



Summary of consultation feedback on the draft Code of Good Practice for New Zealand Apprenticeships

In December 2014, the Minister for Tertiary Education, Skills and Employment approved the draft Code for public consultation. Consultation on the draft Code ran from 2 February 2015 to 31 March 2015.

Twenty-eight submissions were received. Most of the feedback came from stakeholders including: industry training organisations; trade unions; some employers; Government organisations; and other organisations. A summary of the feedback is set out below against the relevant section.

Section of the draft Code	Summary of feedback
<p>The proposed principles for New Zealand Apprenticeships are:</p> <ul style="list-style-type: none"> • commitment • collaboration • communication 	<ul style="list-style-type: none"> • Eighteen of the 28 responders affirmed the proposed principles and recommended no change to them. • The other 10 responders broadly affirmed the proposed principles but suggested other principles for inclusion, including: <ul style="list-style-type: none"> ○ “good faith” – that all parties act fairly and reasonably; and ○ “accountability” or “compliance” – that parties accept, and are kept to, their responsibilities. <p><i>TEC response:</i></p> <p><i>We consider reference to ‘good faith’ would conflate legislative requirements with principles of good practice for apprenticeship training. The code is not intended to replace or extend employment responsibilities set out in law.</i></p>
<p>Good practice for an apprentice is to:</p> <ul style="list-style-type: none"> • Be informed • Be a good employee • Be an active and committed learner • Communicate clearly 	<ul style="list-style-type: none"> • Twenty-one responders affirmed these good practices for apprentices and didn’t recommend any change to them. • A minority of responders were concerned about the subjectivity and vagueness of some of these good practices.
<p>Good practice for an employer is to:</p> <ul style="list-style-type: none"> • Be informed • Be a good employer • Ensure active teaching and mentoring • Support access to off-the-job training • Support the industry training 	<ul style="list-style-type: none"> • Twenty-four responders affirmed these good practices with no major change, if any. • It was noted that “a good employer” has a legislative definition in the Crown Entities Act 2004, which does not apply to other employers. • It was suggested that the good practice to “be a good employer” is replaced with the employer to “act in good faith”, which is defined in the

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<p>organisation's access to the apprentice</p> <ul style="list-style-type: none"> • Communicate clearly 	<p>Employment Relations Act 2000.</p> <p><i>TEC response:</i></p> <p><i>We consider reference to 'good faith' would conflate legislative requirements with principles of good practice for apprenticeship training. The code is not intended to replace or extend employment responsibilities set out in law.</i></p>
<p>Good practice for an industry training organisation is to:</p> <ul style="list-style-type: none"> • Provide potential apprentices and employers with good information • Produce a training plan in collaboration with the apprentice and employer • Support the implementation of the training plan • Support the apprentice • Support the employer • Communicate clearly • Provide further support to the apprentice 	<ul style="list-style-type: none"> • As above, 24 responders affirmed these good practices with no major change, if any. • There was contention over how strongly ITOs ought to be expected to help apprentices and employers overcome barriers to training in implementing training plans. One responder submitted that ITOs ought to help apprentices and employers overcome barriers to training, but only where possible. Another submitted that ITOs ought to help apprentices and employers overcome barriers to training, with no proviso.
<p>Other feedback</p>	<ul style="list-style-type: none"> • Some responders expressed disappointment that the good practices of parties involved in managed apprenticeships (programmes similar to New Zealand Apprenticeships that are offered by some institutes of technology and polytechnics) were not captured by the draft Code. • Some feedback recommended including current conditions of funding (such as four visits to the apprentice per year) and/or reference to specific employment legislation. <p><i>TEC response</i></p> <p><i>The TEC does not support the inclusion of funding conditions in the code or legal requirements that are the responsibility of other government agencies, such as the Ministry of Business, Innovation and Employment, and WorkSafe New Zealand.</i></p>