



Te Pūkenga - New Zealand Institute of Skills and Technology (Te Pūkenga)

Minutes of a meeting of the Council of Te Pūkenga (the Council)

Monday, 28 November 2022

Minutes

These are the open minutes of a meeting of Te Pūkenga Council held on Monday, 28 November 2022 at 9.00 am via Zoom videoconferencing and at Copthorne Hotel, Oriental Bay, Wellington

Present:

Council Members	Murray Strong (Chairperson)	Kim Ngārimu (Deputy Chairperson)
	Maryann Geddes	Kathy Grant
	Sam Huggard	Tania Hodges
	Teorongonui Josie Keelan	Tagaloatele Peggy Fairbairn-Dunlop
	Jordan Gush	Heath Sawyer
	Jeremy Morley	

Apologies John Brockies

In Attendance Lynnette Brown – Council Secretariat

Online Attendance	Angela Beaton – DCE Academic Delivery and Innovation (Items 5.1 only)	Simon Karipa – Governance Manager
	Sinead Hart – Director – Legal and Risk (Items 10.1.1, 10.1.2, 10.1.3, 10.1.4, and 11.1 only)	Michelle Teirney – Chief Financial Officer
	Vaughan Payne – DCE – Operations (Items 10.1.1, 10.1.2, 10.1.3, 10.1.4, and 11.1 only)	Phil O’Callaghan – Financial and Commercial Advisor

Open Minutes

- Welcome/Apologies/Notices**
The Chair welcomed everyone to the meeting and noted apologies from John Brockies.
- Administration**

2.1. **Council Calendar and Schedule of Committees**

Noted

2.2. **Register of Interests**

The register of interests was noted and no conflicts with matters on the agenda were declared.

2.3. **Minutes (draft) of the meetings held**

- 11 October 2022 (ordinary meeting)

Resolved:

The Council:

- a. Approved the minutes of Te Pūkenga Council open meeting held on 11 October 2022 as a true and correct record with the following amendment noting that b and c were replicated and should read:
 - 5.1 c Approved the extension to the membership term of Te Urikore Biddle until 31 December 2022.

Moved: T Hodges

Seconded: M A Geddes

CARRIED

2.3.1. **Matters Arising**

There were no matters arising.

2.4. **Action List – Open**

The open action item in respect of the whakatauki to be inclusive of work-based learning to remain open pending Te Poari Akoranga’s feedback.

3. **Acting Chief Executive’s Report**

The Council received the Acting Chief Executive’s Report which provided an update on current issues, key achievements and highlights arising during the reporting period. The report was taken as read.

4. **Strategy**

4.1. **Te Rito Quarterly Reporting (Q2) on Learner Equity**

The Council received the report which sets out progress against the action plans developed by each subsidiary and noted that this doesn’t yet reflect an institute-wide approach. The Acting Chief Executive highlighted the focus on learner success through Whakawhanaungatanga, the work being done to utilise the nationwide mental health

services funding from the Ministry of Health and ensuring support services for all in-work learners as identified in the Programme Business Case and Investment Plan. Further consideration is to be made as to opportunities to increase the benefits using the scale of the organisation.

The report noted there were no financial considerations, however, in 2023 reporting will be provided against the Ministry of Health funding and the Learner Success Fund.

The Council noted the variation in terms between the use of ākongā and taurā and encouraged consistency across reporting with a preference for ākongā.

Resolved:

The Council:

- a. Received the report; and
- b. Noted the unconfirmed open minutes (Appendix 1) and meeting summary for the Interim Learner Advisory Committee (ILAC) meeting that took place on 11 October 2022.

5. **Reports from Committees**

5.1. **Te Poari Akoranga – Report from open Te Poari Akoranga meeting held 2 November 2022 and Research Ethics Framework**

Management spoke to the report focussing on the Research Ethics Framework. Te Poari Akoranga have further refinements that, due to timing, were not able to be incorporated and the recommendation includes a request to delegate to Te Poari Akoranga the ability to make these minor amendments post approval. A kaitiaki of the framework will be determined in due course and Council informed through future reporting.

Resolved:

The Council:

- a. Received the report from Te Poari Akoranga meeting held online via Teams 2 November 2022 (minutes to be confirmed and presented at the next Council meeting); and
- b. Noted the new membership nominee from the Interim Learner Advisory Committee, Henry Geary; and
- c. Approved Te Matarau Whānui | Te Pūkenga Ethical Framework for Rangahau and Research, noting Te Poari Akoranga o Te Pūkenga endorsement thus far; and

- d. Delegated to Te Poari Akoranga to make further minor amendments to finalise; and
- e. Noted the special meeting of Te Poari Akoranga scheduled on Wednesday 16 November 2022 to approve:
Te Kawa Maiooro | Educational Regulatory Framework
Terms of Reference Te Ohu Whakahaere Ōritetanga.

Moved: K Ngārimu

Seconded: K Grant

CARRIED

The Council extended their thanks to Angela Beaton for her endeavours to date and the support she has provided as Chair of Te Poari Akoranga.

5.2. Report from Interim Kaimahi Committee from meeting held 18 October 2022 (Verbal)

The Chair of the Committee provided a verbal update on the meeting held 18 October 2022 and highlighted the following key matters discussed:

- Professional learning and development priorities
- Changing the narrative from operating as ‘business as usual’ to ‘transformation starts now’
- Engagement with management to understand the changes and impacts of the digital strategy

5.3. Report from Interim Learner Committee and Minutes of meeting held 11 October 2022

The Chair of the Committee provided a verbal update to the Interim Learner Committee report and spoke to the key areas of discussion.

Council conveyed their congratulations to Dahrian Watene for her achievement in receiving the Prime Minister’s Scholarship for business exchange programme in Japan.

The Council:

- a. Received the report; and
- b. Noted the unconfirmed open minutes (Appendix 1) and meeting summary for the Interim Learner Advisory Committee (ILAC) meeting that took place on 11 October 2022.

5.4. Report from Komiti Māori and Minutes of the meeting held 15 September 2022

The Council:

- a. Received the report; and

- b. Noted the confirmed open minutes (Appendix 1) for Komiti Māori (Interim Māori Advisory Committee) meeting held on 15 September 2022.

5.5. **Report from Safety and Wellbeing Committee and Minutes held 20 October 2022 (draft)**

The Chair of the Committee provided a verbal update with the key area of focus being future reporting to ensure that the Council is meeting its PCBU obligations as well as ensuring that the Committee and Council are receiving appropriate reporting.

The Safe365 Reports, provided good insights into health and safety activities across the network and WBL demonstrates evidence of sound practice.

The Council noted WorkSafe's move away from use of the term *investigation* towards *learning* but felt that there are times when *investigation* is appropriate.

The Council raised the importance of scheduling health and safety walks in 2023 to meet the PCBU responsibilities elevated now as a consequence of the dissolution of the Subsidiary Boards. Council also noted the importance of staff health and safety induction under Te Pūkenga administration.

The Council:

- a. Received the verbal update from the Chair of the Safety and Wellbeing Committee; and
- b. Noted the minutes of the Committee meeting held on 20 October 2022.

Action:

- 1. Provide links for Council to the Safe365 Report.
- 2. Establish a plan for Health and Safety Walks and potentially discuss with the Risk and Audit Committee any concerns that may be related to this area.

6. **Correspondence**

6.1. Nil

7. **Formal Motion for Moving into Committee**

The Chair moved 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) and the particular interests protected by section 9 of the Official Information Act 1982 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, the reason for passing the resolution in relation to each matter and the specific grounds under section 48(1) of LGOIMA for the passing of the resolution are as follows:

Item	General subject of each matter to be considered	Reason for passing resolution in relation to each matter	Grounds under section 48(1) for the passing of the resolution
8.	Administration		
8.1.	Minutes from public excluded meeting held 11 October 2022 and 25 October 2022	<p>Section 9(2)(g)(i) of the Official Information Act – maintain the effective conduct of public affairs through the free and frank expression of opinion by or between members of any organisation or employees of any organisation in the course of their duty</p> <p>Section 9(2)(i) of the Official Information Act – enable the organisation holding the information to carry out, without prejudice or disadvantage, commercial activities</p>	That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9 (noting the Council is specified, in Schedule 2 of LGOIMA, as a body to which LGOIMA applies).
8.1.1.	Matters Arising	<p>Section 9(2)(g)(i) of the Official Information Act – maintain the effective conduct of public affairs through the free and frank expression of opinion by or between members of any organisation or employees of any organisation in the course of their duty</p> <p>Section 9(2)(i) of the Official Information Act – enable the organisation holding the information to carry out, without prejudice or disadvantage, commercial activities</p>	That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9 (noting the Council is specified, in Schedule 2 of LGOIMA, as a body to which LGOIMA applies).
8.2.	Action List	<p>Section 9(2)(g)(i) of the Official Information Act – maintain the effective conduct of public affairs through the free and frank expression of opinion by or between members of any organisation or employees of any organisation in the course of their duty</p> <p>Section 9(2)(i) of the Official Information Act – enable the organisation holding the information to carry out, without</p>	That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9 (noting the Council is specified, in Schedule 2 of LGOIMA, as a body to which LGOIMA applies).

		prejudice or disadvantage, commercial activities	
9.	Acting CE Report	<p>Section 9(2)(g)(i) of the Official Information Act – maintain the effective conduct of public affairs through the free and frank expression of opinion by or between members of any organisation or employees of any organisation in the course of their duty</p> <p>Section 9(2)(i) of the Official Information Act – enable the organisation holding the information to carry out, without prejudice or disadvantage, commercial activities</p>	That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9 (noting the Council is specified, in Schedule 2 of LGOIMA, as a body to which LGOIMA applies).
10.	Financial Reports		
10.1.	Te Pūkenga Financial October 2022 Report	<p>Section 9(2)(g)(i) of the Official Information Act – maintain the effective conduct of public affairs through the free and frank expression of opinion by or between members of any organisation or employees of any organisation in the course of their duty</p> <p>Section 9(2)(i) of the Official Information Act – enable the organisation holding the information to carry out, without prejudice or disadvantage, commercial activities</p>	That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9 (noting the Council is specified, in Schedule 2 of LGOIMA, as a body to which LGOIMA applies).
10.2.	Budget 2023	Section 9(2)(i) of the Official Information Act – enable the organisation holding the information to carry out, without prejudice or disadvantage, commercial activities	That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9 (noting the Council is specified, in Schedule 2 of LGOIMA, as a body to which LGOIMA applies)

10.3.	Application for Borrowing Consent - TEC	Section 9(2)(i) of the Official Information Act – enable the organisation holding the information to carry out, without prejudice or disadvantage, commercial activities	That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9 (noting the Council is specified, in Schedule 2 of LGOIMA, as a body to which LGOIMA applies
10.4.	Single Stage Business Case	Section 9(2)(i) of the Official Information Act – enable the organisation holding the information to carry out, without prejudice or disadvantage, commercial activities	That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9 (noting the Council is specified, in Schedule 2 of LGOIMA, as a body to which LGOIMA applies
11.	Risk and Compliance		
11.1.	Risk and Audit Committee Report	Section 9(2)(g)(i) of the Official Information Act – maintain the effective conduct of public affairs through the free and frank expression of opinion by or between members of any organisation or employees of any organisation in the course of their duty Section 9(2)(i) of the Official Information Act – enable the organisation holding the information to carry out, without prejudice or disadvantage, commercial activities	That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9 (noting the Council is specified, in Schedule 2 of LGOIMA, as a body to which LGOIMA applies
11.1.1.	Document Development Framework	Section 9(2)(g)(i) of the Official Information Act – maintain the effective conduct of public affairs through the free and frank expression of opinion by or between members of any organisation or employees of any	That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would

		<p>organisation in the course of their duty</p> <p>Section 9(2)(i) of the Official Information Act – enable the organisation holding the information to carry out, without prejudice or disadvantage, commercial activities</p>	<p>exist under section 9 (noting the Council is specified, in Schedule 2 of LGOIMA, as a body to which LGOIMA applies</p>
11.1.2.	<p>National Policies (Finance)</p> <p>National Fraud and Corruption Policy</p>	<p>Section 9(2)(g)(i) of the Official Information Act – maintain the effective conduct of public affairs through the free and frank expression of opinion by or between members of any organisation or employees of any organisation in the course of their duty</p> <p>Section 9(2)(i) of the Official Information Act – enable the organisation holding the information to carry out, without prejudice or disadvantage, commercial activities</p>	<p>That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9 (noting the Council is specified, in Schedule 2 of LGOIMA, as a body to which LGOIMA applies</p>
11.1.3.	Insurance Renewal	<p>Section 9(2)(g)(i) of the Official Information Act – maintain the effective conduct of public affairs through the free and frank expression of opinion by or between members of any organisation or employees of any organisation in the course of their duty</p> <p>Section 9(2)(i) of the Official Information Act – enable the organisation holding the information to carry out, without prejudice or disadvantage, commercial activities</p>	<p>That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9 (noting the Council is specified, in Schedule 2 of LGOIMA, as a body to which LGOIMA applies</p>
12.	Business Divisions		
12.1.	Amendments to Constitutions	<p>Section 9(2)(a) To protect the privacy of natural persons, including that of deceased natural persons</p> <p>Section 9(2)(i) of the Official Information Act – enable the organisation holding the information to carry out, without</p>	<p>That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9 (noting the Council is specified, in Schedule</p>

		prejudice or disadvantage, commercial activities	2 of LGOIMA, as a body to which LGOIMA applies).
12.2.	Wintec – Potential Land Sale – Verbal Update	<p>Section 9(2)(g)(i) of the Official Information Act – maintain the effective conduct of public affairs through the free and frank expression of opinion by or between members of any organisation or employees of any organisation in the course of their duty</p> <p>Section 9(2)(i) of the Official Information Act – enable the organisation holding the information to carry out, without prejudice or disadvantage, commercial activities</p>	That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9 (noting the Council is specified, in Schedule 2 of LGOIMA, as a body to which LGOIMA applies).
13.	Reports from Committees		
13.1.	Report from Interim Kaimahi Committee on meeting held 18 October 2022 (Verbal)	<p>Section 9(2)(g)(i) of the Official Information Act – maintain the effective conduct of public affairs through the free and frank expression of opinion by or between members of any organisation or employees of any organisation in the course of their duty</p> <p>Section 9(2)(a) To protect the privacy of natural persons, including that of deceased natural persons</p>	That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9 (noting the Council is specified, in Schedule 2 of LGOIMA, as a body to which LGOIMA applies).
13.2.	Report from Interim Learner Committee meeting held 11 October 2022	<p>Section 9(2)(g)(i) of the Official Information Act – maintain the effective conduct of public affairs through the free and frank expression of opinion by or between members of any organisation or employees of any organisation in the course of their duty</p> <p>Section 9(2)(a) To protect the privacy of natural persons, including that of deceased natural persons</p>	That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9 (noting the Council is specified, in Schedule 2 of LGOIMA, as a body to which LGOIMA applies).

13.3.	Report from Komiti Māori and Minutes of meeting held 15 September 2022	<p>Section 9(2)(g)(i) of the Official Information Act – maintain the effective conduct of public affairs through the free and frank expression of opinion by or between members of any organisation or employees of any organisation in the course of their duty</p> <p>Section 9(2)(a) To protect the privacy of natural persons, including that of deceased natural persons Section 9(2)(a)</p>	That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9 (noting the Council is specified, in Schedule 2 of LGOIMA, as a body to which LGOIMA applies).
13.4.	<p>Risk and Audit Committee Minutes</p> <ul style="list-style-type: none"> • 8 November 2022 	<p>Section 9(2)(i) of the Official Information Act – enable the organisation holding the information to carry out, without prejudice or disadvantage, commercial activities</p> <p>Section 9(2)(g)(i) of the Official Information Act – maintain the effective conduct of public affairs through the free and frank expression of opinion by or between members of any organisation or employees of any organisation in the course of their duty</p>	That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9 (noting the Council is specified, in Schedule 2 of LGOIMA, as a body to which LGOIMA applies).
13.5.	<p>Finance and Capital Investment Committee Minutes</p> <ul style="list-style-type: none"> • 1 and 14 November 2022 	<p>Section 9(2)(i) of the Official Information Act – enable the organisation holding the information to carry out, without prejudice or disadvantage, commercial activities</p> <p>Section 9(2)(g)(i) of the Official Information Act – maintain the effective conduct of public affairs through the free and frank expression of opinion by or between members of any organisation or employees of any organisation in the course of their duty</p>	That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9 (noting the Council is specified, in Schedule 2 of LGOIMA, as a body to which LGOIMA applies).
13.6.	<p>Transformation Committee Minutes:</p> <ul style="list-style-type: none"> •17 October 2022 •27 October 2022 	<p>Section 9(2)(a) To protect the privacy of natural persons, including that of deceased natural persons</p> <p>Section 9(2)(i) of the Official Information Act – enable the</p>	That the public conduct of this item would be likely to result in the disclosure of information for which good reason for

		<p>organisation holding the information to carry out, without prejudice or disadvantage, commercial activities</p> <p>Section 9(2)(g)(i) of the Official Information Act – maintain the effective conduct of public affairs through the free and frank expression of opinion by or between members of any organisation or employees of any organisation in the course of their duty</p>	withholding would exist under section 9 (noting the Council is specified, in Schedule 2 of LGOIMA, as a body to which LGOIMA applies).
13.7.	<p>Appointment and Remuneration Committee</p> <ul style="list-style-type: none"> •14 October 2022 Draft Minutes •Terms of Reference Review 	<p>Section 9(2)(a) To protect the privacy of natural persons, including that of deceased natural persons</p> <p>Section 9(2)(g)(i) of the Official Information Act – maintain the effective conduct of public affairs through the free and frank expression of opinion by or between members of any organisation or employees of any organisation in the course of their duty</p>	That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9 (noting the Council is specified, in Schedule 2 of LGOIMA, as a body to which LGOIMA applies).
14.	Correspondence – Inwards		
14.1.	Letter from EIT Board	<p>Section 9(2)(i) of the Official Information Act – enable the organisation holding the information to carry out, without prejudice or disadvantage, commercial activities</p> <p>Section 9(2)(g)(i) of the Official Information Act – maintain the effective conduct of public affairs through the free and frank expression of opinion by or between members of any organisation or employees of any organisation in the course of their duty</p>	That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9 (noting the Council is specified, in Schedule 2 of LGOIMA, as a body to which LGOIMA applies).
15.	<p>Correspondence – Outwards</p> <p>Letter to Minister Hipkins Update on Governance Report</p> <ul style="list-style-type: none"> •15 November 2022 	Section 9(2)(g)(i) of the Official Information Act – maintain the effective conduct of public affairs through the free and frank expression of opinion by or between members of any organisation or employees of any	That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9

		organisation in the course of their duty	(noting the Council is specified, in Schedule 2 of LGOIMA, as a body to which LGOIMA applies).
16.	Engagement		
16.1.	Te Pūkenga Council and TEU/TIASA	Section 9(2)(g)(i) of the Official Information Act – maintain the effective conduct of public affairs through the free and frank expression of opinion by or between members of any organisation or employees of any organisation in the course of their duty	That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9 (noting the Council is specified, in Schedule 2 of LGOIMA, as a body to which LGOIMA applies).
17.	Any Other Business	<p>9(2)(a) To protect the privacy of natural persons, including that of deceased natural persons</p> <p>Section 9(2)(g)(i) of the Official Information Act – maintain the effective conduct of public affairs through the free and frank expression of opinion by or between members of any organisation or employees of any organisation in the course of their duty</p> <p>Section 9(2)(i) of the Official Information Act – enable the organisation holding the information to carry out, without prejudice or disadvantage, commercial activities</p>	That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9 (noting the Council is specified, in Schedule 2 of LGOIMA, as a body to which LGOIMA applies).

The Chair also moved that certain employees from Te Pūkenga be permitted to remain at the meeting, namely Peter Winder, Michelle Teirney, Phil O’Callaghan, Sinead Hart, Vaughan Payne, Simon Karipa, and Lynnette Brown 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.

Moved: M Strong
Seconded: K Grant

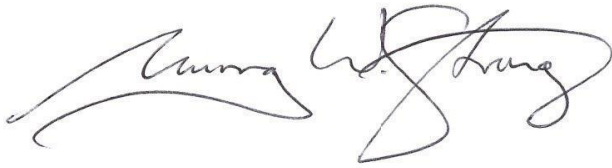
CARRIED

The open session meeting closed at 9.35 am and moved into closed session.

The meeting closed at 12.40 pm.

Dated: 9 February 2023

Signed as a correct record

A handwritten signature in black ink, appearing to read "Murray W. Strong", written in a cursive style. The signature is positioned above a horizontal line.

Murray W. Strong

Chairperson