

**Office of the Council Secretary**

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# Notice of Meeting

A meeting of the Ara Council will be held:

on **Tuesday 30 January 2018**

at **11.00am**

in **Room G202, City Campus.**

Tracey McGill  
Council Secretary



## COUNCIL MEETING AGENDA

Tuesday 30 January 2018

11.00am\*

Room G202, Te Kei, City Campus

\*Note: Ara Council only time 10.30am to 11.00am

**PUBLIC EXCLUDED: It will be moved that the public be excluded from this section of the meeting.** This resolution will be made in reliance on s48(1) of the Local Government Official Information and Meetings Act 1987 and the particular interests protected by s9 of the Official Information Act 1982 which would be prejudiced by the holding of the proceedings of the meeting in public. The section of the Official Information Act which applies is shown beside each item to be considered while the public is excluded:

- *Matters involving confidential information about an identifiable person*  
s9(2)(a) – Protect the privacy of natural persons, including that of deceased natural persons
- *Submissions to Parliament and other formal advice*  
s9(2)(f) – Maintain confidential conventions which protect political neutrality, and the confidentiality of communications and advice tendered by officials
- *Commercially sensitive financial data*  
s9(2)(i) – The Crown or any Department or organisation holding the information to carry out, without prejudice or disadvantage, commercial activities
- *Negotiations in progress with other organisations*  
s9(2)(j) – Enable a Minister of the Crown or any Department or organisation holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)

**The general subject of the matters to be considered while the public is excluded are:**

|   |         |  |  |                          |
|---|---------|--|--|--------------------------|
| <b>1) Meeting Attendance</b>              | 11.00am | <b>1.1 Apologies</b>   |  |                          |
| <b>2) Strategic Topics for Discussion</b> | 11.05   | <b>2.1 Ara Council Self-Assessment</b><br><b>2.2 Updated Strategic Roadmap</b>   | [s9(2) (f), (i), (j)]                          | Attached                 |
| <b>3) Meeting Business</b>                | 12.00   | <b>3.1 Meeting held Tuesday 31 October 2017 (Public Excluded)</b> <ul style="list-style-type: none"> <li>• <b>Approval of minutes</b></li> <li>• <b>Matters arising</b></li> <li>• <b>Action List</b></li> </ul> <b>3.2 Special Meeting Minute: 12 December 2017 (Public Excluded)</b> | [s9(2) (f), (i), (j)]<br>[s9(2) (f), (i), (j)] | Attached<br><br>Attached |
| <b>4) For Decision</b>                    | 12.15   | <b>4.1 Ara Council Membership : Succession Planning</b><br><b>4.2 Ara Trust Memberships</b>  | [s9(2) (f), (i), (j)]                          | Attached                 |
| <b>5) For Discussion</b>                  | 1.00    | <b>MONTHLY REPORTS</b><br><b>5.1 Chief Executive – Public Excluded</b>   | [s9(2) (i), (j)]                               | Attached                 |
| <b>6) General Business</b>                | 1.15pm  |  |  |                          |

| <b>Ara Council Public Meeting</b> |        |  |           |
|-----------------------------------|--------|--|-----------|
| <b>7) Meeting Business</b>        | 1.30pm | <b>7.1 Karakia : Ara Waiata</b>  | Te Marino |
|                                   |        | <b>7.2 Apologies</b>   |           |
|                                   |        | <b>7.3 2018 Annual Disclosure of Conflicts of Interest</b>   | Form      |
|                                   |        | <b>7.4 Meeting held Tuesday 31 October 2017</b><br><ul style="list-style-type: none"> <li>• Approval of minutes</li> <li>• Matters arising</li> <li>• Action List</li> </ul> | Attached  |
|                                   |        | <b>7.5 Correspondence</b>  | Attached  |
| <b>8) For Decision</b>            | 1.45   | <b>8.1 Council Documentation Review</b><br>a) Ara Standing Orders and Council Statute  | Attached  |
|                                   |        | <b>8.2 Review of Council Policies</b>  | Attached  |
|                                   |        | <b>8.3 2018 Council Work Programme</b>   | Attached  |
| <b>9) For Discussion</b>          | 2.30   | <b>MONTHLY REPORTS</b><br><b>9.1 Chief Executive</b><br><b>9.2 Health and Safety</b>   | Attached  |
| <b>10) For Information</b>        | 2.45   | <b>10.1 Media Report</b>   | Attached  |
| <b>11) General Business</b>       | 2.50   | <b>Key Messages</b>  | Verbal    |
| <b>11)</b>                        | 3.00pm | <b>Poroporoaki</b>   |           |

**Tracey McGill**  
**Council Secretary**

Ko te pae tawhiti  
Whāia kia tata.  
Ko te pae tata  
Whakamaua kia tina

Haere mai e te iti  
Haere mai e te rahi

Kia inu ai tātou  
I te puna Māori  
I te puna Wānaka

Hei tikitiki mōhou  
Mō tātou e

Haere mai kia kapohia  
ngā kai a ngā tīpuna

Kua tau tō waka ki Ara e

Seek distant horizon to reach  
your potential

Come one,  
Come all

So that you may drink  
from the nourishing  
spring that is Te Puna Wānaka

To strive for excellence  
for all

Come and take hold of  
the knowledge of our ancestors

You have arrived in our midst.

|  |                     |                         |
|--|---------------------|-------------------------|
| <b>Ara Council</b><br><b>30 January 2018</b> | <b>Agenda Item</b>  | <b>7.3</b>              |
|  |                     | <b>Information Item</b> |
| <b>PUBLIC</b>                                | <b>Presented by</b> | T McGill                |

| <b>ARA COUNCIL REPORT SUMMARY</b>     |  |
|---------------------------------------|--|
| <b>TITLE OF REPORT</b>                | <b>2018 Register of Disclosure of Conflicts of Interest</b>  |
| <b>BACKGROUND AND PURPOSE</b>         | <ul style="list-style-type: none"> <li>• To provide an accurate and up to date register of disclosures of conflicts of interest of the Ara Council members.</li> <li>• Annual declaration forms to be checked and signed off by each Council member at the first meeting of the year.</li> </ul> |
| <b>RECOMMENDATION(S)</b>              | <ol style="list-style-type: none"> <li>1. Council to check the information on the register is accurate and current.</li> <li>2. Annual Conflict of interest forms to be checked by individual Council members, signed and returned to the Council Secretary.</li> </ol>                          |
| <b>LINK TO ARA STRATEGY</b>           | N/A  |
| <b>KEY ISSUES IDENTIFIED</b>          | N/A  |
| <b>FINANCIAL IMPLICATIONS FOR ARA</b> | N/A  |
| <b>RISK IMPLICATIONS FOR ARA</b>      | N/A  |

## 2018 Register of Disclosure of Conflicts of Interest

as at 31 October 2017

### Council Members

|   |   |   |
|---|---|---|
| <b>Janie Annear</b><br>Deputy Chair<br><i>[Term: 01/01/16 - 30/04/19]</i>       | <ul style="list-style-type: none"> <li>• Janie Annear Consulting (Director)</li> <li>• Local Government Commissioner</li> <li>• Canterbury Economic Development Company (Director)</li> <li>• Specialised Structures Advisory Board (Director)</li> <li>• Westhills Forestry Ltd (Shareholder)</li> <li>• Rosehill Trust (Trustee)</li> <li>• Timaru Holdings (Partner)</li> </ul>        | <ul style="list-style-type: none"> <li>• Lottery Community Facilities (Fund member)</li> <li>• Lottery Significant Projects (Fund member)</li> <li>• Injury Management (Owner)</li> <li>• South Canterbury District Health Board (P Annear -Board Member)</li> </ul>  |
| <b>Thérèse Arseneau</b><br>(Chair)<br><i>[Term: 01/05/17 - 30/04/21]</i>        | <ul style="list-style-type: none"> <li>• ChristchurchNZ (Chair and Director)</li> <li>• Christchurch Symphony Orchestra (Chair and Trustee)</li> <li>• J Ballantyne and Company Ltd (Director)</li> <li>• Elder Family Trust (Trustee)</li> </ul>   | <ul style="list-style-type: none"> <li>• Therese Arseneau Consulting Ltd (Director and Shareholder)</li> </ul>  |
| <b>Jeremy Boys</b><br><i>[Term: 01/01/16 - 30/04/19]</i>                        | <ul style="list-style-type: none"> <li>• Opuha Water Ltd (Director)</li> <li>• JW&amp;AM Boys Family Trust (Trustee)</li> </ul>   | <ul style="list-style-type: none"> <li>• Ōtautahi Education Development Trust (Trustee)</li> </ul>  |
| <b>Jane Cartwright</b><br><i>[Term: 01/05/14- 30/04/19]</i>                     | <ul style="list-style-type: none"> <li>• Ara Foundation (Trustee)</li> <li>• Brackenridge Estate Limited (Chair)</li> <li>• Health Practitioners Disciplinary Tribunal (Member)</li> <li>• Nurse Maude Association (Board member)</li> </ul>  | <ul style="list-style-type: none"> <li>• Canterbury Clinical Network (Programme Director)</li> <li>• Cartwright-Newton Family Trust (Trustee)</li> <li>• JC Ltd (Director)</li> </ul>   |
| <b>Stephen Collins</b><br><i>[Term: 01/05/13- 30/04/19]</i>                     | <ul style="list-style-type: none"> <li>• Basileus Investments Ltd (Director and shareholder)</li> <li>• Canterbury Employers' Chamber of Commerce (Board member)</li> <li>• Christchurch Heritage Trust (Board member)</li> <li>• Christchurch Heritage Ltd (Director)</li> <li>• Collins Davies Trust (Trustee)</li> <li>• Collins Real Estate Ltd (Director and shareholder)</li> </ul> | <ul style="list-style-type: none"> <li>• S J Collins Family Trust (Trustee)</li> <li>• Oxford 210 Ltd (Director and shareholder)</li> <li>• Rebekah Collins Trust (Trustee)</li> <li>• Ripponvale Investment Ltd (Director)</li> <li>• Samuel Collins Trust (Trustee)</li> <li>• Westwood Ltd (Director and shareholder)</li> <li>• Central City Business Group (CCBG) (Trustee)</li> </ul> |
| <b>Elizabeth Hopkins</b><br><i>[Term: 01/05/14- 30/04/18]</i>                   | <ul style="list-style-type: none"> <li>• Ara Foundation (Trustee)</li> <li>• INNATE Immuno Therapeutics Ltd (Director)</li> <li>• Hi-Aspect (Chair)</li> </ul>  | <ul style="list-style-type: none"> <li>• Hopkins Partnership (Director and Shareholder)</li> </ul>  |
| <b>John Hunter</b><br>CAC Chair/CCRC Chair<br><i>[Term: 01/05/14- 30/04/18]</i> | <ul style="list-style-type: none"> <li>• Hunter York Family Trust (Trustee)</li> <li>• Nelson Bays Primary Health (Chair)</li> <li>• PowerHouse Ventures (Director)</li> <li>• PHO Alliance (Executive member)</li> </ul>   |   |
| <b>Melanie Taite-Pitama</b><br><i>[Term: 01/03/17- 28/02/21]</i>                | <ul style="list-style-type: none"> <li>• Tuahiwi Education Ltd (Director/Shareholder)</li> <li>• Taite Family Trust (Trustee)</li> </ul>  |   |

## Council Officers

|  |   |
|--|---|
| <b>Tony Gray</b><br>Chief Executive  | <ul style="list-style-type: none"> <li>• TANZ Ltd (Director)</li> <li>• Ōtautahi Education Development Trust (Trustee)</li> <li>• Ara Foundation (Trustee)</li> <li>• Hurford Trust</li> </ul>  |
| <b>Te Marino Lenihan</b><br>Kaiārahi   | <ul style="list-style-type: none"> <li>• k4 Cultural Landscape Consultants Ltd (Director)</li> <li>• Centre of Contemporary Art (CoCA) (Board of Trustees)</li> <li>• Ngā Aho (National Network of Māori Design Professionals) (Executive)</li> </ul> |
| <b>Tracey McGill</b><br>Council Secretary                                    | <ul style="list-style-type: none"> <li>• Nil</li> </ul>   |
| <b>George Tylee</b><br>Deputy Council Secretary                              | <ul style="list-style-type: none"> <li>• Nil</li> </ul>   |
| <b>Christina Yeates</b><br>Governance and Strategy Unit Senior Administrator | <ul style="list-style-type: none"> <li>• Nil</li> </ul>   |

# **Ara Institute of Canterbury**

## **Council Minutes**

### **31 October 2017**

Minutes from the Ara Institute of Canterbury Council meeting held on Tuesday 31 October 2017 at 10.00 am in Room TA210, Timaru Campus.

## **1 Statutory Requirements**

### **1.1 Karakia/Mihi**

The meeting commenced with the Ara Waiata led by Te Marino Lenihan.

### **1.2 Welcome**

- a The Chair welcomed all to the meeting including Michael Rondel (Independent Chair, Council Audit and Risk Committee) and Koren Allpress (Reporter, Timaru Herald).

### **1.3 Attendance**

- a **Present**

- i **Voting Members**

- Thérèse Arseneau (Chair), Janie Annear (Deputy Chair), Jeremy Boys, Jane Cartwright, Stephen Collins (via videoconference from City Campus), Elizabeth Hopkins (via teleconference), John Hunter (via videoconference from City Campus) and Melanie Taite-Pitama.

- ii **Non-Voting Officers**

- Tony Gray (Chief Executive), George Tylee (Deputy Council Secretary), Te Marino Lenihan (Kaiārahi) and Christina Yeates (Minute Secretary).

- iii **In Attendance**

- Michael Rondel (Independent Chair, Council Audit and Risk Committee) and Koren Allpress (Reporter, Timaru Herald).

Management: Darren Mitchell (Chief Financial Officer, CFO/Corporate Services Director).

- b **Apologies**

- i **Voting Members**

- Nil.

- ii **Non-Voting Officers**

- Tracey McGill (Council Secretary).



### iii Management

Nil.

## 1.4 Disclosure of Conflicts of Interest [Pages 17/Ara Council/10/907-909]

### a Additions/Alterations to the Disclosures of Conflicts of Interest Schedule

One correction was advised from the Chair – removal of CRIS Ltd (Director); and one correction was advised from Jeremy Boys – removal of South Canterbury Chamber of Commerce (Director).

### Declarations of interest for items on today's agenda

Nil.

## 1.5 Confirmation of Minutes [Pages 17/Ara Council/10/910-920]

### a Minutes of Committee Meeting – 26 September 2017

*It was **resolved** that the minutes of the ordinary meeting of the Ara Council held on 26 September 2017 (not being a meeting or part of a meeting from which the public was excluded) be confirmed as a correct record of proceedings of that meeting and be signed by the Chair accordingly.*

*J Cartwright/J Boys*

*Carried*

### b Action List of Committee Meeting – 26 September 2017

The action list of the 26 September 2017 meeting was received and noted. All actions in progress and specific updates are recorded below:

- Action 1652 – Audit and Risk Committee – verbal update on today's agenda.
- Action 1784 – Drug and Alcohol Policy - the Corporate Services Director advised that this is currently under legal review and with PwC. This will come to Council when consultation has taken place. Can be removed from the action list.
- Action 1822 – Health and Safety – overview assurance paper is currently being worked on by the Health and Safety Manager.
- Action 1834 – Auckland Opportunities – as detailed in item 1.5c) below.
- Action 1839 – the Corporate Services Director advised that the health and safety report showing actions underway has been revised and updated for this month.

### c Matters Arising

Stephen Collins queried the paper due in regard to addressing the opportunities for Ara in the Auckland market. The Chair clarified that this will be discussed in the plans for the Ara Council strategy day in November.

d **Minutes of Special Meeting – 2 October 2017**

The minutes of the special Ara Council meeting held on 2 October 2017 via email were received and the resolutions contained within noted.

## 2 For Discussion

### Monthly Reports

#### 2.1 Chief Executive

[Pages 17/Ara Council/10/921 - 951]

The Chief Executive report for this month was taken as read. The Chief Executive responded to questions and discussion recorded as follows.

- a The Chief Executive provided an update and summary of the key stakeholder and partner function that was held in the Starz restaurant on Monday 30 October 2017:
  - i As the second of two events held in the last month, feedback was positive and now into the process of pulling together a regional strategy forming part of Ara South.
  - ii Attendees were keen on Ara as a Hub – the link and opportunity identifier bringing everything together e.g. schools and industry.
  - iii Strengthen the 2018 outlook with developments and honesty in reflection of what we can and cannot do.
  - iv Ara now needs to concentrate on the delivery mechanisms, including blended delivery and there was a general acceptance of this from those present.
  - v The Chair advised there was a real sense from partners and stakeholders of wanting to positively engage with Ara.
  - vi Jane Cartwright thanked the Chief Executive for the presentation and suggested more time for one on one discussions at future events.
  - vii Melanie Taite-Pitama felt there was a good representation across the sector, with iwi alongside as partners.
  
- b Stephen Collins questioned the impact of the change of government as it provides both opportunity and risks. Council agreed that in Auckland it is important to plan for more trades people if the government is slowing down using overseas workers.

- c The key issue of the new government introducing free fees was discussed. The Chief Executive advised that this will be on the horizon very soon – to be implemented on 1 January 2018. The government is currently working out how it will work and the Chief Executive will be meeting with policy analysts next week. The ITP CE's will have a broad input into the key issues going forwards. There is no decision as yet on the eligibility of free fees but it will encompass a fairly wide age group.
- d Discussion on planning for the future and that it is key for us to continue to ensure we are giving the best advice to learners, supporting and guiding them onto the right programme. This includes carefully managing the quality of learning as it will impact on completion rates. Learners must come away with tangible and recognised qualifications.
- e The Chief Executive advised that if the free fees are introduced into the third year anecdotally, it is expected to increase access to more learners by 15% based on existing numbers.

*It was **resolved** that the Chief Executive's application and enrolment report and its contents be received and noted.*

T Arseneau

## **2.2 Health and Safety**

- a Council queried the contractor injury on Woolston Campus. The Chief Executive advised that there was very little we could do. The subcontractors responsibility is very clear as designated by Ara. The incident involved a high pressure suction device which was clearly faulty and WorkSafe have been provided a copy of the investigation as requested. The Corporate Services Director reassured Council that going forwards the contracts with individual parties will reinforce awareness of the subcontractors responsibilities. Subcontractors will be excluded if not up to standard.
- b Jeremy Boys highlighted the high risk figure of 15% for placements. Council were advised that agreements are currently being reviewed.

*It was **resolved** that the Health and Safety report and its contents be received and noted.*

T Arseneau

## **2.3 Kaiārahi Report**

The Kaiārahi report prepared and placed on Diligent was taken as read.

- a Jane Cartwright requested that the end of year events list be included in the 2018 work plan and that the invitations for end of year 2017 be circulated as soon as possible.
- b Melanie Taite-Pitama requested more detail in the report of how growth is measured with staff and would like to see competency and quality as part of this. The Chief Executive confirmed that he determines the criteria for what goes into the Kaiārahi report and that he works with the Kaiārahi to reflect Maori strategy which will run alongside the delivery of the Pasifika strategy.
- c The Chair commented that this will provide Council with an overview on what is happening and quarterly outcomes as Ara is contractually measured on our funding.
- d It was agreed that an appropriate reporting timeframe may realistically take some time to ensure it is correct. It was agreed that there is an opportunity to provide Council with information relating to the workplan between meetings.
- e Melanie Taite-Pitama acknowledged that the Arowhenua meeting at the marae on 30 October 2017 provided for really positive conversations and going forwards reconnecting with Ara and iwi.
- f Te Marino Lenihan agreed that key activities for the Kairahi is the framework for Maori achievement, improving the awareness of Ara with Arowhenua and to help the relationship and separate conversations with each Runanga.

### **3 For Information**

#### **3.1 Chair Report**

- a The Chair advised that the initial stakeholder engagement meeting on 12 October and subsequent 30 October meeting has been a key focus for her this month. The initial meeting held on the 12<sup>th</sup> helped to inform the larger function on the 30<sup>th</sup> and now the focus is on getting to grips with an effective regional delivery model.

#### **3.2 Sub-Committee Reports**

The reports were taken as read.

- a **Academic Board** [Pages 17/Ara Council/10/952-955]  
The Chief Executive provided a brief summary of the Academic Board meeting held on 14 September 2017:
  - i Recognition of the hard work that colleagues have put in on the development of new programmes across Ara.

- ii Huge amount of activity and energy focused in this area at Ara and across the sector.
- iii Recognition of the new learning design opportunities and changes in delivery; ensuring right Maori components across the curriculum.
- iv Noting specialist programme development for Ara – Bachelor of Construction and Bachelor of Musculoskeletal Health and Postgraduate Diploma in Osteopathy.
- v The Graduate Employers Survey was discussed. The small percentage of employers responding was of concern and a real challenge. It was felt we need a better representative sample.
- vi The Chief Executive advised that TEC is looking at creating a graduate employment outcome report we can use. Ara will key into this (Qlik software) and will provide broader coverage.
- vii Council agreed we need to look at communications with our own employers – person to person contact is important and the two way communications will run in tandem with the government survey.
- viii It was agreed to look at the survey design and feedback.
- ix The Chief Executive advised there is concern across the sector in duplicating information. He attended a TEC workshop recently looking at the totality of the data, how it is used and how to show data enabling immediacy of the picture.
- x Jeremy Boys would like to see a snapshot of how it compares to previous years, broken down into groups and better definitions to become more meaningful e.g. soft skills. The Chief Executive advised some of this would be picked up by the work being done by Te Kāhui Manukura (TKM) as the trends are important. It was also agreed that the regional spread is useful.

**b Council Audit and Risk Committee**

- i The Chair of Independent Audit and Risk Committee advised that the only item of note in the public meeting held on 10 October 2017 was the review of the treasury policy.

**c Council Campus Redevelopment Committee**

[Pages 17/Ara Council/10/956-958]

- i The Council Campus Redevelopment Committee meeting minutes of 19 September 2017 were received and noted.

- ii The Chair of the Council Campus Redevelopment Committee advised that there were no items of note to be reported from the public meeting held on 17 October 2017.

*It was **resolved** that the Council Sub-Committee reports be received and contents noted.*

T Arseneau

### **3.3 2017 Council Work Programme** [Pages 17/Ara Council/10/959-960]

The 2017 Council Work Programme as of 24 October 2017 was received and noted.

### **3.4 Media Report** [Pages 17/Ara Council/10/961]

The September media report was received and its contents noted.

## **4 GENERAL BUSINESS**

**4.1** There were no items recorded for general business.

**4.2** Key messages from today's meeting – (1) Successful Ara Partners and Stakeholders meetings on 12 and 30 October 2017 and the visit to the Arowhenua Marae on 30 October; (2) Ara Council Strategy Planning Day is scheduled for 28 November 2017 and will focus on the Council looking at the future of Ara and building on the strategic work that has already been done.

*10.50am Public Meeting Close.*

*This was followed by a Campus Tour of the Timaru Campus for all Council members.*

## **5 Public Excluded**

*11.30am*

*It was **resolved** that the public be excluded from the remainder of the meeting.*

T Arseneau

*It was further **resolved** that Darren Mitchell and Michael Rondel remain for the entire public excluded session.*

T Arseneau

The general subject of the matters considered while the public was excluded was:

#### 5) STRATEGIC TOPICS FOR DISCUSSION

5.1 Ara South

[s9(2) (f), (i), (j)]

5.2 Strategy Day Preparation

## 6) MEETING BUSINESS

- 6.1 Confirmation of Public Excluded Minutes [s9(2) (f), (i), (j)]
- a Minutes of Meeting – Public Excluded – 26 September 2017
- b Business Arising out of the Public Excluded Council Minutes
- 6.2 Special Meeting Minute – 2 October 2017 (Public Excluded)

## 7) FOR DISCUSSION

## Monthly Reports

- 7.1 Chief Executive Report – Public Excluded [s9(2) (i), (j)]

## 8) FOR INFORMATION

## Monthly Reports

- 8.1 Council Audit and Risk Committee – Public Excluded [s9(2) (i), (j)]
- 8.2 Council Campus Redevelopment Committee – Public Excluded [s9(2) (i), (j)]
- (a) Meeting Minutes
- (b) Programme Dashboard
- (c) Health and Safety Report

## 9) GENERAL BUSINESS

[s9(2) (i), (j)]

This resolution was made in reliance on s48(1) of the Local Government Official Information and Meetings Act 1987 and the particular interests protected by s9 of the Official Information Act 1982 which would be prejudiced by the holding of the proceedings of the meeting in public. The section of the Official Information Act which applies is shown beside each item considered while the public was excluded:

- *Matters involving confidential information about an identifiable person*  
[s9 (2)(a)] – Protect the privacy of natural persons, including that of deceased natural persons
- *Submissions to Parliament and other formal advice*  
[s9(2)(f)] – Maintain confidential conventions which protect political neutrality, and the confidentiality of communications and advice tendered by officials
- *Commercially sensitive financial data*  
[s9(2)(i)] – The Crown or any Department or organisation holding the information to carry out, without prejudice or disadvantage, commercial activities
- *Negotiations in progress with other organisations*  
[s9(2)(j)] – Enable a Minister of the Crown or any Department or organisation holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).

The Council moved back into open meeting.

The meeting concluded at 2.10pm.

**READ AND CONFIRMED**

Chair: .....

28 November 2017

## Ara Council Minutes

### Action List as of 31 October 2017

| # (yr/#) | Date when Action Arose | Agenda Item | Topic                                       | Action  | Council Responsibility | Status                           | Due Meeting date                               |
|----------|------------------------|-------------|---|---|------------------------|----------------------------------|--|
| 1822     | 25.07.17               | 3.2d        | Health and Safety                           | Overview assurance paper required – can be circulated via email and placed on Diligent for reference purposes. As of the October Council meeting, the Health and Safety Manager is currently working on this. | D Mitchell             | In progress                      | For email distribution and placed on Diligent. |
| 1834     | 29.08.17               | 2.1d        | Acting CE's Report - Auckland Opportunities | Council requested to see a timeline, commentary to better clarify the strategy in place and some analysis to inform – long-term trends and projections of the Auckland market.                                | T Gray                 | In progress for November meeting | 28 Nov 17                                      |



# Office of Hon Chris Hipkins

## MP for Rimutaka

Minister of Education  
Minister of State Services

Leader of the House  
Minister Responsible for Ministerial Services



21 DEC 2017

Dr Thérèse Arseneau  
Chair  
Ara Institute of Canterbury

Dear Dr Arseneau

As you may be aware, our Government intends to make changes to governance arrangements for tertiary education institutions (TEIs) so that staff and student representatives are required on TEI councils. This is part of our commitment to ensuring that we have world-class tertiary education institutions, and to re-affirm the important role of staff and students in institutional decision-making.

To give effect to this commitment, the Government proposes to amend the Education Act 1989 so that:

- a TEI's council must include at least one member of staff and at least one student of the institution
- these members would be appointed by the council following an election by the groups that they represent (i.e. a student representative would be elected by the student body of the TEI and the staff representative would be elected by staff members of the TEI)
- the size of the council of an institute of technology or polytechnic (ITP) will be increased up to a maximum of ten members (from the current eight members). This will mean that the staff and student representatives on ITP councils will be additional to current members.

I am aware that these proposals may have transitional implications for ITPs. You may, for example, need to amend your statute and, where necessary, establish a process for electing staff and students to their councils. To address this, I propose a transition period of six months from the date legislation is enacted.

For further information on the proposed changes to TEI governance, or to provide feedback on them, please contact Claire Douglas, Deputy Secretary, Graduate Achievement, Vocations and Careers, at the Ministry of Education, in the first instance. Her email is [claire.douglas@education.govt.nz](mailto:claire.douglas@education.govt.nz).

I look forward to your feedback on this important matter.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'CH', with a long horizontal flourish extending to the right.

**Chris Hipkins**  
**Minister of Education**

|  |                     |                    |
|--|---------------------|--------------------|
| <b>Ara Council</b><br><b>30 January 2018</b> | <b>Agenda Item</b>  | <b>8.1</b>         |
|  |                     | For<br>Information |
| <b>PUBLIC</b>                                | <b>Presented by</b> | T McGill           |

| <b>ARA COUNCIL REPORT SUMMARY</b> |  |
|-----------------------------------|--|
| <b>TITLE OF REPORT</b>            | <b>2018 Ara Council Statute and Standing Orders Review</b>   |
| <b>BACKGROUND AND PURPOSE</b>     | <p><b>Council Statute:</b></p> <p>The Council Statute is to be reviewed and revised where necessary every two years commencing in February 2012. The last review was at the Council meeting of 25 February 2014. Therefore, the Statute is overdue for its third review, now one year late.</p> <p>In addition to a two year review of the Statute, the Competencies Schedule (Schedule One to the Statute) is required to be reviewed annually. This was last reviewed by a sub-committee of Council in December 2016. Council are now asked to establish a Selection Committee comprising the Chair and two members elected by Council to review the Competencies Schedule.</p> <p>The January 2018 review includes a review of:</p> <ul style="list-style-type: none"> <li>• Amendments to the Education Act</li> <li>• Name change to Ara Institute of Canterbury</li> <li>• Note to include Staff and Student representation when legislated.</li> </ul> <p><b>Standing Orders:</b></p> <p>The Standing Orders purpose is to support the Ara Council to ensure it conducts business in a manner that is aligned to the values, vision and mission of the organisation. The current Standing Orders have been reviewed in alignment with relevant Ara policies and the name changes made to Ara. It is noted we will look at staff and student representation when legislated.</p> |
| <b>RECOMMENDATION(S)</b>          | <p>That Council:</p> <ul style="list-style-type: none"> <li>• <b>Review and agree on any changes to be made to the Statute Number 2010/2 for the Council Appointment of Members to the Council of Ara Institute of Canterbury; and</b></li> <li>• <b>Establish a Selection Committee to review and update the Competencies Schedule, prior to seeking approval by Council.</b></li> <li>• <b>Review the current Ara Council Standing Orders and approve.</b></li> </ul>  |

|                                       |   |
|---------------------------------------|---|
| <b>LINK TO ARA STRATEGY</b>           | Successful students, value for employers, effective staff |
| <b>KEY ISSUES IDENTIFIED</b>          | None  |
| <b>FINANCIAL IMPLICATIONS FOR ARA</b> | None  |
| <b>RISK IMPLICATIONS FOR ARA</b>      | Overdue for review  |

Ara Institute of Canterbury Council

# Statute Number 2010/2

## for the Council Appointment of Members to the Council of Ara Institute of Canterbury

Ratified 25 May 2010

|                 |                              |
|-----------------|------------------------------|
| Past Revisions: | February 2012, February 2014 |
| Review Cycle:   | Every two years              |
| Applies From:   | February 2012                |

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## 1 Statute Purpose

- 1.1 By an amendment to the Education Act 1989 and all subsequent amendments (“the Act”) effective on 1 March 2010, every polytechnic council is required to have in place statutes providing for the appointment of members by the Council under Part 15A, section 222AA(1)(b) of the Act.
- 1.2 This Statute provides for the appointment of members to the Ara Council (Council) under section 222AA(1)(b) and otherwise in accordance with the provisions of sections 222AA to 222AI of the Act.

## 2 Application of Statute

- 2.1 The Council shall be entitled to appoint four persons as members of the Council in accordance with this Statute.
- 2.2 This Statute shall apply to all Council appointments of Council members made after the date that this Statute is approved by the Council.
- 2.3 This Statute shall be given effect so that the first members of Council appointed in accordance with its terms shall commence their terms of office on and from 1 May 2010.
- 2.4 All relevant sections of the Act apply in relation to any appointments made under this Statute.

## 3 Persons Eligible for Appointment

- 3.1 A person is not eligible for appointment as a member of the Council:
  - a as specified in section 222AA(2) of the Act; or
  - b if he or she is an enrolled full-time student at Ara; or
  - c if he or she holds the position of Chief Executive of Ara; or
  - d if he or she is an employee of Ara; or
  - e if she or he is an Officer of the Council. An Officer of the Council means a person who holds the position of Chief Executive of the institution, Kaumātua/Kaiārahi, Executive Secretary/Council Secretary or Minute Secretary, or any other person who is appointed by resolution of the Council to serve it as an officer. Officers of the Council may speak at meetings but not vote. Officers of the Council may remain at meetings after the public has been excluded.
- 3.2 Members will be appointed for their knowledge, skills or experience in accordance with section 222AD(3) and as stipulated in the Council Members’ Competencies Schedule and following a skills and knowledge assessment in accordance with section 6.

## 4 Matters to be considered when making appointments

- 4.1 When making appointments or calling for nominations under section 6, the Council shall give priority to those persons who will ensure that the Council membership overall:
- a includes at least one person who is Māori; and is appointed through a process agreed between the Council and Ngāi Tahu
  - b so far as is possible, reflects the ethnic, gender and socio-economic diversity of the community served by Ara, and
  - c comprises people who (in the Council's opinion):
    - i have relevant knowledge, skills, or experience in accordance with the Competencies Schedule and
    - ii are able and available to fulfil their individual duties as members of the Council and the functions, duties, and responsibilities of the Council as determined by Council and specified in sections 181 and 222AH of the Act.

## 5 Term of Office

- 5.1 In accordance with section 222AE of the Act, the term of office of any member of the Council appointed under clause 3.2 shall be no more than four years, provided, however, that any member is eligible to be appointed for a second or later term.
- 5.2 Pursuant to Part 2 Transitional Matters 19(3) of the Education (Polytechnics) Amendment Act 2009, the term of office of appointments made by Council prior to 1 May 2011 shall cease on 30 April 2011.

## 6 Appointment Processes

### 6.1 Appointment of a member in consultation with Ngāi Tahu

- a At least two months before expiry of the term of office of a Council member appointed in consultation with Ngāi Tahu, the Chair of Council shall consult with Ngāi Tahu and, through a process agreed between the Council and Ngāi Tahu, receive any nomination(s)/recommendation(s). The process will take into consideration the required skills, attributes and knowledge described in the Competencies Schedule.
- b For appointments made pursuant to clause 4.1a of this statute, the Council members of any sub-committee shall comprise the Chair, at least one of the two members elected to the Selection Committee by Council under section 6.2a and the Kaiārahi as an Officer of the Council.
- c The Council or subcommittee shall consider any nomination(s)/recommendation(s) and, after making such further enquiries as it considers appropriate, the Council shall make an appointment.



- d Should the Council have serious misgivings as to whether the preferred candidate meets the relevant criteria it may request the review of such a recommended appointee by a process agreed between the Council and Ngāi Tahu.

## 6.2 Appointment of other members

- a The Council shall establish a Selection Committee, comprising the Chair and two members elected by Council.
- b The Selection Committee will review and update the Competencies Schedule annually. Following the review, Council will vote to approve the updated Schedule.
- c Six months prior to a vacancy, or upon being advised of an impending vacancy if the vacancy occurs at less than six months notice, the Selection Committee will conduct an assessment of Council members against the Competencies Schedule to identify any skill and knowledge gaps that should be sought in a new member
- d The results of the assessment will then be used by the Selection Committee to determine the competencies required to fill the vacancy. The vacancy will be widely advertised, and the organisations, bodies or groups from Schedule Two identified which shall be invited to make nominations of candidates who meet the requirements. Following the receipt of all applications and nominations the Selection Committee may interview each candidate to determine his or her suitability for appointment.
- e Following the assessment of applications and/or nominations in the case of an appointment to be made by the Council, a recommendation shall be put to the Council for its approval. The Council may require the Selection Committee to make further enquiries or to consider further nominees before the Council votes on the appointment.
- f In the case of an appointment to be made by the Minister, the Council Chair, in consultation with the Appointments Committee, shall write to the Minister setting out the Council's requirements and the name or names of any nominee or nominees that Council believes fit the identified skill and knowledge requirements.

## 6.3 Re-appointment processes

Beyond 01 May 2011 any member who is eligible and willing to be appointed for a further term shall be considered for re-appointment to Council in accordance with the processes governing his or her previous appointment.

## 6.4 Transition arrangements

- a In order to facilitate the transition to the reconstituted Council in 2010, re-appointment of current Council members who meet the requirements laid out in the Competencies Schedule will be considered by Council through a process agreed by Council.

- b Such appointments can be made for any period up to 30 April 2011 in accordance with section 5.2 of this Statute.
- c Where vacancies cannot be appropriately filled by reappointment of current Council members, the Selection Committee will proceed in accordance with section 6.2c–e of this Statute.

## 7 Removal of Members

7.1 The Council may, subject to the principles of natural justice and a proper consideration of the matter, suspend or remove by resolution a member who either has become ineligible under section 222AA(2) of the Act or has, in the opinion of the Council, committed a serious breach of his or her duties under section 4.1c of this Statute, or who has otherwise brought Ara or the Council into disrepute.

### 7.2 **Absence without leave**

A member will be considered to have committed a serious breach in terms of section 7.1 of this Statute if the member is absent without leave of the Council; that is:

*“fails to attend three consecutive meetings of the Council without having given to the chief executive prior notice of his or her inability to attend the meeting concerned;”*. [Education Act 1989, No 80 (as at 1 March 2010, section 174 (3)(c)]

## 8 General

- 8.1 The power of the Council shall not be affected by any vacancy in its membership
- 8.2 The Council shall be entitled to invite to meetings any person who, in the opinion of the Council, represents any of the skills, experience or background referred to in section 4 of this Statute which are not otherwise represented by any of the members of the Council (whether appointed under sub-section 3.2 or by the Minister). Such persons may advise, provide reports or otherwise contribute to the business of Council meetings, although without having the right to vote, and may include, for example:
  - a The Chief Executive
  - b The Chief Financial Officer
  - c The Chair of Academic Board and/or the Academic Director
  - d A person selected from Ara staff
  - e A person selected from Ara students
  - f Any other person who the Council considers may assist the Council in its deliberations and decision-making.
- 8.3 Matters relevant to selection and attendance will be documented in the Council Standing Orders.
- 8.4 This Statute is intended to be consistent with the Act and, in the event of any inconsistency; the provisions of the Act shall prevail.

## 9 Statute Approval

This Statute was approved by Council at its meeting on 21 April 2010 and ratified on 25 May 2010. It will be reviewed and revised where necessary every two years commencing in February 2012.

## 10 Definitions

In this Statute, unless inconsistent with the context:

- 10.1 'The Act' means the Education Act 1989 and all its amendments.
- 10.2 'Selection Committee' means the committee established by the Council to conduct assessments of members and Council requirements and to consult, and seek nominations, and make recommendations for the appointment of Council members by Council in accordance with this Statute.
- 10.3 'Council' means the Council Ara Institute of Canterbury.
- 10.4 'Ara' means Christchurch Polytechnic Institute of Technology
- 10.5 'Minister' means the Minister as defined under the Act to administer Parts 13 to 24 of the Act.
- 10.6 'Competencies Schedule' means the Ara Council Members' Competencies Schedule as set out in Schedule One and as amended from time to time by the Council.
- 10.7 'Organisation' means an organisation, body, or group as set out in Schedule Two and as amended from time to time by the Council.

## Schedule One to the Statute for the Appointment of Members to the Ara Council

### Ara Council Members' Competencies Schedule

| Competency   | Standard expected of Council Members   |   |
|--|--|---|
|  | Some   | All   |
| <b>Professional Competencies</b>   |  |   |
| <b><i>Tertiary Education</i></b>   |  |   |
| Commitment to the value of tertiary education in the community                                     | Have demonstrated commitment to the sector through professional involvement  | Have an appreciation of the role and contribution of tertiary education and be passionate about fostering that contribution                                   |
| Understanding of educational policy (tertiary and wider) and teaching pedagogy                     | Have had experience of the tertiary education sector at a senior management or governance level for five or more years   | Have a broad understanding of the tertiary education sector, the key policy documents and funder expectations - <i>provided through the induction process</i> |
| Understanding and/or experience of the tertiary education sector in general and ITPs in particular | Have had involvement with an ITP either through study, employment or governance<br>Educationalist and/or ITP sector experience and expertise.  | Have an understanding of the ITP sector through Council - <i>provided through the induction process</i>   |
| <b><i>Strategic and Commercial</i></b>   |  |   |
| Ability to provide strategic direction to the organisation   | Have led strategic planning processes in other organisation and be able to contribute to the development of an organisation-wide strategic direction   | Be able to contribute to the development of an organisation-wide strategic direction  |
| Ability to provide senior management with direction on opportunity development                     | Have had experience of business development and start-up operations either at a management or governance level and be able to assess opportunities on a case-by-case basis against the organisations strategic imperatives | Be able to assess opportunities on a case-by-case basis against the organisations strategic imperatives   |
| Commercial experience  | Have at least five years' experience in a senior role in a commercial entity   | Have worked or otherwise been exposed to operation of a commercial entity   |

| Standard expected of Council Members   |   |  |
|--|---|--|
| Competency   | Some  | All  |
| <b>Financial</b>   |   |  |
| Understanding of financial management practices  | Have at least five years post graduate management or financial management experience in public or private sector  | Be able to understand and interpret a set of financial accounts  |
| Understanding of compliance regime and requirements  | Have had experience at a senior management or governance level of managing risk and adhering to regulatory requirements, preferably including participation on audit and risk committees in other organisations                       | Have a broad understanding of the compliance regime applicable to CPIT- <i>provided through the induction process</i>              |
| Understanding of risk management   | Have had experience of reviewing and assessment risk management frameworks either in a senior management or governance capacity   | Have a broad understanding of the principles of risk management  |
| Understanding of charitable structuring and taxation issues  | Have an understanding of current provisions surrounding operation of charitable entities and their subsidiaries   |  |
| <b>ICT</b>   |   |  |
| <p>21st century learning<br/>The transformation of teaching and learning, enabled by technologies that are now widespread in our society.</p> <p>Digital technologies are changing the way students learn, the way teachers teach, and where and when learning takes place. Increasingly, mobile devices equip students to take charge of their own learning in a context where learning</p> | <p>Have had experience in strategic development and/or implementation of information communication technologies</p> <p>Have expertise in the development and implementation of e-learning within a distributed campus environment</p> | <p>Have an interest and awareness of the application of technology to blended learning education delivery and remote learning.</p> |

| Standard expected of Council Members  |  |  |
|---|--|--|
| Competency  | Some   | All  |
| <p>occurs anywhere, anytime, and with access to a wealth of content and interactive tools.</p> <p>The Ara business plan and decentralised learning strategies are dependent on the development of embedded e-learning within our institution.</p> <p>Learners need equitable access to digital opportunities. All learners are to have an equitable opportunity to achieve education success.</p> |  |  |
| <b><i>Campus Redevelopment Programme</i></b>  |  |  |
| <p>Following on from the damage sustained in the 2011 Christchurch Earthquake and together with the need to develop our campus in line with modern learning environments, Ara is undergoing a \$210 million campus redevelopment program extending through to 2020.</p>   | <p>Experience governing large build programmes incorporating the following elements:</p> <ul style="list-style-type: none"> <li>• Managing risk arising from planning and financing the Campus Redevelopment Programme</li> <li>• Ensuring effective and robust purchasing programmes are in place</li> <li>• Ensuring project design and build programmes meet the strategic needs of Ara's stakeholders</li> <li>• Monitoring and controlling build timeframes and spend.</li> </ul> | <p>Awareness of how the Campus Redevelopment Programme fits within the Ara Masterplan and Strategic Plan.</p> <p>The capability to ensure the Campus Redevelopment Committee of Council is carrying out its delegated responsibilities in accordance with its Charter.</p> |

| <b>Standard expected of Council Members</b>   |  |  |
|---|--|--|
| <b>Competency</b>   | <b>Some</b>  | <b>All</b>   |
| <b>Legal</b>  |  |  |
|   | Have had experience of legal matters likely to be of significance at the governance level for an ITP.  |  |
| <b>Community</b>  |  |  |
| Networks in the wider community   | Be well connected to our key strategic stakeholders and specific communities bodies of expertise relevant to CPIT  | Participate in and be connected to one or more communities relevant to CPIT  |
| Authority to represent and be accountable to a defined element of the community                   |  | Have an understanding of the role of the representative in the Council and operate within the parameters of that role both in terms of duties to the Council and to the body being represented (the community inside CPIT and CPIT inside the community) |
| Ability to bring influence to bear and represent the best interest of CPIT in the wider community | Be able to influence key leaders in a range of stakeholder groups on behalf of CPIT as required  | Be able to represent the CPIT perspective to wider community groups if required  |
| <b>Governance</b>   |  |  |
| Experience of governance in the public and private sectors  | Have had at least five years experience of governance either as a Board member (or equivalent) or as a senior manager in a large organisation interfacing regularly with the Board (or equivalent) and have attended relevant governance training (eg CCMAU or IoD five day training)  | Have either attended recognised governance training within 12 months of appointment or have other relevant governance experience and an understanding of good governance practice (Most)   |
| <b>Māori</b>  |  |  |
| Knowledge and commitment to working with Māori and Te Tiriti o Waitangi                           | <p>Have an in-depth knowledge and understanding of issues in the Canterbury region facing Māori and Ngāi Tahu in particular including:</p> <ul style="list-style-type: none"> <li>• Extensive local (Canterbury/Te Waipounamu) knowledge, historical and current relating to: <ul style="list-style-type: none"> <li>• Tribal occupation and development, including that of Hapū, Rūnaka and Mātāwaka</li> <li>• Māori/Ngāi Tahu industry and commerce; and</li> </ul> </li> <li>• The status of Māori education in Canterbury including:</li> </ul> | Have an understanding of Te Tiriti o Waitangi  |

| Standard expected of Council Members               |  |   |
|--|--|---|
| Competency   | Some   | All   |
|  | <ul style="list-style-type: none"> <li>• Māori demographic characteristics of Canterbury / changes over time</li> <li>• Status of Māori achievement in the compulsory and tertiary sectors and associated issues / barriers / supports.</li> <li>• Understanding of the regional differences that impact upon Māori educational success in the region; and,</li> <li>• Knowledge of the principles of Te Tiriti o Waitangi and their application; and,</li> <li>• Be a respected practitioner and supporter of reo and tikaka Māori: <ul style="list-style-type: none"> <li>• Tikaka and Kawa/customs and protocols</li> </ul> </li> </ul> |   |
| Personal Competencies                              |  |   |
| Integrity  |  | Operate ethically and with a high level of personal & professional integrity  |
| Professionalism                                    |  | Understand and operate within standard professional practices   |
| Understanding of the role of a Council member      |  | Have a high level of understanding of the role and responsibilities of a Council member - <i>provided through the induction process</i> |
| Critical thinking ability                          |  | Have the ability to constructively analyse and consider information   |
| Ability to contribute to consensus decision making |  | Be able to work co-operatively with colleagues to achieve the best outcome for the organisation   |
| Sound professional judgement                       |  | Demonstrate sound professional judgement in day-to-day professional activities  |
| Good communication skills                          |  |   |



Schedule Two to the  
Statute for the Appointment of Members to the  
Council of Ara Institute of Canterbury

Organisations, bodies, or groups

**This list is *indicative only* and does not preclude consultation with other organisations, bodies or groups reflective of Christchurch Polytechnic Institute of Technology's local community as decided by the Council and /or Selection Committee.**

**1 Local bodies/territorial authorities /District Health Boards**

- 1.1 Canterbury District Health Board
- 1.2 Christchurch City Council
  - a ChristchurchNZ
- 1.3 Ashburton District Council
- 1.4 Hurunui District Council
- 1.5 Kaikoura District Council
- 1.6 Timaru District Council
- 1.7 Waimakariri District Council

**2 Community Groups /Organisations**

- 2.1 Christchurch Intercultural Assembly
- 2.2 Christchurch Regional Ethnic Council

**3 Employer groups**

- 3.1 Business New Zealand
- 3.2 Canterbury Employers' Chamber of Commerce
- 3.3 Canterbury Manufacturers' Association

**4 Government bodies and agencies**

**5 Institutes of Technology and Polytechnics**

**6 Non Government Organisations**

- 6.1 Office of Disability Issues
- 6.2 National Assembly of People with Disabilities (DPANZ)
- 6.3 National Council of Women

**7 Professional bodies/groups/unions**

- 7.1 Association of Administration Professionals New Zealand Inc
- 7.2 Canterbury District Law Society
- 7.3 Canterbury Pasifika Tertiary Alliance
- 7.4 Ara Student Voice and Student Executive Council
- 7.5 Human Resources Institute

- 7.6 Institution of Professional Engineers of New Zealand(Canterbury Branch)
- 7.7 Institute of Chartered Accountants
- 7.8 LIANZA (Aoraki region)
- 7.9 New Zealand Association of Bridging Educators
- 7.10 New Zealand Chef's Association
- 7.11 New Zealand Company of Master Mariners (Christchurch Branch)
- 7.12 New Zealand Council of Trade Unions
- 7.13 New Zealand Educational Institute
- 7.14 NZ Institute of Building
- 7.15 NZ Institute of Management (Canterbury Division)
- 7.16 NZ Institute of Quantity Surveyors Inc (Canterbury Branch)
- 7.17 New Zealand Institute of Surveyors (Canterbury Branch)
- 7.18 New Zealand Nurses' Organisation (Canterbury Branch)
- 7.19 New Zealand Teachers Council
- 7.20 Pasifika Educators' Reference Group
- 7.21 Public Relations Institute of New Zealand
- 7.22 Real Estate Institute of New Zealand (Canterbury/Westland Branch)
- 7.23 Royal Society of New Zealand
- 7.24 Tertiary Education Union
- 7.25 Tertiary Institutions Allied Staff Association

## **8 Tertiary Education Organisations**

Schedule Three to the  
Statute for the Appointment of Members to the  
Council of Ara Institute of Canterbury

Application and/or Nomination Requirements

***These requirements may be changed as agreed at any time by Council and /or the Selection Committee.***

The nominees or applicants shall provide a CV detailing how their experience and skill sets match the expectations noted under the **Ara Council Members' Competencies Schedule** and sign a **Notice of Eligibility Declaration**, attached as Appendix A, to ensure compliance with the requirements of the Act and suitability for appointment.

## APPENDIX A

### Notice of eligibility for appointment to the Ara Council (the Council)

#### Position

I declare that I am standing for appointment by the Council as a member of the Council.

#### Eligibility (as per Ara Statute 2010)

I declare that I am eligible for appointment in accordance with the Education Act 1989 and the requirements of this notice.

#### Duties and accountability for duties of members of Councils

I declare that I will fulfil the requirements as to the duties for council members as per section 222AH of the Education Act 1989.

I declare that I am aware of and accept the accountability measures for individual duties of council members as per section 174 (3) and 222AI of the Education Act 1989.

#### Protection of the Personal and Property Rights Act 1988

I declare that:

- 1 I am not subject to a property order under the Protection of the Personal and Property Rights Act 1988; or
- 2 there has not been made under that Act in respect of me a personal order that reflects adversely on my:
  - 2.1 competence to manage my own affairs in relation to my property; or
  - 2.2 capacity to make or to communicate decisions relating to any particular aspect or aspects of my personal care and welfare; or
- 3 I am not a bankrupt who has not obtained my order of discharge or whose order of discharge has been suspended for a term not yet expired or is subject to conditions not yet fulfilled.

#### Removal from office

I declare that I have not been removed from office as a member of a polytechnic council under section 222AJ of the Education Act 1989.

#### Conflict of interest

I declare that there is no conflict of interest for me undertaking this role, or *(delete one)*

I declare the following real or potential conflict of interest in being a member of the Council

---

but that this would not prevent me fulfilling my duties as a Council member pursuant to section 222AH of the Education Act 1989.

I will declare any future conflict of interest as it arises.

Criminal conviction

I declare that I have never been charged or convicted of a criminal offence (this includes charges pending), or *(delete one)*

I declare the following in relation to criminal convictions (existing and charges pending).

---

Other ITP Council membership

I declare that: *(delete as appropriate)*

I am a member of another ITP Council - *(provide details)*

---

or

I am not a member of another ITP Council.

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Address: \_\_\_\_\_

---

Date: \_\_\_\_\_

**NB**

If you are shortlisted for interview you will be required to provide the name and contact details of two people who can verify the statements contained above and you may be required to complete an authorisation form for a police check.

***Please return to:***

*Tracey McGill*

*Returning Officer, Ara Council Nominations*

*Ara Institute of Canterbury*

*PO Box 540*

*Christchurch 8140*

Ara Institute of Canterbury Council

# Ara Council Standing Orders



Adopted by Ara Council at its meeting on 25 February 2014;  
with effect immediately;

#### Revisions

Section 3.10 provision of Flying Minute added.

Sections 2.11c, 1.8 and 1.12 amended by Council resolution at its meetings on 28 June and 30 August 2011 following changes to the Councils of Institutes of Technology and Polytechnics under the Education Act 1989, No 80.



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# 1 General

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## 1.1 Purpose of standing orders

- a The Ara Council has adopted these standing orders to support the Institute in the conduct of its affairs and the fulfilment of its Guiding Philosophy/Kaupapa.
- b In conducting its affairs, Ara will ensure that:
  - i Its business is conducted in a manner that is respectful of people and is comprehensible to others.
  - ii Clear objectives are established for each of its activities and policies.
  - iii Conflicting objectives and conflicts of interest are resolved in a clear and proper manner.
  - iv Its performance is regularly measured by it in relation to its stated objectives and is capable of being so measured by persons interested in the performance and activities of the Ara.
  - v Its local communities, key stakeholders, and agencies are adequately informed about the activities of the Ara.
  - vi So far as is practicable, its management structure is capable of delivering adequate advice to the Council and its committees in order to facilitate the explicit resolution of conflicting objectives.

## 1.2 Application of standing orders and other legislative provisions

- a These standing orders shall, so far as practicable, apply to the proceedings of all Ara Council meetings and workshops including the annual general meeting, ordinary meetings of the Council, special meetings, emergency meetings, all committee and subcommittee meetings, and working party meetings.
- b Any provisions contained in other legislation concerning the Council, its committees, and its meetings etc shall apply as required.

## 1.3 Chair's ruling final

Where these standing orders make no provision or insufficient provision, the Chair shall decide all questions. The Chair's ruling shall be final and not open to debate.

## 1.4 Suspension of standing orders

- a Standing orders may be temporarily suspended during a meeting by a vote of not less than 75% of the members present and voting.
- b Any motion to suspend one or more standing orders must state the specific order or orders which are to be suspended and the reason for the suspension.

## 1.5 Alteration of standing orders

The adoption or amendment of standing orders shall require, in every case, a vote of not less than 75% of the members present and voting.

## 1.6 Information to be provided by members

As soon as possible after election or appointment, each year thereafter, and whenever there is a change, each member of the Council shall give the Council Secretary contact details (including the address to which official Council correspondence etc is to be sent), a tax code declaration, details of the bank account to which fees are to be paid, and a disclosure of interest.

## 1.7 First meeting of the Ara Council in each calendar year

- a The Chair must call the first ordinary meeting of the Council before the end of February in each calendar year.
- b The Chair must give the Council members not less than seven calendar days' notice of the meeting.
- c If an emergency exists, the Chair may give such notice of the meeting as is practicable in the circumstances.

## 1.8 Election of Chair and Deputy Chair

- a Under the Education Act 1989 No 80 as at 1 February 2011 Section 222AG Chairperson and deputy chairperson

*“(1) The Minister may at any time the council of a designated polytechnic has no chairperson or no deputy chairperson, by written notice to the member concerned stating the term for which the member is appointed, appoint as chairperson or deputy chairperson (as the case requires) of the council any member who is not one of the following:*

*(a) a student enrolled at the polytechnic:*

*(b) the chief executive of the polytechnic (or in the case of a combined council, of one of the polytechnics concerned):*

*(c) in the case of a council that is not a combined council, an employee of the polytechnic's chief executive:*

*(d) in the case of a combined council, an employee of the chief executive of one of the polytechnics concerned”*

## 1.9 Appointment of committees, subcommittees, working parties, etc

- a The Ara Council may appoint the committees, subcommittees, working parties, and other subordinate decision-making bodies that it considers appropriate.
- b A committee or other subordinate decision-making body is subject in all things to the control of the Ara Council and must carry out all general and specific directions given by the Council.

## **1.10 Membership of committees, subcommittees, and working parties**

- a The Council may appoint, discharge, or replace any member of a committee, subcommittee, or working party.
- b The members of a committee, subcommittee, or working party may, but need not be, members of the Ara Council. The Council may appoint to any committee, subcommittee or working party a person who is not a Council member if, in the opinion of the Council, that person has skills, attributes, or knowledge that will assist the work of the committee, subcommittee or working party.
- c At least one member of each committee, subcommittee, or working party must be a member of the Council.
- d The minimum number of members for a committee, subcommittee, or working party is two.

## **1.11 Chair of Council an ex-officio member**

The Chair or any member of the Council may be an ex-officio member of any committee, subcommittee, or working party of the Council unless the Council determines otherwise by resolution.

## **1.12 Officers of Council**

An Officer of the Council means a person who holds the position of: Chief Executive of the institution, Kaumātua/Kaiārahi, Executive Secretary/Council Secretary or Minute Secretaries, or any other person who is appointed by resolution of the Council to serve it as an officer. Officers of the Council may speak at meetings but not vote. Officers of the Council may remain at meetings after the public has been excluded.

## **1.13 Powers of delegation**

- a Except for the power to appoint the Chief Executive, the Council may delegate to any committee, subcommittee, or working party any of its functions, duties, or powers.
- b Every committee, subcommittee, or working party to which any powers or duties are delegated may exercise or perform the same in like manner and with the same effect as the Council could itself have exercised or performed the same.
- c Any committee, subcommittee, or working party may, with the consent of the Council, delegate any of its functions, duties, or powers to another subordinate decision-making body.

## **1.14 Proceedings not invalidated by vacancies, irregularities**

An act or proceeding of the Council, committee, subcommittee or working party or of a person acting as a member of the Council is not invalidated by a vacancy in the membership of the Council, committee, subcommittee, or working party at the time of that act or proceeding or by the subsequent discovery of some defect in the election or appointment of the person acting as a member of the Council.

## 2 Meetings

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### 2.1 General provisions

- a The Ara Council must hold the meetings that are necessary for the good governance of the organisation.
- b The provisions of the Local Government Official Information and Meetings Act 1987 and of the Education Act 1989 apply to the arrangements for and conduct of meetings of the Ara Council.
- c Meetings of the Council, committees, or subcommittees must be called and conducted in accordance with these standing orders.
- d Every member of the Council has, unless lawfully excluded, the right to attend any meeting of the Council, committee, subcommittee, or working party.

### 2.2 Types of meetings

- a **Ordinary meetings:** meetings held at regular intervals according to the schedule adopted by the Council. The notice period is at least seven calendar days.
- b **Special meeting:** an unscheduled meeting held by resolution of the Council or at the request of the Chair or on application in writing from at least five members of the Council. The notice period is at least three calendar days.
- c **Emergency meeting:** an unscheduled meeting called by the Chair or, if the Chair is unavailable, by the Deputy Chair or the Chief Executive to address matters which require attention of the full Council sooner than the next ordinary meeting. The notice period is as much as possible and not less than 24 hours.

### 2.3 Notice of meetings

- a The Council must hold ordinary meetings at the times and places that it appoints.
- b The Chair must arrange for notice to be given in writing to each member of the time and place of an ordinary meeting not less than 14 calendar days before the meeting or, if the Council has adopted a schedule of meetings, not less than seven calendar days before the first meeting on the schedule.
- c If the Council adopts a schedule of ordinary meetings, the schedule may cover any future period that the Council considers appropriate; and may be amended; and notification of the schedule or of any amendment to that schedule constitutes a notification of every meeting on the schedule or amendment.
- d The notice period for special meetings is not less than three calendar days.
- e The notice period for emergency meetings is as much as possible and not less than 24 hours.
- f A member of a Council may waive any requirement regarding the giving of notice of a meeting to that member.

## **2.4 Meetings still valid even when notice is not received**

A meeting of a Council is still valid even if notice of that meeting was not received or was not received in due time by a member of the Council unless it is proved that the person responsible for giving notice of the meeting acted in bad faith or without reasonable care and the member concerned did not attend the meeting.

## **2.5 Chair to preside at meetings**

- a The Chair of the Council must preside at each meeting of the Council at which he or she is present unless the Chair vacates the chair for a particular meeting or part of a meeting.
- b The Chair of a committee, subcommittee, or working party must preside at each meeting of the body at which he or she is present unless the Chair vacates the chair for a particular meeting or part of a meeting.
- c The Council may appoint a member of a committee, subcommittee, or working party to be the Chair of that body and, if the Council does not appoint a Chair, the body itself may elect a Chair.
- d The Council or the committee, subcommittee or working party may appoint a Deputy Chair to act in the absence of the Chair.
- e If the chairperson of a Council or the chairperson of a committee, subcommittee, or working party is absent from a meeting, the deputy chairperson (if any) of the Council, committee, subcommittee, or working party must preside. However, if a deputy chairperson has not been appointed, or if the deputy chairperson is also absent, the members of the Council or of the committee, subcommittee or working party that are present must elect one of their number to preside at that meeting, and that person may exercise at that meeting the responsibilities, duties, and powers of the deputy chairperson.

## **2.6 Order of business**

The Council shall adopt an order of business which shall normally apply at ordinary meetings and may vary it from time to time.

## **2.7 Order paper**

- a The Chief Executive and/or Council Secretary in consultation with the Chair shall prepare, for each meeting an order paper setting forth the items of business to be brought before the meeting so far as is known. At the meeting the business shall be dealt with in the order in which it stands on the order paper unless the meeting determines otherwise.
- b Except for the first meeting of the Council in each calendar year, the first items on the agenda shall be (a) apologies for absence, (b) disclosure of conflicts of interest (c) confirmation of the minutes, (d) business arising from the minutes and the last item shall be "general business".

## **2.8 Chair's direction**

The Chair may direct the attention of the Council to any matter or subject within the role or function of the Council.

## **2.9 Extraordinary business at ordinary meetings**

Only business on the order paper shall be transacted at any meeting unless the Chair determines additional business to be extraordinary or urgent. The Chair's ruling in this regard shall be final and not open to debate.

## **2.10 Precedence of business**

After the confirmation of the minutes of the previous meeting, the Chair as a matter of urgency, or the Council on a motion duly passed without debate, may accord precedence to any business set down on the order paper.

## **2.11 Quorum at meetings**

- a A meeting is duly constituted if a quorum is present, whether or not all of the members are voting or entitled to vote.
- b Business may not be transacted at any meeting unless at least a quorum of members is present during the whole of the time at which the business is transacted.
- c The quorum at a meeting of the Ara Council under the Education Act 1989 (No 80) Section 178 (5) (as at 1 February 2011) is five members (half the members plus one).
- d The quorum at meetings of Council committees, sub committees, and working parties will consist of half of the members if the number of members (including vacancies) is even; or a majority of members if the number of members (including vacancies) is odd. In no case shall the quorum be less than two members of the committee, subcommittee, or working party and one of those must be a Council member.

## **2.12 Failure of a quorum**

- a If a meeting is short of a quorum at its commencement or falls short of a quorum during the meeting, the business shall stand suspended and, if no quorum is present within ten minutes, the Chair shall vacate the chair and the meeting shall lapse.
- b The business remaining to be disposed of following the lapsing of a meeting shall stand adjourned until the next ordinary meeting unless an earlier meeting is fixed by the Chair and notified by the Chief Executive or Council Secretary.
- c If a meeting lapses by reason of failure of a quorum, the names of failure of quorum the members then in attendance, and the fact of the adjournment shall be recorded by the chief executive officer or Council Secretary.

## **2.13 Leave of absence and apologies**

- a The Council may grant leave of absence to a member from an ordinary meeting or other meetings of the Council or its committees upon application by the member.

- b If a member has not obtained leave of absence an apology may be tendered on behalf of the member and the apology may be accepted or declined by the Council. Acceptance of the apology shall be deemed to be a granting of leave of absence for that meeting.
- c The Chair of each meeting shall invite apologies at the beginning of each meeting and these and subsequent apologies during the meeting shall be recorded in the minutes including whether they were accepted or declined.

## **2.14 Minutes of proceedings**

- a The Council Secretary shall keep the minutes of meetings. The minutes shall record the names of members attending each meeting, the names of those voting in each division formally called, and every resolution, order, or other proceeding of the meeting. The names of any members absent shall also be recorded, together with the arrival and departure times of any members not present at the beginning or end of the meeting, or during the course of the meeting.
- b The minutes and proceedings of every meeting shall be circulated to members and considered at the next meeting and, if approved by that meeting, or when amended as directed by that meeting, shall be signed by the Chair as a correct record of that meeting.
- c For committees, sub committees or working parties a report of the proceedings shall be submitted to the next ordinary meeting of the Council at which meeting the report and any recommendations shall be adopted, amended or otherwise dealt with.
- d No discussion shall arise on the substance of the minutes at the succeeding meeting, except as to their correctness.

## **2.15 Minute books**

The minute books of the Council shall be kept by the Chief Executive and shall be open to inspection as provided for in legislation.



## 3 Conduct of meetings

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### 3.1 Rules of speaking and respect

- a The Chair shall decide all points of order and any member who refuses to obey any order or ruling of the Chair shall be held guilty of contempt.
- b Whenever a member is speaking during a debate members shall be silent so that the speaker may be heard without interruption.
- c When two or more members wish to speak, the Chair shall name the member who has the right to speak first, provided that the following members shall have precedence, where in order, when they state their intention to:
  - i Raise a point of order, including any request to obtain a time extension for the previous speaker;
  - ii Move a motion to terminate or adjourn the debate; or
  - iii Make a point of explanation or request an indulgence of the Chair.
- d All members of the Council shall, at any meeting, be respectful in speech and not use offensive or malicious language, including in reference to the Council or any other member or any officer or employee of the Council. In addition, no member shall impute improper motives, or make offensive remarks about the private affairs of any other member of the Council or the Ara staff.
- e In the event a member is called to order by the Chair, the member shall stop speaking. Should the member refuse to obey, such member may be directed by the Chair to withdraw from the meeting. Upon such direction, any such member shall withdraw and shall not be permitted to return during the meeting, or any period thereof of that meeting that the Chair may determine.
- f Any member having used offensive or malicious language at a meeting who does not retract or apologise, may thereupon, by resolution of the meeting, be held guilty of contempt.
- g Any member making a disturbance or creating disorder whilst any other member is speaking or at any other time during a meeting and who refuses, when called upon by the Chair to desist, may thereupon by resolution of the meeting be held guilty of contempt.
- h Every member held guilty of contempt by reason of any standing order and or breach thereof shall be censured by the Chair who may also order them to leave the meeting. Every such contempt, censure, and removal shall be recorded in the minutes.
- i No member may use, or be associated with the use of, a recording device without the knowledge of the meeting and the consent of the Chair.

### 3.2 Motions and amendments

- a All types of motions and amendments moved in debate (including notices of motion) must be seconded, and the Chair must state the matter raised and propose it for discussion.

- b Once motions or amendments have been seconded and proposed by the Chair for discussion, they cannot be withdrawn except with the consent of a majority of the members present and voting. A motion to which an amendment has been moved and seconded cannot be withdrawn until the amendment is first withdrawn or lost.
- c The meeting may allow a motion which is subject to an amendment to be withdrawn and replaced by the said amendment as the substituted motion, provided a majority of the members present vote for the withdrawal of the original motion.
- d The Chair may require the mover of any motion or amendment to submit it in writing signed by the mover.
- e The Chair or the meeting may require a complicated motion (whether an original motion, a substituted motion, or amendment thereto) to be divided.
- f When a motion has been seconded and proposed by the Chair for discussion, an amendment may be moved and seconded by any members (whether an original motion or substituted motion).
- g The mover or seconder of a motion for the adoption of the report of a committee who desires to amend any item in the report may also propose or second an amendment.
- h Amendments which are proposed but not seconded shall not proceed.
- i No further amendment shall be allowed until the first amendment is disposed of, although members may give notice to the Chair of their intention to move further amendments and the tenor of their content.
- j Where an amendment is lost, another may be moved and seconded. Movers and seconders of previous amendments which were lost shall be regarded as having spoken to the motion only and shall be entitled to speak to the new amendment, but shall not be entitled to move or second the new amendment.
- k Where an amendment is carried, the motion as amended becomes the carried substantive motion, and any member, other than previous movers or seconders in the debate, may then propose a further amendment.
- l Every proposed amendment must be relevant to the motion under discussion and not be in similar terms to an amendment which has been lost.
- m No amendment which amounts to a direct negative shall be allowed which, if carried, would have the same effect as negating the motion.
- n The Chair may, immediately prior to any division being taken, request the Council Secretary to restate the motion upon which the division is to be taken. Once the Chair has put the motion, no member may speak to that motion.
- o In speaking in any debate no member shall cast reflection on any resolution of the Council except by a notice of motion to amend or revoke the same.

### **3.3 Revocation of resolutions**

- a All or part of a resolution agreed at a meeting of the Council may be revoked or altered as follows:
  - i Notice of motion for the revocation or alteration of all or part of a previous resolution shall be given to the Council Secretary by the member intending to

move such a motion. Such notice shall set out the resolution or part thereof which it is proposed to revoke, the meeting date when it was passed, and the motion, if any, that it is intended to move in substitution thereof.

- ii Such notice shall be given to the Council Secretary at least five clear days before the meeting at which it is proposed to consider such motion and shall be signed by not less than one third of the members of the Council (including vacancies).
  - iii At least two clear days' notice in writing shall then be given by the Council Secretary to the members of the intended motion and of the meeting at which it is proposed to move such motion.
- b If, during the course of a meeting of the Council, fresh facts or alteration of information are received concerning a matter already resolved at the meeting, then such previous resolution may be revoked or altered at the same meeting by the consent of three-quarters of the members present and voting.
  - c Any Council meeting may, on a recommendation contained in a report of any committee, subcommittee or working party or by the Chair or Chief Executive, revoke or alter all or part of any resolution previously passed by the committee provided that notification of such recommendation shall have been given to the Chair and members at least two clear days before the meeting at which such recommendation is to be considered.

### **3.4 Rules of debate**

- a The Ara is committed to open and respectful debate on issues and will create a meeting atmosphere that encourages participation by all members.
- b The person in the chair shall be addressed in terms appropriate to the statutory office of Chair – the choice of mode of address being determined by the Chair.
- c A member may second a motion or amendment without speaking to it, reserving the right to speak later in the debate.
- d If three speakers have spoken consecutively in support of, or in opposition to, any motion the Chair may call for a speaker to the contrary. If no such speaker is forthcoming the motion shall be put. Any member speaking shall, if called upon by the Chair to do so, announce whether they are speaking in support of or against the motion or amendment.
- e When any member objects to words used and desires them to be recorded in the minutes, the Chair may so order them to be recorded, provided such objection is made at the time the words were used and not after any other members have spoken.
- f The following time limits shall apply to members speaking to formal motions at Council meetings, unless extended by a majority vote of members present:
  - i Movers of motions when speaking to the motion, five minutes.
  - ii Other members, not more than three minutes.
- g Members may request the Chair to restate the motion for their information at any time during the debate, but not so as to interrupt.
- h The mover of an original motion shall have the right of reply. After the mover has commenced such reply, or has intimated the wish to forego this right, or having

spoken to an amendment to the motion and the Chair has intimated his intention to put the motion, no other member of the Council shall speak on the motion. Movers in reply shall not introduce any new matter and shall confine themselves strictly to answering previous speakers.

- i The right of reply may be exercised where no amendment has been moved, the mover may reply at the conclusion of the discussion on the motion; If there is an amendment, the mover of the original motion may make such reply at the conclusion of the debate on such amendment, and this reply shall exhaust the right thereto as mover of the original motion, provided that the mover may reserve such right of reply. The mover may, however, take part in the discussion upon subsequent amendments.
- j Members may speak to any matter before the meeting or upon a motion or relevant matters or amendment to be proposed by themselves or upon a point of order arising out of debate, but not otherwise.
- k Members may make a personal explanation with the permission of the Chair, but such matters may not be debated.

### **3.5 Procedural motions to terminate or adjourn debate**

- a Any member may move any one of the following procedural motions to terminate or adjourn debate, but not so as to interrupt a member speaking:
  - i That the meeting be adjourned to the next ordinary meeting, unless an alternative time and place is stated; or
  - ii That the item of business being discussed be adjourned to a time and place to be stated; or
  - iii That the motion under debate be now put (a “closure motion”); or
  - iv That the meeting move directly to the next business; or
  - v That the item of business being discussed lie on the table, and not be further discussed at that meeting; or
  - vi That the item of business being discussed be referred (or referred back) to the relevant committee of the Council.
- b The Chair may accept a closure motion if there has been not less than two speakers for and two speakers against the motion, or, if there are no such speakers, in the Chair’s opinion, it is reasonable to do so.
- c Procedural motions to terminate or adjourn debate shall take precedence over other business (other than points of order), and shall, if seconded, be put to the vote immediately without discussion or debate.

- d All procedural motions to terminate or adjourn debate shall be determined by a majority of those members present and voting. If lost, a further procedural motion to terminate or adjourn debate may not be moved by any member within a quarter of an hour thereafter.
- e A closure motion shall be put if there is no further speaker in the debate.
- f When an amendment to a motion is under debate, a closure motion relates to the amendment and not to the substantive motion.
- g If a closure motion is carried, the mover of the motion then under debate is entitled to the right of reply, and the motion or amendment under debate shall then be put.
- h The debate on adjourned items of business shall be resumed with the mover being entitled to speak first in the debate.
- i Adjourned items of business shall be taken first at the subsequent meeting in the class of business to which they belong.
- j The carrying of any motion to adjourn a meeting shall not supersede other business before the meeting remaining to be disposed of, and such other business shall be considered at the next meeting.
- k Business referred, or referred back, to a specified committee shall be considered at the next meeting of that committee.

### **3.6 Notices of motion**

- a Notices of motion shall be submitted in writing signed by the mover, stating the meeting at which it is proposed that the notice of motion be considered, and shall be delivered to the Chief Executive or Council Secretary at least five clear days before such meeting.
- b The Chair may direct the Chief Executive or Council Secretary to refuse to accept any notice of motion which is:
  - i Disrespectful or which contains offensive language or statements made with malice; or
  - ii Not, in subject, within the scope of the role or functions of the Council; or
  - iii Contains an ambiguity or a statement of fact or opinion which cannot properly form part of an effective resolution, and where the mover has declined to comply with such requirements as the Chief Executive or Council Secretary may make.
- c No notice of motion shall proceed in the absence of the mover, unless moved by another member present who has been authorised in writing by the mover to do so.
- d A notice of motion may only be altered by the mover with the consent of the meeting.
- e Notices of motion not moved on being called for by the Chair shall lapse.
- f Any notice of motion referring to any matter ordinarily dealt with by a committee, subcommittee, or working party of the Council may be referred by the Chair to the committee.

### **3.7 Repeat notices of motion**

- a When a motion which is the subject of a notice of motion has been considered and rejected by the Council, no similar notice of motion, which in the opinion of the Chair, is substantially the same in purport and effect shall be accepted within the next six months unless signed by not less than one-third of the members of the Council (including vacancies).
- b If such a repeat notice of motion is also rejected by the Council, any further notice shall need to be signed by a majority of the members of the Council (including vacancies).
- c Where a notice of motion has been considered and agreed by the Council, no notice of any other motion which is, in the opinion of the Chair, to the same effect shall be put again whilst such original motion stands.

### **3.8 Points of order**

- a Any member may speak to a point of order upon any breach of these standing orders and the member previously speaking shall stop speaking.
- b The member shall state without explanation precisely the subject matter of the point of order.
- c No point of order shall be raised during a division except by permission of the Chair.
- d The following shall be recognised as substance for points of order:
  - i Discussion of a question not before the Council; or
  - ii Use of offensive or malicious language; or
  - iii The breach of any standing order; or
  - iv Misrepresentation of any statement made by a member or by an officer or employee of the Council; or
  - v Request that words objected to be recorded in the minutes.
- e Expressing a difference of opinion or to contradict a statement of a speaker shall not be construed as rising to speak to a point of order.
- f The Chair may decide on any point of order immediately after it has been raised by any member, or may first hear further argument thereon before deciding. The ruling of the Chair upon any point of order shall not be open to any discussion and shall be final.

### **3.9 Voting**

- a The acts of the Council must be done, and the questions before the Council must be decided, at a meeting by open vote of the majority of members that are present. The Chair or other person presiding at the meeting has a deliberative vote and, in the case of equality of votes, has a casting vote.
- b Any member may abstain from voting and, at their request, shall have their abstention recorded in the minutes.

- c The method of voting at meetings of the Council shall be as follows:
  - i The Chair in putting the motion shall call for an expression of opinion on the voices or take a show of hands, the result of either of which, as announced by the Chair, shall be conclusive unless such announcement is questioned immediately, in which event the Chair shall call a division.
  - ii The Chair may call for a division instead of, or after receiving opinion on the voices and taking a show of hands.
  - iii Any member may call for a division immediately the Chair has declared the result of a vote on the voices or by a show of hands.
- d When a division is called for, the Council Secretary shall take down the names of the members voting “aye” and “no” respectively, and shall hand the list to the Chair who shall declare the result.
- e In case of confusion or error in taking the division, unless the same can be otherwise corrected, a second division shall be taken.

### **3.10 Flying Minutes**

- a At the discretion of the Chair, Council is able to have matters considered by Flying Minute. This would be forwarded electronically by the Council Secretary or delegate to the nominated email address of Council members. The accidental omission to provide the Flying Minute to any members, or the non-receipt of a notice by a member, shall not invalidate the proceedings of, or any resolution passed by, the Council by Flying Minute, as long as the required number approves the recommendation.
- b The recommendation contained in a Flying Minute is approved only if it has been approved by at least 2/3 of the voting members of Council. This approval must be in the form of formal written advice, including email, sent by the Council member to the Council Secretary or delegate.

## 4 Miscellaneous provisions

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### 4.1 Conflicts of Interest

- a No member shall vote or take part in the discussion of any matter at any meeting where they, directly or indirectly, have any pecuniary or other special interest in the matter under consideration other than an interest in common with the public.
- b Every member present when any matter is raised where they directly or indirectly have a pecuniary or other special interest must fully declare such interest to the meeting. This disclosure and the subsequent abstention of such member from both discussion and voting on the item shall be recorded in the minutes.
- c Members who have declared a pecuniary or other special interest in matters to be discussed should consider leaving the meeting room for the full duration of discussion and voting on such matters.

### 4.2 Provision of information and proper use of information

- a Information required by members in the performance of their particular duties as members of the Ara Council shall be supplied to them by the Chief Executive or Council Secretary.
- b Where the Chief Executive or Council Secretary is uncertain that the supply of information should be supplied in any particular case, the matter shall be referred to the Chair for direction.
- c All information obtained by any member, either from the Chief Executive or Council Secretary or at any meeting of the Council or a Committee shall only be used for the proper discharge of duties as a member and shall not be used for any other purpose.
- d Where the Chair of the Council has reasonable grounds for believing that information provided to or obtained by any member has been misused, the Chair may report this and any proposed action to the Council.
- e No member or officer of the Council or other person shall disclose to any person other than a member or officer, any information which has been presented to or is to be presented to any meeting from which the public has been or is likely to be properly excluded, nor shall any discussion, deliberations, or decisions be divulged following any such meeting except by way of release of information by the Council.

### 4.3 Questions

- a Any member of the Council may at any ordinary meeting of the Council at the appointed time, put a question to the Chair or, through the Chair of Council, to the Chair of any committee, subcommittee or working party or to the Chief Executive or any officer of the Council concerning any matter relevant to the role or functions of the Council concerning any matter that does not appear on the order paper or arises from any committee report or recommendation submitted to that meeting.



- b Before putting a question, a member shall, in the first instance, endeavour to obtain the relevant information from the appropriate Chair or officer. In the event of the information sought not being forthcoming, or the member not being satisfied with the answer, the member then has the right to raise the matter by way of a question at an ordinary meeting of the Council, provided that the Chair may refer a question to an appropriate committee.
- c Wherever applicable, such questions shall be in writing and handed to the Chair prior to the commencement of the meeting at which they are to be asked.
- d If an answer to the question cannot be given at that meeting it shall, at the deferred discretion of the Chair, be placed on the order paper for the next Council meeting.
- e Questions and answers shall be submitted as briefly and concisely as possible. No discussion shall be allowed upon any question or upon the answer.
- f In the course of any debate at any Council meeting, any members may, at the Chair's discretion, ask any question of the relevant officer on any matter under debate. Such questions shall be directed through the chair.

#### **4.4 Inspection of financial records**

Unless otherwise directed by resolution of the Council the accounts to be submitted to any meeting for approval shall, at the beginning be laid on the table for inspection by members and any member may request a copy.

#### **4.5 Use of common seal**

- a The Council Secretary shall hold the common seal of the Council and the Chief Executive or Council Secretary shall be administratively responsible for the use of the same.
- b The affixing of the common seal requires the signatures of two Council members or one Council member and the Council Secretary or other such signatories as authorised from time to time by the Council.
- c The common seal shall not be affixed to any document unless by resolution of the Council or, in an urgent case, on the authority of the Council Chair or Chief Executive in which case such action shall be reported to the Council.

|  |                     |                   |
|--|---------------------|-------------------|
| <b>Ara Council</b><br><b>30 January 2018</b> | <b>Agenda Item</b>  | <b>8.2</b>        |
|  |                     | For Decision      |
| <b>PUBLIC</b>                                | <b>Presented by</b> | Council Secretary |

| <b>ARA COUNCIL REPORT SUMMARY</b>     |  |
|---------------------------------------|--|
| <b>TITLE OF REPORT</b>                | <b>Council Policies</b>  |
| <b>BACKGROUND AND PURPOSE</b>         | <p>There are five Council Policies requiring review:</p> <ul style="list-style-type: none"> <li>• CPP606 – Common Seal (Council authorisation)</li> <li>• CPP607 – Bank Authorities (Council authorisation)</li> <li>• CPP116 – Protected Disclosures (Council endorsement)</li> <li>• CPP601 – Council Delegations Financial &amp; Non-Financial (Council authorisation)</li> <li>• CPP102 – Disclosure and Management of Conflict of Interest (Council endorsement)</li> </ul> <p>All five policies have been reviewed and aligned with our Policy Review cycles and processes at Ara.</p> <p><b>Notes:</b></p> <p>(1) The review timeframes have not allowed for pre-endorsement by the Audit &amp; Risk Committee. The CFO, and CE have reviewed CPP601 and the delegation amounts aligned with current practice at Ara. The changes are noted in red.</p> <p>(2) The CERPRC have reviewed the additional policies relevant to the appointment of a new CE (that require Council authorisation) and will make a recommendation to Council for their approval. These are provided for your reference in the Council meeting papers.</p> |
| <b>RECOMMENDATION(S)</b>              | <ul style="list-style-type: none"> <li>• That Council review and provide approval and endorsement of all five policies as detailed above.</li> <li>• That Council approve the recommendation from the CERPRC on the Council Policies which are reviewed on the appointment of a new Chief Executive.</li> </ul>  |
| <b>LINK TO ARA STRATEGY</b>           | Successful students, value for employers, effective staff  |
| <b>KEY ISSUES IDENTIFIED</b>          | None   |
| <b>FINANCIAL IMPLICATIONS FOR ARA</b> | Overdue for approval.  |
| <b>RISK IMPLICATIONS FOR ARA</b>      | Overdue for approval.  |



## Disclosure and Management of Conflicts of Interest

|                  |                                  |                |                    |
|------------------|----------------------------------|----------------|--------------------|
| First Produced:  | 16/7/03                          | Authorisation: | Te Kāhui Manukura; |
| Current Version: | 29/09/2017;02/05/2012;13/12/2006 | Endorsement    | Council.           |
| Past Revisions:  | 5 year cycle                     | Officer        | Council Secretary  |
| Review Cycle:    | Immediately                      | Responsible:   |                    |
| Applies From:    |                                  |                |                    |

# 1 Introduction

## 1.1 Purpose

The purpose of this policy is to ensure:

- a Compliance with the provisions of the following:
  - i Local Authorities (Members' Interests) Act 1968
  - ii s175 of the Education Act 1989
  - iii Ara Council's Standing Orders [S01.6]
  - iv requirements of the Office of the Auditor General
  - v and all aspects as set out in this policy
- b That any significant material interests relevant to any Ara activities are disclosed and that any conflicts of interest are managed appropriately.

There are different obligations and requirements for different categories of people as specified in this policy.

## 1.2 Scope and Application

- a This policy applies to all Ara Council members, all Ara employees and all persons contracted for service by Ara, divided into the following categories. Each category carries different obligations and requirements, based largely on the person's ability to influence significant decisions at Ara.
  - i Council members
  - ii Council officers, supporting staff, and managers
  - iii Members of Te Kāhui Manukura
  - iv Heads of Departments (including delegates)
    - i International Team Admissions & Enrolment
    - ii Staff members of Finance and the Project Management Office
  - v Capital Works Governance Group members
  - vi Other employees and persons contracted for service.
- b Some requirements apply to all the persons listed above and some to Council members and officers only. (refer Section 2 of this policy for further details).
- c

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### 1.3 Formal Delegations

- a The collection and management of information relating to disclosures of material interest and conflicts of interest is delegated to the Council Secretary.
- b Responsibility for the monitoring of payments to companies or organisations is delegated to the Chief Financial Officer.

### 1.4 Definitions

- a **Bias:** Bias exists if there is, to a reasonable, fair-minded and informed observer, a real danger that a person making a decision might unfairly regard (with favour or disfavour) the case of a party to the issue under consideration.
- b **Conflict of Interest:** Conflict or potential for conflict arising when someone has a material interest in a matter or with a party with which Ara is negotiating or doing business; that is, where the person or a member of her or his immediate family or a dependent has a direct or indirect pecuniary interest or a relevant non-pecuniary or passive interest or may be perceived to have a bias or may gain a significant personal benefit or loss.
- c **Council member:** Any member of the Ara Council as constituted under the Education Act 1989 No 80 section 222AA and 222AB.
- d **Council officer/support provider:** An Officer of the Council as defined in the Council's Statute 2010/1 and the Council's Standing Orders or any employee who provides advice or executive or secretarial services directly to the Council or any of its committees.
- e **Designated Division Deputy:** A person formally designated by a Director of a Division as his or her deputy.
- f **Disclosure of Interest:** Any declaration whether verbal or in writing made by a person to whom this policy applies in which a material interest is disclosed.
- g **Employee:** Every person employed by the Chief Executive of Ara.
- h **Employer:** Every person employed by the Chief Executive of Ara who may also be an employer of Ara Students or staff.
- i **Gift:** A gift with a value in excess of \$100 given by a third party to a person covered by this policy because they are a member of the Ara Council, or an Ara employee, or have a contract for service with Ara. A gift may take the form of hospitality especially if it is frequent or lavish.
- j **Head of Department:** Person formally appointed as the Head of a Department at Ara or a person acting in that position.
- k **LA(MI)A limit:** A \$25,000 inclusive of GST in any financial year limit is set under the Local Authority (Members' Interests) Act (LA(MI)A) on business transacted between Ara and any company or organisation in which a Council member has a material interest. A member is disqualified from office if the limit is exceeded without the prior approval of the Auditor-General. In terms of the Act it is the member's responsibility to ensure that the limit is not exceeded.
- l **Te Kāhui Manukura member:** Senior Management Team.
- m **Capital Works Governance Group member;** Ara Capital Works programmes have a governance structure that includes a Project Planning Team, and a Project Control Group administered by the Project Management Office. The Capital Works programme operates a Conflict of Interest Register centrally recorded by the Council Secretariat.
- n **Material interest:** Any pecuniary interest in a company or organisation, non-pecuniary interest, passive interest or an involvement giving the appearance of

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potential bias. The materiality of a concern or interest depends on the context and is a matter of judgment. The amount of financial benefit or loss involved, the level of involvement as a percentage of the total operation of the company or organisation, and the degree to which the person is able to make or influence a Ara decision are relevant.

- o **Non-pecuniary interest:** A concern or interest which is not principally or solely about financial involvement. Non-pecuniary interest includes being a member of a board or a trustee or a director of any business or organisation even if there is no financial involvement. The definitions of bias and passive interests are relevant.
- p **Passive interest:** The Audit Office definition of passive interests includes, among other things, employment with another organisation, involvement in another business, professional or legal obligations owed to someone else, holding another office, membership of another organisation, investments and property ownership, beneficial interest in trusts, receipt of gifts or hospitality, or debts.
- q **Pecuniary interest:** An involvement in a matter which could give rise to an expectation of or an actual significant gain or loss of money on the part of the person concerned, or a member of her or his immediate family or a dependent.  
  
The formal definition of a pecuniary concern or interest applying to Council members is that the member has a concern or interest if she or he or a member of her or his immediate family or a dependent, singly or together, owns 10% or more of the shares in a company or in another company which controls that company or is a shareholder in a company or a controlling company AND either the member or a member of her or his immediate family or a dependent is the managing director or general manager of the company or the controlling company. This also applies to trusts and business partnerships.
- r **Person contracted for service by Ara:** Any person who is not an employee but who is contracted by Ara to deliver educational, administrative, management, research or capital works services.
- s **Purchasing Officer:** Any person whose primary duties include the purchasing of goods and services for Ara.
- t **Register of disclosed material interests:** The register is kept by the Council Secretary of all disclosures made under this policy. The register is a publicly available document, made available on request. The public register includes the names of those declaring concerns or interests and the companies or organisations with which they are involved.

|   |   |
|---|---|
| <b>Related Ara Procedures</b> <ul style="list-style-type: none"> <li>• Disclosure of Interests [2017] (Annual Declaration Form)</li> </ul>  | <b>Related Ara Policies</b> <ul style="list-style-type: none"> <li>• CPP211 Code of Professional Practice</li> <li>• CPP110 Legislative Compliance</li> <li>• CPP304 Discretionary Expenditure</li> </ul> |
| <b>Related Legislation or Other Documentation</b> <ul style="list-style-type: none"> <li>• Conflicts of Interest: A guide to the LA (MI) Act 1968 and Non-Pecuniary Conflicts of Interest</li> <li>• Local Authorities (Members' Interests) Act 1968</li> </ul> | <b>Good Practice Guidelines</b> (indicate if attached to policy or where they can be found)   |
| <b>References</b> <ul style="list-style-type: none"> <li>•</li> </ul>   |   |
| <b>Notes: A guide to managing conflicts of interest for TEI councils is available on the TEC Website.</b>   |   |

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## 2 Principles

### 2.1 The general principles Ara has adopted for managing conflicts of interest are:

- a Full and open disclosures of real or perceived, actual or potential conflicts.
- b Ensuring any participation by the conflicted person in any discussions, deliberations, decision-making or voting relevant to the matter is managed appropriately to avoid actual or potential conflict and to support compliance with legislation.
- c Resolution by transferring duties from the conflicted person to another person not affected by the circumstances.

### 2.2 Overall Obligations and Requirements

- a Every Ara Council member, manager, employee, and person contracted for service has an obligation to declare any material interests relevant to any Ara activities and to ensure that any conflict arising from the material interests is noted and managed appropriately.
- b No Ara Council member, employee, or person contracted for service may take part in discussions, deliberations, decision making or voting on a matter in which she or he (or a member of her or his immediate family or a dependent) has a material interest.
- c Every Ara Council member, Council officer/support provider, manager and purchasing officer who has a material interest as defined in this policy must declare that interest in writing and ensure that any conflict arising from the declared interest is managed appropriately.
- d If a new conflict of interest becomes apparent while a meeting is in progress, you must acknowledge this immediately by disclosing the nature of the conflict and remove yourself. The interest must be recorded in the minutes of the meeting. From the point of disclosure, you must not (unless the Council or the Chair decides otherwise) be present in any deliberation, or take part in any decision with respect to that matter.
- e For all conflicts of interest, the Council Secretary must be formally advised in writing and the Conflicts of Interest register updated.
- f Everyone covered by this policy should opt for disclosure if in doubt.
- g Disclosures may result in restricting or abandoning the conflicting interest or activity.
- h Every Ara Council member must monitor any business interactions between Ara and any company or organisation in which the Council member has a material interest and ensure that such business does not exceed \$25,000 including GST in value without the prior approval of the Auditor-General.
- i Any Council member is disqualified from office under the LA (MI)A if Ara does business exceeding \$25,000 inclusive of GST in any financial year with a company or organisation in which the member has a material interest; prior approval of the Auditor General to exceed this limit can be given.

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## Associated procedures for

# Ara Corporate Policy on: Disclosure and Management of Conflicts of Interest

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|                  |     |  |
|------------------|-----|--|
| <b>Contents:</b> | 3.1 | Annual Disclosure Declarations               |
|                  | 3.2 | Employment Letters and Contracts             |
|                  | 3.3 | Meetings                                     |
|                  | 3.4 | Council Secretary and Finance Section        |
|                  | 3.5 | Management of Declared Conflicts of Interest |
|                  | 3.6 | Quick Reference Summary                      |

### 2.3 Annual Disclosure Declarations

- a The following people are required to complete an Annual Disclosure Declaration administered from the Governance & Strategy office.
  - i Council members
  - ii Council officers and supporting staff
  - iii Members of Te Kāhui Manukura
  - iv Heads of Departments (including delegates)
  - v Capital Works Governance Group members
  - vi Staff members of Finance and Project Management Office
  - vii International Team, Admissions & Enrolments
- b All of the above people are required to complete and sign annually a Disclosure of Interests form on which they declare any material interests/concerns or interests as defined by the Local Authorities (Members' Interests) Act 1968 or in this policy.
- c Every person who is required to complete an annual Conflict of Interest form, is also required to update this declaration in writing to the Council Secretary if her or his circumstances relevant to this policy change. Council members may do this at any Council or committee meeting and it will be recorded in minutes, and in the Council register by the Council Secretary

### 2.4 Employment Letters and Contracts

- a Every employment agreement and contract for service will include a brief statement about conflicts of interest and their management.
- b **Every Ara employee and person contracted for service** has an obligation to declare any material interests relevant to any Ara activities and to ensure that any conflict arising from the material interests is managed appropriately.

### 2.5 Meetings

- a The agenda for every Council, Council Committee, Te Kahui Manukura, and Capital Works Governance Group meeting will include 'disclosure of conflicts of interest' so that the meeting can note any particular conflict declared by any person attending the meeting and manage that conflict appropriately. Any such declaration will be recorded in the minutes of the meeting.
- b Any person covered by this policy who becomes aware that she or he has a conflict of interest as defined in this policy must declare that conflict of interest immediately and must not take part in any subsequent discussions, deliberations, decision making, or voting on the matter. *(This clause should be read in the context of clause 2.2d.)*

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- c The declaration of conflict of interest must include a brief statement of the matter concerned and the nature and extent of the conflict. Every such declaration of a conflict must be recorded in the minutes of the meeting at which it was made together with a record of the fact that the member or officer took no part in the discussions, deliberations, decision making, or voting on the matter. *(This clause should be read in the context of clause 2.2aa.)*
- d The Council Secretary must be advised of the declaration for the purposes of recording it in the register, which will form a part of the papers and record of every Council meeting.

## **2.6 Council Secretary and Finance Section**

- a The Council Secretary maintains a register of all disclosures made under this policy. The register is a publicly available document and is made available on request. The public register includes the names of those declaring concerns and interests and the companies or organisations with which they are involved. The details of the register will be provided to the Chief Financial Officer for the use of the staff of the Finance Section.
- b All companies and organisations identified in the register will be marked in Ara Institute of Canterbury's financial systems in such a way that payments cannot be made to those companies without the knowledge of the Chief Financial Officer.
- c The Chief Financial Officer will monitor payments to the companies and organisation's on the register and will notify the Chief Executive and the Council Secretary of any concerns.
- d As payments to any of those companies in which a Council member has a concern or interest approach \$25,000 including GST in any financial year, the Chief Financial Officer will notify the Council Secretary who will notify the Council member concerned and, will confer with the Council Chair and the Chief Executive and, if appropriate, apply to the Office of the Auditor-General for prior approval to exceed the limit.

## **2.7 Management of Declared Conflicts of Interest**

- a The management of a declared conflict of interest is a matter that is considered on a case by case basis according to the particular circumstances.
- b The mechanisms for implementing the principles include:
  - i Maintenance of an Interests Register
  - ii Monitoring of financial interactions with registered interests
  - iii Temporary or permanent transfer of duties
  - iv Divestment
  - v Increased transparency and scrutiny of decisions for impartiality
  - vi Withdrawal from discussions
  - vii Abstinance from voting or decision making
  - viii Non-receipt of relevant information
  - ix Agreement not to act
  - x Decline of gifts or hospitality
  - xi Resignation

## **2.8 Quick Reference Summary**

- a Every person covered by this policy:
  - i Must declare any material conflict of interest which arises during the course of their employment or term of office.
  - ii Must declare any material interest which arises in the course of carrying out any duty for Ara or at any meeting or during any discussions or deliberations

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- b In addition, Council members, Council officers and supporting staff, Members of Te Kāhui Manukura, Heads of Departments (including delegates), Capital Works Governance Group members, Staff members of Finance and Project Management Office, International Team, Admissions & Enrolments
  - i Must make an annual disclosure of material interests (pecuniary and non-pecuniary).
  - ii Must update their declaration if further interests are added before the next declaration is called for.

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c Council members must also monitor any business transactions between Ara and any company or organisation in which they have a material interest as defined in the *Local Authorities (Members' Interests) Act 1968* to ensure that such business does not exceed the limit of \$25,000 (inclusive of GST) without the prior approval of the Auditor-General.

d The text for inclusion in letters of appointment or election is as follows:

*Ara has strong links with its communities and it is not uncommon for employees, persons contracted for service, managers, Council officers and Council members to have involvement in businesses or organisations which could give rise to real or perceived conflicts of interest. We cannot hope to avoid or eliminate all possible conflicts but we have a responsibility to declare them and to manage them effectively by being aware of our obligations and following Ara Institute of Canterbury's policy, 'Disclosure and Management of Conflicts of Interest'.*

The wording for use at Council Committees, Te Kahui Manukura, or Capital Works Governance Group meetings is as follows:

i Agenda item: *Disclosure of Conflicts of Interest.*

ii Disclosure question: *Does any voting or non-voting member or officer or support person present have any conflict of interest arising from the business to be considered at this meeting?*

## Council Delegations (Financial and Non-Financial)

|                  |   |                 |  |
|------------------|---|-----------------|--|
| First Produced:  | May 2006  | Authorisation:  | Council                                  |
| Current Version: | <a href="#">27/08/1330/01/18</a>                      | Date:           | <a href="#">27/08/1330/01/18</a>         |
| Past Revisions:  | 17/05/06, 27/07/10, <a href="#">27/08/1329/09/17</a>  | Council Minute: | <a href="#">Page 13/CPITC/08/684-695</a> |
| Review Cycle:    | Every 3 years, or upon appointment of Chief Executive | Queries:        | Council Chair or Council Secretary       |
| Applies From:    | Immediately   |                 |  |

Major changes/additions since the last version was approved are indicated by a vertical line in the left hand margin.

# 1 Introduction

## 1.1 Purpose

The purpose of this policy is to set down levels of authority (financial and non-financial) delegated by the Council, as provided for in s222 of the Education Act 1989, [Delegation by Council](#).

## 1.2 Scope and Application

- a This policy applies only to delegations made to individual Ara employees or Ara Committees as detailed in the accompanying schedule.

## 1.3 Formal Delegations

Section 222 of the Education Act 1989 provides for the Council to “*delegate any of its functions and powers... (except the power to appoint a chief executive) to the Chief Executive of the institution or to a committee appointed under section 193(3)*”. The Act also provides for the Chief Executive or a committee to sub-delegate to a member of the staff or to “*persons of a specified class or holders of a specified office*”.

The Council may from time to time resolve to delegate particular functions and powers, or to revoke any delegation previously made. Directly affected parties will be consulted before any decision is made to revoke a delegation.

The Ara Council has resolved to delegate the functions and powers listed in the Schedule of Council Delegations appended to this policy.

## 1.4 Definitions

- a **Academic Board:** A committee established by the Council, consisting of the institution’s chief executive, and members of the staff and students of the institution, to (a) advise the Council on matters relating to courses of study or training, awards, and other academic matters; and (b) exercise powers delegated to it by the Council (see s182.2 of the Education Act 1989).

<sup>1</sup> From herein referred to as Ara

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- b **Budget:** the annual budget prepared by the Chief Financial Officer in conjunction with the Chief Executive and the Te Kāhui Manukura and ratified by the Council.
- c **Chief Executive (CE):** the manager of the academic and administrative affairs of Ara under s196 of the Education Act 1989 appointed and employed under s771A-D of the State Sector Act 1988.
- d **Ara Council (ARAC):** the governing body of Ara established under s165 and s222AA of the Education Act 1989; the Council is the employer of the Chief Executive under s771 of the State Sector Act 1988.
- e **Education Act:** The Education Act 1989 [1989/80] as amended in 1990 and 2009/10 (at 20 May 2010) and since; Section 222 deals with Delegation by Council.
- f **Staff:** a person or persons employed by Ara.
- g **Student:** a person enrolled at Ara.

## 2 Principles

- 2.1 Delegations from Ara Council shall be those that enable the institution to perform its functions efficiently and effectively (s1931(1)).

|   |  |
|---|--|
| <b>Related Ara Procedures</b> (indicate if attached to policy or where they can be found)<br><ul style="list-style-type: none"> <li>•</li> </ul>  | <b>Related Ara Policies</b> <ul style="list-style-type: none"> <li>• CPP120 Delegations</li> </ul>   |
| <b>Related Legislation or Other Documentation</b> <ul style="list-style-type: none"> <li>• Extract from s222 of the Education Act 1989</li> </ul> | <b>Good Practice Guidelines</b> (indicate if attached to policy or where they can be found)<br><ul style="list-style-type: none"> <li>•</li> </ul> |
| <b>References</b> <ul style="list-style-type: none"> <li>•</li> </ul>   |  |
| <b>Notes</b> <ul style="list-style-type: none"> <li>• Schedule of Council Delegations resolved by the CPIT Council on 27 July 2010.</li> </ul>    |  |

## 3 Associated procedures for

### Ara Corporate Policy on: Council Delegations

|                  |     |                     |
|------------------|-----|---------------------|
| <b>Contents:</b> | 3.1 | General             |
|                  | 3.2 | Council Delegations |

#### 3.1 General

- a The Ara Council may from time to time resolve to delegate any of its functions and powers, except the power to appoint a chief executive.
- b Motions to delegate will normally be moved and discussed at an ordinary meeting of the Council in open meeting.
- c The Schedule of Council Delegations shall be available as a public document.

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- d If the Chief Executive or an approved Council Committee sub-delegates any function or power to a member or members of staff, a schedule will be maintained of such sub-delegations, and this schedule will be made available to the Council on request.

### 3.2 Council Delegations

At the meeting of the Ara Council, ~~formerly CPIT Council~~, held on ~~27 August 2013~~ 30 January 2018 it was **resolved** to approve the Chief Executive Employment Policy on ***Delegations (Financial and Non-financial)***.

[Pages 13/CPITC/08/684-695]

| Delegations to Chief Executive     |   | Relevant Section of Education Act 1989 No 80 (as at 20 May 2010) |
|------------------------------------|---|--|
| <b>Academic and Administrative</b> |   |  |
| 1                                  | To refuse or cancel the enrolment of a person as a student  | s224(12)   |
| 2                                  | To grant fellowships, scholarships, bursaries or prizes within budget   | s193(2)(b)   |
| <b>Finance</b>                     |   |  |
| 3                                  | To commit <u>operational</u> expenditure within approved budget categories to a maximum of \$500,000 per individual item of expenditure                                 | s201A  |
| 4                                  | To commit unbudgeted capital expenditure for individual projects/contracts up to \$150,000  | s201A  |
| 5                                  | To commit unbudgeted operational expenditure for individual projects/contracts up to <del>\$50</del> 100,000  |  |
| 6                                  | To prescribe fees for programmes and courses within the limits or guidelines set by the Council annually  | s193(2)(h)   |
| 7                                  | To invest Ara funds within statutory requirements   | s201A  |
| 8                                  | To establish, maintain and operate bank accounts in the name of Ara at any registered bank with signatories approved by Council   | s200(1)  |
| 9                                  | Subject to the Minister's determination under s192 to dispose of surplus assets at market value up to a maximum individual amount of \$50,000                           | s192(4)(a) and (5)(a)  |
| 10                                 | To authorise loans or grants to staff or students up to \$1,000 per loan/grant and loans or grants to any association of staff or students up to \$2,000 per loan/grant | s193(2)(c)   |
| <b>Other</b>                       |   |  |
| 11                                 | To arrange for the manufacture and distribution of any article or thing bearing a mark, symbol or writing that is associated with the institution                       | s193(2)(f)   |
| 12                                 | To arrange for the provision of goods or services to staff or students  | s193(2)(g)   |

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|                                      |  |   |
|--------------------------------------|--|---|
| <b>Delegations to Academic Board</b> |  | <b>Relevant<br/>Section of<br/>Education<br/>Act 1989 No<br/>80<br/>(as at 20 May<br/>2010)</b> |
| <b>Academic and Administrative</b>   |  |   |
| 1                                    | To approve new and existing programmes and courses which are in accordance with the Ara Strategic Plan and Investment Plan | s193(2)(a)  |
| 2                                    | To admit students to approved programmes and courses   | s193(2)(a)  |
| 3                                    | To grant awards (that is, Ara qualifications)  | s193(2)(a)  |
| 4                                    | To develop, monitor, review and maintain policies on academic matters, including research                                  |   |

*These delegations were made in terms of s222 of the Education Act 1989 and all its subsequent amendments and include the power for the Chief Executive or a Council Committee to sub-delegate to one or more members of the staff such of the functions and powers as they see fit.*

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## Common Seal

|                  |                          |                      |                                  |
|------------------|--------------------------|----------------------|----------------------------------|
| First Produced:  | 23/6/11                  | Authorisation:       | <a href="#">CPIT Ara</a> Council |
| Current Version: | 27/08/13                 | Officer Responsible: | Council Secretary                |
| Past Revisions:  | 23/03/12                 |                      |                                  |
| Review Cycle:    | <a href="#">29/09/17</a> |                      |                                  |
| Applies From:    | 3 years<br>Immediately   |                      |                                  |

At the Council meeting on 25 May 2010 CPIT Council<sup>2</sup> reapproved the policy governing the use of the Common Seal and Bank Authorities and Signatories approved by CPIT Council on 16 March 2005 noting that the Chief Executive and the Chair of Council are the signatories to diploma and degrees awarded by the CPIT each year. At the Special meeting on 28 May 2011 CPIT Council approved further changes to the policy for Bank Authorities and signatures. This policy statement draws these approvals together in one document and into the current CPIT (Council) policy template. **At the Council meeting 27 August 2013, two separate policies CPP606 (Common Seal) and CPP607 (Bank Authorities and Signatories) were approved.**

# 1 Introduction

## 1.1 Purpose

To ensure that the affixing of the Ara Council Common Seal in the name of the Ara Institute of Canterbury is carried out and recorded only as authorised by the Ara Council and in accordance with s167 of the Education Act 1989.

## 1.2 Scope and Application

The Common Seal may be applied to any document requiring formal acknowledgement of its approval by resolution of the Ara Council or with the consent of the Chair of Council or the Chief Executive in an urgent case, in which case the action shall be reported to the Council.

Most of the documents to which the Common Seal is affixed are Ara diplomas and degrees.

Other documents to which the seal may be affixed include property deeds and leases, education delivery contracts, and occasional employment-related settlements.

## 1.3 Formal Delegations

- a **Common Seal:** Whenever the Common Seal of the Ara Council is to be affixed to any document it shall be affixed in the presence of any two of the following persons:
  - i The Chair of the Council
  - ii The Secretary of the Council

<sup>1</sup> From herein referred to as Ara

<sup>2</sup> Ara Institute of Canterbury, formerly known as CPIT

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- iii Any member of the Council other than the Chair
- iv The Chief Executive

**1.4 Definitions**

- a **Common Seal:** A circular seal bearing the words THE COMMON SEAL OF ARA INSTITUTE OF CANTERBURY and the Ara Logo.
- b **Standing Orders:** Are the Standing Orders by which Ara Council conducts its business and are available from the Ara Council Secretary located in the Executive offices of Ara, Madras Street.

|   |   |
|---|---|
| <p><b>Related Ara Procedures</b>(indicate if attached to policy or where they can be found)</p> <ul style="list-style-type: none"> <li>• <b>Common Seal:</b> Ara Standing Orders (Council)<br/> <i>“4.5.c: The common seal shall not be affixed to any document unless by resolution of the Council or, in an urgent case, on the authority of the Council Chair or Chief Executive in which case such action shall be reported to the Council.”</i></li> </ul> <p>Every sealing shall be made and done according to the procedure prescribed by the Council.</p> | <p><b>Related Ara Policies</b></p> <ul style="list-style-type: none"> <li>•</li> </ul>  |
| <p><b>Related Legislation or Other Documentation</b></p> <ul style="list-style-type: none"> <li>•</li> </ul>  | <p><b>Good Practice Guidelines</b>(indicate if attached to policy or where they can be found)</p> <ul style="list-style-type: none"> <li>•</li> </ul> |
| <p><b>References</b></p> <ul style="list-style-type: none"> <li>•</li> </ul>  |   |
| <p><b>Notes</b></p>   |   |

**2 Principles**

2.1 Common Seal

- a The common seal shall not be affixed to any document unless by resolution of the Council or, in an urgent case, on the authority of the Council Chair or Chief Executive in which case such action shall be reported to the Council.
- b If the seal is not required or is an option, simple signing is sufficient and preferred.
- c Every sealing shall be made and done according to the procedure prescribed by the Council.

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### 3 Associated procedures for

## Ara Council Policy on: Common Seal

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Contents: 3.1 Common Seal

### 3.1 Common Seal

- a The Common Seal of the Ara Council shall be kept by the Council Secretary.
- b Whenever the Common Seal of the Ara Council is to be affixed to any document it shall be affixed in the presence of any two of the following persons:
  - i The Chair of the Council
  - ii The Secretary of the Council
  - iii Any member of the Council other than the Chair
  - iv The Chief Executive
- c The affixing of the Common Seal shall be countersigned by the two persons in whose presence it was affixed.
- d The details of each affixing of the Common Seal shall be recorded in a register held by the Council Secretary and available for inspection by any member of the Council on request.
- e Most of the documents to which the Common Seal is affixed are Ara ~~diplomas and degrees~~ awarded qualifications which are signed by the Chair of Council and the Chief Executive ~~in hundreds~~ for each Graduation. The Common Seal is pre-printed on the stationery rather than individually affixed and the signatures are electronically applied.
- f A register of all ~~diplomas-qualifications~~ awarded and degrees conferred is recorded and kept in the Central Academic Records office
- g Whenever practicable, the Common Seal shall be affixed pursuant to a resolution of the Council.
- h Whenever the Common Seal is not affixed pursuant to a resolution of the Council, the date on which it was affixed, the signatories, and the general nature of the document to which it was affixed shall be noted and reported quarterly to the Council.

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**Corporate Policies & Procedures**  
**Section 6: Ara Institute of Canterbury<sup>1</sup> Council Policies -**  
**Document CPP607**



## Bank Authorities and Signatories

|                  |             |                      |                   |
|------------------|-------------|----------------------|-------------------|
| First Produced:  | 23/6/11     | Authorisation:       | Ara Council       |
| Current Version: | 27/08/13    | Officer Responsible: | Council Secretary |
| Past Revisions:  | 27/03/12    |                      |                   |
| Review Cycle:    | 29/09/17    |                      |                   |
| Applies From:    | 3 years     |                      |                   |
|                  | Immediately |                      |                   |

*At the Council meeting on 25 May 2010 CPIT Council<sup>2</sup> reapproved the policy governing the use of the Common Seal and Bank Authorities and Signatories approved by CPIT Council on 16 March 2005 noting that the Chief Executive and the Chair of Council are the signatories to diploma and degrees awarded by the CPIT each year. At the Special meeting on 28 May 2011 CPIT Council approved further changes to the policy for Bank Authorities and signatures. This policy statement draws these approvals together in one document and into the current CPIT (Council) policy template. At the Council meeting 27 August 2013, two separate policies CPP606 (Common Seal) and CPP607 (Bank Authorities and Signatories) were approved.*

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## 1 Introduction

### 1.1 Purpose

To ensure that bank authorities and signatories to establish and operate bank accounts in the name of ~~the~~ Ara Institute of Canterbury at any registered bank is carried out with signatories approved by the Ara Council and to execute other Executive level documents.

### 1.2 Scope and Application

#### **Bank Authorities and Signatories**

By Council resolution Ara authority to establish and operate bank accounts and all cheques and bank documents must be signed by approved delegation from Council [Pages 1991/04/SP/41&1991/04/63]. Also see 1.3 Formal Delegations.

### 1.3 Formal Delegations

**Bank Authorities and Signatories:** Council authorises any two persons from list A, or one from list A and one from list B, to endorse all cheques, other negotiable instruments, or electronic payments, and to deal with security and safe custody on behalf of Ara Institute of Canterbury's bank accounts with approved financial institutions.

#### **List A:**

- a Ara Council Chairperson
- b Chief Executive
- c Chief Financial Officer
- d Council Secretary

#### **List B:**

- a Manager Finance
- b Director Education and Applied Research

<sup>1</sup> From herein referred to as Ara

<sup>2</sup> Ara Institute of Canterbury, formerly known as CPIT

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- c Director, Academic Quality and Development Services Division

Cheques for \$500 or less may be opened for cash by one signatory.

#### 1.4 Definitions

- a **Standing Orders:** Are the Standing Orders by which Ara Council conducts its business and are available from the Ara Council Secretary located in the Executive of Ara, Madras Street.

|   |   |
|---|---|
| <p><b>Related Ara Procedures</b>(indicate if attached to policy or where they can be found)</p> <ul style="list-style-type: none"> <li>• <b>Bank Authorities and Signatories:</b> In 1991 the Council delegated to the Chief Executive the authority to: <i>Establish and operate bank accounts in the name of <u>Christchurch Polytechnic Ara Institute of Canterbury</u><sup>3</sup> at any registered bank with signatories approved by the Council</i> [Pages 1991/04/SP/41 &amp; 1991/04/63].</li> </ul> | <p><b>Related Ara Policies</b></p> <ul style="list-style-type: none"> <li>•</li> </ul>  |
| <p><b>Related Legislation or Other Documentation</b></p> <ul style="list-style-type: none"> <li>•</li> </ul>  | <p><b>Good Practice Guidelines</b>(indicate if attached to policy or where they can be found)</p> <ul style="list-style-type: none"> <li>•</li> </ul> |
| <p><b>References</b></p> <ul style="list-style-type: none"> <li>•</li> </ul>  |   |
| <p><b>Notes</b></p>   |   |

## 2 Principles

### 2.1 Bank Authorities and Signatories

- a The overriding principle is maintenance of the security of Ara funds.
- b Every authorisation shall be in accordance with all prescribed Ara procedures.

## 3 Associated procedures for

### Ara Council Policy on: Bank Authorities and Signatories

**Contents:** 3.1 Bank Authorities and Signatories

#### 3.1 Bank Authorities and Signatories

- a Cheques are to be signed by any two persons, in accordance with the conditions detailed in 1.3 Formal Delegations.

<sup>3</sup> Ara Institute of Canterbury, formerly known as Christchurch Polytechnic

Corporate Policies & Procedures  
 Ara Institute of Canterbury<sup>1</sup> Council Policies –  
 Document CPP602



## Leave

|                  |                                   |                     |                                    |
|------------------|-----------------------------------|---------------------|------------------------------------|
| First Produced:  | June 2006                         | Authorisation:      | Council                            |
| Current Version: | August 2010                       | Authorisation Date: | 27 July 2010                       |
| Past Revisions:  | September 2006                    | Council Minute:     | Page 10/CPITC/08/624               |
| Review Cycle:    | On appointment of Chief Executive | Queries:            | Council Chair or Council Secretary |
| Applies From:    | 9 August 2010                     |                     |                                    |

## Section 1 : Policy Overview

### 1.1 Purpose

The purpose of this policy is to set down the processes for the approval, recording, and reporting of the Chief Executive's leave. Leave is "a period of absence from Ara when it is open for business of half a day or more other than for business-related absences; leave may be annual leave, sick leave, professional development leave, or special leave". This policy does not apply to business-related absences commonly known as "duties elsewhere".

### 1.2 Application

This is one of a set of policies defining the employment relationship between the Ara Council and its only employee the Chief Executive; it applies to that relationship only.

### 1.3 Policy Statement

The Chief Executive's Employment Agreement includes provision in Clause 5.0 for the Chief Executive to take paid and unpaid leave. This policy includes items which are not detailed in the Employment Agreement. The approval of leave is delegated to the Chair of Council. The recording of leave is administered by the Executive Assistant. From time to time, the Chair of Council or the Chief Executive may report to the Council on leave taken or to be taken; such reports are made with the public excluded. The Chief Executive and the Chair of Council may negotiate to make reasonable variations to this policy or determine requests for leave which are not explicitly covered.

### 1.4 Formal Delegations and Variations to Policy

The Ara Council delegates the approval of the Chief Executive's leave to the Chair of the Council under s222 of the Education Act 1989.

<sup>1</sup> From herein referred to as Ara

## 1.5 Definitions

- a **Annual leave:** the Chief Executive Employment Agreement entitles the Chief Executive to 20 working days of paid annual leave for each 12 month period in addition to statutory holidays and the non-statutory days between Christmas and New Year.
- b **Bereavement leave:** leave with pay granted to the Chief Executive for a period agreed to by the Chair of Council to enable the Chief Executive to attend the funeral of a family member or other person significant to the Chief Executive and/or to attend to estate or other matters arising from the death of such a person.
- c **Chief Executive Remuneration and Performance Review Committee:** a committee established by the Council under s193 of the Education Act 1989; it is composed of the Chair of Council and the Deputy Chair of Council ex officio and one other Council member elected at the first meeting of Council each year who will serve a term of at least two years
- d **Chair of Council:** the person appointed by the Minister for Tertiary Education as Chair of Council under s177 and s222AA-AK for a term determined by the Minister. The Deputy Chair, also appointed by the Minister for Tertiary Education as Deputy Chair of Council under s177 and s222AA-AK for a term determined by the Minister, may exercise the delegated authority when the Chair is unavailable.
- e **Chief Executive (CEO):** the manager of the academic and administrative affairs of Ara under s196 of the Education Act 1989 appointed and employed under s771A-D of the State Sector Act 1988. This policy applies only to the Chief Executive.
- f **Chief Executive Employment Agreement:** the agreement negotiated by the Council and the Chief Executive at the time of the Chief Executive's appointment or reappointment and concurred with by the State Services Commission under s771 of the State Sector Act 1988.
- g **Ara Council (ARAC):** the governing body of Ara established under s165 and s222AA of the Education Act 1989; the Council is the employer of the Chief Executive under s771 of the State Sector Act 1988.
- h **Leave:** a period of absence from Ara when it is open for business of half a day or more other than for business-related absences. Leave may be annual leave, sick leave, professional development leave, or special leave.
- i **Professional Development Time:** the Chief Executive is entitled to apply for up to 10 working days of paid professional development time (under the provisions of special leave) for each 12 months period of employment.

Professional development time can, by agreement with the Chief Executive Remuneration and Performance Review Committee, be accumulated for an approved professional development activity.

The Chief Executive Remuneration and Performance Review Committee can require the Chief Executive to use professional development time for directed development where performance inadequacies have been identified.

Professional development time not taken at the end of the expiry dated of the employment agreement is forfeited.

- j **Sick leave:** the Chief Executive Employment Agreement entitles the Chief Executive to paid sick leave for personal sickness or the sickness of the Chief Executive's spouse or person who depends on the Chief Executive for care.

Paid sick leave to attend family responsibilities can be granted for up to a maximum of three months.

The Chair of Council under delegation may require the Chief Executive to obtain and present a medical certificate in respect of any period of sick leave that exceeds five consecutive days.

- k **Special leave:** the Council may approve paid or unpaid leave for other purposes in excess of that provided for under the Chief Executive Employment Agreement from time to time to meet clearly identified purposes as the Chair of Council under delegation considers appropriate.

- l **Statutory holiday:** New Year's Day, the day after New Year's Day, Christmas Day, Boxing Day, the day after Boxing Day, Good Friday, Easter Monday, Easter Tuesday, Canterbury Provincial Holiday (Show Day), Anzac Day when it falls between Monday and Friday inclusive, Labour Day, the Sovereign's Birthday observance, Waitangi Day when it falls between Monday and Friday inclusive.

- m **Working day:** any day of the week other than Saturday or Sunday or a statutory holiday when Ara is open for business.

#### 1.6 Attachments/Further Documentation

Nil

#### 1.7 Related Policies

Nil

#### 1.8 Notes

Nil

## Section 2: Associated Procedures

- 2.1 Requests for annual leave shall follow an application and approval process to be agreed between the Chair of Council and the Chief Executive. Requests to take leave shall be made in writing or by email within an agreed time frame. The Chair of Council will respond in writing or by email. The granting of such leave will not be unreasonably withheld.
- 2.2 Where possible, the Chief Executive will apply to the Chair in advance for any period of sick leave or bereavement leave needed. When it has not been possible to anticipate the need to take sick leave or bereavement leave, the Chief Executive will advise the Chair as soon as practicable after the event.

- 2.3 When applying for professional development time, the Chief Executive shall provide the Chief Executive Remuneration and Performance Review Committee with a brief description of the study or activity to be undertaken together with the objectives of the leave and details of the period of absence.
- 2.4 The Committee's decision will be conveyed to the Chief Executive in writing.
- 2.5 The Executive Assistant to the Chief Executive shall keep a record of leave taken by the Chief Executive.
- 2.6 Any request to carry forward unused annual leave to the following year shall be made in writing to the Chair of Council before the end of November.
- 2.7 At the commencement of each year, a summary report of leave taken by the Chief Executive in the previous calendar year shall be presented to the Council with the public excluded.



## Performance Review

|                  |                                   |                     |                                    |
|------------------|-----------------------------------|---------------------|------------------------------------|
| First Produced:  | May 2006                          | Authorisation:      | Council                            |
| Current Version: | August 2010                       | Authorisation Date: | 27 July 2010                       |
| Past Revisions:  | 7 August 2006                     | Council Minute:     | Page 10/CPITC/08/624               |
| Review Cycle:    | On appointment of Chief Executive | Queries:            | Council Chair or Council Secretary |
| Applies From:    | 9 August 2010                     |                     |                                    |

### Section 1 : Policy Overview

#### 1.1 Purpose

The purpose of this policy is to set down the process for the annual review of the Chief Executive's performance in the position over the previous academic year and to provide a means of governance support for the Chief Executive.

#### 1.2 Application

This is one of a set of policies defining the employment relationship between the Ara Council and its only employee the Chief Executive; it applies to that relationship only.

#### 1.3 Policy Statement

The Chief Executive's Employment Agreement includes provision in Clause 6.0 for the review of the CE's performance at intervals of not more than 12 months. The performance review is carried out by the Council Chief Executive Remuneration and Performance Review Committee under delegation from the Council. The period of each performance review is the academic year. The process involves the preparation and application of a performance agreement. Any recommendations of the Chief Executive Remuneration and Performance Review Committee for action (including the payment of all or part of the performance payment) require the endorsement of the Council.

#### 1.4 Formal Delegations and Variations to Policy

The Ara Council delegates the annual review of the Chief Executive's performance to the Chief Executive Remuneration and Performance Review Committee under s 222 of the Education Act 1989.

#### 1.5 Definitions

a **Chief Executive Remuneration and Performance Review Committee:** a

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<sup>1</sup> From herein referred to as Ara



committee established by the Council under s193 of the Education Act 1989; it is composed of the Chair of Council and the Deputy Chair of Council ex officio and one other Council member elected at the first meeting of Council each year who will serve a term of at least two years.

The Council Secretary attends to provide secretarial services.

The Chief Executive Remuneration and Performance Review Committee is responsible for reviewing the CE's remuneration, assessing performance and recommending performance payments, and providing employment-related support to the CE.

- b **Chief Executive (CE):** the manager of the academic and administrative affairs of Ara under s196 of the Education Act 1989 appointed and employed under s771A-D of the State Sector Act 1988. This policy applies only to the CE.
- c **Chief Executive Employment Agreement:** the agreement negotiated by the Council and the Chief Executive at the time of the Chief Executive's appointment or reappointment and concurred with by the State Services Commission under s771A-D of the State Sector Act 1988. The agreement includes the conditions of employment and the schedule of remuneration; it also includes the provision for a review of performance at intervals of not more than 12 months and for the payment of a performance payment of up to 10% of the base salary.
- d **Ara Council (ARAC):** the governing body of Ara established under s165 and s222AA of the Education Act 1989; the Council is the employer of the Chief Executive under s771A-D of the State Sector Act 1988.
- e **Performance Agreement:** an agreement reached between the Chief Executive Remuneration and Performance Review Committee and the Chief Executive which details the objectives of the Chief Executive's position for the period to be reviewed and the process and criteria by which the Chief Executive's performance is to be assessed for that period.  
  
The Chief Executive Remuneration and Performance Review Committee's decision on the contents of the annual performance agreement is final but the Chief Executive Remuneration and Performance Review Committee must consult the Chief Executive on the contents and will consider the Chief Executive's views before finalising the agreement.
- f **Performance Payment:** a payment provided for in Schedule 2 of the Employment Agreement made in recognition of the Chief Executive's performance as reviewed by the Chief Executive Remuneration and Performance Review Committee. The State Services Commissioner has concurred with a performance payment of "up to 10% of the base salary" applying during the period of the review. The payment is taxable but not superable.
- g **Performance Review:** the process by which performance objectives are set and the performance of the Chief Executive is assessed by the Chief Executive Remuneration and Performance Review Committee for the purpose of determining any recommendations for action, for determining the payment of the performance payment and for informing the annual review of remuneration. The annual remuneration review is the subject of a separate policy.

- h **Remuneration:** the components of the remuneration schedule are base salary, performance payment, superannuation; the base salary is the major component and is used to calculate the superannuation and the maximum performance payment.

1.6 Attachments/Further Documentation

Nil

1.7 Related Policies

- a Remuneration Review

1.8 Notes

Nil

## Section 2: Associated Procedures

- 2.1 The Council's Chief Executive Remuneration and Performance Review Committee membership is reviewed by the Council at the first meeting of the year. The one member nominated by Council is expected to have governance/management experience which would normally include dealing with employment issues such as reviewing performance and determining matters objectively.

2.2 **Setting Performance Agreement:**

- a Before the end of each academic/calendar year (and not later than the end of November except by mutual agreement between the parties), the Chief Executive Remuneration and Performance Review Committee will commence discussion with the Chief Executive about the performance agreement for the following year.
- b The performance agreement must detail the specific objectives for the Chief Executive's position for the following year and the measures and criteria by which the Chief Executive's performance is to be assessed.
- c The Chief Executive Remuneration and Performance Review Committee will consider any submission or comments from the Chief Executive before finalising the agreement. The performance agreement should be completed by 1 February of each year.
- d Variations may be agreed between the Chief Executive Remuneration and Performance Review Committee and the Chief Executive from time to time as required.
- e If for any reason agreement cannot be reached, the Performance Agreement shall be referred back to full Council for a final decision.
- f The requirements of clause 6.0 of the Employment Agreement apply.

### 2.3 **Reviewing Performance:**

- a The Chief Executive Remuneration and Performance Review Committee will meet before the end of February each year to make arrangements with the Chief Executive for the review of performance against the criteria and measurements agreed for the previous academic/calendar year.
- b The committee will ensure the process is carried out and completed in a timely manner.
- c The Chief Executive Remuneration and Performance Review Committee will seek information from the Chief Executive and, by agreement with the Chief Executive, may seek information from the Management Team or others. The Chief Executive Remuneration and Performance Review Committee may refer to the Annual Report to assist it in assessing the Chief Executive's performance and forming recommendations.
- d The Chief Executive Remuneration and Performance Review Committee will determine its recommendations and prepare a draft report. The report will include a recommendation for the payment or otherwise of all or part of the performance payment.
- e The Chief Executive Remuneration and Performance Review Committee will discuss the draft report with the Chief Executive.
- f The Chief Executive Remuneration and Performance Review Committee will report to the Council at the next scheduled meeting with the recommendation that their proposal for the payment of the performance payment be endorsed.
- g Once the proposal has been endorsed by the Council, the performance payment will be made.



## Remuneration Review

|                  |                                   |                     |                                    |
|------------------|-----------------------------------|---------------------|------------------------------------|
| First Produced:  | May 2005                          | Authorisation:      | Council                            |
| Current Version: | August 2010                       | Authorisation Date: | 27 July 2010                       |
| Past Revisions:  | 17 May 2006, 18 May 2005          | Council Minute:     | Page 10/CPITC/08/624               |
| Review Cycle:    | On appointment of Chief Executive | Queries:            | Council Chair or Council Secretary |
| Applies From:    | 9 August 2010                     |                     |                                    |

### Section 1 : Policy Overview

#### 1.1 Purpose

The purpose of this policy is to set down the process for the annual review of the Chief Executive's remuneration.

#### 1.2 Application

This is one of a set of policies defining the employment relationship between the Ara Council and its only employee the Chief Executive; it applies to that relationship only.

#### 1.3 Policy Statement

The Chief Executive's Employment Agreement includes provision in Clause 4.0 for the review of the CEO's remuneration at intervals of not more than 12 months. The remuneration review is carried out by the Chief Executive Remuneration and Performance Review Committee under delegation from the Council. The recommendations of the Chief Executive Remuneration and Performance Review Committee require the endorsement of the Council and the concurrence of the State Services Commission. Unless otherwise agreed, the effective date for any change is 1 January.

#### 1.4 Formal Delegations and Variations to Policy

The Ara Council delegates the annual review of the Chief Executive's remuneration to the Council Chief Executive Remuneration and Performance Review Committee under s222 of the Education Act 1989.

#### 1.5 Definitions

- a **Chief Executive Remuneration and Performance Review Committee:** a committee established by the Council under s193 of the Education Act 1989; it is composed of the Chair of Council and the Deputy Chair of Council ex officio and one other Council member elected at the first meeting of Council each year who will serve a term of at least two years.

The Council Secretary attends to provide secretarial services.

<sup>1</sup> From herein referred to as Ara

The Chief Executive Remuneration and Performance Review Committee is responsible for reviewing the CEO's remuneration, assessing performance and recommending performance payments, and providing employment-related support to the CEO.

- b **Chief Executive (CEO):** the manager of the academic and administrative affairs of Ara under s196 of the Education Act 1989 appointed and employed under s77IA-D of the State Sector Act 1988. This policy applies only to the CEO.
- c **Chief Executive Employment Agreement:** the agreement negotiated by the Council and the Chief Executive at the time of the Chief Executive's appointment or reappointment and concurred with by the State Services Commission under s77IA-D of the State Sector Act 1988. The agreement includes the conditions of employment and the schedule of remuneration; it also includes the provision for a review of performance at intervals of not less than 12 months and for the payment of a performance payment of up to 10% of the base salary.
- d **Ara Council (ARAC):** the governing body of Ara established under s165 and s222AA of the Education Act 1989; the Council is the employer of the Chief Executive under s77I of the State Sector Act 1988.
- e **Job evaluation:** the process by which an accredited assessor gathers data about the position of the Chief Executive and determines a job size expressed in points relative to other similar positions.
- f **Performance Review:** the process by which the performance of the Chief Executive in the previous academic/calendar year is assessed by the Chief Executive Remuneration and Performance Review Committee for the purpose of setting objectives for the following year in consultation with the CEO, determining recommendations on the payment of the performance payment provided for in the Employment Agreement, and informing the review of remuneration. The performance review is the subject of a separate policy.
- g **Remuneration:** the components of the remuneration schedule are base salary, performance payment, and employer contribution to superannuation. The base salary is the major component of which 14/365 is paid every two weeks; the base salary is used to calculate the superannuation and the performance payment.
- h **State Services Commission (SSC):** the department of State whose chief executive is the State Services Commissioner; the SSC's concurrence is required for the Chief Executive's conditions of employment including remuneration under s2 and 77I of the State Sector Act 1988.

#### 1.6 Attachments/Further Documentation

Nil

#### 1.7 Related Policies

- a Performance Review

#### 1.8 Notes

Nil

## Section 2: Associated Procedures

- 2.1 The Council's Chief Executive Remuneration and Performance Review Committee membership is reviewed by the Council at the first meeting of the year. The one member nominated by Council is expected to have governance/management experience which would normally include dealing with employment issues such as reviewing performance and determining matters objectively.
- 2.2 As soon as possible in each calendar year (and not later than the end of February except by mutual agreement between the parties), the Chief Executive Remuneration and Performance Review Committee will commence the review of the Chief Executive's remuneration.
- 2.3 The Chief Executive Remuneration and Performance Review Committee will seek input from the Chief Executive and consider it as part of its deliberations.
- 2.4 In accordance with the Employment Agreement, the Chief Executive Remuneration and Performance Review Committee will take account of the Chief Executive's performance as assessed in the performance review.
- 2.5 The Chief Executive Remuneration and Performance Review Committee may arrange for a job evaluation to be conducted.
- 2.6 The Chief Executive Remuneration and Performance Review Committee may seek information about remuneration in the tertiary sector to assist it in forming recommendations.
- 2.7 The Chief Executive Remuneration and Performance Review Committee will determine its recommendations and prepare a draft report.
- 2.8 The Chief Executive Remuneration and Performance Review Committee will discuss the draft report with the Chief Executive.
- 2.9 The Chief Executive Remuneration and Performance Review Committee will report to the Council at the next scheduled meeting of the Council with the recommendation that the proposal be endorsed and submitted to the State Services Commission for concurrence.
- 2.10 The Chair of Council will write to the State Services Commission setting out the Council's proposal and seeking concurrence.
- 2.11 If necessary, the Chair will ask the Chief Executive Remuneration and Performance Review Committee to consider any points made by the State Services Commission.
- 2.12 Once written concurrence has been received, the new rate(s) and arrears will be applied.
- 2.13 Unless agreed otherwise, the effective date of any change is 1 January and the new rate(s) of remuneration and arrears, if any, will be paid from that date.



## Travel

|   |   |
|---|---|
| First Produced: May 2006                        | Authorisation: Council                      |
| Current Version: August 2010                    | Authorisation Date: 27 July 2010            |
| Past Revisions: 17 May 2006                     | Council Minute: Page 10/CPITC/08/624        |
| Review Cycle: On appointment of Chief Executive | Queries: Council Chair or Council Secretary |
| Applies From: 9 August 2010                     |   |

### Section 1 : Policy Overview

#### 1.1 Purpose

The purpose of this policy is to set down the provisions, procedures, and requirements governing the Chief Executive's travel on Ara business.

#### 1.2 Application

This is one of a set of policies defining the employment relationship between the Ara Council and its only employee the Chief Executive; it applies to that relationship only.

#### 1.3 Policy Statement

Ara will meet actual and reasonable expenses of the Chief Executive's domestic and international business travel and related activities. The Chief Executive must obtain the prior approval of the Chair of Council to travel internationally. The Chief Executive is expected to exercise professional judgement with respect to incurring costs for travel. The Chief Executive must not take any action which would result in Ara being liable for costs not related to official Ara business. In exercising this judgement the Chief Executive is required to take into account the general expectations of the public sector to be prudent regarding expenditure.

#### 1.4 Formal Delegations and Variations to Policy

The Ara Council delegates the approval of the Chief Executive's travel to the Chair of the Council under s222 of the Education Act 1989.

#### 1.5 Definitions

- a **Actual and reasonable expenses:** all legitimate business expenses incurred in the Chief Executive's travel may be charged, expended against a cash advance, or reimbursed. All receipts over the equivalent of NZ\$50 must be retained and

<sup>1</sup> From herein referred to as Ara

furnished in a reconciliation; it is acknowledged that in international travel some receipts may not be issued and some may be in languages other than English.

- b **Chair of Council:** the person appointed by the Minister for Tertiary Education as Chair of Council under s177 and s222AA-AK for a term determined by the Minister. The Deputy Chair may exercise the delegated authority when the Chair is unavailable.
- c **Chief Executive (CEO):** the manager of the academic and administrative affairs of Ara under s196 of the Education Act 1989 appointed and employed under s771A-D of the State Sector Act 1988. This policy applies only to the CEO.
- d **Corporate Travel policy:** Ara Institute of Canterbury's Corporate Travel Policy approved by the Te Kāhui Manukura and administered by the Chief Financial Officer.
- e **Ara Council (ARAC):** the governing body of Ara established under s165 and s222AA of the Education Act 1989; the Council is the employer of the Chief Executive under s771 of the State Sector Act 1988.
- f **Domestic Travel:** travel by any means within New Zealand.
- g **Family member:** the Chief Executive's partner or another family member approved for good reason to accompany the Chief Executive by the Chair of Council.
- h **International travel:** travel by any means outside New Zealand including Australia. Flights in excess of 5 hours may be in business class when Ara business commences within 12 hours of the end of the flight.
- i **Prior approval:** formal approval is required from the Chair of Council for international travel. No prior approval is required for domestic travel.
- j **Travel:** Air flights, car rentals, bus, train or ferry charges, accommodation and hotel related expenses plus any other travel related expenditure.

#### 1.6 Attachments/Further Documentation

Nil

#### 1.7 Related Policies

- a Ara Corporate Travel Policy

#### 1.8 Notes

Nil



## Section 2: Associated Procedures

- 2.1 Applications to travel internationally shall be made in writing or by email and shall be acknowledged
- 2.2 The Chief Executive will advise the Chair in advance of the intention to travel internationally with a brief summary of the dates, destinations, and purpose of the travel.
- 2.3 The Chief Executive's travel arrangements must comply with the Corporate Travel policy re booking, cash advances, travellers cheques, rented vehicles, taxis, use of private vehicles, accommodation, other travel related costs, air points, loyalty benefits, airline lounge memberships, travel insurance, safety, and private travel.
- 2.4 Actual and reasonable expenses for a family member or members may be approved where the presence of the family member(s) is demonstrated to be either essential and/or directly related to the effective accomplishment of Ara business. Approval must be sought in advance of travel from the Chair of Council.
- The presence of the family member(s) must not interfere or compromise the work-related purpose of the travel and the family member must not attend any work-related meetings or functions unless expressly invited to do so by the 'host' or work-related colleagues.
- 2.5 This policy and/or the Corporate Travel policy may be breached in an emergency situation.
- 2.6 The Executive Assistant to the Chief Executive shall make all travel arrangements for the Chief Executive and shall keep a record of the Chief Executive's travel and the costs incurred.
- 2.7 The Chief Executive will ensure that all information is provided to the Chair of Council on request.
- 2.8 At the commencement of each year, a summary report of the Chief Executive's international travel in the previous calendar year shall be presented to the Council with the public excluded.

# 2018 Council Work Programme

as at 1 January 2018

| Month    | Topics   | Notified<br>Non-availability |
|----------|--|------------------------------|
| January  | 30 <b>Council Meeting (ChCh)</b> <ul style="list-style-type: none"> <li>• Conflicts of Interest – signed updated register from each member</li> <li>• Reconfirm Committee and Trust Memberships</li> <li>• Council Policy Review</li> <li>• Council Documentation Review</li> <li>• Board Self-Assessment</li> </ul> | M Taite-Pitama (30 Jan)      |
|          | 30 Chief Executive Remuneration and Performance Review Committee   |                              |
| February | 15 Graduation (Timaru – 2pm)   | T Arseneau (5-10 Feb)        |
|          | 20 Council Campus Redevelopment Committee Meeting  |                              |
|          | 27 <b>Council Meeting and Workshop (ChCh)</b> <ul style="list-style-type: none"> <li>• 2017 End of Year Provisional Financial Report</li> <li>• Strategic Development Fund – 2017 Close-out Reports</li> </ul> <b>Workshop (1) Strategy Planning</b>   |                              |
| March    | 12 Council Audit and Risk Committee Meeting  | T Arseneau (13-20 March)     |
|          | 27 <b>Council Meeting (ChCh)</b> <ul style="list-style-type: none"> <li>• Board Self-Assessment</li> <li>• Health and Safety Manager Report</li> <li>• Draft Annual Report 2017</li> <li>• Risk Management Framework Review</li> <li>• TEC Attendance?</li> </ul>  |                              |
|          | 29 Autumn Graduation Ceremonies (9.00am and 2.30pm sessions)   |                              |
| April    | 6 Council Audit and Risk Committee Meeting   |                              |
|          | 17 Council Campus Redevelopment Committee Meeting  |                              |
|          | ? Staff Day  |                              |
|          | <b>Note: No Council meeting this month</b>   |                              |
| May      | 1 <b>Council Meeting (ChCh)</b> <ul style="list-style-type: none"> <li>• Final approval of 2017 Annual Report</li> <li>• Report on Affixing of Common Seal</li> <li>• Pasifika Strategy Report</li> <li>• Internationalisation Strategy Report</li> <li>• Kaiārahi Report</li> </ul>                                 |                              |
|          | ? Council Audit and Risk Committee Meeting   |                              |
|          | 3 Full Academic Board  |                              |
|          | 29 <b>Council Workshop(ChCh)</b><br>Workshop (2) Strategy Planning   |                              |
| June     | ? Council Audit and Risk Committee Meeting   |                              |
|          | ? Chief Executive Remuneration and Performance Review Committee  |                              |
|          | 19 Council Campus Redevelopment Committee Meeting  |                              |
|          | 26 <b>Council Meeting (ChCh)</b> <ul style="list-style-type: none"> <li>• 2018 Strategic Development Fund Report</li> <li>• Risk Framework Report</li> <li>• Health and Safety Manager Report</li> <li>• Fee Setting</li> </ul>  |                              |
| July     | ? Council Audit and Risk Committee Meeting   |                              |
|          | <b>Note: No Council meeting this month</b>   |                              |
| August   | 21 Council Campus Redevelopment Committee Meeting  |                              |
|          | 28 <b>Council Workshop (Chch)</b><br><b>Workshop (3) Strategy Planning</b>   |                              |

|           |    |   |  |
|-----------|----|---|--|
| September | 21 | Spring Graduation Ceremony (10am)   |  |
|           | 25 | <b>Council Meeting</b> <ul style="list-style-type: none"> <li>• Pasifika Strategy Report</li> <li>• Kaiārahi Report</li> </ul>  |  |
| October   | ?  | Council Audit and Risk Committee Meeting  |  |
|           | ?  | Chief Executive Remuneration and Performance Review Committee   |  |
|           | 16 | Council Campus Redevelopment Committee Meeting  |  |
|           | 30 | <b>Council Meeting</b> <ul style="list-style-type: none"> <li>• Report on Affixing of Common Seal</li> <li>• Risk Management Framework – Quarterly Report</li> <li>• Annual Report 2018 – content/format</li> <li>• Health and Safety Manager Report</li> </ul> |  |
| November  | 1  | Full Academic Board   |  |
|           | 27 | <b>Council Meeting</b><br><br><b>Workshop (4) Strategy Planning</b>   |  |
| December  | 11 | <b>Council Meeting (if required)</b> <ul style="list-style-type: none"> <li>• 2018 Budget – Sign off</li> </ul>   |  |
|           | 12 | Council Campus Redevelopment Committee Meeting (if required)  |  |

#### 10.30-11am Council only time; 11am – 3pm Council meeting

Waitangi Day – Tues 6 Feb

Good Fri – 30 Mar

Easter Mon – 2 April

Easter Tue – 3 April

ANZAC Day – Wed 25 Apr

Queen’s Birthday – Mon 4 Jun

South Canterbury Anniversary Day (Timaru Campus) – Mon 24 Sept

Labour Day – Mon 22 Oct

Canterbury Anniversary/Show Day – Fri 16 Nov

Christchurch Location: Room G202, Council Room, Te Kei

Timaru Location: Room TA210, Boardroom, Timaru Campus.

# 2018 Council Schedule

| Item List   | Jan | Feb | March | April | May | June | July | Aug | Sept | Oct | Nov | Dec |
|---|-----|-----|-------|-------|-----|------|------|-----|------|-----|-----|-----|
| Policy  |     |     |       |       |     |      |      |     |      |     |     |     |
| Conflicts of Interest Register Annual Declaration | y   |     |       |       |     |      |      |     |      |     |     |     |
| Affixing of Common Seal Report                    |     |     |       |       | y   |      |      |     |      | y   |     |     |
| Council Policy Review                             | y   |     |       |       |     |      |      |     |      |     |     |     |
| Council Documentation Review                      | y   |     |       |       |     |      |      |     |      |     |     |     |
| Sub-committee & Trust membership Review           | y   |     |       |       |     |      |      |     |      |     |     |     |
| <b>Board Review</b>                               |     |     |       |       |     |      |      |     |      |     |     |     |
| Reconfirm Committee and Trust Memberships         | y   |     |       |       |     |      |      |     |      |     |     |     |
| Board Self-Assessment                             | y   |     | y     |       |     |      |      |     |      |     |     |     |
| <b>Budget &amp; Financial</b>                     |     |     |       |       |     |      |      |     |      |     |     |     |
| 2017 End of Year Provisional Financial Report     |     | y   |       |       |     |      |      |     |      |     |     |     |
| 2018 Budget Sign off                              |     |     |       |       |     |      |      |     |      |     |     | Y   |
| 2017 Strategic Development Fund Close-out Report  |     | y   |       |       |     |      |      |     |      |     |     |     |
| 2018 Strategic Development Fund Report            |     |     |       |       |     | y    |      |     |      |     |     |     |
| <b>Annual Report</b>                              |     |     |       |       |     |      |      |     |      |     |     |     |
| 2017 Draft Annual Report                          |     |     | y     |       |     |      |      |     |      |     |     |     |
| 2017 Annual Report Final approval                 |     |     |       |       | y   |      |      |     |      |     |     |     |
| 2018 Annual Report – Content/format               |     |     |       |       |     |      |      |     |      | y   |     |     |
| <b>Risk &amp; Compliance</b>                      |     |     |       |       |     |      |      |     |      |     |     |     |
| Risk Management Framework Review                  |     |     | y     |       |     |      |      |     |      |     |     |     |
| Risk Management Framework Report                  |     |     |       |       |     | y    |      |     |      | y   |     |     |
| Health and Safety Manager Report                  |     |     | y     |       |     | y    |      |     |      | y   |     |     |
| Fee Setting                                       |     |     |       |       |     | y    |      |     |      |     |     |     |
| <b>Strategy Planning</b>                          |     |     |       |       |     |      |      |     |      |     |     |     |
| W1 –  |     | W1  |       |       |     |      |      |     |      |     |     |     |
| W2 -  |     |     |       |       | W2  |      |      |     |      |     |     |     |
| W3 –  |     |     |       |       |     |      |      | W3  |      |     |     |     |
| W4 -  |     |     |       |       |     |      |      |     |      |     | W4  |     |
| Reporting Pasifika Strategy Report                |     |     |       |       | y   |      |      |     | y    |     |     |     |
| Internationalisation Strategy Report              |     |     |       |       | y   |      |      |     |      |     |     |     |
| Kaiārahi Report                                   |     |     |       |       | y   |      |      |     | y    |     |     |     |
| TEC attendance                                    |     |     | Y?    |       |     |      |      |     |      |     |     |     |

| Council Sub-committees | Jan (31) | Feb | March | April | May | June | July | Aug | Sept | Oct | Nov | Dec |
|------------------------|----------|-----|-------|-------|-----|------|------|-----|------|-----|-----|-----|
|------------------------|----------|-----|-------|-------|-----|------|------|-----|------|-----|-----|-----|

|                                     |   |   |   |   |   |   |   |   |   |   |   |  |
|-------------------------------------|---|---|---|---|---|---|---|---|---|---|---|--|
|                                     |   |   |   |   |   |   |   |   |   |   |   |  |
| CERPRC                              | y |   |   |   |   | y |   |   |   | y |   |  |
| CCRC                                |   | y |   | y |   | y |   | y |   | y |   |  |
| CARC                                |   |   | y |   | y | y | y |   |   | y |   |  |
| Full Academic Board                 |   |   |   |   | y |   |   |   |   |   | y |  |
| <b>Other Key Events</b>             |   |   |   |   |   |   |   |   |   |   |   |  |
| Graduation                          |   | y | y |   |   |   |   |   | y |   |   |  |
| Staff Day                           |   |   |   | y |   |   |   |   |   |   |   |  |
| Ara South Key Stakeholder meeting   |   |   |   |   |   |   |   |   |   |   |   |  |
| Ara North Key Stakeholder meeting   |   |   |   |   |   |   |   |   |   |   |   |  |
| Ara Central Key Stakeholder meeting |   |   |   |   |   |   |   |   |   |   |   |  |

- 8 Council Meetings: Jan, Feb, Mar, May, July, September, Oct, Dec
- 4 Workshops: Feb, May, August, November
- 1 Special Meeting in December for budget sign-off

|  |                               |                 |                  |
|--|-------------------------------|-----------------|------------------|
| <b>Ara Council<br/>30 January 2018</b> | <b>Agenda Item</b> <b>9.1</b> |                 |                  |
|  | <b>Decision Item</b>          | Discussion Item | Information Item |
| <b>PUBLIC</b>                          | <b>Presented by</b>           |                 | Tony Gray        |

| <b>ARA COUNCIL REPORT SUMMARY</b>     |  |
|---------------------------------------|--|
| <b>TITLE OF REPORT</b>                | <b>Chief Executive's Report</b>  |
| <b>BACKGROUND AND PURPOSE</b>         | 1 Performance Report<br>2 Ara South Hub  |
| <b>RECOMMENDATION(S)</b>              | 1 That the Performance Report be received and noted.<br>2 That the Ara South Hub Terms of Reference be approved. |
| <b>LINK TO ARA STRATEGY</b>           | -  |
| <b>KEY ISSUES IDENTIFIED</b>          | -  |
| <b>FINANCIAL IMPLICATIONS FOR ARA</b> | -  |
| <b>RISK IMPLICATIONS FOR ARA</b>      | -  |
| <b>RATIONALE FOR EXCLUDING PUBLIC</b> | NA   |

# Chief Executive's Report

## 1 Performance Report

### 1.1 2018 Applications and Enrolments Update

- a Ara is well into the key period for 2018 Semester 1 enrolments, with a large number of courses starting over the next four weeks to Monday 26 February. This is a highly dynamic period, with around 4,000 EFTS worth of enrolments (out of an annual total of 7,300) expected to be confirmed over 22 January to 26 February.
  - i Noting this, the following observations can be made: SAC 3+ applications and enrolments, which make up around 80% of Ara provision, are trending ahead of 2017 levels. There is a 4.9% growth target in this area for 2018, and leading indicators are currently showing around 2-4% growth.
  - ii Domestic applications and enrolments in other funding sources (SAC 1-2, ACE, CTC, Youth Guarantee, Dual Pathways) are comfortably ahead of the same time in 2017 and are on track to achieve targets. It is notable that funding through the secondary-tertiary provision (CTC and Dual Pathways) is capped, and these caps are expected to be met.
  - iii Applications and enrolments by international students are notably down on 2017 and below 2018 targets. This is due to a marked drop in the number of Indian students, with other markets (including China) at similar or higher levels than 2018. The 2018 target is to maintain international enrolment numbers at 2017 levels, and it is currently doubtful this will be achieved for Semester 1.
  - iv The Department of Business is notably down on 2017 and below 2018 targets. This is due to both the drop in the number of Indian students and a lower interest to date by domestic students in Business programmes below degree level. Degree level enrolments by domestic students are at a similar level to 2017. These factors mean the department is trending well below the 4% growth target set for 2018.
  - v 2018 enrolments in Timaru are at similar levels to 2017. Noting the smaller numbers involved, Ashburton and Oamaru enrolments are also broadly similar to the same time last year.
- b Based on prior year trends, by 26 February approximately 70% of 2018 EFTS will be confirmed and 50% will have started delivery. This will allow a more solid picture of Semester 1 enrolments to be provided to Council at the February meeting.

## 1.2 Health and Safety – Report to 31 December 2017

- a During the month of December 2017 there were seven health and safety incidents reported. These related to Ara staff (five), students (one), and contractors (one).
- b No staff or student injuries recorded during the period were serious. Injuries reported included four trips or falls, one strain, one assault, and one near miss notifiable incident involving a contractor, no injury.
- c The one notifiable event during December related to the ignition of adhesive vapours in a wall cavity resulting in a small explosion which caused minor damage, but no injuries. WorkSafe were notified and an investigation completed by the Ara Health and Safety Manager. Ara has agreed to complete the WorkSafe Duty Holder review process which involves providing a report based on WorkSafe criteria to WorkSafe. At the time of writing, a draft report has been completed and distributed to the contractor and sub-contractor for their comment. Once agreed, this report and supporting information will be sent to WorkSafe for their consideration.
- d More than 10,000 visitors attended the “Christmas for the City” event, organised by 25 churches across Christchurch. This was a major family orientated undertaking which utilised a number of our buildings and open spaces. The event went without significant incident. One person required ambulance staff attendance due to a health condition.

## 2 Ara South Hub

The Ara South Hub is an initiative born from several stakeholder engagement and plenary sessions, that strove to determine from key individuals and organisations in the South Canterbury region, how Ara could develop education and training that would support economic development, add value to the regional community and create the potential that would encourage young people to remain in the region. In addition, the Hub will act as a physical resource for interested groups to come together as a “one stop” shop for discussion that will support both the aforementioned activities, as well as other initiatives involving Ara.

Attached to this report are the Terms of Reference distributed to Council for feedback in late December 2017. Feedback and edits received have been incorporated and are now presented for your approval.

Tony Gray  
**Chief Executive**



## Enrolment Summary

**Table 1: 2017 Final EFTS vs. 2018 Target EFTS, by Funding and Department**

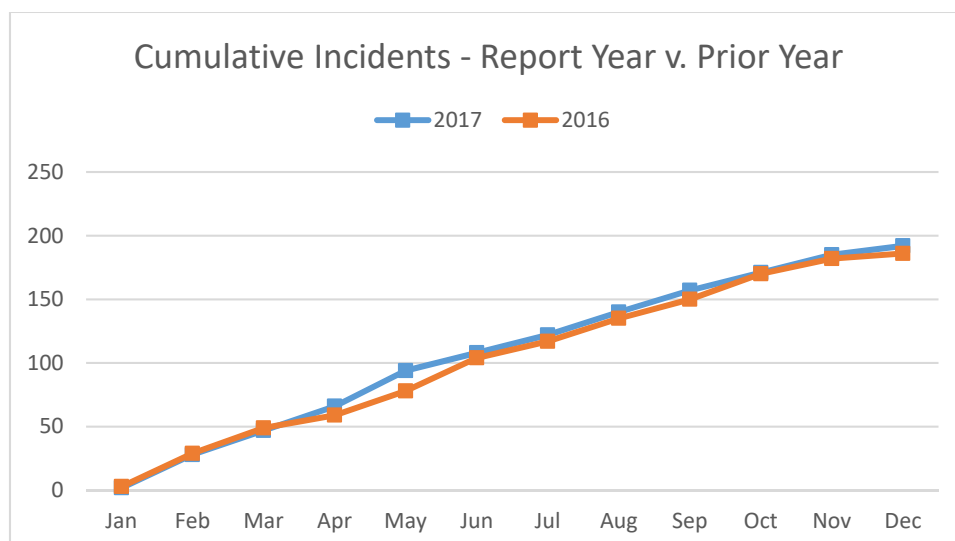
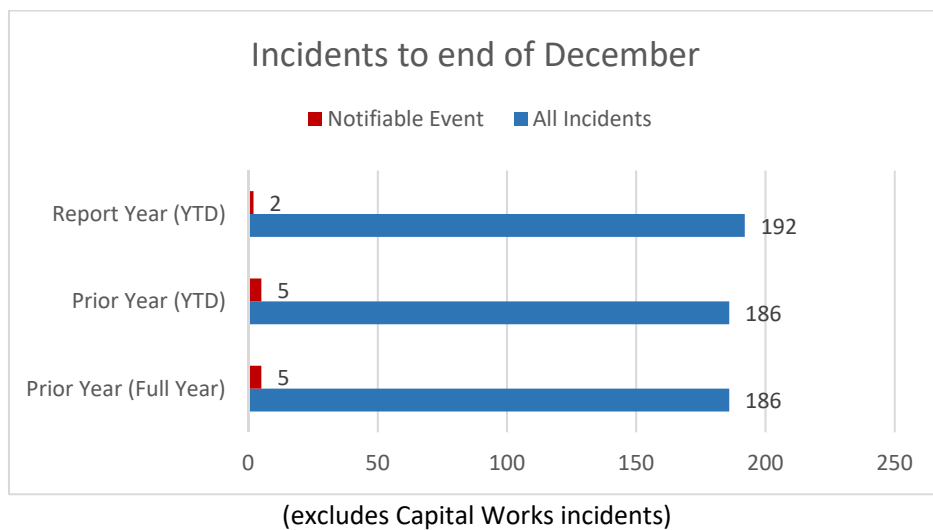
|                                       | 2017 Final EFTS     | 2018 Target EFTS | Growth Target                             | EFTS confirmed and in processing |                                    |                |
|---------------------------------------|---------------------|------------------|---|----------------------------------|------------------------------------|----------------|
|                                       |                     |                  |   | 22 January 2017                  | 22 January 2018                    | Growth         |
| <b>By funding type</b>                |                     |                  |   |                                  |                                    |                |
| SAC 1-2                               | 98.7                | 100.0            | + 1.3%                                    | 35.6                             | 41.1                               | + 15.4%        |
| SAC 3+                                | 5,453.8             | 5,720.3          | + 4.9%                                    | 3,210.3                          | 3,571.2                            | + 11.2%        |
| ACE                                   | 125.0               | 128.0            | + 2.4%                                    | 12.3                             | 13.4                               | + 9.5%         |
| CTC                                   | 143.4               | 137.7            | - 4.0%                                    | 92.5                             | 120.5                              | + 30.3%        |
| Dual Pathways                         | 30.9                | 29.5             | - 4.5%                                    | 12.5                             | 26.1                               | + 107.7%       |
| Youth Guarantee                       | 144.1               | 132.2            | - 8.3%                                    | 29.7                             | 62.4                               | + 109.8%       |
| Other domestic EFTS                   | 193.9               | 171.6            | - 11.5%                                   | 12.9                             | 6.0                                | - 53.2%        |
| <b>Total domestic</b>                 | <b>6,189.9</b>      | <b>6,419.3</b>   | <b>+ 3.7%</b>                             | <b>3,405.8</b>                   | <b>3,840.7</b>                     | <b>+ 12.8%</b> |
| International                         | 874.9               | 888.5            | + 1.6%                                    | 311.7                            | 260.9                              | - 16.3%        |
| <b>Total</b>                          | <b>7,064.8</b>      | <b>7,307.8</b>   | <b>+ 3.4%</b>                             | <b>3,717.5</b>                   | <b>4,101.6</b>                     | <b>+ 10.3%</b> |
| <b>By department</b>                  |                     |                  |   |                                  |                                    |                |
| Business                              | 881.5               | 916.0            | + 3.9%                                    | 345.8                            | 277.2                              | - 19.8%        |
| Computing                             | 545.5               | 583.0            | + 6.9%                                    | 187.4                            | 229.0                              | + 22.2%        |
| Creative Industries                   | 706.1               | 714.0            | + 1.1%                                    | 465.6                            | 559.6                              | + 20.2%        |
| Engineering and Architectural Studies | 656.4               | 677.6            | + 3.2%                                    | 202.3                            | 356.5                              | + 76.2%        |
| Hospitality and Service Industries    | 645.6               | 655.9            | + 1.6%                                    | 480.8                            | 472.2                              | - 1.8%         |
| Humanities                            | 821.9               | 809.7            | - 1.5%                                    | 280.0                            | 270.2                              | - 3.5%         |
| Nursing, Midwifery and Allied Health  | 1,467.4             | 1,562.5          | + 6.5%                                    | 1,141.1                          | 1,209.4                            | + 6.0%         |
| Science and Primary Industries        | 177.3               | 176.0            | - 0.7%                                    | 92.8                             | 106.6                              | + 14.9%        |
| Trades                                | 1,162.9             | 1,213.1          | + 4.3%                                    | 520.0                            | 615.3                              | + 18.3%        |
| <b>By location</b>                    |                     |                  |   |                                  |                                    |                |
| Timaru                                | 409.7               | 488.9            | + 19.3%                                   | 239.5                            | 238.4                              | - 0.5%         |
| Ashburton                             | 38.0                | 42.0             | + 10.6%                                   | 11.1                             | 19.3                               | + 74.3%        |
| Oamaru                                | 45.2                | 37.0             | - 18.2%                                   | 19.7                             | 15.6                               | - 20.6%        |
| <b>Total Southern Campuses</b>        | <b>492.9</b>        | <b>567.8</b>     | <b>+ 15.2%</b>                            | <b>270.3</b>                     | <b>273.3</b>                       | <b>+ 1.1%</b>  |
| Christchurch/Other                    | 6,571.9             | 6,739.9          | + 2.6%                                    | 3,447.2                          | 3,828.3                            | + 11.1%        |
| <b>Key</b>                            | Above Growth Target |                  | Above 2017 level, but below growth target |                                  | Below 2017 and below growth target |                |

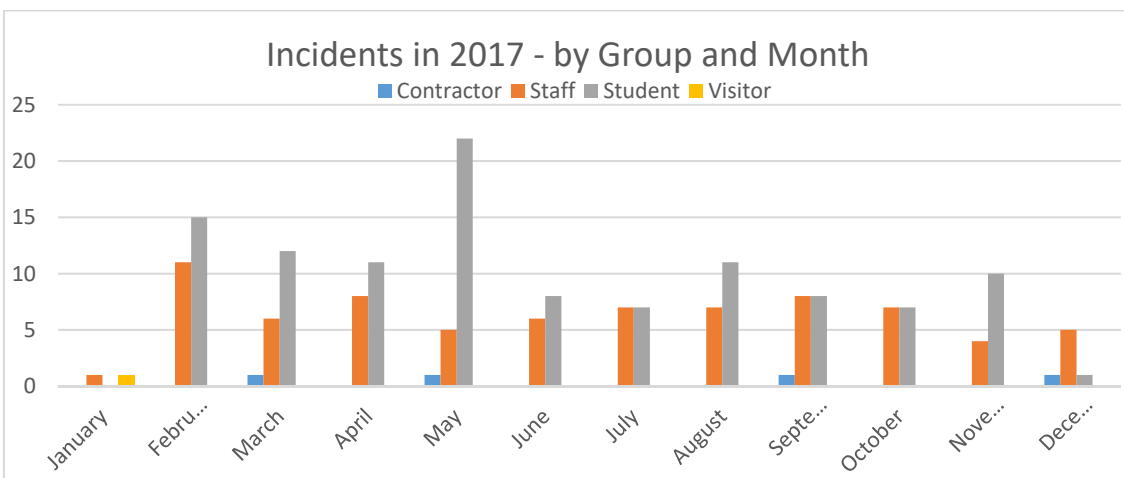
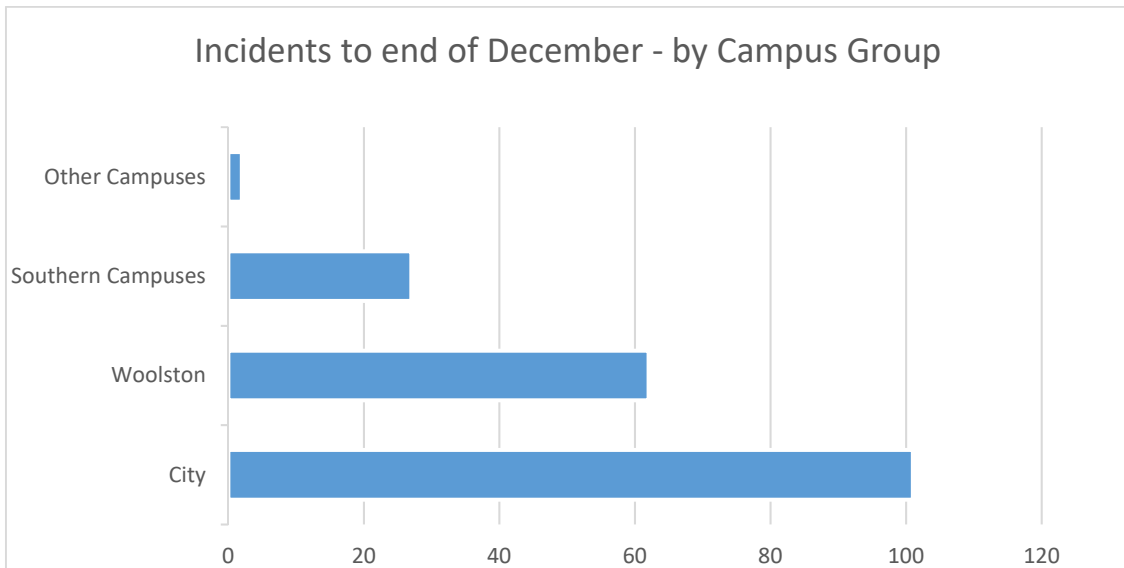
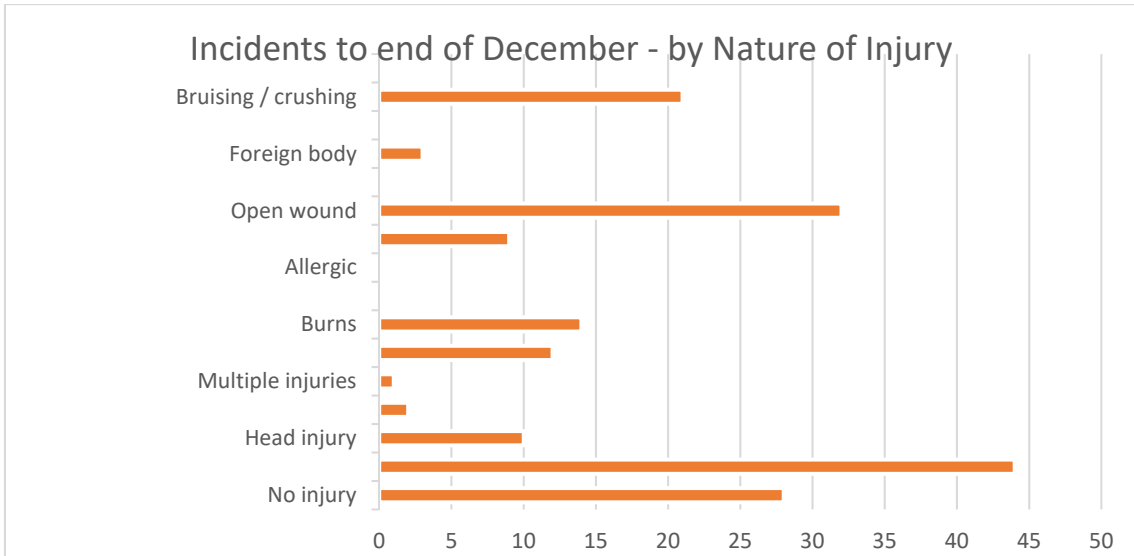
## Health and Safety

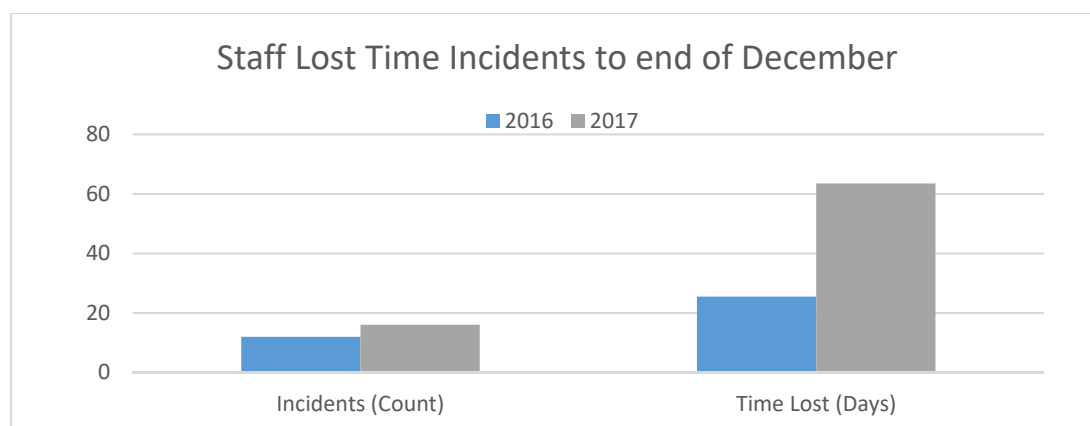
| INCIDENT SUMMARY |                              |          |                     |          |               |            |
|------------------|------------------------------|----------|---------------------|----------|---------------|------------|
| Person Type      | Notifiable Injury or Illness |          | Notifiable Incident |          | All Incidents |            |
|                  | This month                   | YTD      | This Month          | YTD      | This Month    | YTD        |
| Staff            | 0                            | 0        | 0                   | 0        | 5             | 75         |
| Students         | 0                            | 1        | 0                   | 0        | 1             | 112        |
| Contractors      | 0                            | 0        | 1                   | 1        | 1             | 4          |
| Visitors         | 0                            | 0        | 0                   | 0        | 0             | 1          |
| Capital Works    | 0                            | 0        | 0                   | 0        | 0             | 14         |
| <b>Total</b>     | <b>0</b>                     | <b>1</b> | <b>1</b>            | <b>1</b> | <b>7</b>      | <b>206</b> |

| INCIDENT DETAIL (SINCE LAST REPORT)                 |
|---|
| <i>Refer to commentary for detail on incidents.</i> |







### IMPROVING SYSTEMS AND PROCESSES

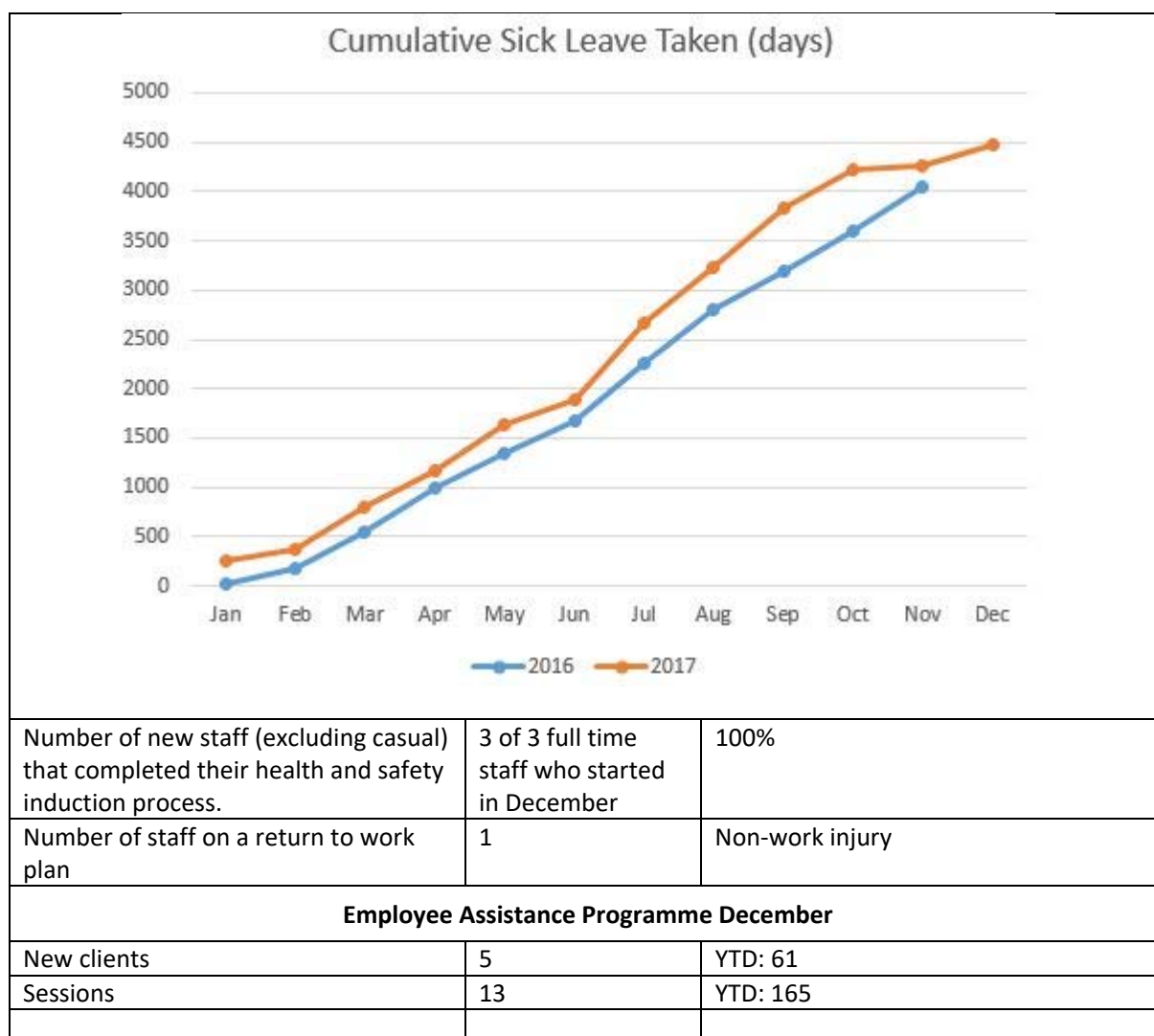
|  |    |  |
|--|----|--|
| Number of audits and inspections (excluding capital works programme) | 2  | PWC completed a H&S systems audit. Notifiable event investigation initiated. |
| Staff participating in Health and Safety Oversight                   | 36 | H&S Coordinators   |
| Number of provisional improvement notices issued                     | 0  |  |
| Number of hazard registers past review date                          | 0  | All existing Hazard/Risk registers have been reviewed in 2017                |

### STUDENT WELFARE

|  |         |  |
|--|---------|--|
| Number of student workplace locations reviewed | Unknown | A process is being developed to collect data for this measure. |
|--|---------|--|

### STAFF WELFARE

|  |                       |   |
|--|-----------------------|---|
| Lost days due to on-site accidents                               | Dec: 19 days          | 1 staff member, back strain                         |
| Lost days due to off-site accidents                              | Dec: 0 days           | Nil   |
| Lost days due to sickness  | Dec: 220<br>YTD: 4479 | Full time equivalent days.                          |
| Number of staff having more than five days off in a single event | Dec: 5<br>YTD 91      | This leave equates to 1,473.5 paid sick leave days. |



| <b>CAPITAL WORKS PROGRAMME</b> |   |
|--------------------------------|---|
| Audits Completed               | No active Capital Works projects in December. |
| Audit Action Items             | Nil   |

| <b>OTHER</b>   |  |
|--|--|
| <ul style="list-style-type: none"> <li>• No fire alarm events occurred in December.</li> <li>• 12 contractors were inducted during December. 47 YTD.</li> <li>• No Workstation assessments were required in December. 25 YTD.</li> </ul> |  |

| <b>HEALTH AND SAFETY ACTIONS UNDERWAY</b>  |  |                 |  |
|--|--|-----------------|--|
| <b>Action Description</b>  | <b>Owner</b>   | <b>Due Date</b> | <b>% Complete</b>  |
| Engagement, Participation, and Representation – Complete staff nomination process and training | H&S Manager  | April 2017      | 100%   |
| Develop a H&S work plan for 2017/18  | H&S Committee  | May 2017        | 100%   |
| Develop an asbestos management plan  | H&S Manager  | May 2017        | 100%   |
| Develop Fatigue guidelines   | H&S Manager  | May 2017        | 100%   |
| Consideration of new supporting policies – Drug and Alcohol                                    | TKM<br>H&S Manager<br>People & Development                           | June 2017       | 50%  |
| Formalise a means of recognising H&S excellence  | H&S Committee  | June 2017       | 100%   |
| Revision of the Procurement Policy   | PMO & Finance project  | July 2017       | 100%   |
| Review staff and student safety and security   | FM Manager<br>H&S Manager  | July 2017       | 100%<br>Security review completed. Recommendations have been prioritised and are under action.   |
| Develop a new H&S Management system  | PMO Manager<br>H&S Manager   | July 2017       | 100%<br>New system introduced. Some modifications and improvements will be ongoing.  |
| Develop an asbestos management plan  | H&S Manager  | August 2017     | 100%   |
| Training and Skills Development Plan prepared  | P&D Manager<br>H&S Manager   | August 2017     | 90%<br>People and Development are piloting a database of obligatory H&S certifications, licences and qualifications.   |
| Placements - Develop processes that address placements and placement location                  | Corporate Services Director<br>Education & Applied Research Director | October 2017    | 50%<br>Committee established. Draft Policy under consideration. PwC advice under consideration.  |
| Review incident management procedures, arrange training, test process                          | H&S Manager  | February 2018   | 60%<br>Lockdown procedures reviewed. Training under discussion with provider. Emergency short procedure charts reprinted and distributed to Southern campuses. |
| Review rehabilitation guidelines as it relates to experience rating                            | H&S Manager<br>P&D Manager   | March 2018      | 25%<br>Preliminary discussions held with P&D staff.  |



# Ara South Hub

## 1 BACKGROUND

In 2017, Stakeholder engagement activities resulted in the establishment of Ara Hubs – a central engagement point hosted by Ara that connects stakeholders and partners within a designated region. The intention is to establish these across the Ara catchment:

The Ara South Hub has particular emphasis on the Health, and Food Processing sectors with the potential development of a Transport and Logistics activity.

The cultural needs of the region are represented by the members of the stakeholder group.

| Sub-region  | Territorial Authorities |
|-------------|-------------------------|
| Ara North   | Kaikoura District       |
|             | Hurunui District        |
| Ara Central | Waimakariri District    |
|             | Christchurch City       |
|             | Selwyn District         |
| Ara South   | Ashburton District      |
|             | Timaru District         |
|             | Waitaki District        |
|             | Waimate District        |
|             | Mackenzie District      |

*Table 1: Ara territorial authorities / districts*

## 2 PURPOSE OF ARA SOUTH HUB

To bring together a group of stakeholders and partners with a common interest in strengthening the alignment of local training and education options and career pathways to employment.

## 3 AIM OF ARA SOUTH HUB

To apply stakeholder's collective knowledge to identify opportunities and activities that will ensure career pathways and training and education outcomes that support the needs of local communities, industry, and the regions schools.

## 4 FUNCTIONS OF ARA SOUTH HUB

- 4.1 Collaborative activity to strengthen transitions between school, tertiary education, and employment in local businesses and industry.
- 4.2 Identifying opportunities and implementing activities that provide a skilled and up-skilled local community and employable workforce.
- 4.3 Advising on matters relevant to education, training and skills development.
- 4.4 Receiving regular updates from Ara on new initiatives and developments.

- 4.5 Supporting and communicating new initiatives and developments to their respective networks.
- 4.6 Supporting the approach of ‘work integrated learning’ that provides for ‘real world’ experiences and potential employment outcomes.

The Ara South Hub will be represented by a committee as detailed below. The committee is not a committee of the Council.

## 5 PROPOSED MEMBERSHIP

|                                |   |
|--------------------------------|---|
| <b>Chair</b>                   | Tony Gray – Ara Chief Executive   |
| <b>Iwi Representation</b>      | To be confirmed   |
| <b>Ara Executive and Staff</b> | Co-opted as required to present new initiatives, opportunities, and achievements to date.   |
| <b>Timaru</b>                  | Bede Carran – Timaru District Council Chief Executive   |
|                                | Nigel Davenport – Aoraki Development Chief Executive  |
|                                | Wendy Smith – South Canterbury Chamber of Commerce Chief Executive  |
|                                | Jeremy Boys – Ara Council member  |
|                                | Sarah Davis – Secondary Schools   |
|                                | Kim Haack – Food Processing/Manufacturing   |
|                                | Steve McKnight – Transport/Logistics  |
|                                | <i>Co-opted as required:</i>  |
|                                | <ul style="list-style-type: none"> <li>• Margaret Munro – Tourism &amp; Hospitality</li> </ul>  |
|                                | <ul style="list-style-type: none"> <li>• Mark Adams – Primary – President, Federated Farmers South Canterbury</li> </ul>                    |
|                                | <ul style="list-style-type: none"> <li>• Robbie Moginie – Director, Organisational Capability &amp; Safety, South Canterbury DHB</li> </ul> |
| <b>Ashburton</b>               | Andrew Dalziel – Ashburton District Council Chief Executive   |
|                                | Jeremy Adamson – Commercial Manager, EA Networks Ashburton ( <i>ex Chair Business Mid Canterbury</i> )                                      |
| <b>Oamaru</b>                  | Fergus Power – Waitaki District Council Chief Executive   |
|                                | Peni Latavell - Fale Pasifika Chair ( <i>branches in Timaru, Oamaru and Ashburton</i> )   |

## 6 SELECTION OF INDUSTRY MEMBERS

Members shall be appointed to the Ara South Hub by the Chief Executive, having consulted with relevant business, professional and Ara representatives, as occasion demands. Members of the Ara South Hub, even if nominated by a specific body or organisation, serve on the committee as members to advance the functions of the Hub.

## 7 TERMS OF MEMBERSHIP

The term of membership for industry/professional members shall be on a three-year basis. Members can be re-elected for consecutive terms. The committee reserves the right to co-opt additional representation from the community as required.



**8 CONDUCT OF COMMITTEE BUSINESS**

- 8.1 The expectation is that there will be four meetings per year. The first meeting will be no later than 31 March. Ara will chair, host and determine the time and place of meetings.
- 8.2 A quorum shall constitute six (6) members, four (4) of whom are business or community representatives. In attendance (non-voting): one (1) administrator to act as secretary. The committee reserves the right to co-opt additional members on an as required basis.
- 8.3 If present, the chairperson shall preside at all meetings. If the chairperson is absent, a member chosen by the majority of members present presides.
- 8.4 At least 21 days' notice of meeting is given. Agenda items and any relevant papers will be with the Chairperson or delegate seven working days prior to the meeting and distributed to members five working days prior to the meeting.
- 8.5 Minutes of the proceedings of the Ara South Hub Committee are to be recorded and presented for confirmation.
- 8.6 The accepted practice of confidentiality is expected. This includes formally moving 'into committee' and producing confidential minutes if the situation warrants it.
- 8.7 The chairperson and administrative secretary are responsible for ensuring that new members are inducted and given relevant information regarding the committee and its operation.

**9 APPROVAL AND AMENDMENTS TO THE TERMS OF REFERENCE**

The Terms of Reference to be reviewed on a biennial basis.

.....  
Chairperson

.....  
Date

.....  
Date

## Ara Council Media Report - December 2017

1/12/17

[Ara Engineering student excels in 'Engineer your Career' competition](#)

7/12/17

[South Canterbury Christmas Cheer – Staff collecting presents and clothes for the community](#)

8/12/17

Timaru course review decisions at Ara [will not be finalised until next year](#).

[Visualise winning student brings Maori perspective to interior design](#)

11/12/17

Ara South Canterbury staff [donated presents to local kids](#).

14/12/17

[Double award winner combines Maori and business success](#)

15/12/17

[Elegant new sculpture an asset to Ara campus](#)

**YES** Ara will help [organise Youth Enterprise Scheme in Canterbury](#).

19/12/17

[Keeping it real for NZ tourism success](#)

[Nursing students blitz Maori and Pasifika awards](#)

21/12/17

[Ara announces construction management qualifications](#)

22/12/17

Two Ara students will be [mentored by established street artists in a street art festival](#).