

# Kaupapa-here | Interim Delegations Policy

## Kupu Whakataki | Introduction

The journey of Te Pūkenga involves three stages:

- a) Stage 1 (initial transition): an entity with multiple subsidiaries
- b) Stage 2 (integration): an entity with multiple business divisions
- c) Stage 3 (transformation): being a unified entity with regional operations and a national organisational structure.

This policy applies to stage 2 and will be replaced as stage 3 delegations are issued to support the implementation of the new organisational structure. The stage 3 delegations will be confirmed as part of each tranche of the stage 3 implementation.

This policy replaces the Delegations Policy of Te Pūkenga for central office dated May 2021. On adoption of this policy, all sub-delegation letters issued by the Chief Executive (CE) between 1 April 2020 and the date of this policy are hereby revoked.

### **Journey to date**

Te Pūkenga – New Zealand Institute of Skills and Technology (**Te Pūkenga**) was established on 1 April 2020. At that time, all 16 existing Institutes of Technology and Polytechnics were converted into 100% subsidiary companies of Te Pūkenga with a duration until close of 31 December 2022 or such earlier date as resolved by Te Pūkenga Council.

All former ITP Subsidiaries are now dissolved and their operations are carried out through Business Divisions of Te Pūkenga.

Te Pūkenga Work Based Learning Limited (**WBL**) has also been dissolved with effect from close of business 31 December 2022 and the operations of WBL's business divisions are now carried out through Business Divisions of Te Pūkenga.

**IMPORTANT NOTE:** For each Business Division, and in accordance with the Grandparenting Policy, the policies and procedures of the former subsidiary will continue to apply subject to:

- a) the terms of this Interim Delegations Policy (with particular regard to section 6 and Appendix 5);
- b) the ITP Integration Operational Directive or the WBL Integration Operational Directive (as appropriate).

## Mō wai me te whānuitanga | Audience and scope

This policy applies to:

- 1) the Chief Executive of Te Pūkenga
- 2) all those at Tier 2 and Tier 3 level in Te Pūkenga Central Office together with named categories of support staff. **This policy does not apply to Tier 2 and Tier 3 staff or below in Business Divisions; their pre-existing delegations policy will continue to apply subject to changes that will be communicated as part of the implementation of the organisational structure.**
- 3) Te Pūkenga Business Division Leads (and their executive teams) to the extent set out in section 6 and Appendix 5 of this policy.

This policy does not include academic delegated authorities except to the extent that those matters are referred to in Appendix 5.

## Mokamoka whakaaetanga | Approval details

<b>Version number</b>	3	<b>Issue date</b>	1 January 2023
<b>Version history</b>		<i>Reason for amendment/s</i> To align with the implementation of the new DCE structure at Te Pūkenga Central Office To update the document to reflect the position after dissolution of all ITP Subsidiaries and WBL	
<b>Approval authority</b>	Te Pūkenga Council	<b>Date of approval</b>	20 December 2022 by Chief Executive under delegated authority from Council dated 12 December 2022
<b>Policy sponsor (has authority to make minor amendments)</b>	Director Legal and Risk	<b>Policy owner</b>	Chief Executive
<b>Contact person</b>	Sinead Hart	<b>Date of next review</b>	The earlier of 30 March 2023 or such other dates as determined by the ELT or the policy sponsor in light of the implementation of the new organisational structure.

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## Kaupapa-here | Interim Delegations Policy

### 1. Pūtake | Purpose

The purpose of this policy is to:

- a) reconfirm the delegations from Te Pūkenga Council to the Chief Executive;
- b) set out the scope of the delegated authority granted by the Chief Executive of Te Pūkenga to specified roles within Te Pūkenga Central Office;
- c) stipulate the matters that are for central decision making at Te Pūkenga (and which therefore override any conflicting provision in the delegation framework of a Business Division of Te Pūkenga).

### 2. Ngā Mātāpono | Principles

- 2.1. Pursuant to section 73 of the Crown Entities Act 2004, the Council delegates to the Chief Executive all management powers and functions necessary for the operation of Te Pūkenga, subject to the limitations set out in this policy. This policy does not delegate the general power of delegation and no functions or powers specified in the Education and Training Act 2020 as not capable of delegation are delegated under this policy. Matters reserved for Te Pūkenga Council decision making are set out in Appendix 1.
- 2.2. The Council reconfirms the specified approval powers delegated to the Chairperson of the Council as set out in this policy.
- 2.3. Pursuant to section 74 of the Crown Entities Act 2004, the Chief Executive hereby delegates authority to specific roles in the manner set out in this policy.
- 2.4. All delegates must act within the scope of their delegated authority as set out in this policy and in a responsible manner.
- 2.5. The delegations set out in this policy are standing delegations made in relation to positions within Te Pūkenga, rather than named individuals. If an individual moves from one position in the organisation to another position, the delegations relating to the initial position no longer apply to that individual.
- 2.6. A delegate is authorised to take any action or sign any document within their delegated authority but subject to:
  - a) any legal requirements and / or any applicable policies and procedures in relation to entry into the agreement / subject matter of the document (including adherence to conflicts of interest and procurement requirements);

b) the delegation being exercised within the limits of the relevant approved budget.

- 2.7. Except with the prior written approval of Te Pūkenga Council, neither the Chief Executive nor any sub-delegate may exercise any delegated authority in relation to a matter where he or she has a conflict of interest.
- 2.8. A delegate who acts outside of their delegated authority, or exercises that authority in a manner inconsistent with the requirements of clause 3.6 will be regarded as acting contrary to Te Pūkenga policy and may be in breach of their employment agreement.
- 2.9. Kaimahi who breach this policy will be subject to disciplinary action. Any intentional breach may also lead to criminal charges.

### 3. He tuku mana ki te Kaiwhakahaere Mātāmua | Delegations to the Chief Executive

- 3.1. The delegations to the Chief Executive are as set out in Appendix 2.

#### Power of Attorney

- 3.2. A power of attorney will be executed in favour of the person who holds the role of Chief Executive confirming that they may enter into a deed on behalf of Te Pūkenga (in accordance with sections 127(2) and 129 of the Crown Entity Act 2004) in relation to those matters that fall within the scope of his / her delegated authority<sup>1</sup>; unless a sub-delegate has been appointed as an attorney, it will not be entitled to enter into any deeds on behalf of Te Pūkenga.

#### Leave

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

#### Uncertainty

- 3.4. In the event the Chief Executive is uncertain as to the scope of his/her/their delegated authority, he/her/they must discuss the matter with and take direction from the Chairperson of the Council prior to exercising the delegated authority and may, if the Chief Executive still considers it necessary after having discussed with the Chairperson, take appropriate legal or other advice prior to exercising the delegated authority.

#### Conflicts

- 3.5. Where this policy conflicts with any laws or regulations or any decision made by the Council, the laws, regulations, or Council decision (as applicable) take precedence. Notwithstanding any

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<sup>1</sup>**Note:** a power of attorney must also be granted to those sub-delegates who have authority to authorise the entry into transactions that are documented by Deed; this applies to each Business Division Lead and to the Chief Financial Officer (see relevant sections below).

delegation made to the Chief Executive or any sub-delegate, this policy does not invalidate any decision made by the Council and does not restrict the Council's ability to make any decision.

#### 4. He tuku mana ki te Pae 2 | Delegations to Tier 2

The Chief Executive hereby sub-delegates the functions and powers set out in Appendix 3 to Tier 2 roles appointed at Te Pūkenga.

#### 5. He tuku mana ki te Pae 3 | Delegations to Tier 3

The Chief Executive hereby sub-delegates the functions and powers set out in Appendix 4 to Tier 3 roles appointed at Te Pūkenga.

#### 6. Whakahaerenga Wāhanga Pakihi | Business Division Operations

6.1. Until a permanent Delegations Policy is adopted by Te Pūkenga Council, this Interim Delegations Policy, in conjunction with the Grandparenting Policy, requires that each Business Division of Te Pūkenga operate under its pre-existing delegation policies subject to the following qualifications:

- a) The thresholds set out in the Matters for Central Decision Making at Appendix 5<sup>2</sup>.
- b) The terms of the ITP Integration Operational Directive or the terms of the WBL Integration Operational Directive issued by Te Pūkenga to the Business Divisions, as applicable;
- c) All contracts and agreements entered into by a Business Division from the date it becomes part of Te Pūkenga will be in the legal name of Te Pūkenga which is Te Pūkenga – New Zealand Institute of Skills and Technology. Until directed otherwise, the Business Division should use the trading name Te Pūkenga trading as [trading name of the former ITP or WBL Business Division].
- d) The approval of the relevant holder of delegated authority / committee of Council (as identified in Appendix 5) must be sought in relation to any Matter for Central Decision Making.
- e) Where pre-existing delegation policies refer to the 'Board' as the authority for approval, this should be read as requiring approval from Te Pūkenga Chief Executive where the matter is within his delegated authority or Te Pūkenga Council where Council approval is required.

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<sup>2</sup>As former ITP subsidiaries and WBL no longer exist as separate entities, there is no longer a Company Constitution and so the content of the Operational and Financial Parameters Directions (OFP) no longer applies in that form. Instead, the substance of the Financial Parameters and certain of the Operational Parameters listed in the former OFP and the Reserved Matters in the company constitution are now referred to as Matters for Central Decision Making and are listed in Appendix 5.

f) There is a strong principle of acting in good faith and no surprises. The purpose of Appendix 5 and the ITP Integration Operational Directive or WBL Integration Operational Directive (as applicable) is two-fold:

- i) ensure that decision making made by Business Division Leads aligns with strategic national goals of Te Pūkenga; and
- ii) ensure compliance by Te Pūkenga with its compliance obligations.

6.2. Each Business Division Lead will be responsible for ensuring that the pre-existing delegations policy is modified / applied to reflect the above and ensure processes are in place to monitor the application of the pre-existing delegations policy.

## 7. Ngā Tikanga | Definitions

Term	Definition
<b>Kaimahi</b>	Refers to an individual employed on a full time or part time basis and includes contractors where appropriate.
<b>Te Pūkenga Central Office</b>	The administrative centre of Te Pūkenga.
<b>Te Pūkenga Business Division</b>	References the operations of a dissolved ITP subsidiary or WBL business division that transfer to Te Pūkenga on dissolution of the relevant ITP subsidiary or WBL (as applicable).
<b>Tier 1</b>	The Chief Executive, who reports to the Council.
<b>Tier 2</b>	Executive Leadership Team, who reports to the Chief Executive.
<b>Tier 3</b>	Kaikōriki   Directors, who report to the Tier 2 Executive Leadership Team.
<b>OFP (Operational and Financial Parameters)</b>	The written operational and financial parameters direction issued by Te Pūkenga pursuant to the company constitution of the former ITP subsidiaries and WBL.

## 8. Ngā Hononga ki Tuhinga kē | Links to Other Documents

<p><a href="#">Ngā Kaupapa-Here e Hāngai ana   Related Policies</a></p> <p><b>Transitioning (Grandparenting) Former Subsidiary Policies</b></p>
<p><a href="#">Ngā Tukanga me ngā Hātepe   Processes, Procedures</a></p> <p><b>ITP Integration Operational Directive (for Business Divisions)</b></p> <p><b>WBL Integration Operational Directive (for WBL Business Divisions)</b></p>

## Appendix 1 – Matters reserved for the Council

Notwithstanding anything to the contrary in this policy, the Chief Executive does not have any authority in relation to the matters listed below. Such authority shall remain with Council.

- a) The Chief Executive does not have any authority to undertake any action or transaction exceeding the limitations specified in this policy, including Appendix 2. Where the Chief Executive considers that a matter delegated to the Chief Executive may have wider material ramifications for Te Pūkenga, the Chief Executive will at his or her discretion bring the matter to the attention of the Chairperson.
- b) Unless section 282(5) of the Education and Training Act applies, the Chief Executive does not have any authority to undertake any of the following as contemplated by section 282(4) of the Education and Training Act:
  - i) sell or otherwise dispose of property assets (land and buildings) or interests in property assets; or
  - ii) mortgage or otherwise charge assets or interests in assets; or
  - iii) grant leases of land or buildings or parts of buildings where the relevant statutory thresholds are exceeded; or
  - iv) borrow, issue debentures or otherwise raise money,

in each case, unless the Council provides a separate express authority to do so;

- c) The Chief Executive does not have any authority to enter into:
  - i) any commitment or arrangement exceeding the applicable annual budget for Te Pūkenga; or
  - ii) any commitment or arrangement exceeding any sub-limit within the applicable annual budget for Te Pūkenga, in each case, unless the Council provides a separate express authority to do so; and
  - iii) undertake and/or approve any action, transaction or activity where the Group Treasury Policy provides that the Council retains authority to approve that action, transaction or activity.

## Appendix 2 – Schedule of Delegations to Chief Executive Officer

### A. Delegated authority to Chief Executive in relation to Operational matters at Te Pūkenga Central (this does not override the delegated authority vested in each Business Division Lead under the Grandparenting Policy)

Authority	Requirements
Approve and sign contracts within the annual budget (and, to the extent any contract has a term extending beyond the annual budget, approve and sign contracts which are likely to involve annual operational expenditure of up to \$5,000,000 (plus GST, if any) in respect of the extended term).	<p>Chairperson to be notified prior to commencement of all contract negotiations exceeding \$5,000,000 (plus GST, if any) per annum.</p> <p>Must also comply with all relevant Te Pūkenga policies including the Procurement Policy and the Agreement Approval and Management Policy</p> <p>Does not apply to contractors which is dealt with below under Human Resources.</p>
Approve operating expenditure within the annual budget.	Must also comply with Te Pūkenga Procurement Policy.
Authorise individual purchase orders/or invoices within the annual budget (and, to the extent any purchase order or invoice is in respect of a term extending beyond the annual budget, authorise purchase orders or invoices up to \$5,000,000 per annum (plus GST, if any) in respect of the extended term).	Must also comply with Te Pūkenga Procurement Policy.
Sign operational leases (as lessee) within the annual budget (and, to the extent any lease has a term extending beyond the annual budget, sign any lease up to \$2,000,000 (plus GST, if any) per annum in respect of the extended term), in each case where the total term, including renewals, is less than 15 years.	<p>As a lease is a deed, it should be confirmed that the Chief Executive has a power of attorney in his/her favour in accordance with sections 127(2) and 129 of the Crown Entities Act 2004.</p> <p>This delegation applies to property matters that are escalated from Business Divisions in accordance with Appendix 5.</p>
Approve the issue of any Purchasing-Cards or Credit Cards up to \$10,000 limit.	N/A
Write off bad debts up to \$50,000.	N/A
Incur incidental and sundry expenses, including on a Te Pūkenga Purchasing Card	N/A
Approve and sign any funding or revenue contracts.	N/A
Provide and/or distribute funding to Te Pūkenga subsidiaries / Business Divisions	N/A

Authority	Requirements
Approve capital expenditure within the annual budget (and, to the extent the capital expenditure commitment extends for a term beyond the annual budget, approve capital expenditure of up to \$20,000,000 (plus GST, if any) per item or related series of items in respect of the extended term).	<p>Must also comply with Te Pūkenga Procurement Policy and all other relevant policies and procedures.</p> <p>This delegation applies to property matters that are escalated from Business Divisions in accordance with Appendix 5.</p>
Dispose of non-property (land and building) assets with a value of up to \$5,000,000 (plus GST, if any) per item or related series of items.	<p>Inform the Chairperson prior to entry.</p> <p>This delegation applies to property matters that are escalated from Business Divisions in accordance with Appendix 5.</p>
Authority	In consultation with
Appoint direct reports to the Chief Executive with remuneration packages or payment up to \$500,000 per annum (Tier 2 kaimahi).	Chairperson.
Appoint kaimahi within their direct reporting line with remuneration packages or payment up to \$250,000 per annum (Tier 3 kaimahi).	N/A
Appoint consultants and contractors on contracts within the annual budget (and, to the extent any appointment has a term extending beyond the annual budget, appoint consultants and contractors on contracts which are likely to involve annual expenditure of up to \$2,000,000 (plus GST, if any) in respect of the extended term).	N/A
Allocation of salaries within any bands approved by the Council.	N/A
Approve other benefits in addition to salary (e.g. Superannuation, removal expenses, etc.).	N/A
Approve paid discretionary leave over 5 days.	N/A
Approve cashing up of annual leave (in compliance with legislation).	N/A
Authority	Requirements
<b>Human Resources – Travel</b>	
Approve kaimahi overseas travel.	<p>All overseas travel must be approved by the CE prior to any reservations being made. (This applies to Te Pūkenga central office kaimahi only. Business Division Leads will remain responsible for approval in accordance with their previous delegations policy. Overseas travel by Business Division Leads must be approved by the Chief Executive).</p> <p>CE overseas travel is to be approved by the Chairperson.</p>

Authority	Requirements
Approve personal travel done with business travel.	Chairperson prior approval required.
Human Resources - Other	
Suspend kaimahi without pay.	N/A
Litigation	
Authority to enter without prejudice negotiations in relation to any proposed litigation or arbitration.	CE must first notify the Council before entering such negotiations. CE to regularly inform the Council. CE has no authority to settle any such matter without Council approval or delegated authority.

## B. Delegated authority to Chief Executive in relation to Group Treasury Policy

Authority	Scope
Group Treasury Policy	
Approving and changing the Group Treasury Policy.	Unlimited.
Approving borrowing programme at the Group level.	Subject to restrictions in ss282(4) and (5) of the Education and Training Act 2020 (ETA) and the conditions of any relevant written consent of the Secretary for Education for the borrowing. Refer to TEC Guidance.
Approval of security and charging assets as security.	Subject to statutory restrictions, including in ss282(4) and (5) of the ETA, which specifies limits for both Te Pūkenga and its subsidiaries and where consent of the Secretary of Education is required. Refer to TEC Guidance. Refer to the OFP Direction for approval requirements. Refer to OFP threshold approval levels.
Approval of new and refinanced bank facilities and risk management facilities (being the establishment of a derivative dealing line/limits with the bank or the signing of an ISDA agreement)	Subject to limitations under ss282(4) and (5) of the ETA and the PFA, which specifies limits for Te Pūkenga. Please refer to TEC Guidance.
Approve establishment of the intra-group funding facility.	Under the section 284(4) consent granted by the Secretary for Education on 9 September 2020, the Secretary consents to Te Pūkenga exercising powers under section 282(4), "where the exercise of those powers does not affect the overall balance sheet of the group comprising Te Pūkenga and its subsidiaries." Subject to compliance with those terms, this consent permits transactions under the proposed intra- group loan arrangements without needing to apply for Secretary consent for each separate transaction.
Approve a change in the maximum borrowing limit of each Te Pūkenga subsidiary under any existing debt or borrowing facility.	Refer to conditions of section 284(4) consent granted by the Secretary for Education on 9 September 2020.
Approve use of ring-fenced treasury investments.	Refer to the Cash Reserves and Ring- Fencing Policy (CE of Te Pūkenga may also approve).
Maximum daily transaction amount (cash/working capital management related borrowing activity).	Unlimited.

Authority	Scope
Maximum daily transaction amount (core borrowing and interest rate risk management) excludes roll-overs on floating rate, borrowing, and interest rate roll- overs on swaps.	Unlimited.
Maximum daily transaction amount (treasury investments, both ring-fenced and non-ring fenced).	Unlimited.
Authorising bank signatories.	Unlimited.

## Appendix 3 – Schedule of Delegations to Tier 2 Te Pūkenga Central Office

(Excludes Business Division Leads who will operate under pre-existing delegations for the relevant Business Division)

Delegated Authority	Scope of Delegated Authority		Requirements
	All Tier 2 (Excluding Chief Financial Officer)	Chief Financial Officer	
Approving and signing contracts	Authority to approve and sign contracts within the annual budget up to \$500,000 (plus GST, if any) (and, to the extent any contract has a term extending beyond the annual budget, approve and sign contracts which are likely to involve annual expenditure of up to \$500,000 (plus GST, if any), in respect of the extended term).		Must comply with the Procurement Policy of Te Pūkenga and with all other Te Pūkenga policies and public sector guidance.
	Authority to approve and sign contracts which do not involve Te Pūkenga incurring any expenditure.		
	Authority to approve and sign any funding or revenue contracts (other than funding or revenue contracts with the TEC or Ministry of Education).		
Approving expenditure	Authority to approve operating expenditure within the annual budget up to \$500,000 (plus GST, if any) per item or related series of items.		
	Authority to approve capital expenditure within the annual budget up to \$500,000 (plus GST, if any) (and, to the extent the capital expenditure commitment extends for a term beyond the annual budget, approve capital expenditure of up to \$500,000 (plus GST, if any) per item or related series of items in respect of the extended term).		
Authorisation of purchase orders	Authority to authorise individual purchase orders within the annual budget up to \$500,000 (plus GST, if any) (and, to the extent any purchase order or invoice is in respect of a term extending beyond the annual budget, authorise purchase orders or invoices up to \$500,000 per annum (plus GST, if any) in respect of the extended term).		
Approving and signing administrative documents	Authority to approve and sign any administrative documents or forms necessary for, or in connection with, Te Pūkenga operations or business.		
Incurring incidental and sundry expenses	Authority to incur incidental and sundry expenses, including on a Te Pūkenga Purchasing Card.		
Appointing kaimahi	Subject to prior consultation with the Chief Executive, authority to appoint kaimahi within your direct reporting line with remuneration packages or payment up to \$250,000 per annum.		
	Authority to appoint consultants and contractors on contracts within the annual budget up to \$500,000 (plus GST, if any) (and, to the extent any appointment has a term extending beyond the annual budget, appoint consultants and contractors on contracts which are likely to involve annual expenditure of up to \$500,000 (plus GST, if any) in respect of the extended term).		
Approving kaimahi travel and leave	Subject to informing the Chief Executive, authority to approve paid discretionary leave over 5 days.		

Delegated Authority	Scope of Delegated Authority		Requirements
	All Tier 2 (Excluding Chief Financial Officer)	Chief Financial Officer	
	Subject to informing the Chief Executive, authority to approve cashing up of annual leave (in compliance with legislation).		
	Approve kaimahi overseas travel (subject always to your domestic and overseas travel being approved by the Chief Executive). All kaimahi overseas travel must be approved by you prior to any reservations being made.		
Issuing Purchasing-Cards or Credit Cards	Not granted.	Approve the issue of any Purchasing-Cards or Credit Cards up to \$10,000 limit.	
<b>Group Treasury Policy</b>			
Maximum daily transaction amount (cash/working capital management related borrowing activity).	Not granted.	Up to \$50m.	
Maximum daily transaction amount (core borrowing and interest rate risk management) excludes roll-overs on floating rate, borrowing, and interest rate roll- overs on swaps.	Not granted.	Up to \$50m.	
Maximum daily transaction amount to pay TEC funding amounts.	Not granted.	Unlimited.	
Maximum daily transaction amount (treasury investments, both ring-fenced and non-ring fenced)	Not granted.	Up to \$50m.	

## Appendix 4 – Schedule of Delegations to Tier 3

(Te Pūkenga Central Office only – Business Division pre-existing delegations apply to all tiers within the Business Division)

Delegated Authority	All Tier 3 Directors	Requirements
Authority to approve and sign contracts within the annual budget up to \$50,000 (plus GST, if any) (and, to the extent any contract has a term extending beyond the annual budget, approve and sign contracts which are likely to involve annual expenditure of up to \$50,000 (plus GST, if any), in respect of the extended term).	Delegation granted in context of the Tier 3 subdelegates operational budget.	Must comply with the Procurement Policy of Te Pūkenga.  Does not apply to contractors which is dealt with below under Human Resources.
Authority to approve operating expenditure within the annual budget up to \$50,000 (plus GST, if any) per item or related series of items.	Delegation granted in context of the Tier 3 subdelegates operational budget.	Must comply with the Procurement Policy of Te Pūkenga.
Authority to authorise individual purchase orders within the annual budget up to \$50,000 (plus GST, if any) (and, to the extent any purchase order or invoice is in respect of a term extending beyond the annual budget, authorise purchase orders or invoices up to \$50,000 per annum (plus GST, if any) in respect of the extended term).	Delegation granted in context of the Tier 3 subdelegates operational budget.	Must comply with the Procurement Policy of Te Pūkenga.
Authority to sign leases on behalf of Te Pūkenga.	Not granted.	N/A
Authority to approve and sign contracts which do not involve Te Pūkenga incurring any expenditure.	Delegated for contracts relating to Tier 3 subdelegates departmental area	N/A
Subject to the thresholds set out in this notice of sub-delegation, authority to approve and sign any administrative documents or forms necessary for, or in connection with, Te Pūkenga operations or business.	Delegated in context of Tier 3 subdelegates departmental matters only	N/A
Authority to incur incidental and sundry expenses, including on a Te Pūkenga Purchasing Card	Granted.	Authority given but subject to an annual threshold of \$5,000 (plus GST, if any)
Appoint kaimahi: Subject to prior consultation with the Deputy Chief Executive Operations, authority to appoint kaimahi with remuneration packages or payment up to \$150,000 per annum.	Granted.	Subject to adherence with recruitment policy and legislative requirements of Te Pūkenga as a Crown Entity. Must consult with r People and Culture in relation to process and relevant Tier 2 in relation to resource need.
Consultants / Contractors appointment: Authority to appoint consultants and contractors on contracts within the annual budget up to \$50,000 (plus GST, if any) (and, to the extent any appointment has a term extending beyond the annual budget, appoint consultants and contractors on contracts which are likely to involve annual expenditure of up to \$50,000 (plus GST, if any) in respect of the extended term).	Delegation granted in context of the Tier 3 subdelegates operational budget.	Must comply with the Procurement Policy of Te Pūkenga.
Discretionary Leave: Subject to informing the Chief Financial Officer, authority to approve paid discretionary leave over 5 days.	Granted in context of direct reports and under.	Inform Chief Financial Officer in advance.

Delegated Authority	All Tier 3 Directors	Requirements
Cashing up of annual leave: Subject to informing the Chief Financial Officer, authority to approve cashing up of annual leave (in compliance with legislation).	Granted in context of direct reports and under.	Inform Chief Financial Officer in advance. Must be in compliance with legislation.
Authority to approve kaimahi overseas travel (subject always to your domestic and overseas travel being approved by the Chief Executive).	Granted in context of direct reports and under.	All individual kaimahi overseas travel is to be approved by the CE prior to reservations being made. No Tier 2 or Tier 3 individual may be sub-delegated the authority to approve their own travel.

## Appendix 5: Business Division Delegations - Matters for Central Decision Making

Te Pūkenga Business Divisions must be able to operate in an agile and responsive way that meets the needs of their communities, akonga, and business. To enable this, a Grandparenting Policy provides that the pre-existing delegations continue to apply subject to the requirements set out in this Appendix and the ITP Integration Operational Directive.

The matters listed in this Appendix are materially the same as those provided for in the former OFPs.

Business divisions must respectively seek approval from the delegated authority holder / Committee of Council in relation to each of the following matters:

	Decision	Threshold Amount	Delegated authority holder / Committee of Council
a)	<b>Capital expenditure</b> The incurring by the business division (in a transaction, or series of related transactions) of any capital expenditure	Where an amount is within the capital expenditure budget but outside of the budget for a particular sub-category.	Chief Financial Officer of Te Pūkenga sign off required.
		Capital expenditure that is unbudgeted or exceeds the budget.	Finance and Capital Investment Committee ( <b>FINCAP</b> )
b)	<b>New Debt</b>	Zero Internal borrowing limits are approved by Council. The Secretary has approved the Group external borrowing by Te Pūkenga. Intra-group / business division borrowing is governed by the Master Intra-Group Loan Agreement and Treasury Policy.	Risk and Audit Committee ( <b>RAC</b> )
c)	<b>Drawdown on existing debt facilities</b>	<b>Cash-flow:</b> Where Council has approved the budget, and within that budget there is a debt provision, then any decision to drawdown:	
		i. over 105% of the maximum debt level budgeted for the quarter	Chief Executive of Te Pūkenga

	Decision	Threshold Amount	Delegated authority holder / Committee of Council
		ii. between 100% and 105% of the maximum debt level budgeted for the quarter	Chief Financial Officer of Te Pūkenga
		<b>Investment/ Risk exposure:</b> Where Council has approved the budget and the year-end net debt position will be:	
		i. greater than 105% of budgeted year end net debt position	RAC
		ii. between 100 and 105% of budgeted year end net debt position	Chief Executive of Te Pūkenga
d)	<b>Disposal of property assets (not including leases and licences which are addressed at (f) below)</b>	Any sale, assignment gifting, lending, transfer (including to any trust) or any other disposal (including any demolition of a building) of property assets or interests in property assets (in a transaction, or series of related transactions) by the business division that exceeds:	
		i. \$100,000	Chief Financial Officer of Te Pūkenga
		ii. \$500,000	FINCAP
		iii. Property asset threshold exceeded	Council and Secretary of Education
	In all scenarios, it is expected that the value of the sale is supported by a market valuation and that the proposed sale price is the best value for Te Pūkenga in the circumstances.		
e)	<b>Disposal of non- property assets</b> The leasing or sale, assignment, gifting, lending, transfer (including to any trust) or any other disposal of non-property assets where:	i. Less than \$50,000	Business Division Lead
		ii. Up to \$100,000 (subject to MoE limits)	Chief Financial Officer of Te Pūkenga

	Decision	Threshold Amount	Delegated authority holder / Committee of Council
	i. in the context of plant and equipment, the value of any individual asset in the transaction is in excess of the Threshold Amount specified in the next column; and ii. in the context of other non-property assets (including cash and any other financial assets) the value of the transaction, or series of transactions, is in excess of the Threshold Amount specified in the next column.	iii. Over \$100,000 (subject to MoE limits)  <b>MoE Limits:</b> Where the amount is equal to or greater than the threshold amount for disposals of plant and equipment and financial assets as determined by the Minister of Education pursuant section 282(5) of the Education and Training Act 2020. See further: <a href="https://www.tec.govt.nz/teo/working-with-teos/tei/asset-management-teis/sale-plant-equipment-financial-assets/">https://www.tec.govt.nz/teo/working-with-teos/tei/asset-management-teis/sale-plant-equipment-financial-assets/</a>	FINCAP  Council and Secretary of Education
	As with (d) above, it is expected that the value of the sale is supported by a market valuation and that the proposed sale price is the best value for Te Pūkenga in the circumstances.		
f)	<b>Leases and licences</b> in relation to land or buildings	Entry (including renewals) into any lease / licence where: <ul style="list-style-type: none"> <li>i. the value of the commitment is less than \$400,000 and the term of the lease / licence (including any rights of renewal) is less than 3 years</li> <li>ii. the term of the lease (including any rights of renewal) is more than 3 years but the value of the commitment is less than \$400,000 annual rent.</li> <li>iii. the value of the commitment is greater than \$400,000 but less than \$1 million and the term of the lease / licence (including any rights of renewal) is less than 3 years</li> </ul>	Business Division Lead  Chief Financial Officer of Te Pūkenga

	Decision	Threshold Amount	Delegated authority holder / Committee of Council
		iv. the value of the commitment is \$1 million or more	CE (where within delegated authority) or FINCAP
		v. the term of the operational lease (including any rights of renewal) exceeds 15 years	Council where Secretary of Education approval is required.
g)	<b>Business Systems</b>	Must engage with the Chief Digital Officer for endorsement of any decision relating to a material change to business systems or the development and / or implementation of business systems (this will be reviewed as the ISSP is finalised). If in doubt as to whether a matter is material, please engage with the Chief Digital Officer.	Chief Digital Officer (with delegation exercised in a manner consistent with the digital transformation strategy)
h)	<b>All of Government Agreements</b>	Entry into any new All of Government Agreements	Chief Financial Officer
i)	<b>International agreements</b>	Entry into any of the following agreements:  a) any agency agreement in relation to the recruitment of international learners that is not based on the standard form Te Pūkenga agency agreement which applies from 1 January 2023;	Deputy Chief Executive Learner and Employer Experience and Attraction
		b) any new institutional agreements;	ELT resolution required

	Decision	Threshold Amount	Delegated authority holder / Committee of Council
		c) renewal of any existing institutional agreement beyond 31 December 2022.	ELT resolution required
j)	<b>General annual setting of student fees for existing programmes under legislation</b>	None – any change in fees must be approved	RAC endorsement, Council approval.
k)	<b>Setting of fees for new programmes</b>	All fees with expected revenue impact of up to \$500,000	ELT resolution required
		Over \$500,000	ELT endorse for Council approval
l)	<b>Changing existing programme / course fees</b>	Any changes to fees including any discounts, marketing initiatives, or other fee-based promotions with expected revenue impact of up to \$500,000.	ELT resolution required
		Over \$500,000	ELT endorse for Council approval
m)	<b>Academic policies</b>	Any material amendment to policies relating to programmes of study / changes in academic delivery / academic policies / student regulations and statutes	Te Poari Akoranga

	Decision	Threshold Amount	Delegated authority holder / Committee of Council
n)	<b>Academic matters</b>	<p>The policy intent of Council is that all academic change management (including engagement with NZQA) will be carried out centrally by or with approval of the Academic and Delivery team at Te Pūkenga and so:</p> <p>(a) any decision to remove a programme from, add a programme to, or change any programme on the list of programmes provided by the business division</p> <p>(b) any decision to change the scope of regional delivery of programmes, including the delivery of programmes outside the region in which the business division predominantly operates or the delivery of programmes outside New Zealand.</p>	Deputy Chief Executive Academic Centre and Learning Systems
o)	<b>Marketing</b>	Any decision relating to the design or implementation of regional or international marketing which is not consistent with the brand strategy of Te Pūkenga	Deputy Chief Executive - Learner & Employer Experience and Attraction
p)	<b>Employment</b>	<p>Any decision relating to a change or variation to an existing Collective Employment Agreement of the business Division.</p> <p>Any decision to recruit personnel on a permanent basis or on a fixed term basis for 12 months or more where the relevant role will either:</p> <p>i. report directly into the Business Division Lead; or</p> <p>ii. report directly into a role that reports to the Business Division Lead</p> <p>Any decision in relation to a proposed restructuring in the business division that is not part of the implementation of the organisational structure must be notified in advance to the Chief People Officer.</p>	Chief People Officer

	Decision	Threshold Amount	Delegated authority holder / Committee of Council
q)	<b>Receipt of gifts</b>	The receipt of any gift of the following types: land, interests in land, buildings, easements, licences, shares, securities convertible into shares, options to acquire shares, interests in any partnership, joint venture or other association of persons, beneficial interests in a trust or any other asset, real property or personal property that has material or long-term operating or capital costs or liabilities (including contingent liabilities)	CE (where within delegated authority) or FINCAP
r)	<b>Trusts</b>	Settling or being or appointing a trustee of a trust.	Council (or such Committee of Council with delegated authority). Notice to be given to the Minister in accordance with Section 100 Crown Entities Act.