



File ref: [objective no]

[DATE]

[Name]

[Position Title]

[Name of Organisation]

[Address]

[Address]

[City]

Tēnā koe [name]

Hardship Fund for Learners Funding

The Minister of Education announced the creation of a new Fund, the Hardship Fund for Learners (HAFL), on Thursday 14 May 2020. The purpose of the Fund is to help tertiary education organisations provide temporary financial assistance for their learners who are facing hardship due to the COVID-19 pandemic.

The Minister has delegated the power to allocate and distribute funding to relevant TEOs 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 allocate and pay out some of this funding to your organisation on **27 May 2020**.

This letter sets out:

- the **period** for which the TEC will provide funding from the Hardship 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.

A guidance document on the Hardship Fund for Learners is attached with this letter, which contains additional information on how the funding can be used, who is eligible to receive it, and the reporting requirements for the Fund.

The Hardship Fund for Learners guidance document also contains a list of Frequently Asked Questions.

Hardship Fund Strategy

All TEOs who accept HAFL must complete a Hardship Fund Strategy and return it to us within 15 working days. The Hardship Fund Strategy template is a short series of questions that help set out your organisation's planned approach to using its HAFL allocation. The Hardship Fund Strategy template is included along with the HAFL guidance document. As our priority is to assist learners as quickly as possible, you may start using Hardship funding as soon as you receive it – you do not need to wait for us to approve your Hardship Fund Strategy.



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 offered to you in Appendix 1, the Fund-specific conditions in Appendix 2, and the Hardship Fund for Learners guidance document provided with this letter.

Please confirm via email whether you wish to accept all, part, or none of the funding allocated. If you respond to us by **[DATE]**, we can pay your allocation on **[DATE]**. If you respond after **[DATE]**, we will pay you at the next available pay run.

If you accept all or part of the funding, please include 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 declined by you 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 for re-allocation.

By accepting the Tertiary Education Commission 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 contact the Customer Contact Group by calling 0800 601 301 during normal business hours, or email customerservice@tec.govt.nz.

Naku noa, nā

Niki Penberthy
Manager, Customer Contact Group



We ensure New Zealand's future success.

Appendix 1: Funds, Funding and Funding Periods

Edumis: [xxxx]

[TEO Name]

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)
Hardship Fund for Learners	[\$xxxxxx]

DECLARATION

I

.....
(Please insert name)

of

.....
(Please insert address)

as Job Title

of [EDMUIS] – [TEO NAME] declare that:

1. [TEO NAME] accepts \$ _____ of Hardship Fund for Learners funding;
2. [TEO NAME] will comply with all the conditions of Funding for which Funding was allocated by the Tertiary Education Commission pursuant to the conditions attached as Appendix 2; and
3. [TEO NAME] will provide accurate data in its reports.

Signed:

Name:

Date:

Role:

Please complete and return this form to customerservice@tec.govt.nz.

Appendix 2: Conditions on Funding

Purpose of Fund

The purpose of the Hardship Fund for Learners (HAFL) Funding is to provide temporary financial assistance for currently enrolled tertiary learners who are facing hardship from the impacts of COVID-19. Hardship means any suffering, deprivation or financial challenge faced by a learner due to COVID-19 that is interfering with a learner's ability to progress with their study.

The power to allocate and distribute this Funding to relevant TEOs 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.

Hardship Fund for Learners Funding Conditions

The following Conditions apply to the HAFL Funding you receive from 27 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 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 – Qualification at Level 3 and above on the NZQF;
 - ii. Student Achievement Component – Qualification at Levels 1 and 2 on the NZQF;
 - iii. Youth Guarantee (excluding Trades Academies);
 - iv. Intensive Literacy and Numeracy Fund;
 - v. Intensive Literacy and Numeracy – English for Speakers of Other Languages;
 - vi. Intensive Literacy and Numeracy – Refugee English; 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 HAFL 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 HAFL Funding under Condition 1.1(a), you must ensure that HAFL 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); and
- (b) an eligible learner in accordance with the learner eligibility conditions of the Relevant Fund(s).

2.2 If you are eligible for HAFL Funding under Condition 1.1(b), you must ensure that HAFL 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 have received money under a grant under section 321 of the Education Act; and
- (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.

3. Use of Funding

3.1 You must only use the HAFL Funding:

- (a) for costs incurred from 23 March, and during the Funding Period; and
- (b) to support learners facing hardship by:
 - i. providing direct cash payments;¹ and/or
 - ii. directly purchasing resources on learners' behalf, where suitable.²

3.2 You must not use HAFL Funding to:

- (a) support learners to access technology-enabled tertiary education. TEOs have already been resourced to provide this support, as described in *Delegation to fund tertiary education organisations and transitional industry training organisations to support learners to access technology-enabled tertiary education and training*;
- (b) fund bulk accommodation discounts for accommodation services that you provide; or
- (c) meet your costs of administering the Fund.

3.3 You must establish, or use existing, processes to ensure HAFL Funding is prioritised towards learners who are facing the greatest hardship from the impacts of COVID-19.

4. Funding Priorities

¹ Direct cash payments could be used to cover a learner's costs such as food, rent, power, and other life costs that the learner is unable to meet due to the impacts of COVID-19.

² For example, if the direct provision of goods was more suitable for a learner than a direct cash payment.

4.1 In applying HAFL Funding, you must develop an effective and efficient prioritisation strategy to support learners facing hardship from the impacts of COVID-19. In developing this strategy, you must prioritise learners who are facing the greatest hardship from the impacts of COVID-19.

5. Your responsibilities

5.1 Hardship Fund Strategy

You must prepare a Hardship Fund Strategy (HFS) in the manner and form prescribed by us that sets out your planned approach to using the HAFL Funding. The HFS must include information on:

- (a) how you will identify which learners are facing hardship from the impacts of COVID-19;
- (b) how you will prioritise learners who are facing the greatest hardship from the impacts of COVID-19;
- (c) how you plan to use your HAFL Funding allocation (for example, information relating to direct cash payments that you plan to provide and resources for learners that you plan to purchase; and
- (d) how you will ensure that HAFL funding is used in compliance with these Funding Conditions.

5.2 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.

6. TEC's responsibilities

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.

7. Inducement

- (a) Notwithstanding any other condition of the Relevant Fund(s), support provided to learners with HAFL Funding is 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.

8. Reports

8.1 HFS

You must provide us with your HFS within 15 Working Days of receiving HAFL Funding.

8.2 Progress Reports

- (a) You must submit your first Progress Report to us:
 - i. on the first date in the Progress Reports Dates List that occurs after you first receive HAFL Funding; or
 - ii. if the date in Condition 8.2(a)(i) is less than 5 Working Days from when you first receive HAFL Funding, on the next date in the Progress Reports Dates List.
- (a) You must submit subsequent Progress Reports on all dates in the Progress Reports Dates List that occur after you submit your first Progress Report to us.
- (b) For the purposes of this Condition 8.2, the Progress Reports Dates List is:
 - i. a Progress Report no later than 16 June 2020;
 - ii. a Progress Report no later than 30 June 2020;
 - iii. a Progress Report no later than 31 August 2020; and
 - iv. a Progress Report no later than 31 October 2020.

8.3 Final Report

You must submit a Final Report to us no later than 31 January 2021.

9. Records

9.1 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) of the following information:
 - i. the total amount of your HAFL allocation that has been spent;
 - ii. what your HAFL Funding allocation has been used for;

- iii. the NSNs of each learner you have supported using HAFL Funding, including the amount of support they have received, when they received this support, and information on ethnicity, gender, and disability status;
- iv. any significant amendments to your HFS.

9.2 You must retain all records of your use of HAFL Funding for a minimum of seven years.

10. Repayment of Hardship Fund for Learners Funding

10.1 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.

10.2 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.

11. 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.

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) “Final Report” means a report, in the manner and form prescribed by us that includes information to be advised by us;
- (b) “Progress Report” means a report, in the manner and form prescribed by us, that includes the following information:
 - i. the total amount of your HAFL allocation that has been spent to date;
 - ii. a summary of what your HAFL Funding allocation has been used for;
 - iii. the NSNs of each learner you have supported using HAFL Funding, including information on ethnicity, gender, and disability status;
 - iv. the time period for which the support is or has been provided; and
 - v. if you have already submitted your HFS, whether there have been any significant amendments to your HFS.
- (c) “Relevant Fund(s)” means the Fund(s) listed in Condition 1.1(a)(i) to (vi) under which you are receiving Funding.