



Te Pūkenga

Delegations Policy

Effective date	4 May 2021	Policy owner	Chief Executive
Version	5	Policy Section	Governance
Approved by	Te Pūkenga Council	Policy review frequency	Annually
Date approved	4 May 2021 2021	Last reviewed	4 May 2021

1. Introduction

- 1.1 Te Pūkenga – New Zealand Institute of Skills and Technology (**Te Pūkenga**) was established on 1 April 2020 as a tertiary education institution pursuant to the Education Act 1989 (now repealed). Te Pūkenga is continued by section 314 of the Education and Training Act 2020 (**Education and Training Act**), which was enacted on 1 August 2020. It is a Crown entity for the purposes of the Crown Entities Act 2004 (**CE Act**) and is treated as a statutory entity for the purpose of applying the provisions of Part 2 of Schedule 4 of the CE Act.
- 1.2 The main function of Te Pūkenga, as New Zealand's largest tertiary education provider, is to create a sustainable, national network of regionally accessible vocational education and training. On 1 April 2020, Te Pūkenga brought together 16 existing Institutes of Technology and Polytechnics as new Crown entity subsidiary limited liability companies (each, an **ITP Subsidiary**), and over time will develop the capability to support work-based, provider-based and online learning in a unified system. On 20 April 2021, Te Pūkenga Work Based Learning (**WBL**) was incorporated as a further 100% subsidiary company of Te Pūkenga. The purpose of WBL is to be the vehicle through which Te Pūkenga will acquire those Transitional Industry Training Organisations who wish to transfer their arranging training activities into Te Pūkenga. WBL together with the ITP Subsidiaries are collectively referred to as the **Te Pūkenga Subsidiaries** for the purpose of this policy, with each being a **Te Pūkenga Subsidiary**.
- 1.3 This Policy specifies the delegations from the Te Pūkenga Council (**Council**) to the Chief Executive (**CE**) (including as set out in Appendix 1), together with the limitations on those delegations. It also specifies the Council's delegations to the Chairperson (in Appendix 1) and sets out the Council's agreement to certain permitted sub-delegations by the CE (including standing sub-delegations to particular Tier 2 or 3 roles pursuant to paragraph 6.5). Appendix 2 to this Policy sets out the form of written notice and consent to sub-delegation to be given to the CE as required by sections 73 and 74 of the CE Act. Appendix 3 to this Policy sets out the form of written notice to be given to any sub-delegate(s) pursuant to paragraph 6.2 notifying that person (or people) of the relevant sub-delegations.
- 1.4 The CE (and any sub-delegates) and the Chairperson must act within the scope of their delegated authority as set out in this Policy and in a responsible manner.

- 1.5 Specified matters which must be referred to, or require the approval of, the Chairperson of the Council are also set out in this Policy.

2. Objectives

- 2.1 The objectives of this Policy are to ensure that delegations are implemented in a way that ensures that:
- Te Pūkenga performs its functions and gives effect to its Charter efficiently and effectively, and in a financially responsible manner which maintains the long term viability of Te Pūkenga;
 - the Council is able to meet its statutory and other obligations, including public accountability; and
 - Te Pūkenga operates in a manner consistent with its functions and Charter, current statement of intent, and current statement of performance expectations.

3. General Delegation and Specified Delegations

- 3.1 The Council delegates to the CE all management powers and functions necessary for the operation of Te Pūkenga, subject to the limitations set out in this Policy.
- 3.2 The Council also delegates to the Chairperson of the Council the specified approval powers set out in this Policy.

4. Principles of Delegation

- 4.1 In accordance with section 73 of the CE Act¹, this Policy does not delegate the general power of delegation. In addition, it is recorded that, per section 73 of the CE Act, no functions or powers specified in the Education and Training Act as not being capable of delegation have been delegated under this Policy on the basis that, as at the date of this Policy, there are no such functions or powers specified in the Education and Training Act in respect of the Te Pūkenga Council.²
- 4.2 The delegations set out in this Policy are standing delegations made in relation to positions within Te Pūkenga, rather than named individuals.
- 4.3 The organisational structure of Te Pūkenga as at the date of this Policy is:
- the CE, who reports to the Council (**Tier 1**);
 - 6 direct reports to the CE (**Tier 2**), being:

¹ Note this applies pursuant to Part 2 of Schedule 4 of the CE Act.

² Note that while section 285 of the Education and Training Act provides that the council of an institution may delegate to the chief executive of the institution or to a committee appointed under section 283(4) any of its functions and power under the Education and Training Act except the power to appoint a Chief Executive, section 285(6) provides that section 285 does not apply to the Council of Te Pūkenga.

- Deputy Chief Executive, Transformation and Transition;
- Deputy Chief Executive, Delivery and Academic;
- Deputy Chief Executive, Learner Journey and Experience;
- Deputy Chief Executive, Employer Journey and Experience;
- Deputy Chief Executive, Partnerships and Equity;
- Deputy Chief Executive, Operations;
- an Executive Assistant/Council Secretariat, who reports to the CE; and
- staff who report to a Tier 2 Manager (**Tier 3**).

4.4 It is recognised that before adopting a standing sub-delegation in accordance with paragraph 6.5 below, vacancies may arise or additions may be made to the Tier 2 sub-delegates set out above. To the extent that the CE appoints a new Tier 2 or an acting Tier 2 to fulfil any vacant role, then the Tier 2 appointed by the CE shall be deemed to have the same delegated authority as all other Tier 2 sub-delegates (except for the Deputy Chief Executive Operations who has additional delegated authorities in order to implement the Group Treasury Policy).

4.5 The CE and all sub-delegates must act in good faith and in a manner that maintains the reputation of Te Pūkenga and is consistent with and gives effect to the functions (as set out in section 315 of the Education and Training Act) and the Charter (as set out in Schedule 13 of the Education and Training Act) of Te Pūkenga.

4.6 If and to the extent this Policy conflicts with other internal policies of Te Pūkenga, this Policy takes precedence.

5. Matters reserved for the Council

5.1 Notwithstanding anything to the contrary in this Policy, the CE **does not have** any authority to:

- undertake any action or transaction exceeding the limitations specified in this Policy, including Appendix 1. Where the CE considers that a matter delegated to the CE may have wider material ramifications for Te Pūkenga, the CE will at his or her discretion bring the matter to the attention of the Chairperson;
- unless section 282(5) of the Education and Training Act applies, undertake any of the following as contemplated by section 282(4) of the Education Act:
 - sell or otherwise dispose of property assets (land and buildings) or interests in property assets; or
 - mortgage or otherwise charge assets or interests in assets; or

- o grant leases of land or buildings or parts of buildings; or
 - o borrow, issue debentures or otherwise raise money,
- in each case, unless the Council provides a separate express authority to do so;
- enter into:
 - o any commitment or arrangement exceeding the applicable annual budget for Te Pūkenga; or
 - o any commitment or arrangement exceeding any sub-limit within the applicable annual budget for Te Pūkenga,

in each case, unless the Council provides a separate express authority to do so; and
 - undertake and/or approve any action, transaction or activity where the Group Treasury Policy provides that the Council retains authority to approve that action, transaction or activity,

and such authority shall remain with the Council.

- 5.2 In the event the CE is uncertain as to the scope of the CE's delegated authority, the CE must discuss the matter with and take direction from the Chairperson of the Council prior to exercising the delegated authority and may, if the CE still considers it necessary after having discussed with the Chairperson, take appropriate legal or other advice prior to exercising the delegated authority.
- 5.3 Any or all delegations to the CE under this Policy may be withdrawn, amended (where this involves a partial revocation of a delegation) or reduced at any time by a written confirmation from the Chairperson of the Council to the CE, or may be amended (where, alternatively, this involves any further delegation) by a formal Council resolution.
- 5.4 Where this Policy conflicts with any laws or regulations or any decision made by the Council, the laws, regulations or Council decision (as applicable) take precedence. Notwithstanding any delegation made to the CE or any sub-delegate, this Policy does not invalidate any decision made by the Council, and does not restrict the Council's ability to make any decision.

6. Ability of CE to sub-delegate

- 6.1 Appendix 1 to this Policy identifies the specific functions and powers, delegated to the CE in accordance with this Policy, which the CE may sub-delegate, together with specific limitations relating to such delegations and sub-delegations (including where consultation with others may be required). By way of this Policy, the Council has given its standing consent to the sub-delegations set out in Appendix 1.

Sub-delegations to specific Tier 2 and Tier 3 individuals

- 6.2 The CE may sub-delegate the identified functions and powers set out in Appendix 1 to:
- any one or more of the Tier 2 and Tier 3 fixed-term or permanent employee(s) of Te Pūkenga; and/or

- having taken legal advice as to the appropriateness of the delegation in the circumstances including with reference to the fact that Te Pūkenga is a Crown entity, to any one or more temporary or contracted Tier 2 and Tier 3 (or equivalent) staff member, including secondees, who have an assignment of 3 months or more.

6.3 Any sub-delegation must be consistent with this Policy and subject to the sub-delegate agreeing to comply with all specified delegation limitations (including those in this Policy) in the form attached as Appendix 3.

Sub-delegation to Executive Assistant/Council Secretariat

6.4 The CE may sub-delegate the identified function and power set out in section B.9 of Appendix 1 to the CE's Executive Assistant/Council Secretariat.

Standing sub-delegations to Tier 2 and Tier 3 roles

6.5 The CE may sub-delegate, by way of a standing sub-delegation, the identified functions and powers set out in Appendix 1 to any one or more of the Tier 2 and Tier 3 roles of Te Pūkenga (or the CE's Executive Assistant/Council Secretariat in respect of section B.9 of Appendix 1). Any standing sub-delegation to such Tier 2 or Tier 3 roles or the CE's Executive Assistant/Council Secretariat must be consistent with this Policy and must be set out in a Standing Sub-Delegations Policy, to be made available on the intranet site of Te Pūkenga.

6.6 When taking leave, the CE must make arrangements for his/her responsibilities, including the exercise of their delegated authority, to be carried out by a Tier 2 employee in accordance with this Policy (or as otherwise consented to by the Council). By way of this Policy, the Council has given its standing consent to this sub-delegation, subject to the limitations set out in this Policy.

6.7 Any sub-delegation given by the CE pursuant to this Policy may be revoked at will by written notice to the sub-delegate in accordance with section 76 of the CE Act.

6.8 The CE must notify the Council as soon as possible and at least every six months of any sub-delegation that has been made in accordance with this paragraph 6 and of any sub-delegation that has been revoked pursuant to paragraph 6.5.

7. Conflicts of Interest

7.1 Where the Council has delegated any of its functions or powers to the CE, the CE must consider whether or not he or she has a conflict of interest in respect of the matter before exercising the delegated authority.

7.2 Equally, where the CE has sub-delegated any of his/her delegated authority pursuant to, and in accordance with, this Policy, the sub-delegate must consider whether or not he or she has a conflict of interest before exercising the delegated authority.

7.3 If the CE or the relevant sub-delegate identifies the risk of an actual, potential or perceived conflict of interest, he or she must give the Council (through the CE in the case of sub-delegates) a statement in good faith disclosing the nature of the conflict. Any such statement will be recorded in the Interests Register of Te Pūkenga.

- 7.4 Except with the prior written approval of the Council, neither the CE nor any sub-delegate may exercise any delegated authority in relation to a matter where he or she has a conflict of interest.
- 7.5 Each delegate under this Policy should have regard to the conflicts of interest policy of Te Pūkenga from time to time (and to the extent applicable).



Te Pūkenga

Appendix 1 – Schedule of Delegations

Notes:

- for any of the following which are prepared as a deed, the CE may only enter into the deed on behalf of Te Pūkenga if the CE has been appointed by Te Pūkenga as its attorney, in accordance with sections 127(2) and 129 of the CE Act; unless a sub-delegate has been appointed as an attorney, it will not be entitled to enter into any deeds on behalf of Te Pūkenga; and
- specified matters which must be referred to, or require the approval of, the Chairperson of the Council are also specified in this Schedule.

A. APPROVAL OF TE PŪKENGĀ RESERVED MATTERS

The CE has authority to approve or decline any requests from Te Pūkenga Subsidiaries for approval by Te Pūkenga of any matters which require the approval of Te Pūkenga as a reserved matter under the relevant Te Pūkenga Subsidiary's Constitution or under any Operational and Financial Parameters Direction issued by Te Pūkenga to a Te Pūkenga Subsidiary, except to the extent otherwise specified below.

	DECISION / ACTION	LIMITATION ON DELEGATION
1.	Capital Expenditure	The CE does not have delegated authority in respect of any request that is identified on the capital expenditure approvals flowchart for Te Pūkenga Subsidiaries attached as Appendix 4 as being a decision that must be referred to the Chairperson, who will refer it to the Capital Asset Management and Infrastructure Committee of the Council of Te Pūkenga for a decision.
2.	New debt and borrowing limits	Any request: <ul style="list-style-type: none"> • to enter into any new borrowing, issuing of debentures or otherwise raising money (except in relation to any finance leases) where the borrowing also requires the Secretary's consent; and • in respect of new borrowing limits in relation to any existing debt or borrowing facilities where the Secretary's consent would separately be required if a Te Pūkenga Subsidiary were to actually incur debt or borrowing up to the maximum of those new borrowing limits, must be referred to the Chairperson for a decision by Council.



	DECISION / ACTION	LIMITATION ON DELEGATION
3.	Drawdowns on existing debt facilities	Any request to draw-down on any existing debt or borrowing facilities where total draw-downs would be more than 105% of total budgeted draw-downs must be referred to the Chairperson for a decision by Council.
4.	Disposal of property assets	Any request to dispose of property assets or interests in property assets above the property asset disposal threshold determined by the Minister pursuant to section 282(5) of the Education and Training Act must be referred to the Chairperson, who will refer it to the Capital Asset Management and Infrastructure Committee for a decision.
5.	Disposal of non-property assets	Any request to dispose of non-property assets or interests in non-property assets above the property asset disposal threshold determined by the Minister pursuant to section 282(5) of the Education and Training Act must be referred to the Chairperson, who will refer it to the Capital Asset Management and Infrastructure Committee for a decision.
6.	Charging of assets	Any request to mortgage or otherwise charge assets or interests in assets.
7.	Granting of leases	Any request to grant a lease of land or buildings or parts of buildings where the Secretary's consent is required pursuant to section 282(4) of the Education and Training Act.
8.	Annual Academic Programme	<p>Subject to any exception which may apply in the context of WBL (with prior approval of the Council and DCE Academic and Delivery), the CE must notify and consult with Poari Akoranga prior to making a decision to approve or decline a Te Pūkenga Subsidiary's request to develop or change any qualifications, programmes or related course material outside of any annual academic programme agreed with Te Pūkenga from time to time.</p> <p>Any request for approval that relates to material or strategic changes to the annual academic programmes, (e.g., nature of delivery and the mix of provision, and any material changes to qualifications) which may (in the CE's opinion) have wider material ramifications for Te Pūkenga, must be brought to the Chairperson's attention prior to approval.</p>
9.	Changing the name of the Te Pūkenga Subsidiary	Any request to change the name of a Te Pūkenga Subsidiary must be referred to the Chairperson for a decision by Council.
10.	Incorporating, establishing or acquiring a subsidiary	Any request to incorporate, establish or acquire a subsidiary of a Te Pūkenga Subsidiary must be referred to the Chairperson for a decision by Council.



	DECISION / ACTION	LIMITATION ON DELEGATION
11.	Ring-fenced amounts	Subject to any exceptions which apply in the context of WBL (with prior approval of the Council), any request where the expenditure, drawing-down or otherwise dealing with a ring-fenced amount is also separately required under this Policy to be referred to the Council for a decision. Where it is not separately required under this Policy to be referred to the Council for a decision, the CE has the delegated authority to approve or decline the request to expend, draw-down or otherwise deal with a ring-fenced amount.
12.	Director remuneration	Authorisation of director remuneration must be referred to the Chairperson for a decision by Council.
13.	Director indemnity and insurance	Authorisation to provide an indemnity and effect insurance of the directors of a Te Pūkenga Subsidiary must be referred to the Chairperson for a decision by Council.
14.	Asset management and utilisation plan	Approval of an asset management and utilisation plan must be referred to the Chairperson, who will refer it to the Capital Asset Management and Infrastructure Committee for a decision.

B. CONTRACTS FOR GOODS AND SERVICES / OPERATING EXPENDITURE

The contracts for goods and services referred to in this section exclude employment matters, the relevant limitations for which are set out separately below.

For the avoidance of doubt, the CE has the authority to enter into (in writing) the contracts set out below on behalf of Te Pūkenga, including where they are deeds (provided an attorney is in place), pursuant to sections 127(2) and 127(3) of the CE Act.

	AUTHORITY TO	DELEGATED TO	REQUIREMENTS	MAY BE SUB-DELEGATED TO	REQUIREMENTS
Financial contracts and commitments					
1.	Approve and sign contracts within the annual budget (and, to the extent any contract has a term extending beyond the annual budget, approve and sign contracts which are likely to involve annual expenditure of up to \$5,000,000 (plus GST, if	CE	Chairperson to be notified prior to commencement of all contract negotiations exceeding \$5,000,000 (plus GST, if any) per annum.	Tier 2 and Tier 3 individuals, in accordance with paragraphs 6.2 and 6.4 of this Delegations Policy.	Authority given but subject to reduced threshold of \$500,000 (plus GST, if any).



	AUTHORITY TO	DELEGATED TO	REQUIREMENTS	MAY BE SUB-DELEGATED TO	REQUIREMENTS
	any) in respect of the extended term).		Must also comply with the Procurement Policy of Te Pūkenga. Does not apply to contractors which is dealt with below under Human Resources.		
2.	Approve operating expenditure within the annual budget.	CE	Must also comply with the Procurement Policy of Te Pūkenga.	Tier 2 and Tier 3 individuals, in accordance with paragraphs 6.2 and 6.4 of this Delegations Policy.	Authority given but subject to reduced threshold of \$500,000 (plus GST, if any).
3.	Authorise individual purchase orders/or invoices within the annual budget (and, to the extent any purchase order or invoice is in respect of a term extending beyond the annual budget, authorise purchase orders or invoices up to \$5,000,000 per annum (plus GST, if any) in respect of the extended term).	CE	Must also comply with the Procurement Policy of Te Pūkenga.	Tier 2 and Tier 3 individuals, in accordance with paragraphs 6.2 and 6.4 of this Delegations Policy.	Authority given but subject to reduced threshold of \$500,000 (plus GST, if any)
4.	Sign leases (as lessee) within the annual budget (and, to the extent any lease has a term extending beyond the annual budget, sign any lease up to \$2,000,000 (plus GST, if any) per annum in respect of the extended term), in each case where the total term, including renewals, is less than 15 years. <i>Note, as a lease is a deed, the CE may only enter into a lease on behalf of Te Pūkenga if the CE has been appointed by Te Pūkenga as its attorney, in accordance with sections 127(2) and 129 of the CE Act.</i>	CE	N/A	N/A	N/A



	AUTHORITY TO	DELEGATED TO	REQUIREMENTS	MAY BE SUB-DELEGATED TO	REQUIREMENTS
Non-financial contracts and documentation					
5.	Approve and sign contracts which do not involve Te Pūkenga incurring any expenditure.	CE	N/A	Tier 2 and Tier 3 individuals, in accordance with paragraphs 6.2 and 6.4 of this Delegations Policy.	N/A
6.	Without limiting paragraph 3.1 of this Policy, Authority to approve and sign any administrative documents or forms necessary for, or in connection with, Te Pūkenga operations or business.	CE	N/A	Tier 2 and Tier 3 individuals, in accordance with paragraphs 6.2 and 6.4 of this Delegations Policy.	N/A
Finance related functions					
7.	Approve the issue of any Purchasing-Cards or Credit Cards up to \$10,000 limit.	CE	N/A	Deputy Chief Executive, Operations.	N/A
8.	Write off bad debts up to \$50,000.	CE	N/A	N/A	N/A
General, incidental and sundry expenses					
9.	Incur incidental and sundry expenses, including on an Te Pūkenga Purchasing Card	CE	N/A	Executive Assistance/Council Secretariat and Tier 2 and Tier 3 individuals, in accordance with paragraphs 6.2 and 6.4 of this Delegations Policy	Authority given but subject to an annual threshold of \$5,000 (plus GST, if any)



	AUTHORITY TO	DELEGATED TO	REQUIREMENTS	MAY BE SUB-DELEGATED TO	REQUIREMENTS
10.	Approve general expenses incurred by Council Members	Chairperson	N/A	N/A	N/A
11.	Approve general expenses incurred by CE	Chairperson	N/A	N/A	N/A



C. TREASURY, FUNDING AND REVENUE

	AUTHORITY TO	DELEGATED TO	REQUIREMENTS	MAY BE SUB-DELEGATED TO	REQUIREMENTS
1.	As specified in the Group Treasury Policy, undertake Treasury related tasks and activities and exercise approval rights as set out in the "Delegated Authorities" section of that Policy	CE	Must comply with the Group Treasury Policy	Deputy Chief Executive of Operations and/or Director Finance, as specified in Group Treasury Policy	Authority given but subject to limits specified in the Group Treasury Policy
2.	Approve and sign any funding or revenue contracts.	CE	N/A	Except in respect of funding or revenue contracts with the TEC or Ministry of Education, Tier 2 and Tier 3 individuals (in accordance with paragraphs 6.2 and 6.4 of this Delegations Policy).	N/A
3.	Provide and/or distribute funding to Te Pūkenga Subsidiaries	CE	N/A	Deputy Chief Executive of Operations and/or Director Finance, as specified in Group Treasury Policy	N/A

D. CAPITAL EXPENDITURE

	AUTHORITY TO	DELEGATED TO	REQUIREMENTS	MAY BE SUB-DELEGATED TO	REQUIREMENTS
1.	Approve capital expenditure within the annual budget (and, to the extent the capital expenditure commitment extends for a term beyond the annual budget, approve capital expenditure of up to \$20,000,000 (plus GST, if any) per item or related series of items	CE	Must also comply with the Procurement Policy of Te Pūkenga.	Tier 2 and Tier 3 individuals, in accordance with paragraphs 6.2 and 6.4 of this Delegations Policy.	Authority given but subject to reduced threshold of \$500,000 (plus GST, if any).



	AUTHORITY TO	DELEGATED TO	REQUIREMENTS	MAY BE SUB-DELEGATED TO	REQUIREMENTS
	in respect of the extended term).				

E. DISPOSAL OF ASSETS

	AUTHORITY TO	DELEGATED TO	REQUIREMENTS	MAY BE SUB-DELEGATED TO	REQUIREMENTS
1.	Dispose of non-property (land and building) assets with a value of up to \$5,000,000 (plus GST, if any) per item or related series of items.	CE	Inform the Chairperson prior to entry.	N/A	N/A

F. HUMAN RESOURCES

Employment Conditions and Remuneration

	AUTHORITY TO	DELEGATED TO	IN CONSULTATION WITH	MAY BE SUB-DELEGATED TO	REQUIREMENTS
1.	Appoint direct reports to the CE with remuneration packages or payment up to \$500,000 per annum (Tier 2 staff).	CE	Chairperson	N/A	N/A
2.	Appoint staff within their direct reporting line with remuneration packages or payment up to \$250,000 per annum (Tier 3 staff).	CE	N/A	Tier 2 and Tier 3 individuals, in accordance with paragraphs 6.2 and 6.4 of this Delegations Policy.	Consult with CE.
3.	Appoint consultants and contractors on contracts within the annual budget (and, to the extent any appointment has a term extending beyond the annual budget, appoint consultants and contractors on contracts which are likely to involve annual expenditure of up to	CE	N/A	Tier 2 and Tier 3 individuals, in accordance with paragraphs 6.2 and 6.4 of this Delegations Policy.	Authority given but subject to reduced threshold of \$500,000 (plus GST, if any).



	AUTHORITY TO	DELEGATED TO	IN CONSULTATION WITH	MAY BE SUB-DELEGATED TO	REQUIREMENTS
	\$2,000,000 (plus GST, if any) in respect of the extended term).				
4.	Allocation of salaries within any bands approved by the Council.	CE	N/A	N/A	N/A
5.	Approve other benefits in addition to salary (e.g. Superannuation, removal expenses, etc.).	CE	N/A	N/A	N/A

Leave

	AUTHORITY TO	DELEGATED TO	IN CONSULTATION WITH	MAY BE SUB-DELEGATED TO	REQUIREMENTS
6.	Approve paid discretionary leave over 5 days.	CE	N/A	Tier 2 and Tier 3 individuals, in accordance with paragraphs 6.2 and 6.4 of this Delegations Policy.	Inform CE
7.	Approve cashing up of annual leave (in compliance with legislation).	CE	N/A	Tier 2 and Tier 3 individuals, in accordance with paragraphs 6.2 and 6.4 of this Delegations Policy.	Inform CE



Travel

	AUTHORITY TO	DELEGATED TO	REQUIREMENTS	MAY BE SUB-DELEGATED TO	REQUIREMENTS
8.	Approve staff overseas travel.	CE	All overseas travel must be approved by the CE prior to any reservations being made. CE overseas travel is to be approved by the Chairperson.	Tier 2 and Tier 3 individuals, in accordance with paragraphs 6.2 and 6.4 of this Delegations Policy.	All individual staff overseas travel is to be approved by the CE. No Tier 2 or Tier 3 individual may be sub-delegated the authority to approve their own travel.
9.	Approve personal travel done with business travel.	CE	Chairperson prior approval required.	N/A	N/A

Other

	AUTHORITY TO	DELEGATED TO	REQUIREMENTS	MAY BE SUB-DELEGATED TO	REQUIREMENTS
10.	Suspend staff without pay.	CE	N/A	N/A	

Note: All actions taken in relation to discipline of staff should be in accordance with the current Disciplinary Policy.



G. LITIGATION

	AUTHORITY TO	DELEGATED TO	REQUIREMENTS	MAY BE SUB-DELEGATED TO	REQUIREMENTS
1.	Authority to enter without prejudice negotiations in relation to any proposed litigation or arbitration.	CE	CE must first notify the Council before entering such negotiations. CE to regularly inform the Council. CE has no authority to settle any such matter without Council approval.	N/A	N/A





Te Pūkenga

Appendix 2: Form of written notice of delegation and consent to sub-delegation to Chief Executive

Pursuant to sections 73(1)(b) and 74(1)(b) of the Crown Entities Act 2004

TO: Stephen Town, Chief Executive, Te Pūkenga - New Zealand Institute of Skills and Technology
(Te Pūkenga)

- (1) The Council of Te Pūkenga (**Council**) may delegate any of its functions or powers, either generally or specifically, to certain persons, including the chief executive, by resolution and written notice to that person, pursuant to section 73(1)(b) of the Crown Entities Act 2004.
- (2) ~~The~~ At its meeting on 4 May 2021, the Council ~~passed a resolution on 3 November 2020~~ resolved to approve an updated Delegations Policy pursuant to which the Council delegates its functions and powers relating to the management of Te Pūkenga to the role of the Chief Executive, subject to the limitations set out in the Delegations Policy (a copy of which is attached).
- (3) This document constitutes the Council's written notice of:
 - the delegations set out in the Delegations Policy (but subject to the limitations set out in that Policy) to the person employed as the Chief Executive of Te Pūkenga for the purposes of section 73(1)(b) of the Crown Entities Act 2004; and
 - its consent to the sub-delegations set out in the Delegations Policy (but subject to the limitations set out in that Policy) for the purposes of section 74(1)(b) of the Crown Entities Act 2004.
- (4) Please sign and return a copy of this written notice to confirm you have read and understood the contents of the attached Delegations Policy and agree to comply with it.

DATED: 2020~~1~~

SIGNED

Chairperson – Te Pūkenga

ACKNOWLEDGED, ACCEPTED AND AGREED

Stephen Town – Chief Executive, Te Pūkenga

Te Pūkenga Delegations Policy
May 2021





Te Pūkenga

Appendix 3: Form of written notice of sub-delegation from Chief Executive to employee(s) of Te Pūkenga

Pursuant to section 74 of the Crown Entities Act 2004

TO: _____ **[insert role title]**, Te Pūkenga - New Zealand Institute of Skills and Technology (**Te Pūkenga**)

(1) The Council of Te Pūkenga (**Council**) may delegate any of its functions or powers to any employee or office holder of Te Pūkenga by resolution and written notice to the person, pursuant to section 73(1)(b) of the Crown Entities Act 2004.

(2) ~~At its meeting on 4 May 2021, the Council passed a resolution on 3 November 2020~~ resolved to approve an updated Delegations Policy pursuant to which the Council delegates its functions and powers relating to the management of Te Pūkenga to the role of the Chief Executive, subject to the limitations set out in the Delegations Policy (a copy of which is attached).

(3) On 3 November 2020 the Council also gave its written consent to the ability of the Chief Executive to sub-delegate certain of their delegated functions and powers to:

(a) any one or more of the Tier 2 and Tier 3 fixed-term or permanent employee(s) of Te Pūkenga, and the CE's Executive Assistant/Council Secretariat; and/or

(b) having taken legal advice as to the appropriateness of the delegation in the circumstances including with reference to the fact that Te Pūkenga is a Crown entity, to any one or more temporary or contracted Tier 2 and Tier 3 (or equivalent) staff member, including secondees who have an assignment of 3 months or more,

in each case, pursuant to and subject to the limitations set out in the Delegations Policy.

(4) This notice is provided for completeness that the Chief Executive sub-delegates **[insert any specifics of which delegations are being given to the specific individual from Appendix 1 of the Delegations Policy]** (but subject to the limitations set out in that Policy) to you as a relevant individual in accordance with section 74(1) of the Crown Entities Act 2004.

(5) Please sign and return a copy of this written notice to confirm you have read and understood the contents of the attached Delegations Policy and this notice and agree to comply with each.

DATED: 2020~~1~~





Te Pūkenga

SIGNED

Stephen Town – Chief Executive, Te Pūkenga

ACKNOWLEDGED, ACCEPTED AND AGREED

_____ – *[insert role title]*, Te Pūkenga



Appendix 4: Capital Expenditure Approvals Flow Chart – Te Pūkenga Subsidiaries

Te Pūkenga Subsidiaries Capital Expenditure Approvals Flowchart

