

Minutes of a meeting of the Council of Te Pūkenga – New Zealand Institute of Skills and Technology (Te Pūkenga Council)

Held on Thursday 9 February 2023 at 8.30am via Zoom videoconferencing

Present: Murray Strong (Chairperson), Kim Ngārimu (Deputy Chairperson), Heath Sawyer, Jeremy Morley (until 9.25am), John Brockies (by audio from 9.19am), Jordan Gush, Kathy Grant, Maryann Geddes (from 10.37am), Sam Huggard (apologies from 10.15am to 10.48am), Teorongonui Josie Keelan, Tagaloatele Peggy Fairbairn-Dunlop, Tania Hodges.

In Attendance: Peter Winder (Chief Executive), Christina Yeates (Executive Officer Ara Institute of Canterbury – items 1-6), Gillian Hamilton (Executive Assistant to the CE), Rebecca Donne (Acting Council Secretary), Simon Karipa (Kaikōkiri - Director Governance), Megan Gibbons (DCE Academic Centre and Learning Systems items 9.1., 12.5, 12.6 and 12.7), Richard Forgan DCE Strategy and Transformation items 9.2 and 12.2), Mark Oldershaw (Business Division Lead WelTec and Whitireia item 11.1) and Sinead Hart (Director Legal and Risk – item 11.1)

Apologies: None

Open minutes

1. Welcome/Apologies/Notices

The Chair welcomed everyone to the meeting and noted apologies from Maryann Geddes for the first part of the meeting.

2. Administration

2.1. Council Calendar and Schedule of Committees

Noted.

2.2. Register of Interests

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

2.3. Minutes of previous meeting held 28 November 2022

RESOLVED (M. Strong/K. Grant)

That the Council approve the minutes of Te Pūkenga Council open meeting held on 28 November 2022 as a true and correct record.

CARRIED

2.3.1. Matters Arising

There were no matters arising.

2.4. Action List – Open

- The action item in respect of the whakatauki to be inclusive of work-based learning is to remain open pending appointment of a Deputy Chief Executive Tiriti Outcomes.
- The action item in respect of Health and Safety walks remains on the Health Safety and Wellbeing Committee workplan and the Chairperson of that Committee will provide an update when those minutes are discussed in item 4.1.

3. Chief Executive’s Report

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

4. Reports from Committees

4.1. Minutes from Health Safety and Wellbeing Committee held 13 December (draft)

The Chair of the Committee noted the draft minutes from 13 December meeting and provided a verbal update on three key areas of focus for the Committee:

- Health and Safety walks will be addressed in a one-page report on overall health and safety which will come to the March Council meeting.
- The Committee’s Terms of Reference have been reviewed and minor modifications have been made.
- A Statement of Commitment by the Council to Health and Safety will be forwarded to Council for approval at the March meeting.

The Chief Executive made a note of the prompt which the Auckland floods have given to Management to focus on how to formalise a crisis management team. The leadership team will undertake Critical Incident Management training next week to better understand their obligations.

4.2. Report from Interim Learner Committee and Minutes of meeting held 8 December 2022 (draft)

The report and minutes were taken as read.

4.3. Minutes of Interim Kaimahi Committee held 30 November 2022 (draft)

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

4.4. Minutes of Te Poari Akoranga held 7 December (draft)

The minutes were taken as read.

5. Correspondence

Nil.

6. Formal Motion for Moving into Committee

RESOLVED (M. Strong/T. P. Fairbairn-Dunlop)

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
7.	Administration		
7.1.	Minutes from public excluded meeting held 28 November 2022 and 12 December 2022	<p>Section 9(2)(g)(i) of the Official Information Act – maintain the effective conduct of public affairs through the free and frank expression of opinion by or between members of any organisation or employees of any organisation in the course of their duty.</p> <p>Section 9(2)(i) of the Official Information Act – enable the organisation holding the information to carry out, without prejudice or disadvantage, commercial activities.</p>	Minutes from public excluded meeting held 28 November 2022 and 12 December 2022
7.1.1.	Matters Arising	<p>Section 9(2)(g)(i) of the Official Information Act – maintain the effective conduct of public affairs through the free and frank expression of opinion by or between members of any organisation or employees of any organisation in the course of their duty.</p> <p>Section 9(2)(i) of the Official Information Act – enable the organisation holding the information to carry out, without prejudice or disadvantage, commercial activities.</p>	That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9 (noting the Council is specified, in Schedule 2 of LGOIMA, as a body to which LGOIMA applies).
7.2.	Action List	<p>Section 9(2)(g)(i) of the Official Information Act – maintain the effective conduct of public affairs through the free and frank expression of opinion by or between members of any organisation or employees of any organisation in the course of their duty.</p> <p>Section 9(2)(i) of the Official Information Act – enable the organisation holding the information to carry out, without prejudice or disadvantage, commercial activities.</p>	That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9 (noting the Council is specified, in Schedule 2 of LGOIMA, as a body to which LGOIMA applies).
8.	Chief Executive’s Report	Section 9(2)(g)(i) of the Official Information Act – maintain the effective conduct of public affairs through the free and frank	That the public conduct of this item would be likely to result in the disclosure of information for which good reason for

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		<p>expression of opinion by or between members of any organisation or employees of any organisation in the course of their duty.</p> <p>Section 9(2)(i) of the Official Information Act – enable the organisation holding the information to carry out, without prejudice or disadvantage, commercial activities.</p>	<p>withholding would exist under section 9 (noting the Council is specified, in Schedule 2 of LGOIMA, as a body to which LGOIMA applies).</p>
9.	Strategy		
9.1.	Strategic component of Investment Plan	<p>Section 9(2)(g)(i) of the Official Information Act – maintain the effective conduct of public affairs through the free and frank expression of opinion by or between members of any organisation or employees of any organisation in the course of their duty.</p> <p>Section 9(2)(i) of the Official Information Act – enable the organisation holding the information to carry out, without prejudice or disadvantage, commercial activities.</p>	<p>That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9 (noting the Council is specified, in Schedule 2 of LGOIMA, as a body to which LGOIMA applies).</p>
9.2.	Disestablishment of Transformation Committee	<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>
9.3.	Enrolment and international student update	<p>Section 9(2)(g)(i) of the Official Information Act – maintain the effective conduct of public affairs through the free and frank expression of opinion by or between members of any organisation or employees of any organisation in the course of their duty.</p>	<p>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>
10.	Financial Reports		
10.1.	Te Pūkenga Financial November 2022 Report	<p>Section 9(2)(g)(i) of the Official Information Act – maintain the effective conduct of public affairs through the free and frank expression of opinion by or between members of any organisation or</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</p>

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		<p>employees of any organisation in the course of their duty.</p> <p>Section 9(2)(i) of the Official Information Act – enable the organisation holding the information to carry out, without prejudice or disadvantage, commercial activities.</p>	LGOIMA, as a body to which LGOIMA applies).
11.	Risk and Compliance		
11.1.	Weltec Exit agreement	<p>Section 9(2)(g)(i) of the Official Information Act – maintain the effective conduct of public affairs through the free and frank expression of opinion by or between members of any organisation or employees of any organisation in the course of their duty.</p> <p>Section 9(2)(i) of the Official Information Act – enable the organisation holding the information to carry out, without prejudice or disadvantage, commercial activities.</p>	That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9 (noting the Council is specified, in Schedule 2 of LGOIMA, as a body to which LGOIMA applies).
12.	Reports from Committees		
12.1.	Minutes from Transformation Committee 13 December 2022 (draft)	<p>Section 9(2)(a) To protect the privacy of natural persons, including that of deceased natural persons.</p> <p>Section 9(2)(i) of the Official Information Act – enable the organisation holding the information to carry out, without 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).
12.2.	Report from Interim Learner Committee meeting held 8 December 2022 (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 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).

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		Section 9(2)(a) To protect the privacy of natural persons, including that of deceased natural persons.	
12.3.	Report from Programme Board	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).
12.4.	Report from Interim Kaimahi Committee on meeting held 30 November 2022 (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 organisation in the course of their duty. Section 9(2)(a) To protect the privacy of natural persons, including that of deceased natural persons.	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).
12.5.	Minutes from Te Poari Akoranga held 7 December (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 organisation in the course of their duty. Section 9(2)(a) To protect the privacy of natural persons, including that of deceased natural persons.	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).
12.6.	Minutes of additional Te Poari Akoranga meeting held on 16 December 2022 (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 organisation in the course of their duty. Section 9(2)(a) To protect the privacy of natural persons, including that of deceased natural persons.	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).
12.7.	Minutes of Special Te Poari Akoranga meeting held on 19 December 2022	Section 9(2)(g)(i) of the Official Information Act – maintain the effective conduct of public affairs through the free and frank expression of opinion by or between members of any organisation or	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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		<p>employees of any organisation in the course of their duty.</p> <p>Section 9(2)(a) To protect the privacy of natural persons, including that of deceased natural persons.</p>	LGOIMA, as a body to which LGOIMA applies).
13.	Correspondence – Inwards		
13.1.	Letter from Minister of Education regarding Te Pūkenga Statement of Performance Expectations 2023	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).
13.2.	Letter from Ministry regarding application for a new Consent to Borrow	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.	Correspondence - Outwards		
14.1.	Letter to Minister of Education regarding Key Systems Single Stage Business Case	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).
14.2.	Letter to Ministry regarding capital thresholds for Te Pūkenga for 2023	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).
14.3.	Letter to Ministry regarding Consent to Borrow	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	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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		employees of any organisation in the course of their duty.	LGOIMA, as a body to which LGOIMA applies).
14.4.	Letter to Minister of Education congratulating her on her appointment	Section 9(2)(g)(i) of the Official Information Act – maintain the effective conduct of public affairs through the free and frank expression of opinion by or between members of any organisation or employees of any organisation in the course of their duty. Section 9(2)(a) To protect the privacy of natural persons, including that of deceased natural persons.	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).
14.5.	Letter to Minister of Education regarding Briefing to Incoming Minister, with briefing	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.	Any Other Business	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. 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).

And that certain employees from Te Pūkenga be permitted to remain at the meeting, namely Rebecca Donne, Simon Karipa, Gillian Hamilton, Megan Gibbons, Richard Forgan, Mark Oldershaw and Sinead Hart, after the public has been excluded, because of their specific knowledge in relation to the above items. This knowledge, which will be of assistance in relation to the matters above to be discussed, is relevant to those matters because they have assisted in the progression of such matters.

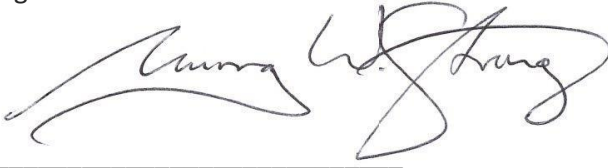
CARRIED

The open session meeting closed at 8.51am and moved into closed session at 8.54am.

The meeting closed at 11.38am.

Dated: 1 March 2023

Signed as a correct record

A handwritten signature in black ink, appearing to read 'Murray W. Strong', written over a horizontal line.

Murray W. Strong

Chairperson