

RELEASED UNDER THE
OFFICIAL INFORMATION ACT 1982

6 May 2020

Tēnā koe Justin Lester

Technology Access Fund for Learners Funding

The Minister of Education announced the creation of a new fund, the Technology Access Fund for Learners (TAFL) on Saturday 2 May 2020. The purpose of the fund is to help tertiary education organisations (TEOs) and transitional industry training organisations (TITOs) support learners to continue to access tertiary education and training that has been disrupted as a result of the COVID- 19 pandemic.

The Minister has delegated the power to allocate and distribute funding to relevant TEOs and TITOs to the TEC. The fund does not fall within the statutory framework for Funding allocated under sections 159YA or 159ZC of the Education Act 1989.

We are writing to inform you that we are proposing to pay out some of this funding to your organisation soon after **6 May 2020** when NZIST receives the funding from the Tertiary Education Commission (TEC)

This letter sets out:

- the **period** for which the TEC will provide funding from the Technology Access Fund for Learners;
- the **amount** of funding that your organisation will receive;
- the **conditions** that apply to the funding; and
- any **other provisions** relevant to your organisation's receipt of this funding.

Guidance on the TAFL was sent to you in the letter dated 4 May 2020 and contained additional information on how the funding is to be used, who is eligible to receive it, and the TEC reporting requirements for the fund.

What actions do you need to take now?

1. Review the documents
2. Confirm your acceptance of the funding, whether in full or in part.
3. Return the declaration form

We ask that you review the funding allocation in Appendix 1, the fund specific conditions in Appendix 2, and the TAFL guidance on the TAFL was sent to you in the letter dated 5 May 2020.

You will need to return the completed declaration form that is provided in Appendix 1. The declaration allows you to state how much of the allocation you accept. Any funding not used at this time, can be re-allocated to assist other learners. Please note there will also be other opportunities throughout the year for you to return any unused funding to us to for re-allocation.

By accepting the funding you are confirming you acknowledge, and will comply with, the conditions attached as Appendix 2 to this letter. The funding may be recovered if we consider that it has been used incorrectly, or it has not been used by 31 December 2020.

If you have any questions please email pmo@vocationaleducation.ac.nz.

Nāku noa, nā

Chris Collins

Interim Chief Executive

cc Mark Oldershaw, Chief Executive

RELEASED UNDER THE
OFFICIAL INFORMATION ACT 1982

Appendix 1: Funds, Funding and Funding Periods

Whitireia Community Polytechnic Limited

The funding allocation contained in this letter is GST exclusive.

Fund <i>Funding period: 23 March 2020 – 31 December 2020</i>	2020 Funding (ex GST)
Technology Access Fund for Learners	\$109,219

RELEASED UNDER THE
OFFICIAL INFORMATION ACT 1982

DECLARATION

I Justin Lester

.....
(Please insert name)

of Whitireia Community Polytechnic Limited

.....
(Please insert address)

declare that:

1. Whitireia Community Polytechnic accepts \$ 109,219 of Technology Access Fund for Learners funding;
2. Whitireia Community Polytechnic will comply with all the conditions of Funding for which Funding was allocated by New Zealand Institute of Skills and Technology pursuant to the conditions attached as Appendix 2; and
3. Whitireia Community Polytechnic will provide accurate data in its reports.

Signed:



Name: Justin Lester

Date: 8 May 2020

Please complete and return this form to pmo@vocationaleducation.ac.nz.

Please put Technology Access Fund for Learners- Whitireia Community Polytechnic- 6014 in your emails subject line.

Appendix 2: Conditions on Funding

Purpose of Fund

The purpose of the Technology Access Fund for Learners (TAFL) Funding is to help tertiary education organisations (TEOs) and transitional industry training organisations (TITOs) support learners to continue to access tertiary education and training that has been disrupted due to COVID-19.

The power to allocate and distribute this Funding to relevant TEOs and TITOs has been delegated by the Minister, and does not fall within the statutory framework for funding received under sections 159YA or 159ZC.

In consideration for receiving this Funding, you agree to the conditions set out below.

Technology Access Fund for Learners Funding Conditions

The following Conditions apply to the TAFL Funding you receive from 5 May 2020 to 31 December 2020 (Funding Period):

- (a) the conditions set out below;
- (b) Base Funding Conditions set out in the Funding Conditions Catalogue;
- (c) the specific Conditions of any Funding you receive from any other Fund or the conditions of any grant you receive under section 321 of the Education Act, whichever is relevant; and
- (d) the Conditions in the Education Act (unless otherwise stated in the following Conditions).

1. Organisation eligibility

1.1 You must be a TEO or TITO that:

- (a) for the duration of the Funding Period, continues to receive Funding from at least one of the following Funds:
 - i. Employer-led Workplace Literacy and Numeracy;
 - ii. Industry Training Fund;
 - iii. Intensive Literacy and Numeracy Fund;
 - iv. Intensive Literacy and Numeracy – English for Speakers of Other Languages;
 - v. Intensive Literacy and Numeracy – Refugee English;
 - vi. Student Achievement Component – Qualification at Level 3 and above on the NZQF;
 - vii. Student Achievement Component – Qualification at Levels 1 and 2 on the NZQF;
 - viii. TEO-led Workplace Literacy and Numeracy
 - ix. Youth Guarantee; or

- (b) have received a grant under section 321 of the Education Act in the 2019 or 2020 calendar years.
- 1.2 If you are eligible for TAFL Funding under Condition 1.1(a), you must, for the duration of the Funding Period, continue to meet the organisation eligibility conditions of the Relevant Fund(s).

2. Learner eligibility

2.1 If you are eligible for TAFL Funding under Condition 1.1(a), you must ensure that TAFL Funding is only used in respect of a learner who, for the length of the Funding Period, is, and continues to be:

- (a) a learner for which you receive funding under the Relevant Funds(s);
- (b) an eligible learner in accordance with the learner eligibility conditions of the Relevant Fund(s); and
- (c) enrolled in a technology-enabled programme that is being delivered wholly or partially online by you.

2.2 If you are eligible for TAFL Funding under Condition 1.1(b), you must ensure that TAFL Funding is only used in respect of a learner who, for the length of the Funding Period, is, and continues to be:

- (a) a learner for which the TEO or TITO uses money it received under the grant under section 321 of the Education Act;
- (b) an eligible learner in accordance with any learner eligibility requirements imposed as part of your conditions under section 321(3) of the Education Act; and
- (c) enrolled in a technology-enabled programme that is being delivered wholly or partially online by you.

3. Programme eligibility

3.1 If you are eligible for TAFL Funding under Condition 1.1(a), you must ensure that you only use TAFL Funding for a programme of study or training that, for the length of the Funding Period:

- (a) meets the programme eligibility requirements of the Relevant Fund(s); and
- (b) is a technology-enabled programme that is being delivered wholly or partially online.

3.2 If you are eligible for TAFL Funding under Condition 1.1(b), you must ensure that you only use TAFL Funding for a programme of study or training that, for the duration of the Funding Period:

- (a) meets any programme eligibility requirements imposed on you as part of your conditions under section 321(3); and
- (b) is a technology-enabled programme that is being delivered wholly or partially online.

4. Use of Funding

4.1 You must only use the TAFL Funding:

- (a) for costs incurred from 23 March, and during the Funding Period; and
- (b) to enable learners to continue accessing tertiary education and training that has been disrupted due to COVID-19 by supporting access to:
 - i. suitable devices and related support;
 - ii. adequate internet connections and related support; and/or
 - iii. other support that assists learners in engaging in technology-enabled tertiary education.¹

4.2 You must not use TAFL Funding for:

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4.3 You must use all reasonable efforts to ensure that TAFL Funding is not used for any internet connections or related support provided after the relevant programme of study or training has ended.

5. Funding Priorities

5.1 In applying TAFL Funding, you must develop an effective and efficient prioritisation strategy to enable learners to continue accessing tertiary education and training that has been disrupted due to COVID-19. In developing this strategy you must prioritise:

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6. Your responsibilities

6.1 Learner Technology Support Strategy

- (a) You must prepare a Learner Technology Support Strategy (LTSS) in the manner and form prescribed by TEC that sets out your planned approach to using the TAFL Funding. The LTSS must include information on:

¹ The terms 'related support' and 'other support' include supporting TEO and TITO capability to deliver quality online provision providing it relates to supporting learners to continue to access tertiary education.

- i. how you will prioritise which learners receive assistance with accessing technology- enabled learning;
- ii. how you plan to use your TAFL Funding allocation; and
- iii. how you will ensure that TAFL Funding is used in compliance with these Funding Conditions.

6.2 Devices

- (a) We acknowledge and agree that you will retain ownership of devices purchased with the Funding pursuant to Condition 4.1(b)(i).
- (b) You must ensure that devices purchased with the Funding pursuant to Condition 4.1(b)(i) are:
 - i. provided to learners as soon as reasonably practicable;
 - ii. recovered from learners upon the completion of their programme of study or training; and
 - iii. redistributed to other learners as soon as reasonably practicable.
- (c) You must make clear to all learners receiving devices purchased with TAFL Funding that such devices must be returned to you as soon as reasonably practicable upon the completion of the learner's programme of study or training.

6.3 Learners' costs

You must not create any liability for any ongoing costs for learners.

6.4 Access to and supply of information

- (a) You must provide us with access to your premises, employees and information for the purposes of:
 - i. inspecting the records that you keep; and
 - ii. auditing your compliance with these Funding Conditions.
- (b) You must supply to us, from time to time as required by us, and in a form specified by us, any financial, statistical, or other information that we require you to supply.

7. TEC's responsibilities

- (a) TEC are responsible for publishing and regularly updating a list of all TEOs and TITOs that have received TAFL Funding. By receiving TAFL Funding, you consent to the following information being published:

- i. the total amount of TAFL Funding that you have received;
- ii. the amount of TAFL Funding that you have spent;
- iii. the nature of support that has been provided by you; and
- iv. the number of learners that have been supported by you and the extent to which those learners have remained engaged in tertiary education.

8. Inducement

- (a) Notwithstanding any other condition of the Relevant Fund(s), devices provided to learners pursuant to Condition 4.1(b)(i) and internet connections provided to learners pursuant to Condition 4.1(b)(ii) are not inducement.
- (b) You must ensure that any marketing, advertising, or other such communications do not mention, imply, or otherwise convey that you can provide services other than those permitted by these Funding Conditions.

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You are encouraged to collaborate with other TEOs and TITOs as well as with TEC and the Ministry of Education wherever possible to enter into agreements for bulk purchases with internet providers and hardware suppliers.

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- (a) By **22 May 2020**, you must provide us with your LTSS.
- (b) You must submit:

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- iii. a Progress Report no later than 12 June 2020;
- iv. a Progress Report no later than 26 June 2020;
- v. a Progress Report no later than 27 August 2020;
- vi. a Progress Report no later than 27 October 2020; and

Final Reports

- vii. a Final Report no later than 27 January 2021.

11. Records

11.1 You must keep accurate and up-to-date records:

(a) that demonstrate compliance with these Funding Conditions (including invoices); and
(b) of the following information:

- i. the total amount of your TAFL allocation that has been spent;
- ii. what your TAFL Funding allocation has been used for (e.g., internet access / connections, hardware);
- iii. the NSNs of each learner you have supported using TAFL Funding, including information on ethnicity, gender, and disability status;
- iv. any significant amendments to your LTSS.

11.2 You must assign a unique serial number to each device distributed to a learner. Using these serial numbers, you must maintain a fixed-asset register to record the devices distributed to each learner.

11.3 You must retain all records of your use of TAFL Funding for a minimum of seven years.

12. Repayment of Technology Access Fund for Learners Funding

If you receive TAFL Funding that was greater than it should have been, that you were not entitled to receive, or that remains unspent at the end of the Funding Period, you 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 us to you.

13. Suspension and revocation of Technology Access Fund for Learners Funding

We may suspend or revoke some or all TAFL Funding given to you if we are satisfied on reasonable grounds that you have not complied, or are not complying, with these Funding Conditions.

Definitions

Unless otherwise defined in these Funding Conditions, capitalised terms used in these Funding Conditions have the meaning given to them in the [Funding Conditions Catalogue](#).

- (a) "Progress Report" means a report, in the manner and form prescribed by us, that includes the following information:
 - i. the total amount of your TAFL allocation that has been spent to date;
 - ii. a summary of what your TAFL Funding allocation has been used for;
 - iii. the NSNs of each learner you have supported using TAFL Funding, including information on ethnicity, gender, and disability status;

- iv. the time period for which the support is or has been provided; and
- v. whether there have been any significant amendments to your LTSS. This information will be required in all reports after you have submitted your LTSS.

(b) “Final Report” means a report, in the manner and form prescribed by us that includes information to be advised by us.

“Relevant Fund(s)” means the Fund(s) listed in Condition 1.1(a)(i) to (vii) under which the TEO or TITO is receiving Funding.

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