

The New Zealand Institute of Skills and Technology (NZIST)

Minutes of a meeting of the Council of NZIST (the Council)

7 July 2020 at 9.00am

Minutes

These are the minutes of a meeting of the NZIST Council held on 7 July 2020 at Waikato Institute of Technology in Hamilton.

Present

Members' present: Murray Strong (Chair), Kim Ngārimu, Kathy Grant, Maryann Geddes, Peter Winder, Sam Huggard, Tania Hodges and John Brockies.

Murray Strong Chaired the meeting.

In attendance: Stephen Town (Chief Executive), Chris Collins (Outgoing Interim Chief Executive), Alex Cabrera (DCE Transformation and Design), Gillian Hamilton (Executive Assistant/Council Secretariat), Heather Geddes (PMO Lead), Michelle Teirney (Interim COO/CFO), Vikki Roadley (Interim GM), William Workman (9am – 12.30pm), Denise Mackay (Communications Manager) and Angela Harford (Partner, Bell Gully).

Quorum

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

Karakia (Agenda Item 1)

Pou Temara presented the Council with a karakia prior to the official opening of the meeting.

Welcome/Apologies/Notices (Agenda Item 2)

The Chair welcomed other attendees of the meeting, including the members of the public in attendance.

No apologies were received.

Welcome Incoming Chief Executive (Agenda Item 3)

The Chair welcomed Stephen Town, CE and John Brockies, Council Member to their first Council meeting.

Minutes of the meeting held on 2 June 2020 (Agenda item 4)

The Members noted the minutes from the open section of the 2 June 2020 Council meeting.

Resolution

Moved by Murray Strong, seconded by Peter Winder

The Council resolved that the minutes from the open section of the 2 June 2020 Council meeting are approved as a true and accurate record.

Conflicts of interest (Agenda Item 5)

Members confirmed that all conflicts of interest were recorded in the Council interests register in the Council meeting papers.

Members confirmed the document to be referred to as the Register of Interests for future meetings.

Capital Asset Management and Infrastructure Committee meeting

Member Kathy Grant, Chair of the Capital Asset Management and Infrastructure Committee provided a verbal update from the Committee meeting on 23 June 2020 at 10am.

In particular, Members of the Committee at that meeting:

- Discussed the Committee Terms of Reference;
- Discussed the Capital Asset Management Strategy and the associated RFP; and
- Discussed the IS strategy, capital planning around the 2021 budget and requests for Subsidiaries' capital budgets.

Academic Board Report (Agenda Item 8)

The Members discussed and noted the Academic Board report from the meeting held on 10 June 2020.

In particular, Members:

- Noted the Academic Board report from the meeting on 10 June 2020;
- Discussed the layers of complexity in relation to the academic architecture (i.e., with the Academic Board, Academic Board Sub-Committees, Subsidiary Academic Committees and Subsidiary Academic Committee Sub-Committees), and the need to align with NZQA to ensure common understanding;
- Noted the national Academic Board to focus on the 'new-world' (including the changes required in relation to the 'new-world') and requested the Terms of Reference be re-assessed to focus on this, as well as including how equity fits across all relevant Academic Board workstreams; and
- Requested the Membership of the Academic Board contain student representatives, instead of 'appointed NZIST Learners' and that references to 'harmonisation' be removed from terminology.

Update on process re Staff Committee and Students' Committee (Agenda Item 6)

The Members discussed and provided feedback on the staff committee and students committee.

In particular, Members:

- Noted the update in relation to the process regarding the establishment of the staff committee and students' committee;
- Discussed the proposed regional divisions for the purposes of section 222F of the Education Act;
- Discussed that there should be ITO representatives on the staff and students' committees following any ITO transition into NZIST;
- Endorsed that NZIST prepare an options paper to discuss with the unions, the New Zealand Union of Students' Associations and student representatives/contacts at NZIST Subsidiaries that do not have students' associations; and
- Endorsed that NZIST commence preparing an initial working draft Terms of Reference for the staff committee and students' committee, but that each committee is involved in the development of its Terms of Reference before these are finalised and approved by Council.

Resolution

Moved by Peter Winder, seconded by Maryann Geddes

The Council resolved to establish regional divisions for the purposes of appointing members to a staff committee or a students' committee established under section 222L of the Education Act 1989 and for appointing directors to an NZIST Subsidiary, as follows:

"For the purposes of section 222F of the Education Act 1989, the NZIST Council hereby resolves that it establishes each of the following as separate regional divisions for the purposes of appointing members to a staff committee or a students' committee established under section 222L of the Education Act 1989 and for appointing directors to an NZIST Subsidiary:

- (1) in relation to each NZIST Subsidiary other than The Open Polytechnic of New Zealand Limited, the geographical area in which the NZIST Subsidiary primarily or predominantly operates and in which its head office and main campus is physically located; and
- (2) in relation to The Open Polytechnic of New Zealand Limited,

in each case, until the earlier of (i) 31 December 2022, and (ii) the date when any transitional ITOs transition into NZIST.

Members also noted that Subsidiaries should be notified of this resolution and that the NZIST website is updated to provide information on the establishment of the regional divisions.

Operational Verbal Update (Agenda Item 7)

The Members received a verbal update from the Outgoing Interim Chief Executive.

In particular, Members:

- Noted the current workload on staff across the subsidiaries; and
- Thanked the outgoing Interim CE for all his work.

Resolution to Exclude Public in accordance with the Public Excluded Agenda (Agenda Item 9)

Resolution

Moved by Murray Strong, seconded by Tania Hodges

The Council resolved that the public be excluded from the remainder of the meeting 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
11.	Minutes from public excluded part of meeting on 2 June 2020	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	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.	Council Action List	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	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.	Incoming Correspondence	Section 9(2)(b)(ii) of the Official Information Act - protect information	That the public conduct of this item would be likely to result in

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		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	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.	Outgoing Interim CE Report	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	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.	2021 Investment Plan Progress Paper	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 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).
16.	Operating Model - Procurement	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 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).
17.	Information Systems Strategic Plan - Procurement	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	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

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		Section 9(2)(i) of the Official Information Act – enable the organisation holding the information to carry out, without prejudice or disadvantage, commercial activities	LGOIMA applies).
18.	TITO Transition Workstream	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).
19.	Request from NZIST Subsidiaries for NZIST Approval to Reserved Matter	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 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).
20.	NZIST Parent Financial Results 31 May 2020	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	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).
21.	Subsidiary Financial Report 30 April 2020	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	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).
22.	Policy Adjustments	Section 9(2)(b)(ii) of the Official Information Act - protect information where the making available of the	That the public conduct of this item would be likely to result in the disclosure of information for

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		<p>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)(i) of the Official Information Act – enable the organisation holding the information to carry out, without prejudice or disadvantage, commercial activities</p>	<p>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>
23.	Insurance Programme Options	<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)(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>
24.	Budget 21 paper – out of cycle approval	<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>
25.	Items to be moved to Open Agenda for next Council meeting	<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>

** The following reason for passing resolution in relation to each matter has been removed from the agenda - Section 9(2)(g) 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.*

The NZIST Council resolved that NZIST employees Stephen Town, Alex Cabrera, Heather Geddes, Michelle Teirney, Vikki Roadley, Denise Mackay, William Workman, Gillian Hamilton, outgoing interim

CE Chris Collins along with Angela Harford of Bell Gully 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.

Whakamutunga and close of open part of meeting (Agenda Item 10)

The open part of the NZIST Council meeting was closed at 9.50am and the meeting was adjourned until 10.10am. The public excluded session commenced at 10.10am, with a short break between 12.15pm and 12.40pm, and concluded at 3.25pm.

Public Excluded Agenda

The minutes relating to the Public Excluded Agenda are set out in Schedule 1 to these minutes.

Karakia Whakatuwhera

The Chair thanked everyone for their contributions.

There being no further business the Chair declared the NZIST Council meeting closed at 3.25pm following a Karakia Whakatuwhera by Tania Hodges.

Dated: 17 August 2020

Signed as a correct record



Murray W. Strong
Chairman