

**OPEN MINUTES OF A MEETING OF THE BOARD OF DIRECTORS  
HELD ON FRIDAY 30 OCTOBER 2020 AT THE MOKOIA CAMPUS, ROTORUA**

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**PRESENT:**

**Board of Directors**

Cathy Cooney (Chair)

Ripeka Evans (Deputy Chair)

Leith Comer

Tania Hodges

Niwa Nuri

Ngaroma Tahana

**Board support roles**

Anthony Robertson (Company Secretary)

Valda Bryson (Board Secretary)

**IN ATTENDANCE:**

**Executive Team**

Dr Leon de W Fourie (Chief Executive)

Brian Dillon

Patrick Brus

Keri-Anne Tane

Bart Vosse

Ana Morrison

Clarke Raymond

Jeni Fountain

Kieran Hewitson

Prior to the commencement of the meeting, members of the Board carried out a Health and Safety visit to the Mokoia Charity House Construction site. The Chair extended thanks to the team for this visit, expressing confidence in terms of significant Health and Safety improvements compared to the previous visit to this site in 2018.

The Chair then acknowledged Ana Morrison who departs Toi Ohomai Institute of Technology today and Keri-Anne Tane who departs on the 13<sup>th</sup> November. She stated it was a credit to both themselves, Dr Fourie and the institution that they had secured executive leadership jobs at Te Pūkenga.

**2. APOLOGIES**

All present

**3. REGISTER OF INTERESTS/DECLARATION OF CONFLICTS**

The Chair noted that the interest relating to Bruce Porteous is no longer relevant and asked that it be removed from the Register of Interests.

Ripeka Evans declared a potential conflict of interest in regard to Item 7.1 Notice of Ngāti Pūkenga Deed of Settlement.

**4. CONFIRMATION OF THE AGENDA AND CALL FOR MINOR ITEMS NOT ON THE AGENDA**

The agenda was taken as tabled.

## 5. CONFIRMATION OF MINUTES

### Toi Ohomai Institute of Technology Ltd Subsidiary Board Meeting – 28 August 2020

#### Resolution: TOI20/34

**RESOLVED** that the minutes of Toi Ohomai Institute of Technology Ltd Subsidiary Board meeting held on 28 August 2020 be approved.

**L COMER / N NURI**

## 6. ACTIONS/MATTERS ARISING:

### Page 3 in relation to Action 1 – request for funding – update under agenda 8.1.1

**Action 1:** Broader discussion on the Bay of Plenty Tertiary Education Partnership to take place at the October Board meeting – Agenda Item 1 – The Future of the BoPTEP Agreement (In Committee agenda – Board Only meeting).

**Action 2:** Report back to the November Board meeting on the impact the Student Hardship Fund has had on students in terms of withdrawals, retained in study and course success– Agenda Item 2.2 – Rotorua Enrolments Analysis (In Committee Section) – Analysis of impact will come to the November Board meeting.

**Action 3:** Keri-Anne to provide learnings from the Otago Polytechnic case with regards to safe practice and the level of Liability. – provided as part of the H&S report – Item 8.5.

## 7. CORRESPONDENCE

### 7.1 Notice of Ngāti Pūkenga Deed of Settlement: Request for engagement with Post-Settlement Governance Entity.

It was noted that with Ana Morrison leaving Toi Ohomai, the partnership relationship in the interim will be looked after by Anaru Timutimu, Head of Strategic Partnerships. Ana advised that no immediate actions in relation to the Notice are required and there are no immediate risks to the institution.

With a large number of Iwi in the process of drawing up Deeds of Settlement, discussion followed on the best way for Toi Ohomai to proceed in developing relationships with the different entities and while it was felt it should be first and foremost with Iwi considering needs to be given to Māori, Iwi and Hapū. It was agreed that some time needs to be dedicated to this to come to an agreed governance position on how we take it forward to honour Te Tiriti commitments/requirements and our values as an organisation along with the direction coming from Te Pūkenga - NZIST.

#### **Action 1:**

The Chair to acknowledge receipt of the Notice of Ngāti Pūkenga Deed of Settlement.

#### **Action 2:**

Schedule time at the next Strategy Day session on how this and other Deeds of Settlement should be taken forward to honour Te Tiriti requirements and our values as an organisation and the direction coming from Te Pūkenga. Consideration also to be given to our proposition as to why Iwi should have a relationship with Toi Ohomai Institute of Technology.

**Resolution: TOI20/35**

**RESOLVED** that the Notice of Ngāti Pūkenga Deed of Settlement: Request for engagement with Post-Settlement Governance Entity be received.

**C COONEY / N NURI**

**8. REPORTS**

**8.1 Chair of Toi Ohomai Subsidiary Board**

The Chair's report was taken as read.

**8.1.1 Board Strategy Day Outcomes and Actions (25 September 2020)**

Summary notes and actions from the joint planning workshop on 25 September 2020 were received. The paper covered the three areas addressed on the day, Te Waiariki Economic Recovery & Reset, Iwi Success Measures and Ōritetanga Collaboration Project. In regard to Iwi Success Measures, Ana Morrison advised that Clarke Raymond and Kieran Hewitson will take the lead on how these are brought into the organisation at an operational level. Clarke and Anaru Timutimu will also lead out a refresher on partnerships at Toi Ohomai, taking outputs from the Board Only discussion. Kieran, Clarke and Kelly-Anne Panapa are working on the Māori Success measures. Te Kāhui Mātauranga have looked at what else Toi Ohomai can do to help them fulfil their strategic plans as it relates to vocational education.

Tania Hodges expressed concern over the slow progress with submitting the Ōritetanga Collaboration Project Business Case to TEC, and suggested it be sent sooner rather than later. As yet TEC have made no commitment to investing in Te Tiriti o Waitangi. However, Stephen Town has informed subsidiaries that deficits are no excuse for not investing in this. The draft Job Description for the Te Tiriti Partnership position is currently with the Kāhui and it is hoped that the recruitment process, led by Kieran and Keri-Anne, will be finalised shortly and a selection made before the end of this academic year. Leon indicated that if we did not get any TEC funding for the Ōritetanga Collaboration Project, we would find and redirect internal resource to progress the project.

The Board thanked Ana for the summary.

*Jeni Fountain joined the meeting 9.56am*

**Resolution: TOI20/36**

**RESOLVED** that the Chair's Report, together the paper on the Board Strategy Day outcomes and actions (25.09.20), be accepted.

**C COONEY / R EVANS**

**8.2 Chief Executive Report**

Dr Fourie presented his report, speaking to the departure of Ana Morrison today and Keri-Anne Tane on the 13<sup>th</sup> November, and acknowledged all the great work they have done for Toi Ohomai, and his appreciation of their leadership, commitment to our aspirations and as key team players. He advised Toi Ohomai will continue to follow a 'sinking lid' approach, other than the appointment of an Executive Director: Tiriti Partnerships (working title). He stated the institution was fortunate to have Patrick Brus who, in addition to his current Student Engagement role, would take on the People, Engagement & Capability portfolio, with savings from these resources redirected to the Te Tiriti commitments.

Dr Fourie then briefly elaborated on the significant increase of 14% in the Staff Engagement score - a massive year-on-year jump post-merger and in the context of a challenging year. A paper will come back to the November Board once the data has been further distilled, together with a plan of action going forward. The Community Day event the institution held on 22 October had been a huge success with twenty-two groups going out into the community. The staff had loved it, the day was well received by the community, and is something that the institution is keen to continue with.

TEU bargaining is continuing and despite initially holding to a position of 'no increase' (apart from a one-off 3-day leave allocation to be taken in 2021), with several other institutions settling at around 1.5%, we are going back to the bargaining table with a revised offer. In order to remain within the approved 2021 budget this will come with a resourcing cost to the institution which has been signalled to the Union.

Further points of interest noted included the first virtual National Research Symposium for Te Pūkenga which was successfully hosted by Toi Ohomai, progress on the iSite construction, the launch of the successful delivery partnership with Te Arawa Group Holdings, and potential partnerships with Abodo and BOP Rugby Union.

Noting that a number of items were approved by the previous Council, Ripeka Evans suggested that when subsequent follow-on business cases are put forward for the new Board consideration/ approval, it should include a link or reference to the previous Council decision.

**Action 3:**

Copy of the SWIFT Heads of Agreement to be made available to the Board.

**8.3 Academic Committee**

The Chair suggested it would be good to see a copy of the outcomes from the short survey distributed to students post COVID-19 lockdown, measuring how well they felt supported, how they rated the quality of activities and resources, what worked well and what did not work so well during the lockdown period. Kieran Hewitson undertook to supply this to the November Board meeting.

**Action 4:**

Copy of the Lockdown Learning Survey Report to be provided to the November Board meeting.

The Academic Committee report was taken as read.

**8.4 Financials**

The guaranteed government domestic funding returns the forecast deficit of \$7.4 million to around a \$0.8 million deficit.

**8.5 Health and Safety & Wellness**

Keri-Anne Tane presented the Health and Safety & Wellness report, which also included a note on the Otago Polytechnic prosecution after a pre-trade carpentry student suffered a partial finger amputation on an inadequately guarded machine. Overall this case highlighted that practice and procedural application are not sufficient to avoid prosecution for ensuring practicable safety for workers. Organisations must also ensure that these practices and procedures ensure effectiveness. PwC carried out an audit of the Toi Ohomai HSW management system in 2019 and consideration of other monitoring approaches will now be included in the 2021 HSW workplan. An H&S Workshop is

also scheduled for the Board in November which will unpack Board liability. A review of the guards on machinery in place at Toi Ohomai will be included in the November Board pack.

**Action 5:**

The November H&S Report to include detail on the review of machinery guards in place.

The Chair briefly touched on the H&S walk to the Charity House construction site, pre the Board meeting, noting the big shift in terms of H&S from the last visit and the credit that should go to everyone for the steps that have been taken.

The question was raised as to what the H&S culture is like across Toi Ohomai and how the institution evokes a culture of inducing prevention rather than waiting for accidents to happen. Leon responded that the annual staff survey includes a question around H&S and shows that awareness and recognition from staff is improving all the time. Also, Leon stated that increases in reporting of the number of Near Misses is an indicator that awareness levels are increasing, leading to further preventative measures being put into place.

**Resolution: TOI20/37**

**RESOLVED** that the Chief Executive report, together with the Academic Committee Report, Financials and the Health and Safety & Wellness Report, be received.

**T HODGES / N TAHANA**

**9 BOARD OF DIRECTORS - WORK PLAN**

**9.1 Māori Success Strategy**

An update on progress of the Maori Success Strategy milestones was received, noting the establishment phase has now been completed. This led to discussion on whether enough has been done in terms of identifying success factors, how we give effect to consulting with Iwi, Maori and Hapū and how we include the wider aspects. Ripeka Evans felt it was supply side led and said she couldn't get a picture of the other end of the scale, how it shifts the dial and results of improved participation.

Kieran Hewitson reported the Strategy had been written a couple of years ago and will be reviewed for 2021 to align with the Kāhui expectations as well as the Te Pae Tawhiti Framework, putting less focus on outputs and more on outcomes.

**Resolution: TOI20/38**

**RESOLVED** that the update on the Māori Success Strategy be received.

**C COONEY / N NURI**

**9.2 Sustainability Framework**

An update on the Sustainability Framework, KPIs, goals and strategy monitoring, was received.

**Resolution: TOI20/39**

**RESOLVED** that the update on the Sustainability Framework be received.

**C COONEY / N TAHANA**

**10. GENERAL BUSINESS**

There were no items of general business.

## RESOLUTION TO EXCLUDE THE PUBLIC AND MOVE INTO THE CONFIDENTIAL AGENDA

### Resolution TO120/40

**RESOLVED** that the public be excluded from the agenda items noted as confidential to ensure the board members can maintain effective conduct of public affairs through the free and frank expression of opinions; carry out commercially sensitive discussions and activities without prejudice or disadvantage; and prevent disclosure or use of information for improper gain or improper advantage.

It is further resolved that the minute taker and members of the Toi Ohomai Institute of Technology Limited executive and management who are in attendance at this board meeting be permitted to remain during the confidential section of the meeting because of their knowledge on the matters to be discussed or administered during the confidential section of the meeting.

This resolution is made in reliance of section 48(1)(a)(ii) Local Government Official Information and Meetings Act 1987 and sections 9(2)(g), 9(2)(i) and 9(2)(k) Official Information Act 1982.

**C COONEY / L COMER**

Chairperson: .....

Date: .....

### ACTIONS– 30 October 2020

Action	Action	Responsibility
1	The Chair to acknowledge receipt of the Notice of Ngāti Pūkenga Deed of Settlement	Cathy Cooney
2	Schedule time at the next Strategy Day session on how the Ngāti Pūkenga Deed and other Deeds of Settlement should be taken forward to honour Treaty requirements and our values as an organisation along with the direction coming from Te Pūkenga. Consideration also to be given to our proposition as to why Iwi should have a relationship with Toi Ohomai Institute of Technology.	Leon Fourie/Clarke Raymond
3	Copy of the SWIFT Heads of Agreement to be made available to the Board.	Anthony Robertson
4	Copy of the Lockdown Learning Survey Report to be provided to the November Board meeting.	Kieran Hewitson
5	The November H&S Report to include detail on the review of machinery guards in place.	Patrick Brus / Keri-Anne Tane