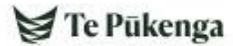


# Te Pūkenga Council 1 November 2023 ordinary meeting



Venue: MIT Otara Campus

01 November 2023 09:30 AM - 04:30 PM

Agenda Topic	Presenter	Time	Page
<a href="#">Karakia timatanga</a>	Murray Strong		4
Open Agenda			
1. Welcome/apologies/notices	Murray Strong		
2. Administration (open)	Murray Strong	09:30 AM-09:35 AM	5
2.1 <a href="#">Council membership, calendar and schedule of committees</a>			5
2.2 <a href="#">Register of interests</a>			6
2.3 <a href="#">Minutes (draft) of the meeting held 4 October 2023 (ordinary meeting)</a>			9
Recommendation: That the Council approve the minutes of Te Pūkenga Council open meeting held on 4 October 2023 as a true and correct record.			
2.4 Ngā mahi hei   Actions (open)			
There are no open actions			
3. <a href="#">Chief Executive's report</a>	Peter Winder	09:35 AM-09:40 AM	15
4. Risk and compliance		09:40 AM-09:45 AM	20
4.1 <a href="#">Council Code of Conduct review</a>	Rebecca Donne		20
Recommendation: That Te Pūkenga Council:			
a. Receive the report titled 'Council Code of Conduct review'; and			
b. Approve the updated Council, Committees of Council and Advisory Committees Code of Conduct.			
5. Reports from and relating to Committees			38
5.1 <a href="#">Report from open portion of Te Poari Akoranga held 25 October 2023</a>	Megan Gibbons	09:45 AM-09:50 AM	38
Recommendation: That Te Pūkenga Council:			
a. Receive the report titled 'October 2023 Te Poari Akoranga hui open session'; and			
b. Note that Te Poari Akoranga approved the Ākonga Rights and Responsibilities framework.			

5.2	<a href="#">Report from open portion of Finance and Capital Investment Committee held 25 October 2023</a>	Jeremy Morley	09:50 AM-09:55 AM	40
	Recommendation: That Te Pūkenga Council receive the verbal and written update from the open portion of the Finance and Capital Investment Committee meeting held on 25 October 2023 at MITO in Wellington.			
6.	Correspondence			
6.1	Nil			
7.	He take atu anō   Any other business (open)			
8.	<a href="#">Resolution to exclude the public</a>			41
Break			09:55 AM-10:15 AM	
Closed agenda				
9.	Administration (closed)	Murray Strong	10:15 AM-10:20 AM	
9.1	Minutes of the closed portion of the meeting held 4 October 2023			
	Recommendation: That the Council approve the minutes of Te Pūkenga Council closed meeting held on 4 October 2023 as a true and correct record.			
9.2	Minutes of the confidential e-meeting held 26-27 October 2023			
	Recommendation: That the Council approve the minutes of Te Pūkenga Council confidential e-meeting held on 26-27 October 2023 as a true and correct record.			
9.3	Ngā mahi hei   Actions (confidential)			
10.	Monthly reports			45
10.1	<a href="#">Chief Executive's report</a>	Peter Winder	10:20 AM-11:05 AM	45
10.2	<a href="#">Wellbeing and Safety monthly report</a>	Keri-Anne Tane	11:05 AM-11:20 AM	72
10.3	<a href="#">Operational risks</a>	Gus Gilmore	11:20 AM-11:30 AM	78
11.	Financial reports			79
11.1	<a href="#">Report from closed portion of Finance and Capital Investment Committee held 25 October 2023</a>	Jeremy Morley	11:30 AM-11:50 AM	79
11.2	<a href="#">Otago Polytechnic Auckland International Campus</a>	Gus Gilmore	11:50 AM-12:05 PM	84
11.3	<a href="#">2024 budget for approval</a>	Michelle Teirney	12:05 PM-12:20 PM	91
Lunch			12:20 PM-12:50 PM	

12.	Strategy			
	12.1	Quarterly report Q3 2023 For noting	Clarke Raymond	12:50 PM-12:55 PM
13.	Reports from Committees			
	13.1	Report from Health Safety and Wellbeing Committee held 18 October 2023	Sam Huggard	12:55 PM-01:00 PM
	13.2	Report from closed portion of Te Poari Akoranga held 25 October 2023	Megan Gibbons	01:00 PM-01:05 PM
	13.3	Report from Kaimahi Advisory Committee held 26 October 2023	Heath Sawyer	01:05 PM-01:10 PM
	13.4	Report from Komiti Maori held 27 October 2023	Teorongonui Keelan	01:10 PM-01:15 PM
14.	Inwards correspondence (confidential)			01:15 PM-01:20 PM
	14.1	<a href="#">Concessionary loan agreement between The Crown and Te Pūkenga</a>		138
	Recommendation: That Te Pūkenga Council note the email from Treasury dated 12 October 2023 and the Concessionary Loan Agreement appended to the email.			
15.	Outwards correspondence (confidential)			139
	15.1	<a href="#">20 October 2023 letter to Tertiary Education Commission re Ministerial appointments falling due in 2024</a>		139
	Recommendation: That Te Pūkenga Council note the letter dated 20 October 2023 from the Chair of Council to the Principal Advisor - Governance at the TEC regarding Ministerial appointments falling due in 2024.			
16.	He take atu anō   Any other business (confidential)			
	<a href="#">Karakia whakakapi</a>		Sue McCormack	143

Following the meeting, Council members will split into smaller groups to attend a wellbeing observation site visit at one of the South Auckland sites.

Next meeting date: Wednesday 6 December 2023

# Karakia timatanga

Tēnā tātou here are some useful phrases you can use to introduce opening karakia next time you are asked to lead it.

**Māku e huaki te wānanga nei.**

I'll open our shared space.

**Kia huakina te wānanga nei ki te karakia.**

May our shared space be opened with karakia.

**Kāti anō kia karakia e manawa ora ai te wānanga nei.**

It's only fitting that we begin with karakia so we may strengthen our shared space together.

## Karakia tīmatanga Opening incantation

**Whakarongo rā e Rongo**

**ki Te Pūkenga**

**te manawa nei**

**ki te rongo taketake,**

**te whiwhia, te rawea**

**te whiwhi-ā-nuku**

**whiwhi-ā-rangi**

**i takea mai i te kāhui o ngā ariki.**

**kia tūturu ka whakamau ai kia**

**tina,**

**Tīna! (everybody)**

**Hui e?**

**Tāiki e!**

Listen o Rongo  
to Te Pūkenga  
offering gratitude  
for the peace and harmony  
that allows us to enjoy  
he gifts of the earth  
and the heavens  
bequests of a higher order.  
And bind it firmly,  
firmly!  
Do we all concur?  
We concur!

When someone has led karakia to open a hui, it is seen as respectful for someone else to then thank them for carrying out that duty. Here are some mihi to the kaikarakia you can try next time.

**Tēnā koe i tō karakia mai.**

Thank you for delivering karakia.

**Ka nui te mihi o te manawa ki a koe, i tō karakia mai.**

With heartfelt gratitude, thank you for delivering karakia.

**Kia waiho mā ēnei kupu e kawē atu te whakamiha ki a koe, i tō karakia mai. Nāu oti, e manawa ora nei te wānanga.**

May these words convey my sincerest appreciation to you for delivering karakia. Because of you, our shared space is now strengthened.



## Te Pūkenga Council member terms

Member	Start date	Current term ends	Appointed by
Murray Strong (Chair)	1 April 2020	31 March 2024	Minister of Education
Dr Teorongonui Josie Keelan	2 November 2021	31 December 2023	Komiti Māori nomination
Kim Ngārimu	1 April 2020	31 March 2024	Minister of Education
John Brockies	18 June 2020	31 March 2024	Minister of Education
Heath Sawyer	4 October 2021	The earlier of either: i. the election of the Kaimahi Advisory Committee, due to take place in March/April 2024; or ii. 31 May 2024.	Interim Staff Committee nomination
Jordan Gush	4 October 2021	The earlier of either: i. the election of the Learner Advisory Committee, due to take place in March/April 2024; or ii. 31 May 2024.	Interim Learner Committee nomination
Tagaloatele Peggy Fairbairn-Dunlop	1 April 2021	31 March 2025	Minister of Education
Jeremy Morley	1 September 2022	31 August 2025	Minister of Education
Sam Huggard	1 April 2020	31 March 2026	Minister of Education
Sue McCormack (Deputy Chair)	1 April 2023	31 March 2027	Minister of Education
Bill Moran	1 April 2023	31 March 2027	Minister of Education



# Te Pūkenga Council Register of Interests

**As at 18 October 2023**

Name	Interest	Nature of Interest
<b>Murray Strong</b> Chair	Centre of Digital Excellence of NZ Ltd	Chairman
	Southern Digital Transformation Programme – Te Whatu Ora	Chairman
	Destination Southern Lakes	Independent Chairman
	Digital Interactive Health/MedTech iQ - Dunedin	Independent Chairman
<b>Sue McCormack</b> Deputy Chair	Kiwirail	Deputy Chair
	Canterbury Earthquakes Insurance Tribunal	Judicial Officer
	University of Canterbury	Past Chancellor
	Dress for Success	Honorary solicitor
<b>Heath Sawyer</b> Member	Te Pūkenga staff member	Employee
<b>Jordan Gush</b> Member	Peseta Sam Lotu-liga, Executive Director Ako Delivery Te Pūkenga	Uncle
	Plumbers and Gasfitters Board	Mother is a member
<b>Teorongonui Josie Keelan</b> Member	Te Pūkenga: Unitec	Supervisor
<b>Kim Ngārimu</b> Member	Medical Council of New Zealand	Council member
	Waitangi Tribunal	Member
	Te Māngai Pāhō Māori Broadcasting Funding Agency	Board member
	NTK Limited and Tāua Ltd	Director and shareholder

	Herewini Te Koha, Previous CE of Te Rūnanganui o Ngāti Porou, signatory to regional submissions on RoVE	Ex-Husband
	Evolution Healthcare	Director
	Ministry of Health and Waka Kotahi (consulting contracts with Tāua Ltd)	Consultant
	Nursing Council	Governance Advisor
	Te Aka Whai Ora Māori Health Authority	Deputy Chair
<b>John Brockies</b> Member	Resolve Group Ltd	Director
	Walworth Ltd	Director
<b>Tagaloatele Dr Peggy Fairbairn-Dunlop</b> Member	UNESCO	Social Science Commissioner
	Vinepa Trust	Patron, Board Member
	Pacific Talk about Education and Learning PLD Pilot	Member of Consulting Team
<b>Jeremy Morley</b> Member	Wellington Free Ambulance	Contractor
	Te Kupenga – Catholic Leadership Institute (A registered PTE)	Contractor
	Racing New Zealand	Director
	Warwick Trust	Settlor, Trustee, and Beneficiary
	YW/Petone Hockey Club Inc	Treasurer
	Wellington Over 60s Cricket	Treasurer
	Wellington Bridge Club Inc	Honorary Auditor
	Caritas NZ Inc	Financial and Commercial Advisor
<b>Sam Huggard</b> Member	350 Aotearoa Charitable Trust	Trustee
	Ministerial Strategic Advisory Group on Trade	Member

<b>Bill Moran</b> Member	New Zealand Educational Institute Te Riu Roa	Employee
	High Performance Sport New Zealand	Director
	WorkSafe NZ	Deputy Chair
	Southern Generation LP	Chair
	Pioneer Energy	Director
	Chamber Music at the World's Edge Trust USA	Chair
	Youthtown Inc	Trustee
	Youthtown Foundation	Trustee
	Parliamentary Education Trust	Trustee
	New Zealand Symphony Orchestra Foundation	Trustee
	Iti Kōpara Charitable Trust	Trustee
Hoops and Life Awhi Trust	Trustee	



## **Minutes for Te Pūkenga Council 4 October 2023 ordinary meeting**

04/10/2023 | 08:30 AM - Auckland, Wellington New Zealand Standard Time

### **Attendees (10)**

John Brockies; Jeremy Morley; Tagaloatele Peggy Fairbairn-Dunlop; Jordan Gush; Teorongonui Josie Keelan; Heath Sawyer; William Moran; Sue McCormack; Kim Ngarimu; Sam Huggard

In attendance: Peter Winder (Chief Executive), Rebecca Donne (Council Secretary - minutes), ELT (as required), Deborah Young (Te Poari Akoranga member and Co-Chair Te Ohu Whakahaere Quality, item 4.1 and 11.3), Clarke Raymond (Director Strategy and Information, item 12.1), Patrick Jones (Kaikōkiri Director Portfolio and Performance, item 12.3)

### **Karakia timatanga**

John Brockies delivered the karakia timatanga and the meeting was opened at 8.37am.

### **Open Agenda**

#### **1. Welcome/apologies/notices**

Te Pūkenga Council noted apologies until 9am from Bill Moran, and for the whole meeting from Murray Strong. Sue McCormack will chair the meeting.

#### **2. Administration (open)**

##### **2.1 Council membership, calendar and schedule of committees**

Council noted the schedule of meetings for the remainder of the year and for 2024.

##### **2.2 Register of interests**

The Deputy Chair reminded members to declare any agenda items where a conflict arises between their role as a Te Pūkenga Council member and any private or other external interest they may have and stand aside from decision making in respect of that item.

##### **2.3 Minutes (draft) of the meeting held 6 September 2023 (ordinary meeting)**

There were no matters arising from the open minutes.

**RESOLVED** (J. Gush)

*That the Council approve the minutes of Te Pūkenga Council open meeting held on 6 September 2023 as a true and correct record.*

**CARRIED**

## **2.4 Ngā mahi hei | Actions (open)**

There were no actions on the open agenda.

## **3. Chief Executive's report**

**RESOLVED** (J. Gush)

*That Te Pūkenga Council*

- 1. Receive the report titled 'Chief Executive's Report to Council – Open Session'; and*
- 2. Note the update on current issues, key achievements and highlights arising during the reporting period.*

**CARRIED**

## **4. Reports from and relating to Committees**

### **4.1 Report from open portion of Te Poari Akoranga held 27 September 2023**

Deborah Young, a member of Te Poari Akoranga and Co-Chair of Te Ohu Whakahaere Quality presented a report from the open portion of Te Poari Akoranga held 27 September 2023. The Council enquired whether Te Pūkenga is ready to approve the Akonga Rights and Responsibilities without our management structure in place. Te Poari Akoranga didn't feel that kaimahi had been adequately consulted on this yet so have asked for this to occur before it is approved, as there are lots of responsibilities on kaimahi.

**RESOLVED** (J. Gush)

*That Te Pūkenga Council*

- 1. Receive the report titled 'September 2023 Te Poari Akoranga hui summary for Council';*
- 2. Note that Te Poari Akoranga approved the following Type 1 changes to Level 4 programmes*
  - :i) New Zealand Certificate in Adult and Tertiary Teaching - to extend the range of delivery weeks/hours to allow for the part time delivery undertaken by Learning Works*
  - ii) New Zealand Certificate in Hairdressing (Professional Stylist) Level 4 - add the following two delivery sites - 6008 Te Pūkenga TA Wellington Institute of Technology and 6014 Te Pūkenga TA Whitireia Community College*

- iii) *New Zealand Certificate in Business (Administration and Technology) (Level 4) - to add the following two delivery sites omitted from the delivery sites listed in the original application - 6006 Te Pūkenga TA ARA Institute of Canterbury and 6022 Te Pūkenga TA Open Polytechnic of New Zealand*
  - iv) *New Zealand Certificate in Apiculture (Level 4) and New Zealand Certificate in Apiculture (Queen Bee Rearing) (Level 4) - to add the following delivery site - 6015 Te Pūkenga TA Southern Institute of Technology;*
3. *Note that Te Poari Akoranga approved the reporting template for regional academic committees; and*
  4. *Note that Te Poari Akoranga approved the terms of reference for Te Ohu Whakahaere Rangahau, Research and Postgraduate.*

**CARRIED**

#### **4.2 Report from open portion of Finance and Capital Investment Committee held 27 September 2023**

The Chair of the Finance and Capital Investment Committee provided an overview of the open portion of the meeting held 27 September 2023, where the Committee reviewed the workplan for the year and added some standing items, and held a brief discussion on insurance following the Chief Financial Officer's visit to the UK, which will be expanded on further in the closed session for reasons of commercial sensitivity. He also noted a discussion which took place during the closed session, but can be noted in the open session about co-opting additional members after the general election.

**RESOLVED** (S. Huggard)

*That the Council receive the verbal and written update from the open portion of the Finance and Capital Investment Committee meeting held on 27 September 2023 by Zoom.*

**CARRIED**

#### **5. Correspondence**

The Chief Executive provided an overview of two letters sent to the Minister of Education to provide the Minister an opportunity to express an opinion on appointments made. None have been received so the appointments will proceed.

**RESOLVED** (S. Huggard)

*That the Council receive and note two letters from the Council Chair to the Minister of Education on 21 September 2023 re Notice of Appointment SRTA and Wintec Foundation.*

**CARRIED**

**6. He take atu anō | Any other business (open)**

No other business was raised.

**7. Resolution to exclude the public**

**RESOLVED** (J. Brockies)

*That the public be excluded from the remainder of the meeting. This resolution is made in reliance on section 48(1) of the Local Government Official Information and Meetings Act 1987 (LGOIMA) (noting Te Pūkenga Council is specified, in Schedule 2 of LGOIMA, as a body to which LGOIMA applies) and the particular interests protected by section 9 of the Official Information Act 1982 (OIA) which would be prejudiced by the holding of the relevant parts of the proceedings of the meeting in public. The general subject of each matter to be considered while the public is excluded and the reason for passing the resolution in relation to each matter are as per the table below.*

Item	General subject of each matter to be considered	Section(s)
8.	Administration	
8.1	Minutes of the closed portion of meeting held 2 August 2023	Section 9(2)(a) OIA Section 9(2)(b)(ii) OIA Section 9(2)(g)(ii) OIA Section 9(2)(i) OIA
8.2	Actions (confidential)	Section 9(2)(b)(ii) OIA Section 9(2)(g)(ii) OIA Section 9(2)(i) OIA
9.	Monthly reports	
9.2	Chief Executive's report	Section 9(2)(b)(ii) OIA Section 9(2)(g)(ii) OIA Section 9(2)(i) OIA
9.3	Wellbeing and Safety monthly report	Section 9(2)(b)(ii) OIA Section 9(2)(g)(ii) OIA Section 9(2)(i) OIA
10	Financials	
10.1	Update on Crown Loan	Section 9(2)(b)(ii) OIA Section 9(2)(i) OIA Section 9(2)(j) OIA

Item	General subject of each matter to be considered	Section(s)
<b>11.</b>	Reports from Committees	
<b>11.1</b>	Report from Komiti Māori held 19 September 2023	Section 9(2)(a) OIA Section 9(2)(b)(ii) OIA Section 9(2)(g)(ii) OIA Section 9(2)(i) OIA
<b>11.2</b>	Report from Interim Learner Advisory Committee held 21 September 2023	Section 9(2)(a) OIA Section 9(2)(b)(ii) OIA Section 9(2)(g)(ii) OIA Section 9(2)(i) OIA
<b>11.3</b>	Report from closed portion of Finance and Capital Investment Committee held 27 September 2023	Section 9(2)(a) OIA Section 9(2)(b)(ii) OIA Section 9(2)(g)(ii) OIA Section 9(2)(i) OIA
<b>11.4</b>	Report from Appointment and Remuneration Committee held 28 September 2023	Section 9(2)(a) OIA Section 9(2)(b)(ii) OIA Section 9(2)(g)(ii) OIA Section 9(2)(i) OIA
<b>12.</b>	Strategy	
<b>12.1</b>	Draft Tauāki Whakamaunga Atu   Statement of Intent 2024-2027 and Statement of Performance Expectations 2024	Section 9(2)(b)(ii) OIA Section 9(2)(g)(ii) OIA Section 9(2)(i) OIA
<b>12.2</b>	Draft Briefing to Incoming Minister	Section 9(2)(b)(ii) OIA Section 9(2)(g)(ii) OIA Section 9(2)(i) OIA
<b>12.3</b>	Mahere Haumi Investment Plan 2024 – 2026 – final version for approval	Section 9(2)(b)(ii) OIA Section 9(2)(g)(ii) OIA
<b>13.</b>	Inwards correspondence (confidential)	
<b>13.1</b>	Letter from TEC re 2024 Ministerial appointments	Section 9(2)(g)(ii) OIA
<b>14.</b>	Any other closed business (confidential)	Section 9(2)(a) OIA Section 9(2)(g)(ii) OIA Section 9(2)(h) OIA Section 9(2)(i) OIA Section 9(2)(j) OIA

**Interests**

Section	Interest
Section 9(2)(a) OIA	To protect the privacy of natural persons, including that of deceased natural persons.
Section 9(2)(b)(ii) OIA	To protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.
Section 9(2)(g)(ii) OIA	To maintain the effective conduct of public affairs through the protection of such Ministers, members of organisations, officers, and employees from improper pressure or harassment.
Section 9(2)(h) OIA	To maintain legal professional privilege.
Section 9(2)(i) OIA	To enable the organisation holding the information to carry out, without prejudice or disadvantage, commercial activities.
Section 9(2)(j) OIA	To enable the organisation to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).

*And that certain employees from Te Pūkenga be permitted to remain at the meeting, namely: Keri-Anne Tane, Michelle Teirney, Gus Gilmore, Deborah Young, Clarke Raymond, and Patrick Jones, after the public has been excluded, because of their specific knowledge in relation to the above items. This knowledge, which will be of assistance in relation to the matters above to be discussed, is relevant to those matters because they have assisted in the progression of such matters.*

**CARRIED**

The Open portion of the meeting concluded at 8.54am.

The meeting concluded at 12.24pm with karakia whakakapi delivered by Kim Ngārimu.

# Pūrongo Kaunihera a Te Pūkenga | Council Report

**1 November 2023**

<b>Title</b>	<b>Chief Executive's Report to Council – Open Session</b>
<b>Provided by</b>	Peter Winder, Tumuaki   Chief Executive
<b>For</b>	Information

## Te Taunaki | Recommendation(s)

It is recommended that Te Pūkenga Council (the Council):

a.	Receive the report titled 'Chief Executive's Report to Council – Open Session';
b.	Note the update on current issues, key achievements and highlights arising during the reporting period.

## Kōrero Whakapōpoto | Executive Summary

Following the announcement of decisions of our new operating structure to all kaimahi on 20 September 2023, we have been supporting kaimahi in the redeployment and recruitment process. The high volume of applications for the 602 new roles demonstrates the enthusiasm by kaimahi for delivering better outcomes for ākongā and employers through a single unified organisation. We have also heard from many kaimahi that they are keen to get the new structure in place and welcome the certainty it provides them.

We have work underway to complete the transition from the old division structure to the new structure. Good progress is also being made on the refinement of the Transformation Roadmap.

The country's vote for change in the recent general election has seen some kaimahi asking questions about the impact of the result and what it means for Te Pūkenga. I have advised kaimahi that we are obligated to continue to deliver on our Charter and the current letter of expectations until such time as a new government confirms any policy changes. Our priority remains high quality provision of vocational education and training for our ākongā and employers.

There has been adverse media from a small but vital industry with some plumbing employers raising concerns about accessibility of block courses for their trainees and other matters. We advised that cancelling courses is a last resort given our national network, and that there have been very few courses cancelled.

While domestic enrolments continue to be down at Te Pūkenga and across the tertiary education sector, we continue to see growth in international education. We have also attended and hosted sector conferences, commenced an employer focused advertising campaign and launched a new digital hub dedicated to ākongā wellbeing.

## **Ngā mahi matua i te wā o te pūrongo | Key activity during reporting period**

We continue to receive positive feedback from kaimahi and external stakeholders on Tāraia te anamata | Creating our futures and the decisions on the change process. We have now moved into the recruitment and redeployment phase of moving to the new organisation structure.

We are aware that some of our kaimahi may have been away from the job market for a while or are wanting to build their confidence in preparation for the recruitment process. The People, Culture and Wellbeing team has been hosting a series of online workshops for kaimahi that are specially crafted to help kaimahi prepare their applications for roles, and to assist with preparing for an interview. We also have recruitment support wānanga for kaimahi Māori and talanoa for Pacific staff that are designed to help them highlight their lived experiences from a Māori and Pacific perspective in their applications.

We received an overwhelming number of applications for the 602 new roles and have begun shortlisting and interviewing. Equity training has been provided to those hiring leaders that wanted to refresh their capability in unconscious bias and equitable recruiting to ensure a fair and equitable interview process.

During this reporting period, we also commenced Phase 2 of the consultation on the Digital group structure. The Digital team is a key enabler for Te Pūkenga particularly as we deliver new innovative approaches and benefits at scale while combining the best of our legacy organisations. We aim to provide many opportunities to engage with the digital leadership team online and in-person to share the details of the proposal and hear kaimahi views first hand. The consultation process will run for four weeks.

We have also been holding a series of workshops for business group and division leaders to ensure business continuity, which is key to delivering outcomes that minimise disruption for ākonga, employers and our kaimahi, as we transition into the new structure.

Following the general election on 14 October 2023, the final shape of the incoming Government will not be known until the special votes have been counted and the official results declared on November 3. I advised all kaimahi that as a statutory Crown Entity, we have an obligation to implement government policy as well as continue to deliver and arrange quality education and training for ākonga and employers. We can expect to know who will hold the relevant Ministerial portfolios and their policy positions once the government is formed.

In the meantime, the final draft briefing is almost complete and will be approved by the Chair, Deputy Chair and Chief Executive as delegated by Council. We intend to provide it to the Minister and meet at the earliest opportunity.

During the final weeks leading up to election day, activities held on Te Pūkenga sites, but not organised or hosted by Te Pūkenga that included politicians included:

- Hon Duncan Webb, Minister of Commerce and Consumer Affairs and member of Parliament for Christchurch Central, participated in a political panel at Ara Institute of Canterbury | Te Pūkenga as the electorate candidate of the Labour Party along with other Christchurch Central candidates.



- Green Party member of Parliament and education spokesperson, Te Anau Tuiono, cast his vote at Te Puna o Te Mātauranga marae on the Whangarei campus of NorthTec | Te Pūkenga.

There have been negative stories reported in media regarding concerns from some plumbing employers who are disgruntled with block courses for plumbing apprentices being cancelled and other matters. To date for 2023, over 445 block courses have been run across seven campuses around New Zealand. Our national network means that if tutors are unavailable, we can generally bring in tutors from elsewhere to ensure the course is not cancelled. This year, we have had to cancel 16 block courses, mainly due to Cyclone Gabrielle. We responded to media queries that 11 block courses (2.5%) have been rescheduled due to low ākongā numbers, for example where employers are unable to release employees or where learners have not progressed their learning to be ready for block course attendance.

Regional communications included:

- Te Pūkenga Regional Executive Director of rohe | region 2 (which includes Waikato, Wairariki Bay of Plenty, Te Tai Rāwhiti and Te Matau-a-Māui Hawke's Bay), Huia Haeta, wrote an opinion piece about how the opening of Pūkenga Rua, the new trades training centre in Tokoroa has exemplified the ongoing commitment to community and the importance we place on regions. The centre will enable the local community to train for essential jobs in their region. The centre will provide a wide range of learning experiences, supporting ākongā success.
- Tumu Whenua ā-rohe 4 | Executive Director region 4 (which includes Te Tai Poutini West Coast, Waitaha Canterbury, Otago Otago and Murihiku Southland), Megan Pōtiki, wrote an opinion piece about the history behind the new trades training centre, He Toki Kai Te Rika that was recently opened by Prime Minister Rt Hon Chris Hipkins. She referred to the Otago Regional Skills Leadership Group's report highlighting \$23 billion worth of major infrastructure projects in the region that will need 4,900 extra workers in the construction sector. The new trades training centre can support the demand in partnership with iwi, industry, schools, and communities.

During this reporting period, Otago Polytechnic | Te Pūkenga hosted the Neuro-ability Symposium 2023 on 12 and 13 October, with a focus on kanorau ā-roro superpowers and neuro-abilities. Te Pūkenga kaimahi also attended Tūwhitia Symposium hosted by Te Wānanga o Aotearoa in Hamilton, which brought together experts and practitioners in learner success.

Te Pūkenga has signed an agreement to provide post-moderation services for Fire and Emergency New Zealand (FENZ) until July 2024. While FENZ is New Zealand's main firefighting and emergency services body, it also delivers two programmes and over 300-unit standards in the highly specialised area of fire and rescue services. Careerforce | Te Pūkenga will lead the post-moderation services, having assessed similar programmes on behalf of the Ministry of Health.

A new, employer-focused advertising campaign has been launched. This is the first nationally led campaign focused on a particular market segment and is aimed at highlighting the role of Te Pūkenga as New Zealand's largest on-the-job training provider. The campaign supports and complements other business development activities being undertaken by the network and in part, is a response to the very active marketing presence of competitors within the sector.



Also, during the past month:

- BCITO | Te Pūkenga and Education Unlimited, a workplace training provider, joined forces to run an apprentice support programme for 15 Te Tai Tokerau apprentices. The Critical Skills Apprenticeship Programme has been designed to boost apprenticeship success and help aspiring tradies navigate the formal aspects of their mahi. The five-month programme included five workshops and additional one-on-one sessions for each apprentice. BCITO hopes to roll the programme out nationwide following the pilot.
- Careerforce | Te Pūkenga celebrated its 1,200th apprentice training in the Apprenticeship in Mental Health and Additional Support programme. These mental health apprenticeships were developed in 2017 following increasing demand for mental health professionals.
- Horticulture ākonga at Eastern Institute of Technology (EIT) | Te Pūkenga have had hands-on industry experience helping restore an orchard devastated by Cyclone Gabrielle. Three groups of ākonga completed a three-day Fruit Supports Structure course as part of the NZ Certificate in Primary Industry Operational Skills. This provided a great way for ākonga to apply what they have learned in the field.
- Also at EIT, an Edmund Hillary Fellow and Social Entrepreneur from Botswana has teamed up with the business division to help the Tairāwhiti and Wairoa communities eliminate slash and create business opportunities through a simple scientific method and co-creative design process that was adapted in Africa. The Slash for Cash Project is repurposing wood debris waste (slash) into organic biochar fertilizer and smokeless charcoal briquettes, whilst also creating employment opportunities for the local East Coast communities.
- Open Polytechnic | Te Pūkenga is providing greater access to courses for ākonga and increased flexibility to study at their own pace, by recently changing to a monthly enrolment intake for most of its business degree offerings in the Bachelor of Business, Bachelor of Applied Management, and graduate qualifications in business. The new monthly enrolment intakes offer a more learner-centric approach, placing the needs and preferences of ākonga at the centre as well as being able to provide more flexibility for employers with qualified graduates being available throughout the year.
- Primary ITO | Te Pūkenga is helping to address a skills shortage in the pork industry with its New Zealand Certificate in Pork Production Level 3. This programme has helped three ākonga in particular to grow and progress in their jobs with their employer, Waratah Farm, in South Waikato. One of the ākonga, who is a farm hand, is set to continue her career in the pork industry after having the opportunity to gain the qualification while working on the job.
- Southern Institute of Technology | Te Pūkenga has added a Master of Nursing Science degree to its roster of courses after an increased demand for nurses across the country.
- UCOL | Te Pūkenga celebrated a significant increase in course completion rates of ākonga Māori. In 2019, there was an 18 percent gap in completion rates between ākonga Māori and non-Māori which reduced to a very narrow 0.66 percent last year. UCOL put this down to its focus on providing a more welcoming, inclusive, and culturally aware learning environment, strong leadership, skilled kaimahi, and a relationship-based teaching practice called Te Atakura.



- A new gallery supporting ākonga, kaimahi and the Aotearoa art and design community has opened at Unitec | Te Pūkenga. Toi o Wairaka has been unveiled as part of the School of Creative Industries' new facilities at the Mt Albert, Auckland campus. The opening reaffirmed the business division's heritage in the arts, celebrated the depth of talent of our ākonga and kaimahi as well as showcased the new School of Creative Industries facilities.

# Pūrongo Kaunihera a Te Pūkenga | Council Report

1 November 2023

<b>Title</b>	Council Code of Conduct review
<b>Provided by</b>	Ziena Jalil, Pourangi Kaimahi   Chief of Staff
<b>Author</b>	Rebecca Donne, Council Secretary
<b>For</b>	Approval

## Te Taunaki | Recommendation(s)

It is recommended that Te Pūkenga Council:

a.	Receive the report titled 'Council Code of Conduct review'; and
b.	Approve the updated Council, Committees of Council and Advisory Committees Code of Conduct.

## Te Tāhuhu Kōrero | Background

The Council Code of Conduct (Code) was created when Te Pūkenga Council was established. On 1 June 2022, the reference to the Education and Training Act 2020 and review of expectations was updated, as well as the branding/formatting.

The Code of Conduct has recently been reviewed by Te Pūkenga Legal to extend to advisory committee members as well as Council. The new Code also reflects the new organisational structure and removes reference to Council Fees and Expenditure guidelines, and references the Expenditure Policy instead.

## Te pūtake o tēnei pūrongo | Purpose of this report

The purpose of this report is for Council to approve the updated Code of Conduct.

## Ngā Kōwhiringa me Te Tātaritanga | Options and analysis

**Option 1:** Council can approve the recommended Code.

**Option 2:** If Council does not wish to extend the Code to Committees and Advisory Committees, then the minor changes relating to organisational structure and expenditure can be approved by the Chief Executive, and a separate Code of Conduct for Advisory Committees will need to be developed.

## **Te Pae Tawhiti | Te Tiriti o Waitangi Excellence Framework**

Extending the Code to Committees and Advisory Committees ensures that any members of the Māori Advisory Committee who are co-opted onto Council Committees in future are covered by the same Code of Conduct.

## **Ōritetanga me te Angitu Ākonga | Equity Impact and Ākonga Success**

Not applicable.

## **Pānga ki Ngā Ākonga/Kaitukumahi | Employer Impact**

Not applicable.

## **Te Uiuinga Whānui | Engagement/consultation**

This has not been engaged further than Te Pūkenga Legal and Governance teams.

## **Ngā tino raru ka heipū mai | Key risks**

Extending the Council Code of Conduct to Advisory Committees mitigates the risk created by having separate codes of conduct written into the terms of reference for each advisory committee and there being different expectations of conduct. It ensures that Te Pūkenga complies with Section 325 (2) of the Education and Training Act, which requires Advisory Committees to be treated as a board established by the Council.

## **Te tirohanga taha pūtea | Financial considerations**

There is no financial impact from this decision.

## **Te Ahunga Ki Mua | Next steps**

If Council approves this Code of Conduct, it will be referenced in the Committee and Advisory Committee Terms of Reference as they are developed / reviewed.

A small change is recommended to the recently approved Māori Advisory Committee Terms of Reference to enable the Chair of Council to terminate membership if the member fails to act in accordance with the Council/Committee Code of Conduct and/or fails to act in accordance with the Terms of Reference applicable to Committee Members.

At a future stage, the Appointment and Remuneration Committee will need to consider whether Te Pūkenga Council should issue letters of expectation to wholly owned subsidiary boards to ensure that Code of Conduct for the governance of those entities is in line with the expectations in this Code of Conduct.



## **Te Hunga whai koha | Contributors**

This Code of Conduct was considered by the Executive Leadership Team on 24 October 2023.

## **Ngā Tāpiritanga | Appendices**

**Appendix 1:** Marked up changes to Code of Conduct

**Appendix 2:** Clean Council, Committees of Council and Advisory Committees Code of Conduct



# Kaupapa-here | Council, Committees of Council and Advisory Committees Code of Conduct

## Mō wai me te whānuitanga | Audience and scope

As representatives of Te Pūkenga, how Council and Committee members behave is important. Council and Committee-members must act with a spirit of service to the community and meet the same high standards of integrity and conduct in everything they do.

This policy provides a framework for the Council and Council and Committee members to carry out their roles and responsibilities to a standard consistent with good practice within public entities, and to provide a framework that “sets the tone from the top” establishes good practice governance and quality advisory services within Te Pūkenga.

Commented [JW1]: Inserted below

## Mokamoka whakaaetanga | Approval details

Version number	<u>23</u>	Issue date	<u>1 June 2022</u>
Approval authority	Te Pūkenga Council	Date of approval	<u>30 May 2022</u>
Policy sponsor (has authority to make minor amendments)	<u>Chief of Staff</u>	Policy owner	<u>Chief Executive/Chair of Council</u>
Contact person	<u>Marina Matthews</u> <u>Council Secretary, Office of the CE</u>	Date of next review	7 April <u>2023</u> <u>2025</u>

## Ngā whakatikatika | Amendment history

Version	Effective date	Created/reviewed by	Reason for review/comment
1	1 April 2020	Sinead Hart	
2	1 June 2022	Marina Mathews	Update branding/formatting. Update reference to the Education and Training Act 2020. Review of expectations.
<u>3</u>		<u>Legal</u>	<u>Update according to new Organisational Structure. Removed reference to Council Fees and Expenditure guidelines and reference back to Expenditure Policy. Policy applies to advisory committee members as well as Council.</u>



DRAFT



## Ngā Ihirangi | Table of Contents

<a href="#">Ngā whakatikatika   Amendment history .....</a>	<a href="#">1</a>
<a href="#">1. Pūtake   Purpose and Scope .....</a>	<a href="#">4</a>
<a href="#">2. Ngā Mātāpono   Principles .....</a>	<a href="#">4</a>
<a href="#">Honesty, integrity and transparency .....</a>	<a href="#">4</a>
<a href="#">Act in the best interests of Te Pūkenga .....</a>	<a href="#">5</a>
<a href="#">Act fairly and impartially .....</a>	<a href="#">5</a>
<a href="#">Use Council/Committee information and Council/Committee position appropriately .....</a>	<a href="#">5</a>
<a href="#">Exercise due care and diligence .....</a>	<a href="#">6</a>
<a href="#">Compliance with laws and policies .....</a>	<a href="#">6</a>
<a href="#">Council and Chief Executive Expectations .....</a>	<a href="#">6</a>
<a href="#">a) Chief Executive's expectations of Council .....</a>	<a href="#">6</a>
<a href="#">b) Council's expectations of Chief Executive .....</a>	<a href="#">7</a>
<a href="#">Council and Chief Executive Expectations of Committee Members .....</a>	<a href="#">7</a>
<a href="#">Termination of Committee Member Appointment .....</a>	<a href="#">8</a>



## Kaupapa-here | Council, Committees of Council and Advisory Committees Code of Conduct

Commented [JW2]: Check/Insert translations

### 1. Pūtake | Purpose and Scope

1.1. As representatives of Te Pūkenga, ~~how Council members behave~~ Council and elected/appointed Committee member behaviour is important ~~must be consistent with maintaining the trust and confidence of Te Pūkenga kaimahi, ākongā and members of the public.~~

1.2. The honesty and integrity principles within this Policy must be maintained at the highest level.

~~1.1.1.3.~~ Council/Committee members must act with a spirit of service to the community and Te Pūkenga and ensure integrity is at the core of what they do; effectively building trust and meet the same high standards of integrity and conduct in everything they do. ~~providing ethical and authentic governance, recommendations, advice, and giving effect to the purpose of Te Pūkenga and Te Pae Tawhiti | Te Tiriti o Waitangi Excellence Framework.~~

1.4. This policy provides a framework for Council and Committee members to carry out their roles and responsibilities to a standard consistent with good practice within public entities, and to provide a framework that establishes good practice governance and quality advisory services within and for Te Pūkenga.

~~This policy provides a framework for the Council and Council Committee members to carry out their roles and responsibilities to a standard consistent with good practice within public entities, and to provide a framework that “sets the tone sets good examples from the “top” and those with advisory roles within Te Pūkenga. Te Pae Tawhiti | Te Tiriti o Waitangi Excellence Framework~~

~~The Council of Te Pūkenga acknowledges that this Policy has been adopted while there is ongoing work being carried out to consider how Te Pae Tawhiti – Te Tiriti o Waitangi Excellence Framework should be fully embedded in the Policy. The Council notes that Te Pūkenga is still on its transition journey and, as it matures, this Policy and others will be reviewed to ensure they align with the new Operating Model and reflect Te Pae Tawhiti best practice.~~

### ~~3.2.~~ Ngā Mātāpono | Principles

~~3.1.2.1.~~ The principles in this policy should guide Council and Committee members’ behaviour in performing their roles.

Honesty, integrity and transparency

~~3.2.2.2.~~ Act with honesty and integrity in approaching their roles and responsibilities.

~~3.3.2.3.~~ Conduct the business of the Council and Committees with appropriate openness and transparency.



- 3.4.2.4. Undertake Council/Committee duties and responsibilities in a manner that respects other Council/Committee members, learners | ākonga and the staff | kaimahi of Te Pūkenga.
- 3.5.2.5. Ensure that actions taken in the performance of Council or Committee duties do not discredit themselves, any other Council/Committee member, Te Pūkenga or staff | kaimahi or learner | ākonga of Te Pūkenga.
- 3.6.2.6. Ensure that fees and expenses are claimed in accordance with the Cabinet Office Fees Framework and Te Pūkenga Council Fees and Expenses GuideExpenditure Policy.
- Act in the best interests of Te Pūkenga
- 3.7.2.7. Diligently prepare for, and attend, Council/Committee meetings.
- 3.8.2.8. Maintain a good level of competence and knowledge, including remaining familiar with Te Pūkenga activities and its operating environment to undertake the roles and responsibilities of a Council/Committee member.
- 3.9.2.9. Apply their knowledge, skill and experience and expertise with all reasonable care and diligence.
- 3.10.2.10. Not engage in activities which could affect their judgement or objectivity as a Council/Committee member, nor engage in any activities that could damage the integrity and reputation of Te Pūkenga, its or its Council or Committees.
- 3.11.2.11. Council Sjs to support the Chief Executive in the management and operation of Te Pūkenga in accordance with Te Pūkenga functions and charter, current statement of intent and current statement of performance expectations, and as expressed in any investment and/or strategic plan and budget.
- Act fairly and impartially
- 3.12.2.12. Observe independence and objectivity in carrying out the roles and responsibilities of the Council/Committee.
- 3.13.2.13. Avoid business connections, affiliations and personal connections that could impact negatively on involvement in Council/Committee discussions and decisions.
- 3.14.2.14. Council/Committee members must declare and manage any conflicts of interest in accordance with the Education and Training Act 2020, Te Pūkenga Conflicts of Interest Policy and the mitigation strategies determined by the Council/Committee.
- 3.15.2.15. Not be present during any deliberation, nor take part in any decision, of the Council/Committee with respect to a matter in which the Council/Committee member has an interest, unless the Council/Committee otherwise decides.
- Use Council/Committee information and Council/Committee position appropriately



~~3.16.2.16.~~ Respect the confidentiality of information received as a Council/Committee member and use it only for proper purposes.

~~3.17.2.17.~~ Decline gifts, benefits and positions that may compromise independence or create perceived obligations or bias.

~~3.18.2.18.~~ Comply with Te Pūkenga Fraud and Corruption Policy and Communication and Media Policy.

~~3.19.2.19.~~ Accept responsibility for the decisions and actions of the Council/Committee even if they are contrary to a personal view.

Exercise due care and diligence

~~3.20.2.20.~~ Work to improve the performance and efficiency of Te Pūkenga and use its resources carefully and only for intended purposes.

~~3.21.2.21.~~ Properly manage and utilise the funding available to Te Pūkenga and make decisions for the educational benefit of the people of Aotearoa New Zealand.

~~3.22.2.22.~~ Exercise due care and diligence when considering issues and making decisions by understanding the educational, financial, and strategic implications.

~~3.23.2.23.~~ Understand and enquire into the financial and other information provided to the Council/Committee.

Compliance with laws and policies

~~3.24.2.24.~~ Comply with all applicable laws, including the Education and Training Act 2020, Crown Entities Act 2004, Local Government Official Information and Meetings Act 1987 and public accountability obligations.

~~3.25.2.25.~~ Council must ensure Te Pūkenga and or Committees operates in a manner that is consistent with Te Pūkenga functions and charter, current statement of intent and current statement of performance expectations.

Council and Chief Executive Expectations

a) Chief Executive's expectations of Council

~~3.26.2.26.~~ The Council members:

- a) Demonstrate respect, trust, and openness in relationships.
- b) Set clear expectations of the Chief Executive articulated primarily through a position description and annual performance agreement.
- c) Conduct regular performance progress reviews of the Chief Executive and provide feedback against the performance agreement.
- d) Constructively challenge and "stretch" the Chief Executive and act as the "critical friend" of the Chief Executive.



- e) Are accessible and available to the Chief Executive and for Te Pūkenga activities.
- f) Act with a no surprises policy.
- g) Are willing to clarify matters outside of Council meetings.
- h) Provide the Chief Executive with a clear understanding of the scope and responsibilities of the Council's governance roles.
- i) Council members consider the interests of the institution of primary importance and leave personal interests outside of meetings.
- j) Are informed and committed in a way that ensures the Chair and Council "add value".
- k) Implement and abide by good meeting processes.

b) Council's expectations of Chief Executive

2.27-2.27. The Chief Executive:

- a) Demonstrates respect, trust, and openness in relationships.
- b) Provides relevant information in a timely, accurate and understandable way that enables robust Council discussion and decision making.
- c) Informs the Council of situations that may involve non-compliance with Council policy or involve legal conflict/dispute relating to Te Pūkenga.
- d) Informs the Council of significant trends, issues and their implications that may impact on Council policies, decisions and required actions.
- e) Includes the Council in key initiatives/decisions and ensures that proposals are fully explained and supported by objective analysis and alternative perspectives.
- f) Demonstrates approachability and accessibility (open door) to [staff | kaimahi](#), stakeholders, and Council members.
- g) Engages in active debate and questioning with the Council.
- h) Supports the Chair to create a structure and environment that enables effective governance to occur.
- i) Provides induction/orientation of Council members and ongoing support and guidance for Council members.
- j) Interacts with the Chair in a similar manner to that which the Chief Executive expects from his direct reports.
- k) Demonstrates behaviour that mirrors Te Pūkenga values and a strong commitment to Te Pūkenga functions and Charter, current statement of intent and current statement of performance expectations, and any strategic directions and Investment Plan of Te Pūkenga.
- l) Supports the Chair to identify skill gaps around the Council table and to proactively address these.
- m) Demonstrates absolute integrity and professionalism in all activities and actions as Chief Executive.

Council and Chief Executive Expectations of Committee Members

2.28. The Committee members must:

- a) Act at all times within the parameters of any delegated authority (if given).
- b) Ensure ongoing compliance with any eligibility requirements for Committee members.



c) Comply at all times with the Terms of Reference issued by Te Pūkenga or its Council as they relate to the specific Committee and its members.

d) Immediately notify the Committee and Council of any change that may affect the member's eligibility to participate in the Committee, the ability to act objectively, or where there is a potential for perceived or actual conflict of interest.

#### Termination of Committee Member Appointment

A Committee member's appointment may be terminated at any time for good reason by Te Pūkenga Council Chair. Good reason includes, but is not limited to, failure to attend more than two consecutive Committee hui (without informing the Committee Chair, and failure to act in accordance with the Council/Committee Code of Conduct, and/or a failure to act in accordance with the Terms of Reference applicable to Committee Members.

If a member is a Co-Chair and they resign from the Committee or are removed from the Committee, that member's term as Co-Chair also terminates.

DRAFT



# Kaupapa-here | Council, Committees of Council and Advisory Committees Code of Conduct

## Mō wai me te whānuitanga | Audience and scope

As representatives of Te Pūkenga, how Council and Committee members behave is important. Council and Committee members must act with a spirit of service to the community and meet the same high standards of integrity and conduct in everything they do.

## Mokamoka whakaaetanga | Approval details

<b>Version number</b>	3	<b>Issue date</b>	
<b>Approval authority</b>	Te Pūkenga Council	<b>Date of approval</b>	
<b>Policy sponsor (has authority to make minor amendments)</b>	Chief of Staff	<b>Policy owner</b>	Chair of Council
<b>Contact person</b>	Council Secretary, Office of the CE	<b>Date of next review</b>	7 April 2025

## Ngā whakatikatika | Amendment history

Version	Effective date	Created/reviewed by	Reason for review/comment
1	1 April 2020	Sinead Hart	
2	1 June 2022	Marina Mathews	Update branding/formatting. Update reference to the Education and Training Act 2020. Review of expectations.
3		Legal	Update according to new Organisational Structure. Removed reference to Council Fees and Expenditure guidelines and reference back to Expenditure Policy. Policy applies to advisory committee members as well as Council.



## Ngā Ihirangi | Table of Contents

<a href="#">Ngā whakatikatika   Amendment history .....</a>	<a href="#">1</a>
<a href="#">1. Pūtake   Purpose and Scope .....</a>	<a href="#">3</a>
<a href="#">2. Ngā Mātāpono   Principles .....</a>	<a href="#">3</a>
<a href="#">Honesty, integrity and transparency .....</a>	<a href="#">3</a>
<a href="#">Act in the best interests of Te Pūkenga .....</a>	<a href="#">4</a>
<a href="#">Act fairly and impartially .....</a>	<a href="#">4</a>
<a href="#">Use Council/Committee information and Council/Committee position appropriately .....</a>	<a href="#">4</a>
<a href="#">Exercise due care and diligence .....</a>	<a href="#">5</a>
<a href="#">Compliance with laws and policies .....</a>	<a href="#">5</a>
<a href="#">Council and Chief Executive Expectations .....</a>	<a href="#">5</a>
<a href="#">a) Chief Executive’s expectations of Council .....</a>	<a href="#">5</a>
<a href="#">b) Council’s expectations of Chief Executive .....</a>	<a href="#">6</a>
<a href="#">Council and Chief Executive Expectations of Committee Members .....</a>	<a href="#">6</a>
<a href="#">Termination of Committee Member Appointment .....</a>	<a href="#">7</a>

DRAFT



## Kaupapa-here | Council, Committees of Council and Advisory Committees Code of Conduct

### 1. Pūtake | Purpose and Scope

- 1.1. As representatives of Te Pūkenga, Council and elected/appointed Committee member behaviour must be consistent with maintaining the trust and confidence of Te Pūkenga kaimahi, ākongā and members of the public.
- 1.2. The honesty and integrity principles within this Policy must be maintained at the highest level.
- 1.3. Council/Committee members must act with a spirit of service to the community and Te Pūkenga and ensure integrity is at the core of what they do; effectively building trust and providing ethical and authentic governance, recommendations, advice, and giving effect to the purpose of Te Pūkenga and Te Pae Tawhiti | Te Tiriti o Waitangi Excellence Framework.
- 1.4. This policy provides a framework for Council and Committee members to carry out their roles and responsibilities to a standard consistent with good practice within public entities, and to provide a framework that establishes good practice governance and quality advisory services within and for Te Pūkenga.

### 2. Ngā Mātāpono | Principles

- 2.1. The principles in this policy should guide Council and Committee members' behaviour in performing their roles.

#### Honesty, integrity and transparency

- 2.2. Act with honesty and integrity in approaching their roles and responsibilities.
- 2.3. Conduct the business of the Council and Committees with appropriate openness and transparency.
- 2.4. Undertake Council/Committee duties and responsibilities in a manner that respects other Council/Committee members, learners | ākongā and the staff | kaimahi of Te Pūkenga.
- 2.5. Ensure that actions taken in the performance of Council or Committee duties do not discredit themselves, any other Council/Committee member, Te Pūkenga or staff | kaimahi or learner | ākongā of Te Pūkenga.
- 2.6. Ensure that fees and expenses are claimed in accordance with the Cabinet Office Fees Framework and Te Pūkenga Expenditure Policy.



Act in the best interests of Te Pūkenga

- 2.7. Diligently prepare for, and attend, Council/Committee meetings.
- 2.8. Maintain a good level of competence and knowledge, including remaining familiar with Te Pūkenga activities and its operating environment to undertake the roles and responsibilities of a Council/Committee member.
- 2.9. Apply knowledge, skill and experience and expertise with all reasonable care and diligence.
- 2.10. Not engage in activities which could affect their judgement or objectivity as a Council/Committee member, nor engage in any activities that could damage the integrity and reputation of Te Pūkenga, its Council or Committees.
- 2.11. Council is to support the Chief Executive in the management and operation of Te Pūkenga in accordance with Te Pūkenga functions and charter, current statement of intent and current statement of performance expectations, and as expressed in any investment and/or strategic plan and budget.

Act fairly and impartially

- 2.12. Observe independence and objectivity in carrying out the roles and responsibilities of the Council/Committee.
- 2.13. Avoid business connections, affiliations and personal connections that could impact negatively on involvement in Council/Committee discussions and decisions.
- 2.14. Council/Committee members must declare and manage any conflicts of interest in accordance with the Education and Training Act 2020, Te Pūkenga Conflicts of Interest Policy and the mitigation strategies determined by the Council/Committee.
- 2.15. Not be present during any deliberation, nor take part in any decision, of the Council/Committee with respect to a matter in which the Council/Committee member has an interest, unless the Council/Committee otherwise decides.

Use Council/Committee information and Council/Committee position appropriately

- 2.16. Respect the confidentiality of information received as a Council/Committee member and use it only for proper purposes.
- 2.17. Decline gifts, benefits and positions that may compromise independence or create perceived obligations or bias.
- 2.18. Comply with Te Pūkenga Fraud and Corruption Policy and Communication and Media Policy.
- 2.19. Accept responsibility for the decisions and actions of the Council/Committee even if they are contrary to a personal view.



#### Exercise due care and diligence

- 2.20. Work to improve the performance and efficiency of Te Pūkenga and use its resources carefully and only for intended purposes.
- 2.21. Properly manage and utilise the funding available to Te Pūkenga and make decisions for the educational benefit of the people of Aotearoa New Zealand.
- 2.22. Exercise due care and diligence when considering issues and making decisions by understanding the educational, financial, and strategic implications.
- 2.23. Understand and enquire into the financial and other information provided to the Council/Committee.

#### Compliance with laws and policies.

- 2.24. Comply with all applicable laws, including the Education and Training Act 2020, Crown Entities Act 2004, Local Government Official Information and Meetings Act 1987 and public accountability obligations.
- 2.25. Council must ensure Te Pūkenga and or Committees operate in a manner that is consistent with Te Pūkenga functions and charter, current statement of intent and current statement of performance expectations.

#### Council and Chief Executive Expectations

##### a) Chief Executive's expectations of Council

- 2.26. The Council members:
  - a) Demonstrate respect, trust, and openness in relationships.
  - b) Set clear expectations of the Chief Executive articulated primarily through a position description and annual performance agreement.
  - c) Conduct regular performance progress reviews of the Chief Executive and provide feedback against the performance agreement.
  - d) Constructively challenge and "stretch" the Chief Executive and act as the "critical friend" of the Chief Executive.
  - e) Are accessible and available to the Chief Executive and for Te Pūkenga activities.
  - f) Act with a no surprises policy.
  - g) Are willing to clarify matters outside of Council meetings.
  - h) Provide the Chief Executive with a clear understanding of the scope and responsibilities of the Council's governance roles.
  - i) Council members consider the interests of the institution of primary importance and leave personal interests outside of meetings.
  - j) Are informed and committed in a way that ensures the Chair and Council "add value".
  - k) Implement and abide by good meeting processes.



b) Council's expectations of Chief Executive

2.27. The Chief Executive:

- a) Demonstrates respect, trust, and openness in relationships.
- b) Provides relevant information in a timely, accurate and understandable way that enables robust Council discussion and decision making.
- c) Informs the Council of situations that may involve non-compliance with Council policy or involve legal conflict/dispute relating to Te Pūkenga.
- d) Informs the Council of significant trends, issues and their implications that may impact on Council policies, decisions and required actions.
- e) Includes the Council in key initiatives/decisions and ensures that proposals are fully explained and supported by objective analysis and alternative perspectives.
- f) Demonstrates approachability and accessibility (open door) to staff | kaimahi, stakeholders, and Council members.
- g) Engages in active debate and questioning with the Council.
- h) Supports the Chair to create a structure and environment that enables effective governance to occur.
- i) Provides induction/orientation of Council members and ongoing support and guidance for Council members.
- j) Interacts with the Chair in a similar manner to that which the Chief Executive expects from his direct reports.
- k) Demonstrates behaviour that mirrors Te Pūkenga values and a strong commitment to Te Pūkenga functions and Charter, current statement of intent and current statement of performance expectations, and any strategic directions and Investment Plan of Te Pūkenga.
- l) Supports the Chair to identify skill gaps around the Council table and to proactively address these.
- m) Demonstrates absolute integrity and professionalism in all activities and actions as Chief Executive.

Council and Chief Executive Expectations of Committee Members

2.28. The Committee members must:

- a) Act at all times within the parameters of any delegated authority (if given).
- b) Ensure ongoing compliance with any eligibility requirements for Committee members.
- c) Comply at all times with the Terms of Reference issued by Te Pūkenga or its Council as they relate to the specific Committee and its members.
- d) Immediately notify the Committee and Council of any change that may affect the member's eligibility to participate in the Committee, the ability to act objectively, or where there is a potential for perceived or actual conflict of interest.



#### Termination of Committee Member Appointment

A Committee member's appointment may be terminated at any time for good reason by Te Pūkenga Council Chair. Good reason includes, but is not limited to, failure to attend more than two consecutive Committee hui (without informing the Committee Chair, and failure to act in accordance with the Council/Committee Code of Conduct, and/or a failure to act in accordance with the Terms of Reference applicable to Committee Members.

If a member is a Co-Chair and they resign from the Committee or are removed from the Committee, that member's term as Co-Chair also terminates.

DRAFT

# Pūrongo Kaunihera a Te Pūkenga | Council Report

**1 November 2023**

<b>Title</b>	<b>October 2023 Te Poari Akoranga hui open session</b>
<b>Provided by</b>	Megan Gibbons, Pourangi Mātāuranga me ngā Pūnaha Ako   DCE Academic Centre and learning Systems
<b>Author</b>	Louise Courtney, Governance Advisor
<b>For</b>	Information

## Te Taunaki | Recommendation(s)

It is recommended that Te Pūkenga Council:

a.	Receive the report titled ‘October 2023 Te Poari Akoranga hui open session’; and
b.	Note that Te Poari Akoranga approved the Ākonga Rights and Responsibilities framework.

## Te Tāhuhu Kōrero | Background

Te Poari Akoranga | The Academic Board (Te Poari) met on 25 October 2023 at the Madras St campus in Ōtautahi. The summary below provides an overview of some key discussions and decisions by Te Poari at its open session.

### Ākonga Rights and Responsibilities

Under its delegation from Council to determine policies and operating procedures of Te Pūkenga in relation to learners and academic matters, Te Poari Akoranga approved the Ākonga Rights and Responsibilities framework, with implementation for Semester 2, 2024 and noted the following next steps:

- How the framework will work alongside work integrated learning in relation to contracts.
- Mindful of cultural safety and wellbeing until the organisation structure is in place.
- Communicating how the framework is related to other policies and frameworks within Te Pūkenga

### Ngā Ohu Whakahaere o Te Poari Akoranga

Te Poari Akoranga received minutes or verbal updates from the recent meetings of the following ohu whakahaere:

- Quality held 11 October 2023 (minutes)
- Rangahau Research and Postgraduate held 3 October 2023 (minutes)
- Appeals held 4 October 2023 (minutes)



- Ako held 5 October 2023 (verbal update)
- Approvals held 18 October 2023 (verbal update)
- Ōritetanga held 18 October 2023 (minutes)

## **Ngā Tāpiritanga | Appendices**

[Te Poari Akoranga open agenda 25 October 2023](#)



## Pūrongo Kaunihera a Te Pūkenga | Council Report

25 October 2023

<b>Title</b>	<b>Report from open portion of the Finance and Capital Investment Committee 25 October 2023</b>
<b>Provided by</b>	Jeremy Morley, Committee Chair
<b>Author</b>	Haley Passmore, Governance Advisor
<b>For</b>	Approval

### Te Taunaki | Recommendation(s)

It is recommended that Te Pūkenga Council:

a.	receive the verbal and written update from the open portion of the Finance and Capital Investment Committee meeting held on 25 October 2023 at MITO in Wellington.
----	--

### Te Tāhuhu Kōrero | Background

The Finance and Capital Investment Committee (the Committee) met on 25 October 2023 in an in-person meeting at MITO in Wellington. Murray Strong was an apology for the meeting. The Committee considered the following items:

#### Committee workplan 2023 (open)

The Committee agreed that a more detailed discussion on the Capital Plan will be held at the November meeting.

### Ngā Tāpiritanga | Appendices

[Open Agenda of 25 October Finance and Capital Investment Committee](#)



# Te Pūkenga Council Meeting

## 8. Resolution to exclude the public

It will be moved by the Chair that the public be excluded from the remainder of the meeting. This resolution will be made in reliance on section 48(1) of the Local Government Official Information and Meetings Act 1987 (LGOIMA) (noting Te Pūkenga Council is specified, in Schedule 2 of LGOIMA, as a body to which LGOIMA applies) and the particular interests protected by section 9 of the Official Information Act 1982 (OIA) which would be prejudiced by the holding of the relevant parts of the proceedings of the meeting in public.

The general subject of each matter to be considered while the public is excluded and the reason for passing the resolution in relation to each matter are as follows:

Item	General subject of each matter to be considered	Section(s)
<b>9.</b>	<b>Administration</b>	
9.1.	Minutes of the closed portion of meeting held 4 October 2023	Section 9(2)(a) OIA Section 9(2)(b)(ii) OIA Section 9(2)(g)(ii) OIA Section 9(2)(i) OIA
9.2.	Minutes of the confidential e-meeting held 26-27 October 2023	Section 9(2)(a) OIA Section 9(2)(b)(ii) OIA Section 9(2)(g)(ii) OIA Section 9(2)(i) OIA
9.3.	Actions (confidential)	Section 9(2)(b)(ii) OIA Section 9(2)(g)(ii) OIA Section 9(2)(i) OIA
<b>10.</b>	<b>Monthly reports</b>	
10.1.	Chief Executive's report	Section 9(2)(b)(ii) OIA Section 9(2)(g)(ii) OIA Section 9(2)(i) OIA

Item	General subject of each matter to be considered	Section(s)
10.2.	Wellbeing and Safety monthly report	Section 9(2)(b)(ii) OIA Section 9(2)(g)(ii) OIA Section 9(2)(i) OIA
10.3.	Operational risk report	Section 9(2)(g)(i) OIA Section 9(2)(i) OIA
<b>11.</b>	<b>Financial reports</b>	
11.1.	Report from Finance and Capital Investment Committee held 25 October 2023	Section 9(2)(b)(ii) OIA Section 9(2)(i) OIA
11.2.	Otago Polytechnic Auckland International Campus	Section 9(2)(b)(ii) OIA Section 9(2)(i) OIA
11.3.	2024 budget for approval	Section 9(2)(b)(ii) OIA Section 9(2)(i) OIA
<b>12.</b>	<b>Strategy</b>	
12.1.	Quarterly report Q3 2023	Section 9(2)(b)(ii) OIA Section 9(2)(i) OIA
<b>13.</b>	<b>Reports from Committees</b>	
13.1.	Report from Health Safety and Wellbeing Committee held 18 October 2023	Section 9(2)(b)(ii) OIA Section 9(2)(i) OIA
13.2.	Report from closed portion of Te Poari Akoranga held 25 October 2023	Section 9(2)(b)(ii) OIA Section 9(2)(i) OIA
13.3.	Report from Kaimahi Advisory Committee held 26 October 2023	Section 9(2)(b)(ii) OIA Section 9(2)(i) OIA
13.4.	Report from Komiti Māori held 27 October 2023	Section 9(2)(b)(ii) OIA Section 9(2)(i) OIA

Item	General subject of each matter to be considered	Section(s)
<b>14.</b>	<b>Inwards correspondence (confidential)</b>	
14.1.	Concessionary loan agreement between The Crown and te Pūkenga	Section 9(2)(b)(ii) OIA Section 9(2)(g)(ii) OIA Section 9(2)(i) OIA
<b>15.</b>	<b>Outwards correspondence (confidential)</b>	
15.1.	20 October 2023 letter to Tertiary Education Commission re Ministerial appointments falling due in 2024	Section 9(2)(a) OIA
<b>16.</b>	<b>Any other closed business (confidential)</b>	Section 9(2)(a) OIA Section 9(2)(g)(ii) OIA Section 9(2)(h) OIA Section 9(2)(i) OIA Section 9(2)(j) OIA

### Interests

Section	Interest
Section 9(2)(a) OIA	To protect the privacy of natural persons, including that of deceased natural persons.
Section 9(2)(b)(ii) OIA	To protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.
Section 9(2)(g)(ii) OIA	To maintain the effective conduct of public affairs through the protection of such Ministers, members of organisations, officers, and employees from improper pressure or harassment.
Section 9(2)(h) OIA	To maintain legal professional privilege.
Section 9(2)(i) OIA	To enable the organisation holding the information to carry out, without prejudice or disadvantage, commercial activities.

Section	Interest
Section 9(2)(j) OIA	To enable the organisation to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).

The Chair will also move that certain employees from Te Pūkenga be permitted to remain at the meeting, after the public has been excluded, because of their specific knowledge in relation to the above items. This knowledge, which will be of assistance in relation to the matters above to be discussed, is relevant to those matters because they have assisted in the progression of such matters.

# Karakia whakakapi

Tēnā tātou here are some useful phrases you can use to introduce closing karakia next time you are asked to lead it.

**Māku e whakakapi te wānanga nei.**

I will conclude our shared space.

**Kia whakakapia te wānanga nei ki te karakia.**

May our shared space be concluded with karakia.

**Kua pau tonu te wā, nā reira māku e whakakapi te wānanga nei ki te karakia.**

We're just about out of time, therefore I will conclude our shared space with karakia.

## Karakia whakakapi Closing incantation

Puritia,  
puritia ngā kōrero o te wānanga  
puritia Kia ū, kia mau  
puritia kia ita  
Unuhia, unuhia atu rā  
Te tapu o te kāhui o ngā ariki  
mauria atu rā ko te kahu ora o  
Rongo  
he rongo taketake  
he rongo mau tonu  
ka whakamau kia tina,  
Tina! (*everybody*)  
Hui e, Tāiki e!

Hold fast,  
hold firmly the words of the  
academy  
cement them firmly  
fixed in the mind.  
Release ourselves  
of the decorum of formality  
let us take up the life giving  
cloak of Rongo  
the permanence of peace  
and harmony  
and bind it firmly,  
Firmly!

## Our values



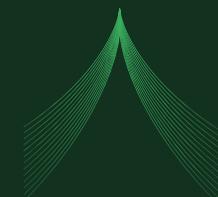
### Manawa nui

We reach out and welcome in



### Manawa roa

We learn and achieve together



### Manawa ora

We strengthen and grow  
the whole person