

## Appendix 1: Funding and Funding Periods

Edumis: [xxxx]

[TEO Name]

Funding allocation contained in this letter only (GST exclusive):

<b>Fund</b> <i>Funding period: 1 September 2021 – 30 June 2022</i>	<b>Funding</b> (ex GST)
Hardship Fund for Learners	[\$xxxxxx]

Total funding received to date under these conditions, not including the funding allocated in this letter (GST exclusive):

<b>Fund</b> <i>Funding period is detailed in your previous agreement</i>	<b>Funding</b> (ex GST)
Hardship Fund for Learners	[\$xxxxxx]

# DECLARATION

I .....  
(Please insert name)

of .....  
(Please insert address)

as Job Title

of Organisation declare that:

1. Organisation accepts \$ of Hardship Fund for Learners funding;
2. Organisation will comply with all the conditions of Funding for which Funding was allocated by the Tertiary Education Commission pursuant to the funding conditions attached as Appendix 2; and
3. Organisation will provide accurate data in its reports.
4. Organisation will submit a Learner Technology Support Strategy pursuant to the funding conditions attached as Appendix 2 (please circle one):  
  
Yes / No
5. Organisation will submit a Hardship Fund Strategy pursuant to the funding conditions attached as Appendix 2 (please circle one):  
  
Yes / No

Signed:

Name:

Role:

Date:

Please complete and upload this form to [Workspace2](#).

## Appendix 2: Conditions on Funding

### Purpose of Fund

There are two purposes to this fund. The **Hardship Purpose** is to provide temporary financial assistance for learners who are facing barriers to continuing their study or training as a result of the COVID-19 pandemic. Hardship means any suffering, deprivation or financial challenge that is affecting a learner's ability to access and continue with their study.

The **Hardship Technology Access Purpose** is to help tertiary education organisations (TEOs) to support learners and prevent them from experiencing technology-related financial challenges by providing funding for technology-related costs (**Hardship Technology Access Purpose**). This refers to a situation where COVID-19 restrictions remove the option for face-to-face study, such as Alert Levels applying throughout New Zealand or to a regional area, or where learners at a provider are linked to a community cluster.

### Hardship Fund for Learners Funding Conditions

The following Conditions apply to the HAFL Funding you receive from 1 September 2021 to 30 June 2022 (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 556 of the Education and Training Act, whichever is relevant; and
- (d) the conditions in the Education and Training Act (unless otherwise stated in the following Conditions).

#### 1. Organisation eligibility

1.1 To receive HAFL Funding for the Hardship Purpose and/or the Hardship Technology Access Purpose, you must be a TEO that:

- (a) for the duration of the Funding Period, continues to receive Funding from at least one of the following Funds:
  - (i) Student Achievement Component – Provision at Level 3 and above on the New Zealand Qualifications Framework;
  - (ii) Student Achievement Component – Levels 1 and 2;
  - (iii) Youth Guarantee Fees Free;
  - (iv) Literacy and Numeracy (excluding Workplace Literacy and Numeracy); and
  - (v) Specialised English for Speakers of Other Languages; or
- (b) have received a grant under section 556 of the Education and Training Act 2020 in the 2021 and 2022 calendar years.

- 1.2 Notwithstanding Condition 1.1, if you are a TEO that only receives Funding from the Industry Training Fund (ITF):
- (a) you must, for the duration of the Funding Period, continue to receive Funding from the ITF; and
  - (b) you may receive HAFL Funding for the Hardship Technology Access Purpose only.
- 1.3 If you are eligible for HAFL Funding under Condition 1.1(a) or Condition 1.2, you must, for the duration of the Funding Period, continue to meet the organisation eligibility conditions of the Relevant Fund(s).
- 1.4 If you are a TEO that has received the arranging training function (or part of the arranging training function) from a transitional industry training organisation (**TITO**) in accordance with a transition plan approved by the TEC (**transition plan**), notwithstanding Conditions 1.1 and 1.2, you must only use HAFL Funding that you have received as a result of the transition for:
- (a) the learners that have been transferred to you from the TITO as part of the transition; and
  - (b) the Hardship Technology Access Purpose.

## 2. Learner eligibility

- 2.1 If you are eligible for HAFL Funding under Condition 1.1(a) or Condition 1.2, you must ensure that HAFL Funding is only used:
- (a) in respect of a learner who:
    - (i) is or has been enrolled during the Funding Period in eligible programmes for which you receive funding under the Relevant Funds(s); and
    - (ii) is an eligible learner at the time of their enrolment in accordance with the learner eligibility conditions of the Relevant Fund(s); **or**
  - (b) to support a group of learners who are facing financial challenges, provided that the majority of the learners accessing the funding meet the learner eligibility criteria in Condition 2.1(a), for example, by providing funding to a student association to run a food bank.
- 2.2 If you are eligible for HAFL Funding under Condition 1.1(b), you must ensure that HAFL Funding is only used:
- (a) in respect of a learner who, for the length of the Funding Period, is, and continues to be:
    - (i) a learner for whom you have received money under a grant under section 556 of the Education and Training Act; and
    - (ii) an eligible learner in accordance with any learner eligibility requirements imposed as part of your conditions under section 556(3) of the Education and Training Act; and/or
  - (b) to support a group of learners who are facing financial challenges, provided that the majority of the learners accessing the funding meet the learner eligibility criteria in

Condition 2.1(a), for example, by providing funding to a student association to run a food bank.

### **3. Use of Funding**

- 3.1 You must only use the HAFL Funding for the relevant purpose(s) for which you can use HAFL Funding pursuant to Conditions 1.1 to 1.4.
- 3.2 If you are using the HAFL Funding for the Hardship Purpose, you must only use HAFL Funding to support learners facing hardship or financial challenges by:
- (a) providing direct cash or in-kind payments to learners for items like food, utilities (including internet access), or housing; and/or
  - (b) purchasing resources on learners' behalf, excluding devices.
- 3.3 If you are using the HAFL Funding for the Hardship Technology Access Purpose, you must only use HAFL Funding:
- (a) where COVID-19 restrictions remove the option for face-to-face study (for example, as a result of Alert Levels applying throughout New Zealand or to the regional area where you operate) or where your learners are linked to a community cluster; and
  - (b) to support learners by:
    - (i) providing direct cash or in-kind payments to learners for technology-related costs, such as to enable them to purchase internet access and related support;
    - (ii) purchasing resources for learners to borrow while they are enrolled with you;
    - (iii) supporting access to suitable devices and related support, including by refurbishing devices that are returned to you by learners to enable other learners to use them;
    - (iv) providing other support to assist learners to engage in technology-enabled tertiary education. To clarify, the term "other support" in this condition does not include supporting your capability to deliver online learning (unlike in 2020).
- 3.4 You must not use HAFL Funding to pay:
- (a) tuition fees, compulsory course costs, or compulsory student services fees charged to a learner;
  - (b) in relation to HAFL Funding used for the Hardship Technology Access Purpose under condition 3.3, for general technology improvements or capacity building that is not related to the direct provision of technology to learners;
  - (c) any costs of overseas travel, managed isolation, or quarantine; or
  - (d) bulk discounts that subsidise provider-owned or provider-managed services (such as accommodation or cafeterias) without identifying and targeting individual learner needs.

### **4 Devices**

- (a) This condition applies if you are using the HAFL Funding for the Hardship Technology Access Purpose pursuant to Condition 3.3.

- (b) We acknowledge and agree that you will retain ownership of devices purchased with the Funding pursuant to Condition 3.3.
- (c) You must ensure that devices purchased with the Funding pursuant to Condition 3.3 are:
  - (i) provided to learners as soon as reasonably practicable;
  - (ii) recovered from learners upon the completion of their programme of study or training;
  - (iii) redistributed to other learners as soon as reasonably practicable; and
  - (iv) maintain a register of the devices that have been purchased with HAFL funding.
- (d) You must make clear to all learners receiving devices purchased with HAFL 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.

## **5. Strategies**

### **5.1 Learner Technology Support Strategy**

- (a) If you are using HAFL Funding for the Hardship Technology Access Purpose pursuant to Condition 3.3, you must prepare a Learner Technology Support Strategy (the **LTSS**) in the manner and form prescribed by us that sets out your planned approach to use the HAFL Funding for the Hardship Technology Access Purpose. You are required to submit this Strategy within 15 working days of COVID-19 restrictions being in place within New Zealand, should you decide to use some HAFL funding for the Technology Access Purpose.
- (b) The LTSS must include information on:
  - (i) how you will plan to use your HAFL Funding for the Hardship Technology Access Purpose to respond to COVID-19 restrictions that remove the option for face-to-face study or where your learners are linked to a community cluster;
  - (ii) how you will prioritise which learners receive assistance with accessing technology-enabled learning; and
  - (iii) how you will keep track of costs incurred to ensure that HAFL Funding is used in compliance with these Funding Conditions.

### **5.2 Hardship Fund Strategy**

- (a) If you are a provider receiving HAFL Funding for the first time or if you wish to make significant changes to your Hardship Fund Strategy 2020, you must prepare a Hardship Fund Strategy (the **HFS**) in the manner and form prescribed by us that sets out your planned approach to use the HAFL Funding for the Hardship Purpose. This must be provided to us within 15 working days of you receiving your payment.
- (b) The HFS must include information on:
  - (i) how you will identify the learners who are facing hardship;
  - (ii) how you are prioritising learners who are in greatest hardship;
  - (iii) how you are planning to use the HAFL Funding; and

(iv) how you will keep track of costs incurred to ensure that HAFL Funding is used in compliance with these Funding Conditions.

(c) If you intend to use the HAFL funding for the Hardship Technology Access Purpose, you must **also** submit a Learner Technology Support Strategy described in Condition 5.1.

## **6. Inducement**

6.1 Notwithstanding any other condition of the Relevant Fund(s), support provided to learners with HAFL Funding is not inducement.

6.2 You must ensure that any marketing, advertising, or other such communications do not mention, imply, or otherwise convey that you can provide support other than as permitted by these Funding Conditions.

## **7. Progress Reports**

7.1 You must submit Progress Reports to us by:

- (a) 15 October 2021, for the period ending 30 September 2021;
- (b) 21 January 2022, for the period ending 31 December 2021; and
- (c) 15 April 2022, for the period ending 30 March 2022.

7.2 For the purpose of this condition, "Progress Reports" means a report, in the manner and form prescribed by us on Workspace2, that includes the following information:

- (a) the total amount of your HAFL allocation that has been spent to date;
- (b) a summary of what your HAFL Funding allocation has been used for;
- (c) the nature of support that has been provided by you;
- (d) the number of learners you have supported with your HAFL allocation; and
- (e) the National Student Numbers (NSN) of each learner who has directly received assistance from HAFL, including the value of the assistance, when the support was provided, and their ethnicity, gender, and whether or not they are learners with disability.

## **8. Final Report**

8.1 You must submit a Final Report by 15 July 2022, after the Funding Period ends.

8.2 For the purposes of this condition, "Final Report" means a report, in the manner and form prescribed by us that includes information to be advised by us.

8.3 If you have fully spent your HAFL Funding before 30 June 2022, you will still need to submit Progress Reports pursuant to Condition 7.1 and a Final Report by 15 July 2022.

## **9. Access to and supply of information**

9.1 You must provide us with access to your premises, employees, and information for the purposes of:

- (a) Inspecting the records that you keep; and
- (b) Auditing your compliance with these Funding Conditions.



9.2 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.

**10. Publication of certain information**

We are responsible for publishing and regularly updating a list of all TEOs that have received HAFL Funding. By receiving HAFL Funding, you consent to the following information being published:

- (a) the total amount of HAFL Funding that you have received;
- (b) the amount of HAFL Funding that you have spent;
- (c) the nature of support that has been provided by you; and
- (d) the number of learners that have been supported by you and their demographics.

**11. Records**

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

- (a) that demonstrate compliance with these Funding Conditions (including records where cash payments have been made directly to learners, and receipts and invoices where HAFL has been used to purchase resources on learners' behalf); and
- (b) that relate to the information that will be published under Condition 10; and
- (c) of any cash payments made directly to learners.

11.2 You must retain all records (electronic or otherwise) of your use of HAFL Funding for a minimum of seven years.

**12. Repayment of Hardship Fund for Learners Funding**

12.1 If you receive HAFL 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.

12.2 If, during the Funding Period, a significant amount of your HAFL Funding is unspent and we consider that it is unlikely that you will spend all of your allocated HAFL Funding, we reserve the right to require you to repay any amount that we determine, in consultation with you, is likely to remain unspent by the end of the Funding Period.

**13. Suspension and revocation of Hardship Fund for Learners Funding**

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