

# TERMS & CONDITIONS



This document sets out the standard process and terms of business on which Lonsdale Education Limited (LEC) provides Competency Assessment Programme (CAP) services to a Candidate.

## 1. Lonsdale Education Centre (LEC) Competence Assessment Programme (CAP) Process

The LEC CAP course is a self-directed online course delivered via a Learning Management System (LMS). It is made up of 2 parts.

Part 1 New Zealand  
Specific Nursing Theory (NZSNT)

Part 2 New Zealand  
Nursing Practice (NZNP)

Candidates have a total of 6 months to complete all LEC requirements of the CAP from the date they purchase Part 1.

## 2. Fees

LEC CAP is provided in two components as described above. Each part attracts a separate fee as described on our website: [www.lec.ac.nz](http://www.lec.ac.nz)

LEC fees may vary and are subject to change.

## 3. Pre-Enrolment and Acceptance onto the Course

The Applicant must complete the online application form on LEC's website and upload all relevant documents as outlined. Should any documents not be correctly attached, incomplete or illegible, the administration team will seek additional information from the Applicant.

Applicants should not apply until they have a letter stating they are required to complete a CAP course issued by the Nursing Council of New Zealand (NCNZ) which will include their unique NCNZ number.

The outcome of the application will be notified via email to the Applicant within 14 business days.

Should the Applicant be successful they will receive a link to enter Part 1 - (NZSNT).

The link will allow the Applicant to purchase the suite of modules contained in part 1 and start their course online. Part 1 can be completed before the Candidate arrives in New Zealand at a time that suits them.

At this point, the Applicant is now referred to as a Candidate.

## 4. Part 1 - New Zealand Specific Nursing Theory (NZSNT)

From the date of the first payment, the Candidate will have six months to complete the entire CAP course (part 1 and part 2) with LEC.

The NZSNT module is presented in the order of the NCNZ Domains as they are organised in the competence assessment form provided to the NCNZ. It is self-directed adult learning, and includes reading, listening, videos, interactive modules and case studies to help Candidates learn and understand nursing in the New Zealand context.

At the end of the part 1 modules, Candidates must complete 2 multiple choice question exams (MCQs) these are:



**One:** *Medication Calculation and Administration*

**Two:** *Nursing Theory*

Should the Candidate have not completed the above within six weeks of their payment, LEC will send a reminder email to them.

After NZSNT modules and MCQ exams are successfully completed, the Candidate will receive confirmation of this via email. At this point they will have met the first criteria of the programme.

Candidates are allowed one attempt and one re-sit of each MCQ Exam with their purchase of each NZSNT course. A candidate can re-purchase the NZSNT multiple times should they fail. Each fee paid has one attempt and one re-sit allowed.

## **5. Part 2 - New Zealand Nursing Practice (NZNP)**

On the successful completion of part 1, Candidates will be provided with a link to purchase part 2 (NZNP). Once payment has been received, they have access to the NZNP modules to allow them time to prepare for their Clinical Placement and Observed Structured Clinical Examination (OSCE) before they arrive in New Zealand.

### **5.1. Arrival in New Zealand**

**The Candidate will be advised by LEC when their clinical placement will start in New Zealand.**

The time frame between the Candidate purchasing part 2 (NZNP) and receiving a clinical placement start date from LEC is typically 2-3 months however this is dependent on demand at the time.

Once you have received a Clinical Placement start date Candidates should arrange their own travel requirements and Visa.

Once you have received your Visa and booked flights, the Candidate agrees to advise LEC administration immediately of their impending arrival date. The candidate is required to give at least **4 weeks' notice** of their arrival date to ensure LEC has sufficient time to re-confirm Clinical Placement dates.

The Candidate agrees they will allow a timeframe of at least 2 days' between arriving in New Zealand and starting clinical placement to allow them to recover from jetlag, establish themselves in accommodation and familiarise themselves with the local area.

The Candidate also agrees that arranging accommodation for themselves and/or their family is their sole responsibility and LEC cannot accommodate requests for accommodation assistance for clinical placements that are not based in Foxton, New Zealand.

The Candidate agrees that if they arrive in New Zealand in advance of receiving a Clinical Placement Start date that LEC cannot bring their clinical placement start date forward.

### **5.2. Clinical Placement**

Clinical placement is up to 4 weeks' long. The Candidate's clinical placement is assigned to them after consideration of their experience, existing employment, Candidate preferences and available clinical placement spaces.

The Candidate agrees that LEC reserve the right to make a final decision on where a Candidate will be assigned on clinical placement. No adjustments to the terms of the clinical placement (e.g., number of days working or shift pattern) are acceptable without the express permission of LEC Management.

### **5.2.1. Sickness while on clinical placement**

If a candidate is sick, they must tell their clinical placement first then contact their tutor immediately (during normal business hours). Candidates may need to make up the time so this might extend their placement and is negotiated based on performance and meeting the goals and expectations of the clinical placement.

### **5.2.2 Failure to thrive on Clinical Placement**

When a Candidate starts clinical placement, they will be under the guidance and assessment of a nominated LEC tutor and a preceptor (based at their clinical placement).

The preceptor will liaise with the LEC Tutor regularly to advise how the Candidate is performing. If the preceptor has concerns around the practice, participation, or communication of the Candidate, they will advise the LEC Tutor. In this case, the LEC tutor will work with the Candidate closely to develop an individual learning plan to address and remedy any concerns.

LEC tutors will endeavour to use this individual learning plan and regular support to guide the candidate to become successful in their clinical placement and demonstrate they are safe and competent to practice as a Registered or Enrolled Nurse in New Zealand. If a learning plan has been implemented, an OSCE may be conducted (see section 5.3). This decision will be made with the Candidate's tutor in conjunction with the recommendation of senior LEC tutors.

### **5.2.3 If an OSCE is required to further support assessment of the Candidate's level of competency and safety to practice**

The Candidate gets two attempts to successfully pass the OSCE marking criteria. Should they not meet the criteria the, LEC Management along with the Candidate's tutor, decide on the outcome of their CAP. If a candidate fails to meet the standards set by LEC, then the Candidate's course can be terminated if they are deemed not safe and competent to practice.

At this point LEC sends documents to the NCNZ, to advise that the Candidate did not meet the standard and did not pass their CAP with LEC. NCNZ then reviews the documents provided by LEC and makes the final decision on the CAP candidates registration.

It is at NCNZ discretion as to whether a failed candidate is offered a chance to complete a different CAP with another provider.

## **5.3. OSCE Testing**

OSCE testing may be required to be completed in the 3rd or 4th week of a Candidate's clinical placement and is conducted in a method to suit the candidate as set out below:

- Completed virtually via MS Teams or Zoom; or
- Face to Face at your clinical placement and/or in our testing centre at 10 Dawick Street, Foxton Beach 4815, New Zealand.

Planning and booking of the OSCE is done in agreement with your LEC Tutor to suit shift patterns while a Candidate is on clinical placement.

### **5.3.1 OSCE and CAP Failure**

Should a Candidate fail to demonstrate competence on their first OSCE attempt they will be allowed to book one resit. If a Candidate fails to demonstrate competence on their second OSCE attempt, LEC Management will review the OSCE assessment data in conjunction with

clinical placement evidence and make a decision on the Candidates safety to practice as a Registered Nurse in New Zealand. In some circumstances an offer is made for the candidate to travel to Foxton for further clinical testing. Candidates will be fully liable for any travel costs relating to travel to attend the Foxton testing centre.

If, on review, LEC Management is unable to see that a Candidate has not demonstrated that they are safe and competent to practice and cannot meet the standards set out by the New Zealand Nursing Council , the Candidate's programme with LEC will cease and no refund will be given (Please refer to section 12 Withdrawals and Refunds). Candidates who do not meet LEC's OSCE criteria will be referred to NCNZ as not safe and competent to practice. If a Candidate wishes, they may apply for a review of this decision. This request must be made in writing no later than 1 week after being advised that they have failed to meet OSCE criteria (please complete the LEC CAP OSCE Appeal Form). LEC Management will then review all the circumstances surrounding the failure and an alternative outcome may be offered, however this will not include a refund and may incur reasonable additional costs.

Should, for any reason, the Candidate did not attend their OSCE testing as planned, LEC will engage in reasonable efforts to reschedule or work with the Candidate to meet a mutually agreed time.

If a Candidate is deemed by LEC as not safe and competent to practice and is referred to NCNZ as such, LEC will endeavour to assist the candidate in the following ways:

- Liaise with the Candidate and their representative or Agent to discuss LEC's decision in depth, its implications, and the next steps.
- Provide the Candidate with LEC CAP OSCE Appeal form and Complaints Policy and Form.
- If appropriate we will endeavour to assist the Candidate in accessing accommodation if needed while awaiting NCNZ's decision (Note: LEC will not be liable for any accommodation costs incurred).
- Connect the Candidate with relevant support agencies if required including mental health support agencies, Migrant Support etc...

Please note that LEC will not be liable for any costs incurred in relation to a candidate being deemed not safe and competent to practice.

### **5.3.2 Successful Completion of OSCE and CAP**

Should the Candidate successfully demonstrate that they meet the New Zealand nursing standards during their OSCE and clinical placement they will complete any remaining time at their clinical placement and then be referred to NCNZ as safe and competent to practice.

## **6. Health and Safety**

All Candidates agree to read and adhere to LEC's Health and Safety guidelines and policies which will be provided to the Candidate electronically upon purchasing part 2 (NZNP) prior to attending their clinical placement.

Candidates also agree to read and adhere to their relevant clinical placement providers Health and Safety guidelines and policies, which will be provided to them by their clinical placement provider at the beginning of their clinical placement.

## **7. Complaints and Appeal Process**

Should the Candidate, at any point of their CAP, feel the need to appeal a decision or make a formal complaint, they are welcome to and should review LECs policies which are provided to Candidates upon enrolment.

- LEC CAP Rules and Information
- LEC CAP Consents and Agreements
- LEC CAP OSCE Appeal Form
- LEC CAP Complaints Policy and Form.

## **8. Privacy Act and Confidentiality**

### **8.1 Candidates Personal Information**

A Candidate's personal information is protected by the Privacy Act 2000 under New Zealand Law.

Any information collected and held by LEC will be used to register and enrol Candidates, to assist them with their studies, to monitor their welfare and progress, and to keep in touch with them in the future.

Information collected about a Candidate's enrolment details, attendance, progress, and welfare may be appropriately disclosed to their named emergency contact or Nursing Council New Zealand (NCNZ). Please refer to LEC's Privacy Policy which is provided to Candidates upon enrolment.

### **8.2 Patient Privacy, Confidentiality and Consent**

LEC places high importance on maintaining patient confidentiality and protecting the privacy of individuals.

CAP Candidates and LEC staff who have access to a range of confidential information pertaining to patients should be familiar with and understand the relevant requirements of maintaining confidentiality. A Confidentiality and Privacy agreement is to be signed by LEC staff at time of enrolment and CAP candidates sign a further document prior to the commencement of their clinical placement to ensure they understand their obligations and agree to comply with relevant legislation. Copies are kept securely on file in LECs electronic cloud-based system.

CAP candidates must gain informed consent from all patients they are caring for in their clinical placements. Under the Health and Disability Service Patient Code of Rights, all patients have the right to refuse care or service. This includes the right to refuse a Candidate caring for them while they are in clinical placement. LEC will expect that the Candidate's clinical preceptor will help them navigate this appropriately and with sensitivity to avoid issues for the patient and/or CAP candidate.

## **9. Disciplinary Procedures**

The Candidate agrees that if they do not comply with LEC's rules and/or New Zealand Law, LEC reserves the right to suspend or dis-enrol the candidate. Candidates will normally be given one verbal warning and one written warning to attempt to remedy the problem prior to disenrollment. In any case where a candidate is in breach of New Zealand Law, and/or safe working practice their disenrollment is immediate. No refund of fees will be due as per Section 12 "Withdrawals and Refunds".

## 10. Liability

LEC will take every care to ensure the candidates well-being, however LEC will not be liable for any loss, damage or injury or illness incurred by a Candidate while attending LEC, clinical placement, or social activities.

The Candidate agrees to have sufficient financial means in place to live and thrive in New Zealand in accordance with their Visa requirements.

If a Candidate has a particular health need such as pregnancy or long-term disease management, it is worth considering if relocating their life to New Zealand is appropriate. If a Candidate needs specialist medical or social services, they will not be Government funded until they are a permanent resident or citizen of New Zealand and will have to cover these costs themselves.

LEC acknowledges the content of The Education (Pastoral Care of Tertiary and International learners) Code of Practice 2021, and although not a signatory nor legally liable to work within it, LEC does work within the spirit of the document as much as is reasonably possible.

### 10.1 LEC's Expectations of Candidates:

Before embarking on your CAP journey with LEC, it is crucial to understand that LEC's primary objective is not to teach you how to become a Registered or Enrolled Nurse in NZ but to assess your safety and competence to practice as one. To ensure success, candidates are strongly advised to:

- Practice English speaking, reading, listening, and writing regularly before the CAP.
- Thoroughly review, read, and revise all CAP materials provided by LEC.
- Be familiar with NCNZ's Domain Competencies for a Registered or Enrolled Nurse in New Zealand.
- Practice and review basic nursing skills (fundamentals of nursing).

During your CAP, LEC expects candidates to behave professionally and take responsibility for their own success. This includes:

- Act professionally at all times in line with NCNZ's Domain Competencies for a Registered or Enrolled Nurse in New Zealand.
- Arrive on time for classes or clinical placements.
- Ensure adequate sleep and proper nutrition for peak performance and have a high standard of personal hygiene.
- Pay attention, ask questions to tutor and preceptors, and seek clarification when needed.
- Review and complete documentation daily to meet deadlines.
- Immediately raise any concerns with tutors or preceptors.

## 10.2 Plagiarism, Cheating and the use of Artificial Intelligence (AI)

The Candidate agrees to complete all of their coursework themselves and not to have others complete this work on their behalf. This includes;

- Completion of Part 1 NZSNT and the two associated MQC Exams;
- Coursework, essays and assignments required during Part 2 NZNP;
- Completion of Domain Documentation during Part 2 NZNP; and
- Using AI to complete any coursework, essays, assignments or exams.

LEC will not tolerate any form of plagiarism, cheating or use of AI by a Candidate. If a candidate has been found to have acted dishonestly in this respect, an investigation will be completed by LEC Management which may result in dis-enrolment.

## 10.3 No responsibility if Candidate does not Demonstrate they are Safe and Competent to Practice

The Candidate acknowledges that LEC assumes no responsibility for ensuring that the Candidate demonstrates safety and competence. A Learning Plan with individualised goals will be developed for candidates struggling to thrive. It is the candidate's responsibility to follow the advice and plan to demonstrate competence (see Section 5.2.2).

## 11. Medical, Accident and Travel Insurance

The Candidate agrees that they are responsible for arranging their own current Travel, Personal Effects (Contents) and Medical/Accident Insurance prior to arriving in New Zealand.

If a Candidate receives medical treatment whilst in New Zealand, they will be liable for the full cost of the health treatment that they require, therefore it is strongly advised to have comprehensive Insurance in place prior to the Candidate arriving in New Zealand.

## 12. Withdrawals and Refunds

LEC's Refund Policy is based on a Candidate's "Path of Study". The definition of Path of Study (for International Students) is: The length of the programme as detailed in the "Statement of Fees" and accepted by payment and enrolment. Jo currently going through the Education and Training Act 2020 as this was amended Dec 23. Need to check that what we are stating below meets the Act even though we only have to work in the "spirit of the Act".

The formula for calculating a refund is as follows:

Consideration for refund for Part 1 (NZSNT)	Refund amount (tuition fees)	Documents to be submitted
12.1 Candidate withdrawing within the first 10 calendar days of gaining access to Part 1 NZSNT online learning	Full refund of Part 1 (NZSNT) fees less a 10% admin fee	Completed Withdrawal via the Enrolment Amendment Form and written request to withdraw (email or letter to admin@lec.ac.nz).
12.2 Candidate withdrawing after 10 calendar days of gaining access to Part 1 NZSNT online learning	No refund.	

Candidate reasons for a refund Part 2 (NZNP)	Refund amount (tuition fees)	Documents to be submitted
12.3 Candidate withdrawing within the first 10 calendar days of gaining access to Part 2 NZNP	Full refund of Part 2 (NZNP) fees less 10% admin fee	Completed Withdrawal via the Enrolment Amendment Form and written request to withdraw (email or letter to admin@lec.ac.nz).
12.4 Candidate withdrawing after 10 calendar days of gaining access to Part 2 NZNP	No refund.	
12.5 Candidate's Visa is not granted or approved by Immigration New Zealand prior to arrival in New Zealand to complete Part 2.	Full refund of Part 2 (NZNP) fees less 10% admin fee	Completed Withdrawal via the Enrolment Amendment Form and written request to withdraw (email or letter to admin@lec.ac.nz). Also official notification from Immigration NZ indicating the Visa application has been declined.
12.6 Candidate's Visa is declined by Immigration NZ (usually on the grounds of being a non-bona fide applicant).	80% of tuition fees paid (20% tuition fees will be deducted) less 10% admin fee OR Refund will be pro-rated based on last attendance date and what stage of the programme the candidate is in either NZSNT or NZNP less 10% admin fee.	Completed Withdrawal via the Enrolment Amendment Form and written request to withdraw (email or letter to admin@lec.ac.nz). Also official notification from Immigration NZ indicating the Visa application has been declined.



Candidate reasons for a refund (other)	Refund amount (tuition fees)	Documents to be submitted
12.7 Compassionate consideration (only considered when withdrawal circumstances are beyond student's control and meet the requirements of the Consideration of Fees & Charges Refund including Compassionate Consideration Policy).	Pro-rata basis if approved.	Documentation supporting your application for a refund and Compassionate Consideration application form.
12.8 Candidate has failed to demonstrate they are safe and competent to practice against the NZNC standards as a NZRN or EN following their clinical placement and OSCE attempts.	No Refund	A termination of enrolment letter will be issued to Candidate.  Candidate will be referred to NCNZ as NOT safe and competent to practice by LEC.
12.9 Cancellation of Enrolment by LEC due to Candidate not meeting the required standard.	No Refund	A termination of enrolment letter will be issued to Candidate.

Should a refund be agreed to, a 10% administration charge (of the fee paid) and reasonable bank fees will be deducted by LEC. The funds will be returned to the Candidates nominated bank account or directly returned through the stripe payment portal. Should a bank transfer be necessary it is the responsibility of the Candidate to provide the appropriate banking information for this transfer to be completed. LEC will return funds in NZD or USD equivalent at the time of the refund. LEC is not responsible for any fluctuations in the daily exchange rate nor fees applied by the receiving bank.

If a Candidate is not satisfied with a refund application decision they may appeal it. Please refer to Section 7 "Complaints and Appeal Process" and complete the required documentation with as much detail as possible and include supporting written evidence. LEC Management will review all of the relevant information and advise the Candidate of their decision within 20 working days of the appeal application date.