



Te Pūkenga

Te Pūkenga Council Meeting

Date	Tuesday, 2 November 2021	
Time	9.00am – 1.45 pm	
Venue	Zoom	
Council Members	Murray Strong (Chairperson)	Kim Ngārimu (Deputy Chairperson)
	Maryann Geddes	Kathy Grant
	Sam Huggard	Tania Hodges
	Peter Winder	Tagaloatele Peggy Fairbairn-Dunlop
	John Brockies	Jordan Gush
	Heath Sawyer	

Open Agenda	
1.	Welcome/Apologies/Notices
1.1.	Council Calendar and Schedule of Committees
2.	Register of Interests
3.	Minutes of the Open meeting held 5 October 2021
3.1.	Matters Arising
3.2.	Action List - Open
4.	CE Verbal Update
5.	Te Pae Tawhiti Progress Report
6.	Reports from Committees
6.1.	Approval of Membership and Minutes from open Poari Akoranga meeting from 13 October 2021
6.2.	Health and Safety Committee
6.2.1.	Wellbeing and Safety Policy
6.2.2.	Health, Safety and Wellbeing Committee Terms of Reference
7.	<i>Formal Motion for Moving into Committee</i>

Closed Agenda	
8.	Minutes from public excluded meeting from 5 October 2021
8.1.	Matters Arising
8.2.	Action List - Confidential
9.	CE Report (Verbal Update)
10.	TEC
11.	Financials
11.1.	Te Pūkenga Parent & Group Financial Results 30 September 2021
11.2.	Budget 2022
11.3.	Capital Request – IT Assets
11.4.	Financial Policy Changes
11.5.	TEC Q3 Report for the period ended September 2021
12.	Strategy
12.1.	Digital Strategy (Draft)
12.2.	Seismic Strategy and Policy
13.	Subsidiaries
13.1.	UCOL – The Backhouse Charitable Trust
14.	Subsidiary Board Appointments
14.1.	Te Pūkenga Work Based Learning Ltd - MITO Director Appointment
15.	Risk Management
15.1.	Risk Framework – 6-month review
15.2.	Interim Legislative Compliance Framework
16.	Reports from Committees
16.1.	Minutes from public excluded Poari Akoranga meeting from 13 October 2021
16.2.	Risk and Audit Committee Draft Minutes of the meeting held 19 October 2021 and Recommendations
16.3.	Appointments and Remuneration Committee Draft Minutes of the meeting held 27 October 2021
16.3.1.	Approval: Advisory Committees Remuneration
16.3.2.	Approval: Komit Maori Appointment to Council

16.4.	Reform of Vocational Education (RoVE) – October 2021 <u>Update</u>
17.	Correspondence
17.1.	Letter from Minister Hipkins dated 20 October 2021
18.	Any Other Business
	<i>Formal motion for moving out of Committee</i>

Karakia

1. Welcome/Apologies/Notices



Te Pūkenga Council Meeting 2021/2022 Calendar

Month	Date	Day	Meeting	Activity	Additional Information
2021					
September	7 Sept	Tues	Council	Ordinary Meeting	Zoom
	21 Sept	Tues	Council	Workshop	
October	5 Oct	Tues	Council	Ordinary Meeting	Zoom
	19 Oct	Tues	Council	Workshop	
November	2 Nov	Tues	Council	Ordinary Meeting	Zoom
	16 Nov	Tues	Council	Workshop	
December	7 Dec	Tues	Council	Ordinary Meeting	TBC
2022					
February	2 February	Wed	Council	Workshop	
	3 February	Thurs	Council	Ordinary Meeting	
March	14 March	Mon	Council	Workshop	
	15 March	Tues	Council	Ordinary Meeting	
April	26 April	Tues	Council	Workshop	
	27 April	Wed	Council	Ordinary Meeting	
June	7 June	Tues	Council	Workshop	
	8 June	Wed	Council	Ordinary Meeting	
July	18 July	Mon	Council	Workshop	
	19 July	Tues	Council	Ordinary Meeting	
August	29 Aug	Mon	Workshop	Workshop	
	30 Aug	Tues	Council	Ordinary Meeting	
October	10 Oct	Mon	Workshop	Workshop	
	11 Oct	Tues	Council	Ordinary Meeting	
November	21 Nov	Mon	Workshop	Workshop	
	22 Nov	Tues	Council	Ordinary Meeting	



Schedule of Committees of the Te Pūkenga Council

Risk and Audit Committee

Name	Role	Meeting Dates
Peter Winder	Chair	22 July 2021
Kathy Grant	Member	19 October 2021
Sam Huggard	Member	24 February 2022
Murray Strong	Member	21 April 2022
		28 April 2022

Health, Safety and Wellbeing Committee

Name	Role	Meeting Dates
Sam Huggard	Chair	29 July 2021
Kim Ngarimu	Member	22 September 2021
Maryann Geddes	Member	16 November 2021
Murray Strong	Member	

Capital Asset Management and Infrastructure Committee

Name	Role	Meeting Dates
Kathy Grant	Chair	28 July 2021
Murray Strong	Member (ex-Officio)	23 September 2021
Peter Winder	Member	16 December 2021
Tania Hodges	Member	

Appointment and Remuneration Committee

Name	Role	Meeting Dates
Maryann Geddes	Chair	30 July 2021
Kim Ngarimu	Member	1 October 2021
Murray Strong	Member	27 October 2021
		8 November 2021



Te Pūkenga

Register of Interests as at 2 November 2021

	Member	Chairperson/ Deputy Chairperson / Member
1.	Murray Strong	Chairperson
	<p><u>Disclosure of Member's Interests (if any) in relation to matters being considered by the Council under these resolutions</u></p> <p>Chairperson Centre of Digital Excellence</p> <p>Director National Infrastructure Service, Wellington</p> <p>Director Tai Poutini Polytechnic Limited (TPP)</p> <p>Director The Open Polytechnic of New Zealand Limited</p> <p>Independent Chairman - Southern Lakes Events Investment Panel - effective 1 November</p> <p>Director Work Based Learning Limited (Te Pūkenga Subsidiary)</p>	
2.	Kim Ngārimu	Deputy Chairperson
	<p><u>Disclosure of Member's Interests (if any) in relation to matters being considered by the Council under these resolutions</u></p> <p>Council member Medical Council of New Zealand</p> <p>Member Waitangi Tribunal</p> <p>Board member Heritage NZ</p> <p>Council member Māori Heritage Council</p> <p>Board member Te Māngai Pāhō Māori Broadcasting Funding Agency</p> <p>Director and shareholder NTK Limited and Tāua Ltd</p> <p>Husband Herewini Te Koha, CE of Te Rūnanganui o Ngāti Porou, signatory to regional submissions on RoVE.</p> <p>Chair Tairāwhiti DHB</p> <p>Director Northland Polytechnic Limited (NorthTec)</p> <p>Director Eastern Institute of Technology Limited (EIT)</p> <p>Chair Gisborne DHB Laundry Services – effective December 2020</p>	
3.	Mary-Ann Geddes	Member
	<p><u>Disclosure of Member's Interests (if any) in relation to matters being considered by the Council under these resolutions</u></p> <p>Director ServiceIQ</p> <p>Director Ara Institute of Canterbury Limited (Ara)</p> <p>Director Otago Polytechnic Limited</p> <p>Director Southern Institute of Technology Limited (SIT)</p> <p>Director Work Based Learning Limited (Te Pūkenga Subsidiary)</p>	

	Member	Chairperson/ Deputy Chairperson / Member
4.	Kathy Grant	Member
	<p><u>Disclosure of Member's Interests (if any) in relation to matters being considered by the Council under these resolutions</u></p> <p>Person closely related Board member Leslie Groves Home & Hospital</p> <p>Person closely related Chair Dunedin Diocesan Trust Board</p> <p>Director Nelson Marlborough Institute of Technology Limited (NMIT)</p> <p>Director Wellington Institute of Technology Limited and Whitireia Community Polytechnic Limited</p> <p>Trustee Central Lakes Trust (as from 1 December)</p> <p>Director Southern Cross Health CLT Limited</p>	
5.	Tania Hodges	Member
	<p><u>Disclosure of Member's Interests (if any) in relation to matters being considered by the Council under these resolutions</u></p> <p>Managing Director and Shareholder Digital Indigenous Ltd</p> <p>Trustee Whanau.com Trust</p> <p>Director Waikato Institute of Technology Limited (Wintec)</p> <p>Director Toi Ohomai Institute of Technology Limited</p> <p>Independent Member Waikato Tainui Koiria Strategy Panel</p>	
6.	Peter Winder	Member
	<p><u>Disclosure of Member's Interests (if any) in relation to matters being considered by the Council under these resolutions</u></p> <p>Director McGredy Winder & Co</p> <p>Trustee McGredy Winder Family Trust</p> <p>Director Sound of Music Education Ltd</p> <p>Director Unitec New Zealand Limited (Unitec)</p> <p>Director Manukau Institute of Technology Limited (MIT)</p>	
7.	Sam Huggard	Member
	<p><u>Disclosure of Member's Interests (if any) in relation to matters being considered by the Council under these resolutions</u></p> <p>Trustee 350 Aotearoa Charitable Trust</p> <p>Consumer Representative Utilities Disputes Ltd Energy Complaints Scheme Advisory Committee</p> <p>Advisory Board Member Centre for Labour, Employment and Work, School of Management, Victoria University of Wellington</p> <p>Director Tai Poutini Polytechnic Limited (TPP)</p> <p>Director Western Institute of Technology at Taranaki Limited (WITT)</p> <p>Employee E tū union</p>	

	Member	Chairperson/ Deputy Chairperson / Member
	<p>Member Lottery Grants Board Community and Outdoor Safety Committees</p> <p>Member Trade for All Ministerial Advisory Group</p> <p>Member Attract and Develop a Skilled Workforce Working Group and Partnership Focus Group - Advanced Manufacturing Industry Transformation Plan</p> <p>Member (ex Officio) Universal College of Learning (UCOL) Limited</p>	
8.	John Brockies	Member
	<p>Director Branz Inc, Branz Ltd, Branz Pty Ltd</p> <p>Director Resolve Group Ltd</p> <p>Director Walworth Ltd</p> <p>Chair Waiari Project Advisory Board (Tauranga City Council)</p> <p>Chair Te Maunga Project Advisory Board (Tauranga City Council)</p> <p>Trustee Natomi Family Trust</p> <p>Director Northland Polytechnic Limited (NorthTec)</p> <p>Director Work Based Learning Limited (Te Pūkenga Subsidiary)</p>	
9.	Tagaloatele Dr Peggy Fairbairn-Dunlop	Member
	<p>Commissioner UNESCO National Commission</p> <p>Director Vinepa Trust</p>	
10.	Heath Sawyer	Member
	Nil	
11.	Jordan Gush	Member
	Nil	

Interests Declaration – All Members

Name	Interest	Nature of Interest	Date Notified
All Members	Deed of Indemnity executed on behalf of the Company (in the form approved by NZIST Council on 1 April 2020) indemnifying each Director in respect of the matters stipulated in the Deed.	Indemnified person, as defined in the Deed	1 April 2020

Pūrongo Kaunihera a Te Pūkenga

2 November 2021

Title:	Minutes of the Open Meeting held 5 October 2021
Provided by:	Lynnette Brown – Council Secretariat
For:	Approval

Recommendation

It is recommended that the Council:

1. Approve the minutes of Te Pūkenga Council **open** meeting held on 5 October 2021 as a true and correct record.

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

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

Tuesday 5 October 2021 at 9.00 am

Minutes

These are the minutes of a meeting of Te Pūkenga Council held on Tuesday 5 October 2021 via Zoom.

Council Members	Murray Strong (Chairperson) Maryann Geddes Sam Huggard Peter Winder John Brockies	Kim Ngārimu (Deputy Chairperson) Kathy Grant Tania Hodges Tagaloatele Peggy Fairbairn-Dunlop
In Attendance	Stephen Town - Chief Executive Warwick Quinn - DCE Employer Journey and Experience Angela Beaton - DCE Delivery and Academic Phillip Jacques - Interim Director Finance (Items 9 – 12.1) Lynnette Brown - Council Secretariat Amomai Pihama, Kaitohutohu Māori - Strategic Māori Communications Lead (Item 10.1 only)	Vaughan Payne – DCE Operations Ana Morrison - DCE Partnerships and Equity Tania Winslade - DCE Learner Journey and Experience (Items 14 and 14.1) Culture Operations Paki Rawiri - Strategic Lead – Te Tiriti Futures Sinead Hart – Director – Legal and Risk (Items 11.1 – 12.1) Marina Matthews – Chief Advisor to Chief Executive Gillian Hamilton - Executive Assistant Natalie Palmer, Communications and Marketing Manager (Item 10.2 only) Graham Bethune, Director Communications and Marketing (Item 10.2 only)

Quorum

The Chair noted that a quorum of members was present at the meeting and declared the meeting open.

Karakia

The meeting was opened with a karakia by Mary-Ann Geddes.

Open Minutes

1. Welcome/Apologies/Notices

The Chair welcomed everyone to the meeting and noted the brief absence of Tagaloatele Peggy Fairbairn-Dunlop during this session.

1.1. Council Calendar and Schedule of Committees

Noted.

2. Register of Interests

No conflicts with matters on the agenda were declared and there were no changes to the interest register.

3. Minutes of the Open meeting held 7 September 2021

Resolved:

The Council approved the minutes of the open meeting of Te Pūkenga Council held on 7 September 2021 as a true and correct record of the meeting.

Moved: T Hodges

Seconded: K Grant

CARRIED

3.1. Matters Arising

There were no matters arising.

3.2. Action List – Open

The Council noted the action list.

4. CE Verbal Update

The Council received the Chief Executive's verbal update which focused on:

- BCITO transfer into Te Pūkenga has been completed however the powhiri has been delayed due to Covid-19 – another date and time is to be established
- Workforce Development Councils (WDCs) were stood up on 4 October
- MITO transfer agreement progressing – on track for completion 1 January 2022
- The considerable effort in finalising the Operating Model for engagement with the sector – timetable delayed a couple of weeks in response to Covid changing alert levels. The engagement programme has moved to online due to Covid levels with dates confirmed for 18 October to 8 November.
- The challenges occurring at Unitec New Zealand Limited (Unitec) and Manukau Institute of Technology Limited (MIT) in respect of learners being able to complete programmes by Christmas as well, acknowledged the challenging time that all the ITPs are experiencing.
- Western Institute of Technology at Taranaki Limited (WITT) has received joint ministerial approval to convert a historical crown loan to equity.

5. Reports from Committees

5.1. Minutes from open Poari Akoranga meeting from 8 September 2021

Council received the report and Management provided a verbal update to the activities.

- NZQA exemption approved in relation to compliance with Rule 17 which is the requirement to retain all student assessment materials. Considering the scale of the organisation, this exemption which includes Te Pūkenga Work-Based Learning Limited allows time to consider a way forward.
- Power BI – a digital tool providing qualification and programme intelligence which is key to transitioning towards unifying programmes. It is anticipated that a report will be provided to the November Council meeting.
- The subcommittee, Rangahau Māori Research and Postgraduate, is looking to streamlining ethics for conducting research and teaching across the country with a kaupapa Māori approach. It is anticipated that a report will be provided to the November Council meeting.

Council commented, in relation to rule 17, that amongst other matters, consideration be given to post-assessment moderation in the work-based learning area, as well as what employers and learners might need for Recognition of Prior Learning.

Resolved:

The Council received the academic report from Te Poari Akoranga meeting held online via Teams 8 September 2021

Moved: T Hodges

Seconded: K Grant

CARRIED

5.2. Health, Safety and Wellness Draft Minutes of meeting held 21 September 2021

Resolved:

The Council:

- a. Noted the draft minutes of Te Pūkenga Health, Safety and Wellbeing Committee meeting held on 21 September 2021; and
- b. Noted that the Committee approved
 - The Wellbeing and Safety Policy, and
 - The Health, Safety and Wellbeing Committee Terms of Reference

with changes pending based on feedback and these will be provided at the next meeting of Council.

Moved: T Hodges

Seconded: K Grant

CARRIED

Formal Motion for Moving into Committee

6. 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**) 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

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
7.	Minutes from public excluded meeting from 8 September 2021	<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)(b)(ii) of the Official Information Act - 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</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).
7.1.	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)(b)(ii) of the Official Information Act - 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</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).
7.2.	Action List	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 (noting the Council is

		organisation in the course of their duty	specified, in Schedule 2 of LGOIMA, as a body to which LGOIMA applies).
8.	CE Report (Verbal Update)	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).
9.	Te Pūkenga Parent & Group Financial Results 31 August 2021	Section 9(2)(i) of the Official Information Act – enable the organisation holding the information to carry out, without prejudice or disadvantage, commercial activities 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).
9.1.	Letter Ministry of Education - Consent	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.	Strategy		
10.1.	Amendment to Te Pūkenga Vision and Values	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).
10.2.	Purongo Kaunihera a Te Pūkenga – Brand Transition Strategy	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

		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	specified, in Schedule 2 of LGOIMA, as a body to which LGOIMA applies).
11.	Subsidiaries		
11.1.	TANZ e-Campus Update	<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)(b)(ii) of the Official Information Act - 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</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).
11.2.	Open Polytechnic Investment	<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).
12.	Subsidiary Board Appointments		

12.1.	Te Pūkenga Work Based Learning Limited – Appointment (TwoA) and MITO Transfer Agreement	<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.	Reports from Committees		
13.1.	Minutes from public excluded Poari Akoranga meeting from 8 September 2021	<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>	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.	CAMIC Minutes and Recommendations	<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)(b)(ii) of the Official Information Act - 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</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.	Appointments and Remuneration Committee	<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</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

		expression of opinion by or between members of any organisation or employees of any organisation in the course of their duty	LGOIMA, as a body to which LGOIMA applies).
13.3.	Minutes from the meeting held 1 October 2021 Approval: Appointments and Remuneration Committee Terms of Reference Approval: Subsidiary Board Appointment Approval: Advisory Committees – Appointments, Remuneration and Terms of Reference	9(2)(a) To protect the privacy of natural persons, including that of deceased natural persons 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).
13.3.	Minutes from the meeting held 30 July 2021	9(2)(a) To protect the privacy of natural persons, including that of deceased natural persons 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).
14.	Reform of Vocational Education (RoVE) – October 2021 Update	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).
14.1.	Operating Model Update	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).
15.	Inwards Correspondence		

15.1.	Letter from Public Services Commission 29 June 2021	<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>	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).
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The Chair moved that certain employees from Te Pūkenga, namely Stephen Town, Vaughan Payne, Marina Matthews, Gillian Hamilton, and Lynnette Brown; 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.

And Warwick Quinn, Angela Beaton, Phillip Jacques, Ana Morrison, Keri-Ann Tane, Tania Winslade, Paki Rawiri, Graham Bethune, Natalie Palmer, Amomai Pihama, and Sinead Hart will join the meeting during the public excluded session as required to speak to specific items.

3.1. Matters Arising

Te Pūkenga Council Meeting

Open Action Items as at 2 November 2021

Meeting Date	Agenda Item	Action #	Action	Responsible	Status	Due Date
September Meeting						
7 September 2021	5.1	Action # 1	Te Poari Akoranga Report Management to provide a paper to update Council in respect of the health sector programmes and pipeline.	A Beaton	Closed – on Workshop Agenda	November

4. CE Verbal Update

Pūrongo Kaunihera a Te Pūkenga

Council Report

2 November 2021

Title	Te Pae Tawhiti Network Action Plans – Inaugural Quarterly Report
Provided by	Ana Morrison, DCE: Partnerships & Equity
Author	Janine Kapa, Kaikōkiri (Te Pae Tawhiti – Network)
For	Information

Te Taunaki | Recommendation(s)

It is recommended that the Council:

a.	receives the report
b.	notes the next quarterly report will be provided on 14 March 2022.

Te Tāhuhu Kōrero | Background

The implementation of Te Pae Tawhiti Tiriti o Waitangi excellence framework - working draft (TPT) across all subsidiaries is a key performance indicator for 2021, and contributes to activity to demonstrate that the organisation has a relentless focus on equity for Māori and is active in honouring and upholding Te Tiriti o Waitangi in all we do.

Subsidiaries developed action plans in early 2021 to focus their activity from 2021 through to end 2022 towards achievement of outcomes 1 and 2 of TPT.

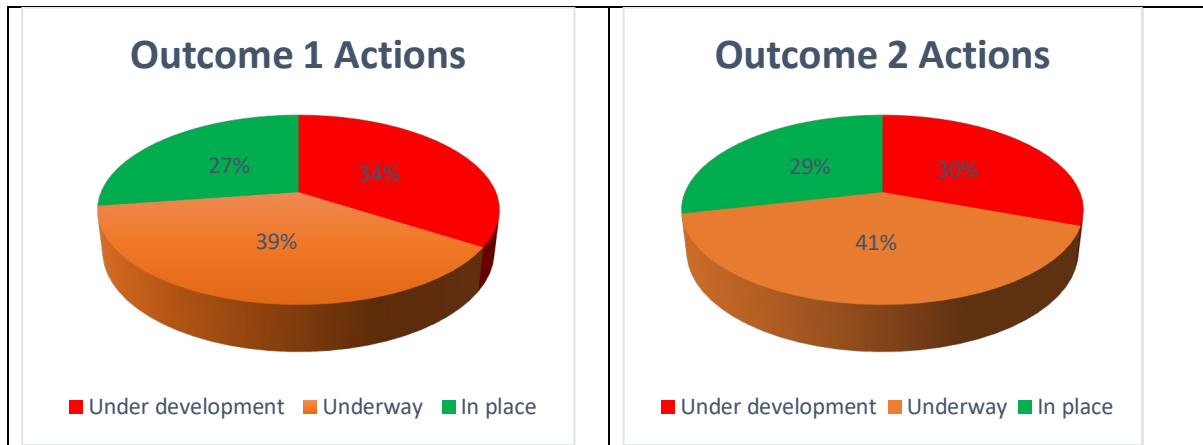
After the release of Te Pae Tawhiti network insights report in July 2021, subsidiaries refined and resubmitted their 2021/2022 action plans to confirm the 3-5 priority actions per outcome that were:

- Intended to contribute to these outcomes, in alignment with their strategic objectives and the insights report; and
- Accountable for and would be reported on quarterly from Q3

The purpose of this report is to:

- Report on progress made by subsidiaries on the actions they have prioritised as they prepare to fully transition to Te Pūkenga from 1 January 2023.
- Inform Council of the impact TPT has had across the subsidiary network over the past 12-months

The appendices to this report provide a synthesis of almost 100 priority actions being advanced across the 16 subsidiaries throughout Te Pūkenga network towards outcomes 1 and 2 of TPT, and in pursuit of Te Tiriti o Waitangi excellence - for the period 1 July to 30 September 2021.

Progress Made on Te Pae Tawhiti Action Plans


Forty-four actions are being advanced across the subsidiary network in relation to outcome 1 - 'demonstrable Te Tiriti o Waitangi partnerships'.

As depicted in this chart:

- A third are **under development** (15 in total)
- Almost 40% are **underway** (17 in total)
- Just over a quarter are **in place** (12 in total)

Forty-nine actions are being advanced across the subsidiary network in relation to outcome 2 - to directly address and contribute to the advancement of 'inclusivity and equity for Māori'.

Of these 49 actions:

- Almost a third are **under development** (15 in total, with COVID cited as delaying the progress of many of these actions)
- Just over 40% are **underway** (20 in total)
- Over a quarter are **in place** (14 in total)

Indication of Impact

Using McKinsey's change model as a guide, analysis shows that TPT is gaining momentum across the network and having a positive impact on subsidiaries, including:

- The network has responded to the skills, values and culture required to support change
- Organisational structures and roles are changing in response to TPT
- Work has progressed to align subsidiaries' strategies, plans and reporting with TPT
- A number of system-based initiatives have been developed
- Prioritisation of Te Pae Tawhiti through resourcing additional leaders, staff, projects and research.

More detail is provided at **Appendix 1 – Impact of Te Pae Tawhiti**

Te Pae Tawhiti | Tiriti Excellence Framework

A Te Pae Tawhiti quality assurance process is built into this project.

Pānga ki Ngā Ākonga/Kaitukumahi | Learner/Employer Impact

A similar process will be used with the TITOs once their TPT self-reflective reports are completed (end of 2021/2022), insights shared and action plans for 2022 developed (and then reported on quarterly). Both pieces of work are expected to positively impact on the learner journey and broader experiences of ākonga Māori – regardless of where they chose to study and the mode of delivery they choose to engage in – and on the employers with whom they engage during work placements or work experience, and ultimately, once employed and they embark on the next stage of their career.

Ōritetanga | Equity Impact

The insights from this report will be shared with the Equity Team who are developing the Equity Strategy and associated Equity Plans – including Māori equity.

Te Uiuinga Whānui | Engagement/consultation

In the initial development of their TPT action plans in January/February and preparing for the re-submission of these in July following the release of the TPT insights, some subsidiaries chose to engage with their Te Tiriti partners, while others did not.

As indicated in **Appendix 2 - Progress against Te Pae Tawhiti Outcomes (Q3 2021)**, several subsidiaries involve their Te Tiriti partners in TPT reporting processes, where as others have chosen not to (NB: it was not a requirement in the development of their action plans, nor this progress report).

The timing of Komiti Māori establishment prevented their proactive review and advice on this Report – but that will be rectified for the next reporting cycle, and this report will be provided retrospectively to Komiti Māori for their November meeting.

Ngā tino raru ka heipu mai | Key risks

Description	Likelihood	Impacts	Treatment and Controls
There are high expectations of Te Pae Tawhiti from across the Te Pūkenga (& VE) network, therefore a reputational risk if the project does not deliver on its intended outcomes	M	H	Te Pae Tawhiti engagement plan developed to ensure visibility of Te Pae Tawhiti across Te Pūkenga and internal workstreams ensuring the intent of Te Pae Tawhiti is socialised internally. Network actions plans prioritised over DCE Division TPT action plan development, to maintain focus on momentum and impact across network
Potential for break down in relationships with subsidiaries due to unexpected feedback in relation to their report	M	H	Ensure the mana of each subsidiary is upheld when having those discussions. DCE to lead, with support of the Kaikōkiri - TPT Balance the areas for improvement with areas of best practice.
Failure to agree an Action Plan for monitoring by Te Pūkenga	L	H	Communication with CEOs. DCE leadership and face to face engagements when confirming Action Plan.

Te tirohanga taha pūtea | Financial considerations

None at this stage.

Te Ahunga Ki Mua | Next steps

As part of the accountability Te Pūkenga has to show it is meeting its legislative requirements and the Minister's Letter of Expectation, it will be prudent to share this report with:

- The RoVE ecosystem through the fortnightly Report to the Minister and Design Authority
- Subsidiaries via the TPT Internal Champions Network
- Te Pūkenga DCEs to inform them of progress made towards TPT outcomes, and in particular, subsidiaries' priority actions that can inform and / or influence the range of projects already underway
- Komiti Māori, subsidiary Māori committees, and Te Taumata Aronui
- Mātauranga ILG
- The wider public through publication of this paper on the Te Pūkenga website

Te hunga whai koha | Contributors

TPT Network Team, Partnerships and Equity and subsidiary TPT Internal Champions.

Ngā Tāpirihanga | Appendices Document Library

- [Appendix 1 – Impact of Te Pae Tawhiti](#)
- Appendix 2 – Progress against Te Pae Tawhiti Outcomes (Q3 2021)

Pūrongo Kaunihera a Te Pūkenga

Council Report

2 November 2021

Title	Review of Te Pūkenga Health and Safety Policy
Provided by	Vaughan Payne, DCE Operations
Prepared by	Keri-Anne Tane, Director People and Culture Garth Gulley, HSW Lead
For	Approval

Te Taunaki | Recommendation(s)

It is recommended that the Council:

a.	Approves the amended policy; and
b.	Notes that this matter has been considered and endorsed (with feedback incorporated) by the Health, Safety and Wellbeing Committee at their meeting held 21 September 2021

Te pūtake o tēnei pūrongo | Purpose of this report

The Wellbeing and Safety Policy outlines the commitment and principals set by Te Pūkenga to ensure the organisation provides for a safe, learning and work environment for our akonga and kaimahi and in accordance with our obligations to the Health and Safety at Work Act 2015 (HSW Act) and the Education (Pastoral Care of Tertiary and International Learners) Code of Practice 2021.

Te Tāhuhu Kōrero | Background

In April 2020 the Council approved the inaugural Te Pūkenga Health and Safety Policy with an annual review requirement.

This review 2021 has incorporated principals adopted from the Council's HSW Committee frameworks including a focus on wellbeing, the inclusion of akonga, and all visitors/ public that can attend our learning sites.

The Policy has been substantially reformatted from the previous Policy to recognise the intent with Policy development at Te Pūkenga to:

- Reflect our commitment to the Education (Pastoral Care of Tertiary and International Learners) Code of Practice 2021

- Reflect the increased commitment to wellbeing by renaming the Policy from Health, Safety and Wellbeing to Wellbeing and Safety – notably taken from the Education (Pastoral Care of Tertiary and International Learners) Code of Practice 2021
- Simplify the previous wording as much as practicable
- Transfer procedure out of policy and incorporate into procedural documents (such as, HSW Manual and Emergency Response Plan).
- Incorporate our commitment to the Te Pūkenga Charter and acknowledge the current period of transition.

Additionally, once finalised a Wellbeing & Safety Policy is required to be on display within an organisation in a manner which can be easily read. Therefore, pages 2 and pages 3 will be framed for this purpose.

Appendix | Tāpiritanga

1. Proposed Te Pūkenga Wellbeing and Safety Policy September 2021
2. [Te Pūkenga Health and Safety Policy 2020](#)

Wellbeing and Safety Policy

Audience

The Wellbeing and Safety Policy applies to our kaimahi (staff and contractors), ākonga (learners), visitors to our workplaces and all people affected by our work activities.

Staff include all people employed by Te Pūkenga.

Contractors include all people engaged as Independent Contractors by Te Pūkenga.

Learners include all people who participate in training, learning, or delivery with the aim of receiving a qualification from Te Pūkenga.

Visitors include a member of the public who is appropriately accessing our workplace.

Scope

The scope of the Wellbeing and Safety Policy is our workplaces and work activities.

Approval details

Version number	2	Issue date	[DD/MM/2021]
Version history	This policy replaces the Health and Safety Policy adopted by Te Pūkenga on 1 April 2020	<i>Reason for amendment/s</i> Simplify the clear policy requirements for W&S at Te Pūkenga, recognising further procedure and policy development over the course of the past year; thereby, no longer needing such a comprehensive 'one' policy.	
Approval authority	Council	Date of approval	[DD/MM/2021]
Policy sponsor (has authority to make minor amendments)	Director People and Culture	Policy owner	Chief Executive
Contact person	Director People and Culture	Date of next review	30 September 2022

Amendment history

Version	Effective date	Reviewed by	Reason for review/comment

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Wellbeing and Safety Policy

1. Purpose

1.1 This Wellbeing and Safety Policy sets out the commitment of Te Pūkenga to the wellbeing and safety of all our people engaged in vocational learning throughout Aotearoa New Zealand.

The Wellbeing and Safety Policy applies to our kaimahi (staff and contractors), ākonga (learners), and visitors to our workplaces and all people engaged in our work activities.

- a) Staff include all people employed by Te Pūkenga.
- b) Contractors include all people engaged as Independent Contractors by Te Pūkenga.
- c) Learners include all people who participate in training, learning, or delivery with the aim of receiving a qualification from Te Pūkenga.
- d) Visitors include a member of the public who is appropriately accessing our workplace.

2. Principles

2.1. At Te Pūkenga our leadership and governance will uphold the principles of manaakitanga, whanaungatanga and mana ōrite for all kaimahi (staff and contractors) and ākonga (learners) and their wellbeing and vitality for an inclusive safety culture.

2.2. At Te Pūkenga everyone has a responsibility to keep themselves safe, to actively look out for the safety of others and to speak up early if they have any concerns.

2.3. At Te Pūkenga we are committed to continual improvement and excellence in the management and leadership of wellbeing and safety in the workplace. This is considered a key measure of our success.

2.4. In accordance with the Health and Safety at Work Act 2015, Te Pūkenga is required to take all reasonable and practicable steps to provide a safe environment for work. This will be achieved by:

- a) Providing excellent wellbeing and safety leadership, supervision, training, and communication.
- b) Ensuring considerations for wellbeing and safety are integral throughout our policies and procedures.
- c) Ensuring kaimahi (staff and contractors) and ākonga (learners):
 - o are aware of identified hazards and risks and encouraged to continuously assess for these and related risk management.
 - o understand and are engaged with wellbeing and safety processes and procedures.
 - o are engaged with and receive appropriate training and induction on wellbeing and safety.
 - o are actively participating in wellbeing and safety matters and developments.
- d) Ensuring governance and leadership are actively engaged in the review of critical risks providing direction and ensuring management of identified risks in accordance with the Te Pūkenga Risk Framework.
- e) Ensuring reporting of wellbeing and safety is informative of matters related to harm and harm management and matters of concern are timely for leadership and governance to engage with a 'no surprises' approach.

f) Ensuring completion of incident investigations as and when required to a high standard and in a timely manner. This includes a high level of engagement with all relevant parties.

2.5. At Te Pūkenga we are committed to ensuring the wellbeing and safety of akonga (learner) in accordance with the Education (Pastoral Care of Tertiary and International Learners) Code of Practice 2021. The Code comes into effect 01 January 2022 and aims to recognise learner participation and engagement in their own learning, communal and residential communities; help those who have extra needs to reach their educational goals; and respond to learners who experience distress while studying or in student accommodation.

3. Te Pūkenga Charter

3.1. The Charter of Te Pūkenga requires governance, management and operations across the network of Te Pūkenga to give effect to Te Tiriti o Waitangi, to recognise that Māori are integral to regional social, environmental, and economic development; and commit to improving outcomes for Māori learners, whanau, hapū and iwi, communities and employers (Schedule 14 of the Education and Training Act 2020).

3.2. This Policy forms part of the governance, management, and operations of Te Pūkenga and so should be read in conjunction with the Charter.

3.3. The Council of Te Pūkenga acknowledges that at the time this Policy is adopted Te Pūkenga is at the start of its transition journey. As Te Pūkenga matures, the Council is intent on all policies being reviewed and updated to better reflect the new operating model and to include guidance around the practical implementation of the Charter.

Approved:

.....

Murray Strong

Chair

.....

Date

.....

Stephen Town

Chief Executive

.....

Date

Pūrongo Kaunihera a Te Pūkenga

Council Report

2 November 2021

Title	Review of Te Pūkenga Health, Safety and Wellbeing Committee Terms of Reference
Provided by	Vaughan Payne, DCE Operations
Prepared by	Keri-Anne Tane, Director People and Culture Garth Gulley, HSW Lead
For	Approval

Te Taunaki | Recommendation(s)

It is recommended that the Council:

- a. Approves the Terms of Reference (**Appendix A**); and
- b. Notes that this matter has been considered and endorsed (with feedback incorporated) by the Health, Safety and Wellbeing Committee at their meeting held 21 September 2021

Te pūtake o tēnei pūrongo | Purpose of this report

The current Te Pūkenga Health, Safety and Wellbeing (HSW) Committee Terms of Reference sets out a requirement for the Committee to review and if appropriate, update the Terms of Reference on an annual basis for consideration and approval by the Council.

Take matua | Key points

The 2020 Terms of Reference have been reviewed in the context that these have served the Committee for less than a year with no reason for concern. Therefore, a general approach of minimal amendment has been applied, although the reviewers would note that a future review would likely suggest reasonable change to simplify the phrasing as well as clarify the expectations upon Committee members.

Therefore, for this review the following key changes only are recommended:

1. If, as per the paper on the Health and Safety Policy, the Committee endorse the renaming of the Policy to Wellbeing and Safety, that the same name convention is applied to this Committee
2. Remove the suggested karakia within Te Pūkenga karakia.
3. Amend the reference from 'best practice' to 'good practice'. This aligns to common policy and recommended by WorkSafe as a more reasonable approach for organisations on a journey of continuous improvement. To set the benchmark at best practice in advance of our understanding of the risks and current state of the network is ambitious.

4. A broad reference to Te Whare Tapa whā rather than the components, thereby, simplifying the text, whilst indirectly including 'whenua' which was previously not mentioned.
5. Noting 'assessors' rather than 'auditors', to recognise this practice is more common in the field of wellbeing and safety, such as with SafePlus assessments.

Appendix | Tāpiritanga

A; Terms of Reference Revised

B: [Terms of Reference 2020 \(Document Library\)](#)

Appendix A

Te Pūkenga Council Wellbeing and Safety Committee - Terms of Reference

Te Pūkenga – New Zealand Institute of Skills and Technology (**Te Pūkenga**) will optimise vocational learning and work outcomes for all learners, communities, and employers/industry in Aotearoa New Zealand:

- consistent with the principles of Te Tiriti o Waitangi and ensuring Māori can learn and teach as Māori, and that Māori learner, hapū and iwi outcomes are improved;
- by developing a strong and healthy national workforce through connecting individuals with opportunities that lead to positive social, cultural, environmental, and cultural outcomes for both the nation and regions; and
- through ira tangata – we put people and relationships at the heart of what we do.

Te Pūkenga is committed to the delivery of quality teaching and learning built on the foundation of hauora – the wellbeing and safety of all our people engaged in vocational education throughout Aotearoa New Zealand. Leadership and governance that upholds the principles of manaakitanga, whanaungatanga and mana ōrite for kaimahi and taura well-being and vitality can enable an enduring safety culture, and:

Kia toi te mana (enable spiritual vitality to flourish); and

Kia tau te mauri (enable physical and environmental vitality to settle and be grounded).

1. Objective

- (a) The Wellbeing and Safety Committee (**Committee**) shall be a committee of the Council of Te Pūkenga, established by the Council.
- (b) The objective of the Committee is to assist the Council to provide leadership and policy in discharging its wellbeing and safety management governance responsibilities by:
- guiding the strategic direction, culture, and expectations in relation to best practice wellbeing and safety including Te Whare Tapa Rima¹;
 - ensuring that these give effect to Te Tiriti o Waitangi to embed and uphold this in all that Te Pūkenga does;
 - monitoring the implementation, effectiveness and consistency of health and safety systems, including hazard and risk management and worker and participation engagement, including in respect of each subsidiary company of Te Pūkenga (**Subsidiary**);
 - reviewing performance of the wellbeing and safety systems and policies and recommending to the Council any necessary changes; and
 - providing guidance to Subsidiaries in relation to wellbeing and safety legislative and organisational compliance.

2. Powers and Authority

- (a) The Committee has authority to review any matters within its scope of responsibility.
- (b) The Committee members, where necessary to carry out the functions of the Committee, shall have unrestricted access to and direct communication with:
- the Chief Executive of Te Pūkenga; and
 - the management personnel of a Subsidiary,

¹ Developed by Sir Mason Durie 1984

and to the extent necessary to meet its responsibilities as set out in this Terms of Reference, may obtain external legal or other professional advice.

3. Membership

- (a) The membership of the Committee shall be comprised of:
- up to 6 members, with a minimum of 3 members;
 - the Council Chair as an ex-officio member; and
 - members who collectively demonstrate expertise in legislative and regulatory compliance (including auditing and monitoring concepts), governance, application of bi-cultural practices and policies reflective of commitments to Te Tiriti o Waitangi and public sector management in respect of wellbeing and safety matters.
- (b) Subject to paragraph 3(g), the Committee may co-opt a staff member or other expert on a permanent basis, or from time to time to assist with the deliberation on any specific topic(s).
- (c) The Council Chair makes recommendations to the Council regarding Committee members and the Chair of the Committee.
- (d) The Chief Executive may attend meetings of the Committee but shall not be a Committee Member.
- (e) The Committee Chair will:
- Represent the Committee to the full Council (including reporting back to the full Council with the recommendations and decisions of the Committee at each Council meeting immediately following a Committee meeting).
 - Ensure the effectiveness and integrity of the governance process of the Committee.
 - Maintain regular dialogue with the Chief Executive over operational matters, to the extent necessary and appropriate to carry out their duties.
 - Consult with the remainder of the full Council promptly over any matter that gives cause for major concern.
 - Act as facilitator at meetings of the Committee to ensure that appropriate discussion takes place.
- (f) Membership of the Committee shall be reviewed every three years or earlier if circumstances dictate. Periodic rotation of the Committee Members is to be encouraged.
- (g) A person must not be appointed as a member of the Committee unless, before appointment, he or she discloses to the Council the details of any actual, potential, or perceived conflict of interest the person may have if he or she were a member of such Committee.
- (h) The Council Secretary or other person nominated by the Chair of the Committee shall be secretary to the Committee.

4. Meetings

- (a) The Committee shall meet at least four times each year. Additional meetings may be held if determined necessary by the Chief Executive or Committee. A special meeting may be convened by a member of the Committee at any time, in consultation with the Chair of the Committee. All Council Members shall be entitled to attend Committee meetings.
- (b) Meetings may be conducted by teleconference, videoconference or in person.
- (c) Meeting agendas will be prepared and provided in advance to members, along with appropriate briefing materials. This would normally be a week prior to the date of the meeting but may be shorter as determined by the Chair of the Committee.

- (d) The Committee may request the attendance of representatives from Te Pūkenga management (**Management**) and/or its Advisory Committees to assist with agenda items.
- (e) Minutes shall be authorised as an accurate record of Committee meetings and retained for record. Minutes of the meetings shall be prepared, retained, and distributed to Committee members, as well as being made available to the Council, Management and to such other persons as the Committee directs.
- (f) A quorum shall consist of a majority of Committee members, which must include (at a minimum) no less than three Committee members. No business shall be transacted at a Committee meeting in the absence of a quorum.

5. Responsibilities and Duties

To assist the Council to meet its obligations and to oversee the areas outlined in the objectives, the Committee shall:

- (a) **Review and Monitoring**
 - Review, monitor and make recommendations to the Council on the Te Pūkenga wellbeing and safety risk management framework and policies to ensure that the Te Pūkenga organisational arrangements are comprehensive and complete, with clear accountability.
 - Actively enquire about the Te Pūkenga critical wellbeing and safety risks and ensure that any residual risks associated with the Te Pūkenga activities are tolerable after the application of controls.
 - Make recommendations to the Council regarding the appropriateness of resources available for operating the wellbeing and safety management systems and programmes at a Te Pūkenga group level.
 - Seek advice periodically from internal and external assessors regarding the effectiveness and completeness of the Te Pūkenga wellbeing and safety management system and practice.
- (b) **Legislative and Organisational Compliance**
 - Gain assurance that all legal and regulatory wellbeing and safety obligations are being met by Te Pūkenga.
 - In respect of monitoring wellbeing and safety compliance risks issues and practices that may arise in respect of Subsidiaries:
 - Oversee wellbeing and safety risks and risk mitigation at a Te Pūkenga group level.
 - Review wellbeing and safety related incidents and / or matters referred to the Committee by the Council or Subsidiaries. This includes reviewing learnings from serious events and ensuring that learnings are being shared with Subsidiaries, and following up with Wellbeing and safety Committees of each Subsidiary.
- (c) **Risk Management**
 - Ensure and verify that the systems and processes used to identify and manage wellbeing and safety risks are fit-for-purpose, being effectively implemented, are appropriately resourced, and regularly reviewed and continuously improved across Subsidiaries.
 - Seek assurance that Te Pūkenga is effectively structured to manage wellbeing and safety risks, including having competent kaimahi, adequate communication procedures and proper documentation.
- (d) **Te Tiriti o Waitangi**
 - Ensure that Te Pūkenga gives effect to Te Tiriti o Waitangi from a wellbeing and safety perspective.

- Ensure that at a Te Pūkenga group level the delivery of wellbeing and safety practices and policies respond to the needs of and improve outcomes for Māori learners, whanau, hapū and iwi, and employers.

(e) **Other Responsibilities**

- Perform other activities related to these Terms of Reference as requested by the Council.
- Oversee special investigations as needed.
- Provide an open avenue of communication between external regulatory agencies, key stakeholders, Management, and the Council in respect of wellbeing and safety matters.

6. Council Reporting Obligations

- (a) The Committee Chair will report to the Council using the Council's agenda framework to prioritise those strategic and key issues that most concern the Council. The full minutes of the meetings of the Committee will be available to all Council members, the Chief Executive and Management, and the Committee Chair will respond to Council members' questions.
- (b) Such reporting will include:
- significant incidents and investigations, or other breakdown of the Te Pūkenga internal controls; and
 - responding to wellbeing and safety matters referred to the Committee by the Council (e.g., because of the Council's review of the monthly reports received from the Board of Directors of a Subsidiary) or Subsidiaries.

7. Accountability

- (a) The Committee shall:
- Self-assess its performance against these Terms of Reference on an annual basis.
 - Confirm annually that all responsibilities outlined in these Terms of Reference have been carried out.
 - At its discretion, determine the requirement for an independent review, including the frequency and scope of such a review, to assess its performance against these Terms of Reference.

8. Review of the Terms of Reference

- (a) The Committee shall, on an annual basis, review and if appropriate, update these Terms of Reference for consideration and approval by the Council.

Approved by the Council on November 2021

Murray W. Strong
Council Chairman



Te Pūkenga

Te Pūkenga Council Meeting

PUBLIC EXCLUDED AGENDA

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**) 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.	Minutes from public excluded meeting from 5 October 2021	<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)(b)(ii) of the Official Information Act - 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</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>
8.1.	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)(b)(ii) of the Official Information Act - 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</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>

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
8.2.	Action List	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).
9.	CE Report (Verbal Update)	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).
10.	TEC	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).
11.	Financials		
11.1.	Te Pūkenga Parent & Group Financial Results 30 September 2021	<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).
11.2.	Budget 2022	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

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
		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	specified, in Schedule 2 of LGOIMA, as a body to which LGOIMA applies).
11.3.	Capital Request – IT Assets	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).
11.4.	Financial Policy Changes	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).
11.5.	TEC Q3 Report for the period ended September 2021	<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).
12.	Strategy		
12.1.	Digital Strategy (Draft)	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 (noting the Council is specified, in Schedule 2 of

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
		organisation in the course of their duty	LGOIMA, as a body to which LGOIMA applies).
12.2.	Seismic Strategy and Policy	<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)(b)(ii) of the Official Information Act - 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</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.	Subsidiaries		
13.1.	UCOL – The Backhouse Charitable Trust	<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).
14.	Subsidiary Board Appointments		
14.1.	Te Pūkenga Work Based Learning Limited – MITO Appointment	<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</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

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		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	LGOIMA, as a body to which LGOIMA applies).
15.	Risk Management		
15.1.	Risk Framework – 6 month review	<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).
15.2.	Interim Legislative Compliance Framework	<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).
16.	Reports from Committees		
16.1.	Minutes from public excluded Poari Akoranga meeting from 13 October 2021	<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>	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).

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16.2.	Risk and Audit Committee Draft Minutes of the meeting held 19 October 2021 and Recommendations	<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).
16.3.	<p>Minutes from the meeting held 27 October 2021 and Recommendations</p> <p>Approval: Advisory Committees Remuneration</p> <p>Approval: Komiti Maori Appointment to Council</p>	<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>	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).
16.4.	Reform of Vocational Education (RoVE) – October 2021 Update	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.	Inwards Correspondence		
17.1.	Letter from Minister Hipkins 20 October 2021	<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>	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).

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18.	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>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>

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.