

<b>Council Agenda Part A (Open Agenda)</b>			Page #
<b>12.12.2022</b> <b>Council Room – Level 2 ClockTower, Princes Street 22, Auckland</b> <b>4:00pm</b>			
<b>COUNCIL BRIEFINGS</b>	These will take place prior to the meeting and include a Council only session.		
<b>KARAKIA</b>	The meeting will be opened with a karakia at the beginning of the briefings		
<b>1. APOLOGIES</b>	<b>The Chancellor moves</b> that the apologies, if any, be <b>noted</b> .		
<b>2. WELCOME</b>	The Chancellor <b>welcomes</b> Ms Hala Barakat to her first meeting as member of Council.		
<b>3. DISCLOSURES OF INTEREST BY MEMBERS</b>	The attention of Members is drawn to the Conflicts of Interest Policy and the need to disclose any interest in an item on the Agenda of the meeting as set out in Schedule 11, Clause 8 of the Education and Training Act 2020.	<b>The Chancellor moves</b> that the disclosures, if any, be noted and the action taken be <b>endorsed</b> .	
<b>4. COUNCIL MEETINGS</b>	<b>4.1 Council, Draft Minutes (Part A), 03.10.2022</b>	<b>The Chancellor moves</b> that the Minutes (Part A),103.10.2022 be taken as <b>read</b> and <b>confirmed</b> .	<b>9</b>
	<b>4.2 Matters arising from the Minutes (Part A), 03.10.2022 not elsewhere on the Agenda</b>		
<b>5. VICE-CHANCELLOR'S REPORT</b>		<b>The Chancellor moves</b> that the Vice-Chancellor's Report be <b>noted</b> .	<b>16</b>
<b>6. REPORTS OF COUNCIL COMMITTEES</b>	<b>6.1 AUDIT AND RISK COMMITTEE</b>	<b>The Chancellor moves</b> that the Audit and Risk Committee Minutes (Part A) 22.11.2022 be <b>received</b> .	<b>30</b>
	<b>6.1.1 Minutes, (Part A), 22.11.2022</b>		

	<p>6.2 <b>CAPITAL EXPENDITURE COMMITTEE</b></p> <p>6.2.1 <b>Minutes, (Part A), 10.11.2022</b></p> <p>6.2.2 <b>Terms of reference - updated</b></p>	<p><b>The Chancellor moves</b> that:</p> <p>1) The Capital Expenditure Committee Minutes (Part A) 10.11.2022 be <b>received</b>; and</p> <p>2) The amended terms of reference be <b>adopted</b></p>	<p><b>32</b></p> <p><b>35</b></p>
	<p>6.3 <b>FINANCE COMMITTEE</b></p> <p>6.3.1 <b>Minutes, (Part A), 24.11.2022</b></p>	<p><b>The Chancellor moves</b> that the Finance Committee Minutes (Part A) 24.11.2022 be <b>received</b>.</p>	<p><b>41</b></p>
	<p>6.4 <b>UNIVERSITY EQUITY LEADERSHIP COMMITTEE (UELC)</b></p> <p>6.4.1 <b>December 2022 report</b></p>	<p><b>The Chancellor moves</b> that the Equity leadership Report – December 2022 be <b>received</b>.</p>	<p><b>43</b></p>
<p><b>7. SENATE MATTERS</b></p>	<p>7.1 <b>REPORT OF SENATE, 28.11.2022</b></p> <p>Part A1,a-c: Policy and other matters requiring to be received by Council</p> <p>Part A2 1-7: Policy and other matters requiring Council <b>approval</b></p> <p>Part C, 1-5: Matters handled under Delegated Authority</p>	<p><b>The Chancellor moves</b> that the recommendations in Part A of the Report of Senate, 28.11.2022 be <b>adopted</b> and C be <b>noted</b></p>	<p><b>54</b></p>
<p><b>8. CORRESPONDENCE REFERRED BY THE CHANCELLOR</b></p>	<p>No items received</p>		
<p><b>9. OTHER MATTERS FOR DECISION OR NOTING</b></p>	<p>9.1 <b>SEAL</b></p> <p>Since the Council meeting on 13.06.2022 the seal has been applied to the following documents in accordance with the Council resolution of 18.02.1991:</p> <ul style="list-style-type: none"> <li>Deed relating to Extension and Variation of Lease for Level 5, 67 Symonds Street – SIPKA Properties Symonds St Ltd (The Lessor) and The University of Auckland (The Lessee)</li> </ul>	<p><b>The Chancellor moves</b> that the affixing of the seal to the listed document be <b>noted</b>.</p>	

	<ul style="list-style-type: none"> <li>• Deed relating to Extension and Variation of Lease for Level 9, 67 Symonds Street – SIPKA Properties Symonds St Ltd (The Lessor) and The University of Auckland (The Lessee)</li> <li>• Deed relating to Extension and Variation of Lease for Level 11, 67 Symonds Street – SIPKA Properties Symonds St Ltd (The Lessor) and The University of Auckland (The Lessee)</li> <li>• Deed of Partial Surrender and Variation of Commercial Areas Lease 2021 – B311 – Rooms 117, 117A, 124, 166, 167 &amp; 143 – The University of Auckland (Landlord) and Auckland University Students Association Inc (Tenant)</li> <li>• Deed of Partial Surrender and Variation of Commercial Areas Lease 2021 – B311 – Rooms 406 &amp; 408 – The University of Auckland (Landlord) and Auckland University Students Association Inc (Tenant)</li> <li>• Deed of Partial Surrender and Variation of Non-Commercial Areas Lease 2021 – B311 – Rooms 412, 412A-F, 402 &amp; 404 – The University of Auckland (Landlord) and Auckland University Students Association Inc (Tenant)</li> </ul>		
	<p>9.2 <b>DELEGATION OF POWERS UNDER SECTION 285 OF THE EDUCATION AND TRAINING ACT – CUAP and Graduating Year reviews</b></p> <p>9.2.1 <b>Memorandum, 30.11.2022 from Professor Bridget Kool, Pro Vice-Chancellor (Education)</b></p>	<p><b>The Chancellor moves</b> that Pursuant to section 285(1) of the Education and Training Act 2020 (Act), <b>Council DELEGATES to Senate</b> its function and power to approve CUAP proposals and Graduating Year Reviews for submission.</p>	<b>60</b>
	<p>9.3 <b>PHILANTROPIC GIFT ACCEPTANCE POLICY</b></p> <p>9.3.1 <b>Memorandum, 08.11.2022 from Mark Bentley, Director Alumni relations &amp; Development (including the updated policy in the appendix)</b></p>	<p><b>The Chancellor moves</b> that the updated policy be <b>approved</b></p>	<b>62</b>
	<p>9.4 <b>STATUTES AND PROCEDURES UPDATE</b></p> <p>9.4.1 <b>Memorandum, 17.10.2022 from the Deputy Vice-Chancellor (Operations) and registrar, Mrs Adrienne Cleland</b></p>	<p><b>The Chancellor moves that</b> Council <b>approve</b> the renewal of the mentioned Statutes and Procedures for a further 5 years until December 2027.</p>	<b>77</b>

	<p>9.4.2 <b>Council Appointments Statute</b>            9.4.3 <b>Council Appointments Procedure</b>            9.4.4 <b>Court of Convocation Statute</b>            9.4.5 <b>Election Procedures</b></p>		
<b>10. ELECTIONS - APPOINTMENTS</b>	None		
<b>11. GENERAL BUSINESS</b>	<p>11.1 <b>MEETING AND GRADUATION DATES 2023</b></p> <p><b>Council meeting dates:</b>            13.03.2023, 27.04.2023, 12.06.2023, 21.08.2023            16.10.2023 &amp; 11.12.2023</p> <p><b>Finance Committee dates:</b>            01.03.2023, 24.05.2023, 02.08.2023, 20.09.2023 &amp;            22.11.2023</p> <p><b>Audit and Risk Committee dates:</b>            02.03.2023, 19.05.2023, 27.09.2023 &amp; 16.11.2023</p> <p><b>Capital Expenditure:</b>            29.05.2023, 31.07.2023 &amp; 27.11.2023</p> <p><b>Graduation:</b>            Autumn: 02, 03 &amp; 04.05.2023            Spring: 18 &amp; 19.09.2023            FMHS: 14.12.2023            Tai Tokerau: TBC</p>	<b>The Chancellor moves</b> that Council <b>note</b> the meeting and Graduation dates for 2023	
<b>12. LEAVE OF ABSENCE</b>	(for the meeting of 13.03.2022)		

## **PUBLIC EXCLUSIONS**

**The Chancellor moves** that the public be excluded from Part B of this meeting.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered:

Item No. 1.1	Council Minutes (Part B), 03.10.2022
Item No. 2.1.1	University of Auckland Animal Ethics Committee
Item No. 2.2.1	University of Auckland Human Participants Ethics Committee
Item No. 2.3.1	Audit and Risk Committee Minutes Part B 21.11.2022
Item No. 2.4.1	Capital Expenditure Committee Minutes, Part B 10.11.2022
Item No. 2.4.2	RWC budget revision
Item No. 2.5.1	Finance Committee Minutes Part B, 24.11.2022
Item No. 2.5.2	Budget Report 2023
Item No 4	2023 KPIs

Reason for passing this resolution in relation to each matter:

The protection of the interests mentioned below.

Grounds under section 48(1) for the passing of this resolution:

Those in Section 9 of the Official Information Act 1982 namely:

- i) To protect the privacy of the persons referred to in the recommendations and to maintain the confidentiality of those recommendations;
- ii) To enable the University to carry on without prejudice or disadvantage negotiations; and
- iii) To prevent the disclosure or use of Official Information for improper gain or advantage.

AND THAT Adrienne Cleland, Professors Linton and Metson, Andrew Phipps, Tim Bluett, Simon Neale, Pamela Moss, Helen Cattanach, Anthony Brandon and Wendy Verschaeren be permitted to remain for this part of the meeting, after the public has been excluded, because of their knowledge of, or need to be briefed about, the matters to be discussed. This knowledge, which will be of assistance in relation to the matters to be discussed, is relevant to those matters because they relate to aspects of the administration of The University of Auckland for which those persons are responsible.



<p><b>Council Minutes Part A (Open Minutes)</b>  <b>03.10.2022</b>  <b>4:00pm</b>  <b>Virtual meeting via Zoom</b></p>		
<b>PRESENT:</b>	Ms Tarrant (Chair), Professor Freshwater (Vice-Chancellor), Professor Curtin, Dr Prasad, Mrs Dunphy, Mr Wang, Ms Quinn, Mr McDonald, Mr Paitai, Ms Dawson, Mr Mason and Ms Newsome	
<b>IN ATTENDANCE:</b>	Mrs Cleland, Professors Linton, Metson, Kool; Dr Lithander Ms Moss, Mr Bluett, Ms Cattnach, Mr Brandon, and Ms Verschaeren	
<b>COUNCIL BRIEFINGS</b>	These took place prior to the meeting and included a Council only session.	
<b>KARAKIA</b>	The briefings were opened with a Karakia by Professor Curtin.	
<b>1. APOLOGIES</b>	None	
<b>2. DISCLOSURES OF INTEREST BY MEMBERS</b>	<p>The attention of Members was drawn to the Conflicts of Interest Policy and the need to disclose any interest in an item on the Agenda of the meeting as set out in Schedule 11, Clause 8 of the Education and Training Act 2020.</p> <p>With regard to item 5.2.2 <b>Domestic Student Fees 2023 and International Student Fees 2024, the Chancellor, Professor Curtin, Ms Dunphy, Ms Quinn and Mr Wang</b> disclosed that they were students and/or had family members who would or might be students in 2023.</p> <p>It was agreed that these declared conflicts would not preclude the members participating in the discussions and votes.</p>	
<b>3. COUNCIL MEETINGS</b>	<p>3.1. <b>Council, Draft Minutes (Part A), 18.08.2022</b></p>	<p><b>RESOLVED</b> (Chancellor/Mr Wang): that the Minutes (Part A), 18.08.2022 be taken as <b>read</b> and <b>confirmed</b>.</p>
	<p>3.2 <b>Matters arising from the Minutes (Part A), 18.08.2022 not elsewhere on the Agenda ..</b></p>	

<p><b>4. VICE-CHANCELLOR'S REPORT</b></p>	<p>The report was taken as read.</p> <p>The Vice-Chancellor, Professor Freshwater, added the following supplementary information:</p> <ul style="list-style-type: none"> <li>• The Vice-Chancellor congratulated all the students who graduated at last week's Graduation Ceremonies and thanked all staff who supported the students during their studies and who attended these events.</li> <li>• The Tertiary Education Commission (TEC) had given positive feedback on the University of Auckland Investment Plan 2023-2025.</li> <li>• The Tertiary Education Union (TEU) had voted in favour of a national strike action in response to the collective bargaining that was taking place at the Universities. The University of Auckland had offered a 9% salary increase over two years (5% in 2023 and 4% in 2024, subject to certain conditions). The Vice-Chancellor had today responded to requests for information from the media about this matter. The University would be putting contingencies in place to ensure continuation of business and support of staff and students during strike actions.</li> <li>• Last week, the media reported that one of its PhD student had been tweeting about the protests that were taking place in Iran and the University was currently assessing this situation. The University also offered its support to staff and their families who were affected by the circumstances in Iran.</li> <li>• The Blues Awards celebration, which was also attended by the Chancellor, took place recently; it was a dynamic event where students who excelled in leadership, sports, culture and arts were celebrated.</li> <li>• The Mātauranga Māori Symposium had been scheduled to take place in November 2022.</li> </ul> <p>Council asked if the Report could identify whether the external events that the University was involved in, took place in a virtual or in-person setting.</p>	<p><b>RESOLVED</b> (Chancellor/Vice-Chancellor): that the Vice-Chancellor's Report be <b>noted</b>.</p>
<p><b>5. REPORTS OF COUNCIL COMMITTEES</b></p>	<p>5.1 <b>AUDIT AND RISK COMMITTEE</b></p> <p>5.1.1 <b>Minutes, (Part A), 20.09.2022</b></p>	<p><b>RESOLVED</b> (Chancellor/Ms Dawson): that the Audit and Risk Committee Minutes (Part A) 20.09.2022 be <b>received</b>.</p>
	<p>5.2 <b>FINANCE COMMITTEE</b></p> <p>5.2.1 <b>Minutes, (Part A), 22.09.2022</b></p>	<p><b>RESOLVED</b> (Chancellor/Mr McDonald): that the Finance Committee Minutes (Part A) 22.09.2022 be <b>received</b>; and</p>

	<p>5.2.2 <b>Domestic Student Fees 2023 and International Student Fees 2024</b></p> <p>This item was presented by the Chief Financial Officer, Mr Bluett. He commented the following:</p> <p>Contextual factors were the high cost of living and inflation pressures significantly exceeding the levels of regulated fee increases. This was also the third year of the pandemic which had caused disruptions and put extra pressure on staff and students. The University had worked hard to support both staff and students in this period through welfare, wellbeing, operational and financial measures. Currently, the hybrid way of teaching was still continuing, although a return to conventional teaching methods might be expected in 2023.</p> <p>For the domestic fees, the annual maximum fee movement (AMFM) limit increase for 2023 was set at 2.75% by TEC and, noting that an increase of 10.4% would be required to maintain parity in real-terms, it was recommended that Council approve the maximum allowed increase of 2.75%.</p> <p>It was recommended that international fees, which were set two years in advance, would increase by 4.5% for 2024, except for the Fees for Medical Imaging (PG), which were recommended to be reduced to align with the postgraduate Optometry and Medicine programme effective for 2023. The Study Abroad fee would remain the same with no increase.</p> <p>After consultation with students, it was proposed to increase the Compulsory Student Services Fee by 2.75%, aligning it with the increase for domestic tuition fees. This would bring the annual fee for a full time equivalent student to \$1005 per year.</p> <p>Earlier this year Council agreed to suspend the Aegrotat fee and it was now proposed that this fee would remain suspended for 2023 while the enrolment fee after the closing date and the late enrolment addition/deletion fee would also be suspended. These suspensions would be further reviewed in the future.</p> <p>In a discussion that followed, Council noted that that, to meet with potential hardship created by the fees increase and other cost of living pressures, the scholarship budget had been substantially increased in next year’s budget, while there would also be hardship funding available for students who needed it.</p>	<p><b>RESOLVED</b> (Chancellor/Ms Newsome): that</p> <p>i) The Report on Domestic Student Fees 2023 and International Student Fees 2024 be <b>received and noted</b>; and</p> <p><b>RESOLVED</b> (Chancellor/Mr Mason): THAT Council:</p> <p>ii) <b>Approve</b> the attached Domestic Fees Schedule for 2023</p> <p>iii) <b>Approve</b> the attached International Fees Schedule for 2024;</p> <p>iv) <b>Authorise</b> the Vice-Chancellor to assign any new programmes, including SAC funded micro-credentials, or programmes becoming newly available to international students in 2024, to an appropriate band to enable offers to be made during the recruitment cycle, and report these decisions back to Council;</p> <p>v) <b>Authorise</b> the Vice-Chancellor to set fees for non-SAC funded Microcredentials and for University programmes delivered offshore subject to such fees being reported to the Council meeting immediately following.</p> <p>vi) <b>Approve</b> the Compulsory Student Services Fee at \$8.38 per point (GST inclusive) and the associated changes to the Fees Schedule A - All Student.</p> <p>vii) <b>Approve</b> the attached Other Fees Schedule for 2023</p>
--	---	---

	<p>5.3 <b>STUDENT APPEALS COMMITTEE</b></p> <p>1.3.1 Report, 04.08.2022 1.3.2 Report, 08.08.2022</p>	<p><b>RESOLVED</b> (Chancellor/Ms Newsome): that that Council <b>note</b> the Student Appeals Committee Reports, 04.08.2022 and 08.08.2022.</p>
	<p>5.4 <b>UNIVERSITY EQUITY LEADERSHIP COMMITTEE (UELCL)</b></p> <p>5.4.1 <b>Memorandum, 03.10.2022 from the Vice-Chancellor regarding a change to the membership of UELC</b></p> <p>It was recommended to add the Associate Deputy Vice-Chancellor Research to the membership of UELC.</p>	<p><b>RESOLVED</b> (Chancellor/Dr Prasad): that Council <b>approve</b> the addition of the Associate Deputy Vice-Chancellor Research to the membership of UELC.</p>
<p><b>6. SENATE MATTERS</b></p>	<p>6.1 <b>REPORT OF SENATE, 19.09.2022</b></p> <p>Part A1,1-6: Policy and other matters requiring to be received by Council Part A2 1-5: Policy and other matters requiring Council <b>approval</b> Part C, 1-5: Matters handled under Delegated Authority</p> <p>The Deputy Vice-Chancellor, Strategic Engagement (DVC SE), Dr Lithander introduced Te Rautaki Aronga Toitū – University of Auckland Sustainability Strategy and Te Taumata Tukuwaro-kore - the Net Carbon Zero Strategy. He advised Council of the following: The strategies would be submitted to the University Executive Committee on 04.10.2022, after consultation with staff, students and alumni. A working group went through the feedback received through the consultation and the following was highlighted:</p> <ul style="list-style-type: none"> <li>• A governance structure at the executive level of the University would be led by the DVC SE.</li> <li>• To increase reference to Pacific communities, collaboration would take place with the Pro Vice-Chancellor Pacific, Associate Professor Jemaima Tiatia.</li> <li>• In a research-led university and to engage internationally, travel was and would continue to be essential, but it would need to happen in a mindful way.</li> </ul> <p>In a discussion that followed, Council noted that the hardest goal to achieve would be travel, as more than 50% of the University’s air travel was associated with incoming international students. It would be important to consider travel off-sets and reduction carefully. There was also discussion</p>	<p><b>RESOLVED</b> (Chancellor/Ms Dunphy): that the recommendations in Part A of the Report of Senate, 19.09.2022 be <b>adopted</b> and Part C be <b>noted</b></p>

	<p>around the need to build the cost of carbon offsetting and carbon elimination strategies into any business case.</p> <p>Council also recommended engaging with the University Foundation to ensure they followed the same sustainable strategies.</p> <p>Council noted that the Senate Review Working Group, chaired by Professor Pene Mathew, was currently developing a survey with regard to Senate and a report was expected to be submitted to the next Senate meeting. To increase engagement at the meetings and have more consistent attendance, the Senate Review was considering the Senate membership and the possibility to move the timing of meetings.</p> <p>In the meantime they were currently being held in a hybrid format which, at the last two meetings, had resulted in more members attending virtually than in-person and this was not productive for discussions.</p> <p>At the next meeting a return to a fully in-person meeting was anticipated.</p>	
<p><b>7. CORRESPONDENCE REFERRED BY THE CHANCELLOR</b></p>	<p>The Chancellor advised that she had received a letter from TEU, which had also been sent to all the other NZ Chancellors and would be responding in a similar way as the other Chancellors.</p>	
<p><b>8. OTHER MATTERS FOR DECISION OR NOTING</b></p>	<p>None</p>	
<p><b>9. ELECTIONS - APPOINTMENTS</b></p>	<p>9.1 <b>ELECTION OF THE STUDENT REPRESENTATIVE ON COUNCIL</b></p> <p>9.1.1 Memorandum, 23.09.2022 from the Returning Officer, Mrs Adrienne Cleland</p>	<p><b>RESOLVED</b> (Chancellor/Mr Wang): that Ms Hala Barakat be <b>appointed</b> as the student representative on Council for a one-year term (1 November 2022 – 31 October 2023).</p>
	<p>9.2 <b>ELECTION OF THE CHANCELLOR AND PRO CHANCELLOR</b></p> <p>Mrs Cleland took the Chair for the first part of this item.</p> <p>9.2.1 <b>ELECTION OF CHANCELLOR FOR 2023</b></p> <p>Nominations were called for the position of Chancellor until 31.12.2023 date.</p>	

	<p>One nomination only was received, for Ms Cecilia Tarrant (Professor Curtin/Mr Mason)</p> <p>There being no other nominations, the Registrar declared <b>Ms Tarrant re-elected as Chancellor for a term starting on 01.01.2023 and ending 31.12.2023 or such agreed earlier date.</b></p> <p>Carried by acclamation.</p> <p>9.2.2 <b>ELECTION OF PRO-CHANCELLOR FOR 2023</b></p> <p>The Chancellor resumed the Chair for this part of the item.</p> <p>Nominations were called for the position of Pro-Chancellor.</p> <p>One nomination only was received, for Ms Cathy Quinn (Chancellor/Ms Dunphy).</p> <p>There being no other nominations, the Chancellor declared <b>Ms Quinn re-elected as Pro-Chancellor for a term starting on 01.01.2023 and ending 31.12.2023.</b></p> <p>Carried by acclamation.</p>	
<p><b>10. FAREWELL</b></p>	<p>Mr Junyi (Johnnie) Wang would be ending his third term of office on Council on 31.10.2022. He thanked the Council members and Management for their support. He emphasised how important it is for the Student Representative to have a good relationship with AUSA. He will be introducing Ms Hala Barakat to AUSA and assisting in her orientation.</p>	<p><b>The Chancellor moves</b> that Council thank Mr Junyi (Jonnie) Wang for his contribution to the work of Council.</p>
<p><b>11. GENERAL BUSINESS</b></p>		
<p><b>12. LEAVE OF ABSENCE</b></p>	<p>for the meeting of 12.12.2022 No leave was requested at this time.</p>	

**PUBLIC EXCLUSIONS**

**RESOLVED** (Chancellor/Ms Quinn): that the public be excluded from Part B of this meeting.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered:

Item No. 1.1	Council Minutes (Part B), 18.08.2022
Item No. 2.1.1	University of Auckland Animal Ethics Committee
Item No. 2.2.1	University of Auckland Biological Safety Committee
Item No. 2.3.1	University of Auckland Human Participants Ethics Committee
Item No. 2.4.1	Audit and Risk Committee Minutes Part B 20.09.2022
Item No. 2.5.1	Finance Committee Minutes Part B, 22.09.2022
Item No. 2.5.2	Financial Performance and Forecast for 2022-2024
Item no. 2.5.3	Long-term Financial Plan 2022-2031
Item No 4	Application for a license

Reason for passing this resolution in relation to each matter:

The protection of the interests mentioned below.

Grounds under section 48(1) for the passing of this resolution:

Those in Section 9 of the Official Information Act 1982 namely:

- i) To protect the privacy of the persons referred to in the recommendations and to maintain the confidentiality of those recommendations;
- ii) To enable the University to carry on without prejudice or disadvantage negotiations; and
- iii) To prevent the disclosure or use of Official Information for improper gain or advantage.

AND THAT Adrienne Cleland, Professors Linton and Metson, Tim Bluett, Pamela Moss, Anthony Brandon and Wendy Verschaeren be permitted to remain for this part of the meeting, after the public has been excluded, because of their knowledge of, or need to be briefed about, the matters to be discussed. This knowledge, which will be of assistance in relation to the matters to be discussed, is relevant to those matters because they relate to aspects of the administration of The University of Auckland for which those persons are responsible.

**The meeting closed at 6.20pm**

**The meeting went into Public Excluded session at 5.25pm**

**Approved as a true and correct record.**

**Cecilia Tarrant, Chancellor**

**Date**

## Vice-Chancellor's Report to Council | 12 December 2022

### General

#### External, Policy and Government Update

##### *Future Research Pathways*

The Research Science and Innovation Minister Ayesha Verrall released details of the Government's response to the 903 submissions received on MBIE's Green Paper. The paper provides an overarching vision and strategy for an overhauled research, science and innovation ecosystem based on four pillars. These are Māori and indigenous research, workforce/valuing people, future funding and research priorities. The Government wants to further break down research silos and develop processes for shared infrastructure. In responding to the Green Paper, Waipapa Taumata Rau called for an independent national council funding body. There are hints that a form of this may be included in the Government's response.

##### *Wellington Science City*

MBIE released a "Wellington Science City" paper that aims to develop options and a recommended configuration for the institutional footprint within the Wellington region, supporting and enhancing performance of the RSI system. The report was commissioned by Research, Science and Innovation Minister Ayesha Verrall and is part of her overall review of the research system. University of Auckland research leaders have been represented on working groups considering the CRIs.

### Internal Update

#### ***TEU Strike Action and the Delay in Grade Submission***

On 14 November the Tertiary Education Union announced a ban on entering and releasing student marks or course marks into any student management system. The IMT and SRT have been convened and are focussed on minimising impact on students. The University has made the IEA offer and continues to meet with the Union for bargaining and to negotiate in good faith.

#### ***Independent Review of the University's Student Discipline Procedures***

The final report from the independent reviewer of the University's Student Discipline procedures relating to complaints and incidents of harmful sexual behaviour has now been received. The review is comprehensive and has considered the University's current processes, systems and policies relating to non-academic student discipline, and in particular harmful sexual behaviour. The recommendations will be considered and tested with various stakeholders, prior to the development of the management response. Both the report and the management response will proceed to ARC and Council in the first quarter of 2023.

## 1. Education and Student Experience

### Overview

The overall EFTS for 2022 are forecast to be 143 EFTS (0.4%) below budget. These EFTS numbers have been achieved with a different composition than was budgeted—namely, higher international full-fee students and lower domestic numbers. The actual loss of international EFTS because students could not enter New Zealand was much lower than forecast. A significant amount of online teaching and support effort resulted in improved retention of the international student cohort compared to budget. The Quarter 4 On Campus intake to the business master's programmes included both new and completing students, which also contributed to the higher international student numbers than budgeted.

The decline in domestic student enrolment has been driven by high employment rates and the high cost of living. Our working professionals market segment experience marginal growth in 2022, whereas our other postgraduate segments have had declines in both overall and domestic student enrolments. Since 2020, the working professional segment has had a 15% increase in the numbers of enrolled students. The Other Postgraduate segment has had only half of that growth in student numbers and an increase in the proportions of students studying part-time, resulting in a slight reduction in EFTS. The Doctoral segment has also experienced small reductions in both the numbers of students and in the EFTS generated.

Although the EFTS from our Māori and Pacific cohorts are lower than in 2021, the school leaver intakes for Pacific students have remained unchanged between 2021 and 2022. Māori student enrolments have grown for both the Working Professional and for the Doctoral segment compared with both 2021 and 2020. 153 Māori are currently enrolled in a doctorate. 98 Pacific students are enrolled in a doctorate a small growth from 2021 and 2020.

Enrolment opened for 2023 on 1 November. Domestic enrolments are lower (3%) than at this time in 2021, for 2022. International enrolments are 8% higher than at this time last year. School leaver enrolments for 2023 are on-target but many returning students appear to be waiting for their examination results. Summer School enrolments are significantly lower than for 2022, as students appear to be taking the opportunity to gain employment over the Summer.

Indicators	Last Year	Current Year			
		To Date (8 Nov 22)		End of Year	
	Actual	Target	Actual	Target	Forecast
Total EFTS	36,748	35,960	35,805	35,960	35,817
Domestic Funded	30,960	31,027	30,298	31,027	30,313
International Full Fee	5,391	4,662	4,998	4,662	4,995
% Postgraduate EFTS	25.0%	24.6%	24.2%	24.6%	24.3%

**Note:** EFTS information does not include enrolments in the ELA and other sources

*EFTS in priority groups*

	2021 (9 Nov 22)	2022 (8 Nov 22)	% Change
Total Māori EFTS	2,562	2,436	(4.9%)
Māori School leavers	415	385	(7.2%)
Total Pacific EFTS	3,176	3,081	(3%)
Pacific School leavers	630	629	0%
<hr/>			
Total Postgraduate	9,173	8,672	(5.5%)
Domestic	6,882	6,637	(3.6%)
International	2,291	2,035	(11.2%)

***Te Whatu Kairangi – Aotearoa Tertiary Educator Awards***

Professor Richard Easter, an astrophysicist and cosmologist in the Faculty of Science, and Dr Marcia Leenen-Young, a senior lecturer in Pacific Studies in the Faculty of Arts have won prestigious 2022 Te Whatu Kairangi – Aotearoa Tertiary Educator Awards. They have been recognised for their outstanding dedication, innovation and excellence in teaching within the tertiary education and training sector. Dr Leenen-Young has won in the category: *Achieving diversity and inclusion for improving outcomes for Māori learners; Pacific Learners; neurodiverse learners.*

**Progress against priorities**

**Priority 1: Accessible, equitable lifelong higher education opportunities**

**Priority 2: Student-centric learning, co-curricular and extra-curricular cultures**

**Priority 3: Education that is research-informed, transdisciplinary, relevant and with impact for the world**

**Priority 4: Graduates who make the world better tomorrow than it is today**

*The Curriculum Framework Transformation (CFT) Project*

Faculty Implementation Teams (FITs) are initiating redesign discussions for their programmes, while a wider group is supporting faculty decisions and cross-faculty strategic design to realise the CF aspirations and new curriculum innovation areas.

*Cycle 6 Academic Audit*

The Academic Quality Agency (AQA) Cycle 6 Academic Audit report was published on 10 November. The panel commended the University on its response to Covid-19, the CFT Programme, our approach to the Pastoral Care Code of Practice, the Te Taumata Ngaio initiative to develop capability in te reo Māori, and our data-informed quality assurance processes.

### *Learner Success Plan*

TEC provided detailed feedback on the University's Learner Success Plan (LSP). The plan was favourably received by TEC. The TEC's Deputy Chief Executive of Ōritetanga-Learner Success, Paora Ammunson, requested share our LSP with the Office of the Auditor General as an exemplar of a well prepared LSP. A LSP Governance Oversight group has been established and work has commenced on some initial projects outlined in the plan including the Twenty Critical Courses Project.

## 2. Research and Innovation

Indicators	Last Year	Current Year			
		To Date (31 Oct 22)		End of Year	
	Actual	Target	Actual	Target	Forecast
Research revenue (\$M)	251.4	227.0	219.3	268.8	282.4

**Note:** The revenue includes University of Auckland revenue only

### **Overview**

2022 has been a productive year for Research & Innovation with the majority of strategic initiatives making steady progress towards achievement of deliverables. People resourcing and challenges around recruitment have remained a key constraint; however, the ability to move resource according to need and shifting priorities has meant that the portfolio is able to maintain activity at a steady pace. The majority of programmes underway this year are multi-year programmes and will continue in 2023.

### **Gluckman Medal 2022**

Professor Boyd Swinburn has been awarded the Gluckman Medal for 2022, in recognition of his outstanding sustained research contributions to the Faculty of Medical and Health Sciences. The Gluckman Medal is the University's premier medical research award.

### **Resident Excellence Awards**

On 13 October, Ngā Wharenoho | Accommodation held their annual Residential Excellence Awards Gala to recognise the achievements of kainoho | residents. This year, 59 residents received the Āwhina | Service award, 30 residents received the Whanaungatanga | Community award, and nine students received the Kotahitanga | Inclusion award.

### **Progress against priorities**

#### **Priority 1: World-class research inspired by our place in Aotearoa and the Pacific**

Fofonga, our University-wide Pacific research platform, led by the OPVC Pacific and supported by ORSI, appointed interim Director, Dr Patrick Thomsen (FOA). The search has commenced for a Research Programme Manager. A proposed initial Fofonga workplan will focus on emerging career researchers, fulfilling our 2022 OPVC Pacific objective 2 of supporting and growing Pacific research capacity and capabilities. The Fofonga launch will take place in early 2023.

Initial meetings have now taken place with all seven University Research Centres (URC) to discuss approaches for recruitment of professional staff in accordance with the URC Service Delivery Model. A Research Centre Directors' Forum will also be established to support discussion and collaboration between Research Centre Directors on common issues, challenges and opportunities. An Evaluation Framework will be developed early next year to implement a mechanism for monitoring progress of URCs in terms of efficacy and achievement of the stated goals of this initiative.

### **Priority 2: A global powerhouse of innovation, creativity and entrepreneurship**

The MedTech-iQ Business Case is completed and ready for endorsement by UEC. The Business Case recommends an initial financial investment spanning five years to establish Medtech-iQ Tāmaki Makaurau operations at the University, to develop the critical foundational pillars. Medtech-iQ will be hosted by the Auckland Bioengineering Institute, a global leader in MedTech research.

### **Priority 3: Relevant, purposeful, impactful research for our communities**

Open Access recommendations are now being drafted and will form the basis of a Business Case for funding in 2023. Recommendations include the operational requirements for implementing mandatory Green Open access via the University Repository and the introduction of a DVCR fund to target Gold Open access in High Impact Journals. This work has been accelerated by the recent announcement of an open access policy by our major contestable research funder MBIE.

### **Priority 4: Ambitious research confronting humanity's greatest challenges.**

PBRF internal quality profiles are nearing completion and will be shared with faculties/LSRIs for validation before the end of the year. PBRF Quality Profiles will provide baseline information on our current academic quality profile and enable targeted planning at the academic unit level to enable the highest quality PBRF submissions.

### **Priority 5: Nurturing, recruiting and retaining outstanding research talent.**

The review of the Internal Research Excellence Awards portfolio has broadened in scope to include alignment to the imperatives in Te Rautaki Akoranga Toitu | Sustainability Strategy and Te Taumata Tukuwaro kore | Net Zero Carbon Strategy. Recommendations on a refresh to the Internal Research Excellence Awards will be presented to University Research Committee in December.

The Researcher Skills and Delivery (RSD) shared service model is now in the process of being established, with roles in place in the School of Graduate Studies and the Centre for eResearch, and under recruitment for ORSI and Organisational Development. The shared service delivery model will enable the development of a University-wide programme of RSD that aligns with the strategic direction set by Taumata Teitei, ensures fair provision of offerings across all areas of the University, and will enable the identification of priority capability areas where resources and efforts will be focused.

**Priority 6: A research ecosystem characterised by collaboration, agility, simplicity, engagement, and empowerment**

The Grafton-based Animal Facilities user report has now been completed following consultation with the academic and technical service users of the Vernon Jenson Unit (VJU). This report will be used to underpin the feasibility study to inform the broader Grafton facilities renewal.

**3. Partnerships and Engagement****Overview**

It has been a busy period of enhancing the University's domestic and international profile by hosting and attending a variety of conferences, symposia and network meetings. The appetite for partnering with the University seems to be as strong as ever.

***Distinguished Graduate Awards***

On 10 October, the University's Co-curricular Recognition Programme celebrated 143 Distinguished Graduates who have completed at least two of the programme's recognition paths. These paths (Leadership, Community Engagement, Global Citizens, Innovation) formally recognise a student's engagement in meaningful co-curricular experiences that result in learning on their academic transcript.

**Priority 1: Strengthen and deepen our relationships with tangata whenua.**

On 21-23 November, the University hosted Constitutional Kōrero, a national wānanga that brought together close to 400 experts from overseas and Aotearoa New Zealand to discuss options for constitutional transformation to enhance Māori rights in relation to Te Tiriti, He Whakaputanga and the UN Declaration on the Rights of Indigenous People. On 24-25 November, the University hosted a two-day Symposium on Mātauranga Māori o te ao Toi, the first in a series to showcase the breadth and depth of mātauranga Māori across the University's teaching and research.

The Schools and Community Engagement team has established a new Māori Relationship Manager position for 2024, to help strengthen the University's relationship with Māori across the region's schools and kura.

**Priority 2: An ambitious and relevant partner that is globally networked.**

On 1-5 November, Pro Vice-Chancellor (Māori) Te Kawehau Hoskins and Pro Vice Chancellor (Pacific) Jemaima Tiatia, together with three University colleagues, participated in the *Dialog surrounding Indigenous Knowledges within the Pacific Rim: Living Cultures and World Heritage* workshop. This workshop, held in Chiapas, Mexico, was convened to share best practice, collaborate on common interests, and promote indigenous heritage within the Pacific Rim.

The University has signed a Student Exchange Agreement with OP Jindal Law School, our first student exchange relationship in India.

**Priority 3: Deep engagement with diverse Aotearoa and Asia-Pacific communities.**

On 25-26 October, the University hosted the *U.S. & Oceania Summit: Internationalization Across the Pacific in 2023 and Beyond*. This event brought together speakers and attendees from across the Pacific, Australia, and United States to discuss trans-Pacific cooperation, indigenous programmes, funding, innovation, and sustainability.

The *Reconnecting with Indonesia* event, hosted by the Vice-Chancellor in Jakarta on 7 November, brought together more than 40 of our stakeholders, agent partners, Manaaki scholars and alumni. At this event, an education cooperation agreement was signed with the Ministry of Energy and Mineral Resources of Indonesia, enabling eligible Ministry staff to study our masters and doctoral programmes, notably our 180-point Master of Energy degree.

As part of the University's Vietnam Strategy, and for diversification, two articulation agreements with Ho Chi Minh City University of Technology were signed by the Vice-Chancellor at the VN-NZ Education Cooperation Roundtable Discussion in Hanoi on 15 November.

In mid-November, the University hosted *Future Me*, an event for over 700 Māori and Pacific Year 10 students from more than 100 schools and kura from across Auckland, Northland and the Bay of Plenty, involving numerous activities across all faculties, aimed at helping these students see the possibilities of pursuing tertiary study.

#### **Priority 4: Enduring relationships with prospective students, students, alumni and donors**

*'Anau Aiga Evening* is an initiative created by the OPVC Pacific, in response to Pasifika learner parent concerns. These students are also recipients of the Waipapa Taumata Rau UoA entry level scholarships. The evening is a collaborative effort involving Campus Care – Te Papa Manaaki, Accommodation, Summer Start, Schools and Community Engagement and the Scholarships Office. The evening includes networking opportunities for Pasifika internal and external stakeholders in order to grow enduring and meaningful relationships, and an open forum - *talanoa* – which is a space for key staff across Waipapa Taumata Rau to help parents navigate the benefits of living in accommodation and provide insights into student wellbeing campus support. This engagement will take place on Tuesday 13 December, where the OPVC Pacific will host up to 220 Pasifika 'aiga (families) and learners in Waipārūrū Hall.

Targeted advertising campaigns to promote the University, its faculties and programmes have been launched to support University-wide student recruitment efforts by connecting with and inspiring future students across UG, PG and Summer Programmes.

The University participated in the U.S. State Department's International Education Week, which ran from 14-18 November, by hosting five webinars targeted at prospective students in North America.

A UoA China Open Day (virtual), held on 5 November by the International Managers and the China representatives in collaboration with the English Language Academy, attracted over 150 attendees. This event provided updates on 2023 study options, answered prospective and returning students' questions, and received a high level of student engagement.

Applications for scholarships for international students for Semester One 2023 closed on 21 November. This campaign reached over 9 million future students, parents/guardians and agents, generating half a million website visits and over 10,000 new leads for the International Office.

ARD has continued its strong focus of reconnection with donors and alumni through further in-person events: the Wellington Alumni After Hours event on 11 August, with Professor Jaime King, the inaugural John and Marylyn Mayo Chair in Health Law, as guest speaker; Alumni and Friends Receptions in Singapore and Kuala Lumpur on 20 and 21 September, with Professor Rod Dunbar, from the School of Biological Sciences, as guest speaker; and the Golden Graduates Lunch on 19 October, with Professor Justin O'Sullivan, Deputy Director of the Liggins Institute, as guest speaker.

The 2022 Chancellor's Dinner, with 238 attendees, was held on 5 November, with two years of Chancellor's Circle inductees being honoured for their significant philanthropic contributions. The Chancellor and Vice-Chancellor gave addresses, with the DVCSE as MC and Professor Peter O'Connor as guest speaker.

**Priority 5: Diverse student body reflecting our communities.**

On Saturday 3 December, OPVC Pacific and Te Papa Ako o Tai Tonga hosted "Whanau Day", an on-campus experience that brought approximately 400 prospective students and their families to explore the academic disciplines at Waipapa Taumata Rau and showcase what is on offer at Te Papa Ako o Tai Tonga – South Auckland Campus.

**Priority 6: Recognised and valued by our communities for the contributions we make towards a more sustainable future for all.**

The University has published two key documents which set out our commitment and aspiration to be a sustainable and net zero carbon university by 2030, and provide the foundation for how we integrate sustainability into education, research, operations and partnerships: [Te Rautaki Aronga Toitū | Sustainability Strategy](#), and [Te Taumata Tukuwaro-kore | Net Zero Carbon Strategy](#).

At the QS Higher Education Asia Pacific Summit, held in Jakarta on 8 November, the University received awards under 2 categories: Most Environmentally Sustainable Institutions – APAC (2nd place) and Most Environmentally Sustainable Institutions – Australasia (1st place). These relate to the University's relative Australasia and APAC positions on Environmental Sustainability in the QS Sustainability Rankings.

## 4. Enabling our People and Culture

### Overview

Operational plan activities continue to be scoped and prioritised.

As reported at Capital Expenditure Committee last month, the HR Ecosystem project continues to progress well. Workday has been selected as the university's HCM system and Ascensure has been selected as the payroll system. An RFP process is now underway to select the third-party provider.

### Progress against priorities:

#### Priority 1: Live our values and purpose

The scope of this work will focus on the following four key areas:

- The development of a Senior Executive Leadership Programme;
- Cascading values-led culture practices – tools and facilitated sessions for leaders and teams;
- Integrating our values and Te Ao Māori principles in systems, processes, policies, and decision-making to deliver an improved employee experience;
- Deciding on an Employee Engagement Survey Tool and communication approach.

Scoping work across all workstreams in this project is advancing, with workstreams already engaging with key stakeholders for elements such as "Leadership Principles" and "our People Experience (PX) and policies."

The Executive Leadership Programme will launch in December 2022 with senior leaders, and workshops will take place in February 2023.

The Leadership Principles workstream has interviewed 30 senior leaders and engaged our 5D leadership cohort at the end of November.

The People Experience and Policy workstream has proposed its initial process and has been submitted to the Steering Committee for review and endorsement.

The Staff Experience survey will commence in March 2023.

### **Priority 2: Develop a future-ready workforce**

Projects within this strategic priority aim to identify and define a comprehensive and cohesive set of workforce initiatives (a Workforce Strategy) that identifies, builds, and supports the Academic Workforce to enable us to deliver the outcomes from Taumata Teitei. The initiatives will focus on the future academic workforce, including new roles (pracademics, community engagement), new capabilities (digital, Matauranga Māori, transdisciplinary), new ways of working, and new recognition and reward structures. Close alignment with the Curriculum Transformation project and the Ranking Strategy is vital in delivering against this priority area.

*Future Academic Workforce Strategy:* The draft workforce strategy was endorsed by UEC in October, and the team is now working on drafting their implementation plan, including engaging inter-related projects (e.g., Values Led Culture, Waipapa Tangāta Rau).

*Academic Standards Review:* This project will continue through to January 2023 and is anticipated to forward recommendations in Q2.

*Workload Analysis:* The team has drafted university-level principles. The team are working with key stakeholders to develop and then propose university-level guidelines, and identify current working model exemplars (e.g., AHAG in December 2022).

*Academic Development* has drafted its initial project plan and has actively engaged other projects impacting the Academic areas (such as the Curriculum Transformation Framework) to understand possible crossover points or points for collaboration. The team is also finalising their 3<sup>rd</sup> and 4<sup>th</sup> deliverables for signoff by their Steering Committee.

### Priority 3: Build a high-performing, diverse, inclusive and equitable community

The OPVC Pacific is continuing with consultations around the Pacific Staffing Plan. The Plan seeks to increase leadership and decision-making roles for Pacific staff; support a pipeline of initiatives and early career and leadership pathways across Waipapa Taumata Rau; prioritise key workforce areas; and invest in Pacific cultural competencies. Initial consultations began in June 2022 with the Fofonga, a group of Pacific senior leaders from across faculties and a Pacific advisory group consisting of senior professional staff from across faculties and service divisions. Consultations with Pacific alumni and a wider network of Pacific staff will continue in early 2023.

People and Culture are collaborating with Pro Vice-Chancellor (Māori) to co-sponsor the development of a Māori staffing plan (Waipapa Tangāta Rau). The initial focus is on understanding the lived experience of current Māori staff to improve retention and develop a recruitment strategy in conjunction with the strategic hires. The last month has seen the working group plan and then engage key stakeholders to share the initial findings, the draft strategy outline, and the proposed five project workstreams. This initial engagement feedback is informing the draft strategy, which will be submitted to UEC for endorsement in December 2022. Once the strategy is endorsed, the team will focus on developing an implementation plan (early 2023).

### Priority 4: Activate manaakitanga, whanaungatanga and kaitiakitanga across our People and Culture practices

*Te Akoranga Kairangi*: A cultural and Tiriti competency programme within the Taumata Ngaio Project has launched, with the first cohorts enrolled and the programme delivered by two teams.

For 2022, we had 100 staff start Te Akoranga Kairangi across six cohorts since 30 June, with an additional 11 cohorts confirmed to run in total by the end of the year. These cohorts will cover approximately 200 staff. The team is also developing plans for up to 40 staff to participate in each M203 & 302 Māori Studies course in 2023.

## 5. Our Enabling Environment

### Overview

Indicators	Last Year	Current Year			
		To Date (31 Oct 22)		End of Year	
	Actual	Target	Actual	Target	Forecast
Total revenue (\$M)	1,333.1	1,196.4	1,285.0	1,344.6	1381.4
Revenue achieved as a % of budget	104%	100%	107.4%	100%	102.7%

**Progress against priorities:****Strategic Priority 1: Mana-enhancing services and practices**

The **Student Services Function Review Phase 2** programme of work is in-progress to ensure that we will fully comply with the Pastoral Care Code of Practice. Updates on this project of work include:

- The enhanced Marae model for student support is in use (whilst subject to ongoing refinement as it continues to be shared more widely) and is guiding the component parts of the project.
- The Student Support and Engagement Community of Practice (CoP) is now embedded and continues to meet monthly.
- University-wide reporting requirements have been workshopped, high-level requirements developed, and early shaping discussions are underway with the Planning and Information Office on if/how the needs can be met.
- A cross-university team comprising representatives from Massey, AUT, and VUW, led by UoA, is working on a standard online training module for non-support (i.e., academic and professional) staff, with standard content agreed and an external developer well advanced in the training design. This will be released in January 2023.
- A wellbeing and preparedness assessment tool for new students is in development, with the aim of connecting students to relevant pastoral care supports as early as practical.
- A working group has been formed with the Provost team to advance the student voice framework.

Student Collaboration: From 2023 all students will have access to Microsoft Teams as part of the wider suite of **Microsoft collaboration services**. As with staff, students will be able to create their own teams for the purposes of group collaboration. Outside of academic purposes, strong interest has been signalled from our Clubs and Societies for this service.

**Strategic Priority 2: Efficient, effective, prudent, transparent, and informed operations**

**Archives New Zealand** audits public entities as part of their leadership role in regulating information management in the government sector under the Public Records Act 2005. The audit occurs on a 10-year cycle; the University will be audited in 2023 and preparation is underway. The audit covers institutional records which fall under the Public Records Act 2005. This includes core tertiary education-related functions and activities such as student journey checkpoints from admissions through to graduation, committee minutes, programme regulations and development, and functions such as HR, finance, and IT.

The University is starting the process of renewing its **HR ecosystem**, in line with the overall goal of providing a core set of systems to support the University's current and future People and Culture strategic needs, as well as replace our end-of-life PeopleSoft HR system. To this goal, the University has selected Workday as its replacement HR management system and Ascender Pay as its payroll system. We are in the process of selecting an implementation partner to help us with what is both a large and important endeavour.

**Strategic Priority 3: Seamless, effective, and equitable user experiences across social, physical, and digital environments**

Te Tumu Herenga | Libraries and Learning Services launched a new [website home page](#) on 16 November. It features an embedded [Library Catalogue](#) search, now delivered on the cloud-based Primo VE platform. Significant work has been undertaken throughout 2022 by teams across Te Tumu Herenga, in partnership with colleagues in the Connect, UoA Web and Digital Experience teams, to shift our Catalogue delivery from Primo to Primo VE, and to establish our new home page on the AEM platform, embedded in the UoA website structure. These changes have created a new foundation for our delivery of digital content that will enable Te Tumu Herenga to create a much more modern experience for users.

An initiative from the **Learner Success Plan** is being piloted for a cohort of school students starting their studies in Semester One, 2023. The University wants to ensure students are guided through their study in a way that fosters their success. This pilot targets Year 13 Māori and Pacific school leavers, and those from lower decile schools who, based on their prior NCEA study, may benefit from a curated pathway into their studies. For this pilot, an offer has been made to just over 450 school students to the Bachelor of Arts programme.

**Strategic Priority 4: A distinctive, capable, and flexible built environment that celebrates our place in Aotearoa New Zealand and the Pacific.**

- Construction of the **Recreation and Wellness Centre** continues to progress well. Installation of the pool has commenced; however, supply chain and resourcing challenges continue to cause some delays. Completion of this development is scheduled for 2024.
- The **Symonds Street Early Childhood Education Centre** (ECE) has temporarily closed for building refurbishment and is scheduled to reopen in March 2023. Refurbishment for the two ECes on Alten Road are pending approval with the goal of increasing licencing capacity to help offset the pending closure of the Epsom ECE at the end of 2023.
- The facade works for **Building B201** are nearing completion and internal fitout continues with furniture procurement also underway. The new streetscape for Wynyard Street is being designed and refined. This building will enable the Faculty of Education and Social Work shift to the city campus in 2024 and is scheduled for completion next year.
- **Building 104 | Old Choral Hall** is being fully refurbished and strengthened also as part of the Faculty of Education & Social Work move. The contractor has established on site, insurance and prestart requirements are in place, and demolition work has commenced.

**Strategic Priority 5: A commitment to achieve net-zero carbon status and to publish meaningful metrics of the University's progress towards overall sustainability**

- Decarbonisation audit reports, produced by professional consultants and co-funded under EECAs Energy Transition Accelerator program, are due to be delivered to the University in mid-December. These reports will provide a wide range of carbon-eliminating and energy conservation projects, including equipment upgrades and operational efficiency improvements. The University will compile these recommendations and prioritise projects for delivery in line with our Net Zero Carbon target of 2030.
- Carbon inventories have been updated (baseline + 2020 and 2021) and documentation is now publicly available on the web, including the Inventory Management Report, Verification and Assurance reports from external verifier Toitū. <https://www.auckland.ac.nz/en/about-us/about-the-university/the-university/sustainability-and-environment/sustainable-practices-university-of-auckland/carbon.html>

- Summary of emissions is also published and publicly available: [https://cdn.auckland.ac.nz/assets/auckland/about-us/the-university/sustainability-and-environment/ghg-reports/Summary%20of%20verified%20emissions%202019-2021\\_s.pdf](https://cdn.auckland.ac.nz/assets/auckland/about-us/the-university/sustainability-and-environment/ghg-reports/Summary%20of%20verified%20emissions%202019-2021_s.pdf)
- Following formal adoption, Te Taumata Tukuwaro-kore | Net Zero Carbon strategy has been uploaded to the official publications section of the University's [website](#).

Dawn Freshwater  
Vice-Chancellor

5

## Appendix One: University Gifts and Pledges

The following major new gifts and pledges were received by ARD in September and October 2022:

- \$2,000,000 from the Aotearoa Foundation for an Aotearoa Fellowship and for the 'Clinical translation of novel cardiopulmonary MRI techniques in New Zealand' study, both at the Auckland Bioengineering Institute;
- \$1,500,000 from the Estate of Professor Peter Bergquist for the Patricia & Peter Bergquist Visiting Fellowship Fund at Science;
- \$763,713 from the Heart Foundation for a PhD scholarship in Biomedical Science, for the 'Novel therapy for diabetic heart disease' study, the 'Pre-clinical assessment of respiratory modulated pacing in heart failure' study, and for the HHANZ Heart Foundation Primer Grant, all at Medical and Health Sciences;
- \$702,102 from Cancer Society Auckland Northland to support the Auckland Cancer Society Research Centre at Medical and Health Sciences;
- \$365,488 from the Cystinosis Research Foundation for the 'Evaluation of a novel drug combination treatment of CF10 and Everolimus for nephropathic cystinosis in a new cystinotic rat model' study at Medical and Health Sciences;
- \$321,000 from The Sir Thomas and Lady Duncan Trust for the CBR New Zealand NeuroGenetics Registry and Biobank at Medical and Health Sciences;
- \$206,825 from the Cerebral Palsy Alliance for research into early brain development and neurodevelopmental outcomes in moderate to late preterm babies at the Liggins Institute;
- \$200,000 from the Sir Michael Jones Foundation to support the Olive Malienafau Nelson Pasifika Scholarship for Excellence
- \$135,000 from The Goodfellow Foundation to support the Goodfellow Foundation Post Graduate Population Health Scholarship;
- \$96,798 from the Neurological Foundation of New Zealand for the 'VIII<sup>th</sup> Cranial Nerve Involvement in Peripheral Neuropathy' clinical fellowship at Medical and Health Sciences;
- \$94,511 from the William Chick Trust to support the William Chick Doctoral Scholarship in Architecture at Creative Arts and Industries;
- \$91,041 from The Nature Conservancy Trust to support a postdoctoral scholarship for shellfish restoration research at Science;
- \$60,000 from Seth Rankin for UK Medical & Health Sciences Support;
- \$60,000 from the Auckland District Health Board Charitable Trust for the 'How safe are our emergency departments? A national prospective cohort study' and the 'Oral health inequity: Understanding pathways of care and opportunities for innovation' study, both at Medical and Health Sciences;
- \$40,000 from The Todd Trust for the Todd Trust Scholarship in Fine Arts at Creative Arts and Industries;
- \$32,000 from George Green to establish the Freda and George Green First in Family Scholarship;
- \$30,000 from the Head and Neck Cancer Foundation Aotearoa for the 'Assessment of patient care for head and neck cancers in Northern New Zealand' study at Medical and Health Sciences.

A bequest gift from the Estate of Bruce Davidson has been declined. The decision was made on the basis that the donor may conflict with the ethical standards of the University and that it could have a detrimental effect on donor or other public relationships or the reputation of the University. Bruce was convicted of crimes under the Securities Act in 2006 and 2007 in relation to the handling of investors' money at Bridgecorp.

CHAIR APPROVED BUT NOT CONFIRMED BY THE COMMITTEE

**Audit and Risk Committee MINUTES | PART A**  
**22 November 2022**  
**HYBRID | Council Meeting Room and via Zoom**  
**08.00am to 10.30am**



<p><b>Present:</b> Jonathan Mason (Acting Chair), Jan Dawson (exited at 8.30am), Rachael Newsome and Cecilia Tarrant</p> <p><b>In Attendance:</b> Professor Dawn Freshwater, Adrienne Cleland, Tim Bluett, Rachelle Miller, Jacqui Metcalf, Andrew Phipps, Angus Clark, Jason Mangan, James Harper, Julian Michael, Simon Neale, Brent Penrose, Isti Hudaya, Bineeta Nand and Philip Whitmore.</p>		
<b>1. Apologies</b>	Dr Rajen Prasad and Rob McDonald were noted as apologies.	
<b>2. Disclosures of Interest</b>	No further disclosures were noted.	
<b>3. Minutes of Audit and Risk Committee of 20 September 2022</b>	<p><b>Item No 3.1: Minutes, Part A</b></p> <p><b>Item No 3.2: Matters Arising</b> from the Minutes, Part A, not elsewhere on the agenda</p>	<b>RESOLVED (Jonathan Mason   Cecilia Tarrant)</b> that the Minutes, Part A, of the Audit and Risk Committee held on 20 September 2022 be taken as read and confirmed.
<b>4. Other Matters for Decision or Noting</b>	There were no other matters for decision or noting.	
<b>5. Leave of Absence</b>	Rachael Newsome requested a leave of absence for the next meeting on 2 March 2023.	
<b>6. Public Exclusions</b>	<p>The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:</p> <p>General subject of each matter to be considered:</p> <p><b>Item No 7.1: Audit and Risk Committee Meeting 20 September 2022, Minutes Part B</b></p> <p><b>Item No 7.2: Audit and Risk Committee Meeting 20 September 2022, Matters Arising from Minutes, Part B</b></p> <p><b>Item No 8.0: External Year End Audit Plan</b></p> <p><b>Item No 9.0: Combined Assurance Report</b></p> <p><b>Item No 10.0: Internal Audit Programme Update</b></p> <p><b>Item No 11.0: Insurance Renewal Strategy Update</b></p>	<p><b>RESOLVED (Cecilia Tarrant   Jonathan Mason)</b> that the public be excluded from Part B of this meeting AND THAT Professor Freshwater, Mrs Cleland, Mr Bluett, Mrs Miller, Mr Whitmore, Ms Nand, Mr Penrose, Ms Hudaya, Mr Mangan, Mr Harper, Mr Clarke, Mr Phipps, Mr Michael, Mr Neale and Mrs Metcalf be permitted to remain for this part of the meeting, after the public be excluded, because of their knowledge of the matters to be discussed.</p> <p>This knowledge, which will be of assistance in relation to the matters to be discussed, is relevant to those matters because they relate to aspects of the administration of the University of Auckland for which those persons are responsible.</p>

6.1

**CHAIR APPROVED BUT NOT CONFIRMED BY THE COMMITTEE**

	<p><b>Item No 12.0: Legislative Change Update</b>  <b>Item No 13.0: Tax Governance Update</b>  <b>Item No 14.0: Health &amp; Safety Programme Update</b>  <b>Item No 15.0: Digital Programme Update</b>  <b>Item No 16.0: Enterprise Risk Programme Update</b>  <b>Item No 17.0: Independent Review Update</b>  <b>Item No 18.0: Audit &amp; Risk Annual Plan</b></p> <p>Reason for passing this resolution in relation to each matter:          The protection of the interests mentioned below.          Grounds under section 48(1) for the passing of this resolution:          Those in Section 9 of the Official Information Act 1982 namely:</p> <ul style="list-style-type: none"> <li>i) To protect the privacy of the persons referred to in the recommendations and to maintain the confidentiality of those recommendations; and</li> <li>ii) To enable the University to carry on without prejudice or disadvantage negotiations; and</li> <li>iii) To prevent the disclosure or use of Official Information for improper gain or advantage.</li> </ul>	
<p><b>The meeting moved into a Public Excluded Session at 08.04 am.</b>  <b>The meeting closed at 10.26 am.</b>  <b>Approved as a true and correct record.</b></p> <p>_____</p> <p><b>Jonathan Mason, Acting Chair</b></p> <p><b>Date:</b></p>		

6.1

CHAIR APPROVED BUT NOT CONFIRMED BY THE COMMITTEE

**Capital Expenditure Committee MINUTES | PART A**

10 November 2022

HYBRID | Council Meeting Room and via Zoom

8 am to 10 am



6.2

<p><b>Present:</b> Cecilia Tarrant (Chair), Cathy Quinn (exited at 9.30am), Jan Dawson, Rob McDonald  <b>In Attendance:</b> Jonathan Mason, Adrienne Cleland, Tim Bluett, Simon Neale, Jacqui Metcalf, Will Charles and Andrew Phipps</p>		
<p><b>1. Apologies</b></p>	<p>Professor Dawn Freshwater was noted as an apology.</p>	
<p><b>2. Disclosures of Interest</b></p>	<p>No further disclosures were made.</p>	
<p><b>3. Minutes of Capital Expenditure Committee of 27 July 2022</b></p>	<p><b>Item No 3.1: Minutes, Part A</b>  <b>Item No 3.2: Matters Arising</b> from the Minutes, Part A, not elsewhere on the agenda.</p>	<p><b>RESOLVED (Cecilia Tarrant   Rob McDonald)</b> that the Minutes, Part A, of the Capital Expenditure Committee held on 27 July 2022 be taken as read and confirmed.</p>
<p><b>4. Other Matters for Decision or Noting</b></p>	<p><b>4.1 Committee Terms of Reference</b>                  The Committee requested that the following amendments be made to the Terms of Reference.  <b>Item 3.1 Business Cases</b></p> <ul style="list-style-type: none"> <li>• the strategic case for the proposed expenditure, which must be based on the Strategic Plan and outline how, directly or indirectly, the proposal will enhance the achievement of the Strategic Plan objectives, including the impact on:                     <ul style="list-style-type: none"> <li>○ teaching quality</li> <li>○ postgraduate completions</li> <li>○ research activity and external research income</li> <li>○ student and staff experience</li> <li>○ environment, climate change and all other aspects of sustainability</li> <li>○ the University’s standing</li> </ul> </li> </ul> <p><b>Item 10.0 Authority</b>                  The Committee has delegated authority to approve capital expenditure proposals greater than \$10 million and <del>less than</del> up to \$25 million.</p>	<p><b>RESOLVED (Jan Dawson   Cathy Quinn)</b> that</p> <ul style="list-style-type: none"> <li>i) The report be received and noted.</li> <li>ii) Capital Expenditure Committee <b>recommend</b> to Council that the amended Committee Terms of Reference be adopted.</li> </ul>

CHAIR APPROVED BUT NOT CONFIRMED BY THE COMMITTEE

<p><b>5. Leave of Absence</b></p>	<p>No leave of absence was requested for the next meeting on 29 May 2023.</p>	
<p><b>6. Public Exclusions</b></p>	<p>The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:</p> <p>General subject of each matter to be considered:</p> <p><b>Item No 7.1: Capital Expenditure Committee Meeting 27 July 2022, Minutes Part B</b></p> <p><b>Item No 7.2: Capital Expenditure Committee Meeting 27 July 2022, Matters Arising from Minutes, Part B</b></p> <p><b>Item No 8.0: University of Auckland Inventors Fund Growth Plan</b></p> <p><b>Item No 9.0: Recreation &amp; Wellness Centre Budget Revision</b></p> <p><b>Item No 10.0: LTFP Capital Programme Update</b></p> <p><b>Item No 11.0: Construction Market Update</b></p> <p><b>Item No 12.0: HR Ecosystem Programme Update</b></p> <p><b>Item No 13.0: Vice-Chancellor Delegated Authority Report</b></p> <p>Reason for passing this resolution in relation to each matter:</p> <p>The protection of the interests mentioned below.</p> <p>Grounds under section 48(1) for the passing of this resolution:</p> <p>Those in Section 9 of the Official Information Act 1982 namely:</p> <ul style="list-style-type: none"> <li>i) To protect the privacy of the persons referred to in the recommendations and to maintain the confidentiality of those recommendations; and</li> <li>ii) To enable the University to carry on without prejudice or disadvantage negotiations; and</li> <li>iii) To prevent the disclosure or use of Official Information for improper gain or advantage.</li> </ul>	<p><b>RESOLVED (Cecilia Tarrant   Jan Dawson)</b> that the public be excluded from Part B of this meeting AND THAT Mrs Cleland, Mr Bluett, Mr Neale, Mr Charles, Mr Phipps and Mrs Metcalf be permitted to remain for this part of the meeting, after the public be excluded, because of their knowledge of the matters to be discussed.</p> <p>This knowledge, which will be of assistance in relation to the matters to be discussed, is relevant to those matters because they relate to aspects of the administration of the University of Auckland for which those persons are responsible.</p>

6.2

**CHAIR APPROVED BUT NOT CONFIRMED BY THE COMMITTEE**

**The meeting moved into a Public Excluded Session at 08.13 am.**

**The meeting closed at 10.00 am.**

**Approved as a true and correct record.**

-----

**Cecilia Tarrant, Chair**

**Date:**

**6.2**

## Capital Expenditure Committee

### Terms of Reference 2022

The Capital Expenditure Committee is a committee of The University of Auckland Council, with the delegated responsibilities, authorities and accountabilities set out in this Terms of Reference approved by Council.

#### **1. Purpose**

The purpose of the Capital Expenditure Committee is to ensure that all major capital expenditure is supported by a quality proposal, advances the University's strategic objectives and is financially sustainable.

#### **2. Responsibilities**

The Capital Expenditure Committee is responsible for considering all capital expenditure proposals over \$10 million, subject to the Sensitive Expenditure Policy, with a particular focus on:

- the contribution each proposal would make to achievement of Strategic Plan objectives, and
- the financial sustainability of each proposal

A 'capital expenditure proposal' means a proposal for the:

- acquisition of land, or
- acquisition, construction, extension, modification or refurbishment of a building, or
- acquisition of a piece of equipment, or
- acquisition or development of an IT system or application, or
- acquisition of shares or equity like investments outside of investing the University's working capital, or
- acquisition of a work of art
- acquisition of other asset or financial commitment

where the resulting expenditure would be capitalised under the University's Accounting Policies.

The University's Sensitive Expenditure Policy will apply.

*Capital Expenditure Committee\_10 November 2022\_Terms of Reference (To be reviewed by Council)*

In addition, a "capital expenditure proposal" shall also be deemed to include a write-off, write-down, disposal or demolition of assets currently capitalised as well as long-term leases whose size and duration of commitment is akin to capital expenditure. (For the avoidance of doubt, all new or renewed leases where the undiscounted committed lease payments exceed \$10 million shall be treated as "capital expenditure".)

'Financially sustainable' means a position where the University, in the medium to long term, satisfies its targeted operating, cashflow and balance sheet parameters, whether set by the Council or monitored as a risk criterion by TEC, or covenanted to in connection with any borrowing undertaken.

The Capital Expenditure Committee will receive advice of capital expenditure approved by the Vice-Chancellor for any individual proposals in excess of \$5m.

The Capital Expenditure Committee, at its discretion, may request management to provide progress or milestone reports relating to particular capital expenditure approvals. A Post Implementation Review (PIR) will be presented to the Capital Expenditure Committee where so required by the University's Post Implementation Review Policy.

### **3. Proposals**

The Committee will consider proposals only on the recommendation of the Vice-Chancellor. Proposals forwarded by the Vice-Chancellor for the Committee's consideration will normally have been previously considered and recommended by the relevant members of the University Executive Committee.

The Vice-Chancellor's covering note shall summarise his/her assessment of the proposal's relative capacity to advance the University's strategic objectives in a financially sustainable manner.

Proposals must comprise business case in support of the proposal, and a quality assurance report.

*Capital Expenditure Committee\_10 November 2022\_Terms of Reference (To be reviewed by Council)*

### 3.1 Business Cases

The business case in support of a proposal should be prepared and endorsed by the relevant member of the University Executive Committee. The business case must comprise:

- a summary of the proposal including, as appropriate:
  - a textual description
  - plans, specifications and visuals
  - a costing
  - an outline of the project delivery strategy, including the proposed approach to contracting, project management arrangements and a programme
- the strategic case for the proposed expenditure, which must be based on the Strategic Plan and outline how, directly or indirectly, the proposal will enhance the achievement of the Strategic Plan objectives, including the impact on:
  - teaching quality
  - postgraduate completions
  - research activity and external research income
  - student and staff experience
  - **environment, climate change** and all **other** aspects of sustainability
  - the University's standing
- the business case for the proposed expenditure, including:
  - an outline of the proposed or projected capital expenditure, operating expenditure and revenue resulting from or required by the project, with analysis supporting all material assumptions and judgements
  - whether any of the proposed expenditure constitutes sensitive expenditure, and if so, the relevant considerations are set out in the Sensitive Expenditure Policy
  - an outline of any proposed philanthropic or sponsorship or other external support, including specification of any minimum level which the proposal is contingent on
  - an outline of risks arising from the proposal, and risk management strategies
  - projected operating and cash flow statements
  - return on investment and/or net present value

Where realistic options to the recommended proposal exist and were considered, the Committee should also be provided with an outline of those options and a statement of the reasons for selecting the recommended option.

*Capital Expenditure Committee\_10 November 2022\_Terms of Reference (To be reviewed by Council)*

### 3.2 Financial Sustainability Reports

Each proposal must be accompanied by or incorporate a financial sustainability report prepared by and signed by the Deputy Vice-Chancellor (Operations) and Registrar.

This report should advise how the recommended level of expenditure compares with any provision made for the proposal in the University's capital budget for the current year, and the most recent revision of the Long-term Financial Plan (LTFP). If the proposal is recommended at a materially higher level of expenditure than provided for in the LTFP, then the report should outline the impact of the proposal on the University's financial position and the University's capacity to fund the proposal. The financial sustainability report should also indicate whether or not there have been any changes in circumstances, since the last revision of the LTFP, which have had or are expected to have a material adverse impact on the University's financial position. Where this is the case, the report should include an interim update of the University's projected debt profile demonstrating:

- the actual or expected impact of the change(s) in circumstances, and
- the impact on the University's financial position of the proposed capital expenditure, and
- the financial sustainability of the proposed capital expenditure in light of the change(s) in circumstances

If the proposal is contingent on a minimum committed level of new philanthropic or sponsorship support, the financial sustainability report must include a note from the Deputy Vice-Chancellor Strategic Engagement outlining the proposed approach and confirming it is consistent with and integrated into the University's overall approach.

### 4. Review of Terms of Reference

The Committee shall review its Terms of Reference and report to Council the outcome of that review every year.

### 5. Membership

The Committee shall comprise the Chancellor and Pro-Chancellor, the Vice-Chancellor, and the Chairs of the Finance and Audit and Risk Committees.

Council may also appoint 1 or 2 of its lay members as additional members of the Committee. The Chancellor is the Chair of the Committee, and the Chair of the Finance Committee is the Deputy Chairperson.

*Capital Expenditure Committee\_10 November 2022\_Terms of Reference (To be reviewed by Council)*

## 6. Term of Appointment

The term of office of each member of the Committee will be one year.

## 7. Meetings

A meeting of the Committee will be scheduled whenever there is a proposal to consider. With the agreement of the Chair, the Committee may meet via email circulation or electronically, provided the required papers accompany the proposed resolution and no Committee member requests a meeting.

## 8. Management Attendance

The following members of management will normally attend meetings of the Committee:

- the Deputy Vice-Chancellor (Operations) and Registrar,
- the Chief Financial Officer,
- the Director of Property Services (in the case of proposals relating to property), and
- the member of the University Executive Committee sponsoring or otherwise directly responsible for the proposal to be considered.
- The Chief Digital Officer (in the case of proposals relating to IT)

## 9. Secretarial Support

The Deputy Vice-Chancellor (Operations) and Registrar will provide secretarial support for the Committee and ensure that a complete record of the proceedings of the Committee including agendas, minutes and papers, proposals, advice, and reports provided to the Committee is maintained in permanent form.

## 10. Authority

The Committee has delegated authority to approve capital expenditure proposals greater than \$10 million and ~~less than~~ **up to** \$25 million. The Committee's delegated authority is subject to the condition that total capital expenditure in the current financial year, whether approved by the Committee or otherwise, shall not exceed by more than \$15 million the budgeted total capital expenditure for the year unless a budget variance is approved by Council. Where a capital expenditure proposal exceeds \$25 million, the Committee shall make a recommendation to Council concerning approval of the proposal.

*Capital Expenditure Committee\_10 November 2022\_Terms of Reference (To be reviewed by Council)*

### **11. Reporting**

Minutes of each meeting of the Committee, recording proposals approved and/or recommendations to Council shall be provided to the following meeting of Council. Where the Committee has approved a proposal under its delegated authority, a copy of all papers considered by the Committee relating to the proposal shall be retained by the Officer of the Vice-Chancellor for inspection on request by Council members.

### **12. Conflicts of Interest**

Committee members must declare any real or perceived conflicts of interest in line with the requirements of the University's Conflicts of Interest Policy.

### **13. Confidentiality**

Committee members have a responsibility to treat all information with appropriate confidentiality. This includes matters tabled or discussed at the Committee meetings, as well as any additional issues that are raised outside meetings.

CHAIR APPROVED BUT NOT CONFIRMED BY THE COMMITTEE

**Finance Committee MINUTES | PART A**

**24 November 2022**

**HYBRID | Council Meeting Room and via Zoom**

**8 am to 10 am**



**Present:** Rob McDonald (Chair), Cathy Quinn, Cecilia Tarrant, Professor Dawn Freshwater, Professor Jennifer Curtin, and Hala Barakat

**In Attendance:** Jonathan Mason, Adrienne Cleland, Tim Bluett, Mudasir Matto, Helen Cattanach and Jacqui Metcalf

<b>1. Apologies</b>	John Paitai and Catherine Dunphy were noted as apologies.	
<b>2. Disclosures of Interest</b>	No further disclosures were made.	
<b>3. Minutes of Finance Committee of 22 September 2022</b>	<p><b>Item No 3.1: Minutes, Part A</b></p> <p><b>Item No 3.2: Matters Arising</b> from the Minutes, Part A, not elsewhere on the agenda.</p>	<b>RESOLVED (Rob McDonald   Cecilia Tarrant)</b> that the Minutes, Part A, of the Finance Committee held on 22 September 2022 be taken as read and confirmed.
<b>4. Other Matters for Decision or Noting</b>	There were no matters for decision or noting.	
<b>5. Leave of Absence</b>	No Leave of Absence was requested for the next meeting.	
<b>6. Public Exclusions</b>	<p>The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:</p> <p>General subject of each matter to be considered:</p> <p><b>Item No 7.1: Finance Committee Meeting 22 September 2022, Minutes Part B</b></p> <p><b>Item No 7.2: Finance Committee Meeting 22 September 2022, Matters Arising from Minutes, Part B</b></p> <p><b>Item No 8.0: Treasury Management, Compliance and Cash Flow Report</b></p> <p><b>Item No 9.0: Update to Latest Estimate 2022 Year End Position</b></p> <p><b>Item No 10.0: Budget Report 2023</b></p>	<b>RESOLVED (Rob McDonald   Cecilia Tarrant)</b> that the public be excluded from Part B of this meeting AND THAT Mr Mason, Mrs Cleland, Mr Bluett, Mr Matto, Mrs Cattanach and Mrs Metcalf be permitted to remain for this part of the meeting, after the public be excluded, because of their knowledge of the matters to be discussed. This knowledge, which will be of assistance in relation to the matters to be discussed, is relevant to those matters because they relate to aspects of the administration of the University of Auckland for which those persons are responsible.

6.3

**CHAIR APPROVED BUT NOT CONFIRMED BY THE COMMITTEE**

	<p>Reason for passing this resolution in relation to each matter:                  The protection of the interests mentioned below.                  Grounds under section 48(1) for the passing of this resolution:                  Those in Section 9 of the Official Information Act 1982                  namely:</p> <ul style="list-style-type: none"> <li>i) To protect the privacy of the persons referred to in the recommendations and to maintain the confidentiality of those recommendations; and</li> <li>ii) To enable the University to carry on without prejudice or disadvantage negotiations; and</li> <li>iii) To prevent the disclosure or use of Official Information for improper gain or advantage.</li> </ul>	
<p><b>The meeting moved into a Public Excluded session at 8.04am.</b>  <b>The meeting closed at 9.26am.</b>  <b>Approved as a true and correct record.</b></p> <p>_____</p> <p><b>Rob McDonald, Chair</b></p> <p><b>Date:</b></p>		

6.3



## University Equity Leadership Committee Report to Council December 2022

### 1. University Equity Leadership Committee meetings

*Note: This report summarises the August, September, and October 2022 UELC meetings and subsequent progress on several items that were discussed. The next UELC meeting will be on 9 March 2023.*

#### 1.1 University Equity Leadership Committee membership

The membership list has been updated by replacing “student representatives” with “Ngā Tauria Māori representatives”, as these places have been filled.

#### 1.2 Disability Action Plan

The PVC Equity confirmed the Disability Action Plan (DAP) was submitted to the Tertiary Education Commission (TEC) on 8 July 2022. Feedback from TEC received in October included their confidence that the University understands the challenges and barriers that face disabled learners, and in the University’s planned approach and focus on addressing these barriers in a systemic and institutional-wide way. TEC also “strongly commended the University for the significant achievement of being the first tertiary education organisation in New Zealand to have a DAP published on their publicly facing website”.

Professor Stinear noted TEC are requesting financial details in our July 2024 report. Their feedback notes it would “be helpful to see more detail on resourcing/costing for this work publicly available”. This was not part of the initial TEC requirement and clarification from TEC is being sought regarding the level of detail required. She also noted the DAP workload required by TEC across the five workstreams. Finance and the Office of PVC Equity (OPVCE) are preparing a business case for a DAP coordinator to support this programme.

Professor Stinear advised 20 EOIs were received for the DAP Reference Group and 16 were selected. The resulting Reference Group has a strong and diverse composition of academic, professional staff, UG and PG students across STEMM and CABEL with lived experience and/or expertise in this area. Membership from Te Tai Tokerau and Te Tonga Campuses is yet to be confirmed. The DAP Reference Group reports to UELC as the governance group for the Disability Action Plan.

Progress since last UELC meeting: The Reference Group’s first meeting in November 2022 agreed their terms of reference. The DAP Reference Group discussed and agreed the DAP primary indicators for reporting attached as Appendix I, on the basis that more detailed secondary indicators for each workstream are expected in the new year. TEC are expected to provide further advice on the measurement of employment outcomes for disabled learners (Primary Indicator A2). They noted the University also has an internal participation indicator for staff with disabilities. A priority for 2023 is to review the University’s current definition of ‘disability’. The DAP Coordinator role has been endorsed by Stephen Whiteside, Director of Organisational Improvement and Development, with recruitment to this position expected early 2023.

#### 1.3 Equity related data and reporting

PVC Equity confirmed the University’s [Demographic data](#) are now available on the University’s website. She noted this replaces the previous University Equity Profile, it will be updated six-monthly, and it provides an overarching representation of who we are as a University community.

Professor Stinear confirmed the OPVCE now have access to anonymous and more detailed ethnicity data in order to improve future reporting of ethnic diversity where appropriate.

**1.4 Equity Policy review**

PVC Equity noted the large group of experts and thought leaders involved in the policy review process. She discussed submissions received through the public consultation feedback and full support for the policy's indigenous framing. She noted the debate regarding listing, or not, of specific equity groups, and that a number of submissions queried implementation plans. Submissions were positive about the importance of this new policy being distinctive of Waipapa Taumata Rau.

Associate Professor Hoskins acknowledged the Equity Policy Review Working Group and Professor Greenberg as its Chair for their engagement with the whakaaro of the Toitū Waipapa Group. She noted that the framing of this draft policy sets it apart from other equity policies both nationally and internationally and that it is generous with manaakitanga at its heart. The Chair noted this was a good example of how we live our values.

Members discussed the final Te Ara Tautika | The Equity Policy (attached as Appendix II), noting the inclusion of various strategies, plans, policies and procedures under Key Relevant Documents. Professor Stinear noted policies have a five-year review cycle; however, key documents will be updated on a regular basis as existing and new related documents are reviewed and developed.

Professor Holdaway noted the relevance of the University's Te Rautaki Aronga Toitū | Sustainability Strategy which identifies a number of social issues. Members agreed to its addition under Key Relevant Documents and extra wording to reflect the University's alignment with the United Nations Sustainable Development Goals.

UELC members approved Te Ara Tautika | The Equity Policy subject to revisions to identify our SDG commitments. Members were also in agreement with the narrative going on the University website alongside the new Policy.

Progress since last UELC meeting: The final [Te Ara Tautika | The Equity Policy](#) was approved by the Vice-Chancellor on 11.11.22 and is now in effect and available online. This ensures the new Policy will be available for inclusion in the University's *Times Higher Education* rankings submission.

**1.5 Policies, procedures, and guidelines**

PVC Equity discussed the relationships between Te Ara Tautika | The Equity Policy and related policies, procedures and guidelines that are scheduled for review or need to be developed over the coming 2 – 3 years. She noted there will be some inconsistencies until all equity related key documents have been reviewed and updated. Members confirmed the new structure was clear and logical and supported the changes, noting the importance of ensuring alignments including with new TEC and PBRF 2023 process changes.

Professor Stinear confirmed work has commenced between the PVC Equity as Policy Owner and Associate Director, Student Services as content manager for the review and updating of UTAS policy and procedures. She noted schools go to the new equity index system in 2023 and that the Planning Office will continue with the current system of identifying students from decile 1-3 schools until 2024 when it is envisaged the new system will be fully embedded nation-wide.

Progress since last UELC meeting: The OPVCE has convened a leadership group to agree the scope and principles for the review of UTAS policy and procedures. The first meeting of this group is scheduled for 7<sup>th</sup> December 2022. The group comprises senior academic and professional staff stakeholders from several faculties, including Māori and Pacific staff and Legal counsel. A working group has also been convened that includes key operational staff and student representatives. The OPVCE is also supporting a number of revisions of policy and procedures including lecture recordings with Teaching and Learning and revisions to the Parental Leave Policy with HR.

**2. Review of Equity Function**

The Review of Equity Function completed mid-2021 produced 21 recommendations. A summary of these recommendations and the responses to them is provided in Appendix III. All recommendations have been acted upon and are either complete or part of ongoing BAU. The OPVCE considers the response to this review complete.

**3. OPVCE Priorities**

The OPVCE identified priorities for 2022, and these were presented to UEC, PDDC, EAN, HRLT, PSLT, and UELC. Four priorities were identified and the overall goal for each priority has been achieved.

1. Policy and Language: A new [policy](#) that frames key concepts such as equity, diversity, safety, and inclusion, and outlines expectations of all members of the University community.
2. Disability Action Plan: Initiate all five workstreams in the [2022 – 2025 Disability Action Plan](#).
3. Measurement and Reporting: Meaningful [equity and diversity data](#) that are accurate, accessible, and used to inform decisions and monitor progress.
4. Decentralisation and Accountability: A distributed group of experts, advisors, and practitioners, who collaborate to achieve the University's equity goals.

Next step: The OPVCE is currently identifying priorities for 2023 and these will be presented to UELC at their March 2023 meeting.

**4. Recommendations**

1. That Council note receipt of the University Equity Leadership Committee year-end report.
2. That Council note the Disability Action Plan primary indicators in Appendix I.
3. That Council note the final [Te Ara Tautika | The Equity Policy](#) and [Te Ara Tautika | The Equity Policy whakapapa](#) in Appendix II.
4. That Council note the outcomes of the Review of Equity Function in Appendix III.

## APPENDIX I – UNIVERSITY DISABILITY ACTION PLAN Primary Indicators for reporting

The Primary success indicators are for external and internal reporting, except indicators P2 and E2 which are related to staff and are internal measures only. The alignment with TEC target-setting guidance column shows how the DAP indicators align with the evaluation guidance published by TEC.

Domains	Ref	Proposed Primary Success Indicators	Alignment with TEC guidance	Indicator definition
Participation	P1	An increasing percentage of students disclose disabilities	Increased numbers of disabled learners	The number of students who disclose disabilities through the Enterprise Person Registry as a percentage of the total number of all students, calculated annually using headcounts from Strategic Management Reports
	P2	An increasing percentage of staff disclose disabilities [internal reporting only]	Not applicable	The number of staff members who disclose disabilities via the Enterprise Person Registry as a percentage of the total number of all staff, calculated annually using headcounts from Strategic Management Reports
Experience	E1	Increasing survey scores for overall satisfaction from students with disabilities, to achieve parity		The average percentage of General Agreement responses across all items of the annual Learning and Teaching Survey <sup>1</sup> will be calculated for students who identify as disabled and compared to the average percentage of General Agreement responses across all items calculated for respondents who do not disclose disabilities.
	E2	Increasing survey scores for overall satisfaction from staff with disabilities, to achieve parity [internal reporting only]		The average percentage of General Agreement responses across all scale items of the annual Employee Experience Survey <sup>2</sup> will be calculated for respondents who indicate disability in this survey and compared to the average percentage of General Agreement responses across all scale items calculated for respondents who do not indicate disability.
Achievement	A1	Increasing course completion rates for students with disabilities to achieve parity with non-disabled students	Higher levels of academic achievement by disabled learners	The sum of EFTS for all pass grades as a percentage of the sum of all EFTS enrolled, calculated annually and separately for students who disclose disability and for students who do not disclose disability, using Strategic Management Reports.
	A2	An increasing percentage of disabled learners enters the workforce at the conclusion of their studies	Increased employment outcomes for disabled learners	The percentage of disabled learners engaged with Career Development and Employability Services who are employed in a role relating to their studies within 12 months of concluding their studies, calculated annually.

<sup>1</sup> The annual Learning and Teaching Survey samples 10,000 undergraduate and postgraduate students with stratification to ensure proportional sampling of students with disability. With an overall response rate of around 33%, we expect at least 200 students with disability to respond.

<sup>2</sup> The annual Employee Experience Survey is available to all staff. It has optional demographic questions including whether the respondent considers themselves to be disabled. With an overall response rate of around 60%, we expect at least 350 staff with disability to respond.

## Appendix II: Te Ara Tautika | Equity Policy

### Application

**Waipapa Taumata Rau | University of Auckland** and all of its **members**.

### Purpose

This policy sets out the **University's** commitment to being an environment where all can thrive.

### Introduction

Aotearoa New Zealand is a country of rich diversity, where Māori are **tangata whenua** with strong kinship, cultural, social, and economic links to the Pacific and beyond.

People from all over Aotearoa New Zealand and across the globe are attracted to and join our **community**, making Waipapa Taumata Rau | University of Auckland a place of many cultures, identities, ethnicities, and values.

The University recognises, and seeks to develop mutually beneficial relationships with, the **iwi** and **hapū** where our campuses are located.

The University offers a welcoming and safe environment for students, staff, and guests to succeed and thrive.

This **equity** policy sets out principles, responsibilities, and expectations of the University and all of its members. It also identifies related policies, procedures and guidelines that describe and support the implementation of this policy.

### Principles

The University recognises the importance of and is committed to:

- a. Te Tiriti o Waitangi, in particular ngā tikanga katoa rite tahi | Māori ways of doing, equal to all others, as given expression through Toitū Waipapa | The Enduring Framework.
- b. The sacred vā or special relationship between Māori and Pacific peoples by virtue of shared whakapapa as well as commonalities in origins, histories, and culture.
- c. The concept of Whakawhanaungatanga, the establishment of respectful relationships, and affirms:
  - Whanaungatanga, the reciprocal process of maintaining relationships and connections.
  - Manaakitanga, upholding the mana of others by providing safe, inclusive, equitable, and accessible environments, which enable everyone to thrive.
- d. Supporting achievement of the **United Nations Sustainable Development Goals**.

## Policy

### Responsibilities

1. The University and its members are responsible for:
  - i. Celebrating and affirming the diversity of our communities.
  - ii. Striving to dismantle barriers and forms of privilege where they denigrate **mana** and perpetuate inequities.
  - iii. Enabling all members of the University community and those seeking to join it to experience equitable access, participation, and success.
  - iv. Upholding and maintaining mana, which includes creating appropriate options and future opportunities for people and groups, particularly for those who experience prejudice, discrimination, intolerance, underrepresentation, or who have been historically excluded.
  - v. Understanding **intersectionality** and its effects in order to effectively remove barriers to access, participation, and success.
  - vi. Appreciating that achieving equity is everyone's responsibility as well as a right.
  
2. The University is responsible for addressing structural and systemic ableism, ageism, classism, homophobia, racism, religious intolerance, sexism, transphobia, and other forms of **discrimination**, especially for groups that have historically been and are disadvantaged or marginalised.

### Expectations

3. The University will:
  - i. Create an environment and avenues for learning that embrace **te ao Māori, mātauranga Māori, kaupapa Māori**, Te Tiriti o Waitangi, and our Pacific context and connections.
  - ii. Be flexible and continuously evolve in creating a welcoming and safe environment where people feel free to bring their authentic selves to work and study.
  - iii. Partner with students and staff members to develop and implement strategies, plans, procedures, and guidelines, with accountability and appropriate measures of progress and success, to operationalise the principles and responsibilities described by this policy.

### Definitions

The following definitions apply to this document:

**Community** means all students, staff members, honorary and adjunct staff, contractors and subcontractors, consultants, associates, partners, alumni, visitors, and guests of the University, as well as members of University Council.

**Discrimination** is defined by the Human Rights Act 1993 and can occur when a person is treated less favourably than another person, in the same or similar circumstances, because of a prohibited ground such as their sex, colour, religious belief, race, marital status, ethnic or national origins, family status, ethical belief, sexual orientation, political opinion, age, employment status or disability.

**Equity** is fair and just access, participation, experiences, and success. Achieving equity is everyone's right and responsibility.

**Hapū** means kinship group, clan, tribe, subtribe.

**Intersectionality** refers to the ways in which different aspects of a person's identity can expose them to overlapping and compounding forms of discrimination and marginalisation.

**Iwi** means extended kinship group, and often refers to a large group of people descended from a common ancestor and associated with a distinct territory.

**Kaupapa Māori** means Māori approach, topic, customary practice, institution, agenda, principles, ideology, incorporating the knowledge, skills, attitudes and values of Māori society.

**Mana** means status, prestige, authority, standing.

**Mātauranga Māori** refers to traditional and contemporary bodies, forms, and expressions of Māori knowledge, and includes world view and cultural practices.

**Members** of Waipapa Taumata Rau | University of Auckland are all students, staff members, honorary and adjunct staff, contractors and subcontractors, consultants, and members of University Council.

**Tangata whenua** means 'people of the land', the Indigenous people of Aotearoa New Zealand.

**Te ao** means world or world view.

**Te Ara Tautika** means the journey towards an equitable university environment.

**United Nations Sustainable Development Goals** means the 17 sustainable development goals described in the 2030 Agenda for Sustainable Development, adopted by all United Nations Member States in 2015. These Goals recognise that ending poverty and other deprivations must go hand-in-hand with strategies that improve health and education, reduce inequality, and spur economic growth – all while tackling climate change and working to preserve our oceans and forests.

**University** means Waipapa Taumata Rau | University of Auckland and includes all subsidiaries.

**Waipapa Taumata Rau** means the University of Auckland and includes all subsidiaries.

#### Key Relevant Documents

This policy relates to and informs the implementation of plans, other policies and mandatory procedures, including:

- [Taumata Teitei](#)
- Māori Staffing Plan
- Pacific Staffing Plan
- Toitū Waipapa | The Enduring Framework
- [Disability Action Plan](#)

- Learner Success Plan
- [Undergraduate Targeted Admissions Schemes policy and procedures](#)
- [Pastoral Care Code of Practice](#)
- [Flexible work policy and procedures](#)
- [Staff with disabilities policy](#)
- [Impartial employment decision making policy and procedures](#)
- [Recruitment, selection and appointment policy](#)
- [Achievement relative to opportunity policy and procedures](#)
- [Work, life, family and carers policy](#)
- [Parental leave policy and procedures](#)
- [Family and relationship violence and abuse policy](#)
- [Addressing bullying, harassment and discrimination policy and procedures](#)
- [Creating Cultures of Consent and Respect Action Plan](#)
- [Te Rautaki Aronga Toitū | Sustainability Strategy](#)

6.4

The responsibilities and expectations described in this policy are also implemented by related guidelines, including:

- [Equity guidelines](#)
- [Undergraduate Targeted Admission Schemes guidelines](#)
- [Equity in recruitment, selection and appointment toolkit](#)
- [Achievement relative to opportunity guidelines](#)
- [Disclosure of information](#)
- [Gender transitioning at work guidelines](#)
- [Inclusion of trans and gender diverse students and staff in sport and recreation guidelines](#)
- [Guidelines for University support for trans and gender-diverse students' legal name change](#)
- [Students with disabilities disclosure guidelines](#)
- [Staff with disabilities and their managers guidelines](#)
- [Issues related to students' disclosure of information on disabilities or impairments staff guidelines](#)
- [Inclusive learning and teaching of students with impairments guidelines](#)
- [Car parking guidelines – including disability parking](#)
- [Parking for staff with family responsibilities guidelines](#)
- [Babies and children on campus guidelines](#)
- [Family and relationship violence and abuse prevention and management guidelines](#)
- [Addressing bullying, harassment and discrimination guidelines.](#)

Relevant documents are also available at:

[National legislation, international declarations and conventions](#)

[Equity related Policies, Procedures and Guidelines](#)

Document management and control

**Owner:** Pro Vice-Chancellor Equity

**Content manager:** Senior Research and Policy Adviser - Equity

**Approved by:** Vice-Chancellor

**Date approved:** 11 November 2022

**Review date:** November 2027

## Appendix III 2021 Review of Equity Function Recommendations

	Recommendation	Response	Status
<b>Leadership</b>			
1	That the current ELC be replaced by a University Staff and Student Equity Committee chaired by the Vice Chancellor to actively lead the implementation of equity across the University	The University Equity Leadership Committee has been established and is chaired by the Vice Chancellor	Complete
2	That urgency is given to recruiting the PVC Equity to assist in facilitating the work that comes out of this review	PVC Equity appointed	Complete
3	That Senior Managers, Deans and Directors are held accountable for implementing equity in their areas of responsibility	UELC hold senior managers, deans and directors accountable	Ongoing
<b>Equity Operational Plan</b>			
4	That the five operational plans are explicit in considering equity implications and opportunities	Equity considerations are visible in Taumata Teitei and each of its five portfolios	Ongoing
5	That an Equity Operational Plan be developed that reflects the five operational plans and is aligned with the Māori and Pacific operational plans	The Office of PVC Equity (OPVCE) priorities are identified annually in partnership with DVCS, PVCs, and UEC, with oversight from UELC	Ongoing
6	That the Equity Operational Plan be used to guide the equity work in the faculties, LSRI's and service divisions	OPVCE priorities guide the work of Equity Action Network members, who are in leadership roles in faculties, LSRI's, and service divisions	Ongoing
<b>Responsibility</b>			
7	That responsibility for equity be incorporated into all managers' and leaders' performance expectations	OPVCE partners with HR via the Associate Director EDI to ensure equity responsibilities are incorporated in expectations of staff	Ongoing
8	An active programme be developed and implemented to upskill managers and leaders to equip them to meet these performance expectations	OPVCE partners with HR via the Associate Director EDI to ensure equity awareness and capabilities are developed among staff	Ongoing
<b>Distribution of equity resources</b>			
9	That an Associate Director, Equity, be appointed reporting to the Director HR	Dr Guillermo Merelo appointed to the role of Associate Director Equity, Diversity and Inclusion, HR	Complete
10	That an equity resource be placed within Campus Life	Carley Fletcher, Student Equity Manager appointed	Complete
11	That an equity resource be considered within the Provost's reporting line	Considered and set aside at this time	Complete

12	That an equity resource be placed within Communications and marketing	Equity Communications and Marketing Advisor is being recruited	Complete
13	That a small team comprising an Equity Manager and researcher/analysts be set up to support the work of the PVC Equity	Team in place	Complete
<b>Processes and functions to support equity</b>			
14	That the role and composition of ECOI be refocused to enable it to effectively operate as the ears and voice for equity throughout the university to assist in implementing the Equity Operational Plan	Equity Action Network established, chaired by PVCE, reporting to UELC, and comprised of Associate Deans/Directors Equity & Diversity and senior professional staff from HR, Campus Life, Communications and Marketing, Teaching and Learning, who have an equity focus	Complete
15	That the role of the Rainbow staff and students' group, the Disability Advisory Group, and the students from refugee backgrounds advisory group be developed as a resource for the University to tap into for expertise and experience around their areas of interest	Responsibilities for these groups are with the new Student Equity Manager and Associate Director EDI, HR	Complete
16	That Service Divisions and LSRI should also establish equity committees, either individually or collectively	Discussed with DVC Operations and not prioritised at this time	Complete
17	That the functioning of equity committees be strengthened by clearer terms of reference, a programme of capability building, and that their work is guided by the Equity Operational Plan	Role description for AD Equity & Diversity developed, endorsed by PDDC, UEC and UELC, and established in all faculties and LSRI. Principles for equity committee ToR developed and agreed with EAN members.	Complete
18	That active steps be taken to support the current Associate Deans Equity and that whether this role be mandated more widely be considered in a year's time	AD Equity and Diversity role integrated with the Academic Leadership Framework. See item 17 above.	Complete
<b>Separation of strategic and policy roles from operational roles</b>			
19	That Disability Services are positioned within Campus Life	Disability operations now with Campus Life	Complete
20	That HR strengthen its ability and profile to be the first point of call on individual equity issues	Staff equity operations now with HR	Complete
21	That the equity scholarships be administered alongside the University's other scholarships and awards	OPVCE delegated scholarships responsibilities to Campus Life	Complete

6.4

**THE UNIVERSITY OF AUCKLAND**  
**MATERIAL FOR COUNCIL FROM**  
**THE MEETING OF SENATE 28.11.2022**

**PART A:****1. RECOMMENDATIONS FROM SENATE REQUIRING TO BE CONSIDERED/RECEIVED BY COUNCIL****a) Senate Working Group on Academic Freedom and Freedom of Expression**

Professor Hunter, Chair of the Senate Working Group on Academic Freedom and Freedom of Expression, advised Senate that the work undertaken by the Working Group was progressing well. A paper would be submitted to Senate at the next meeting where an in-depth discussion on the topic would be held.

**b) Senate Review**

Professor Mathew, Chair of the Senate Review Reference Group advised Senate that, for the Senate review, two draft questionnaires had been developed: one for Senate members and one for non-members.

The member survey was organised in the following four sections:

- The purpose of Senate;
- The size and composition of Senate's membership;
- The members' relationship with senate; and
- Personal information (optional).

Each of these sections comprised a number of separate questions; most of these questions would provide options while there would also be opportunity for commentary allowing explaining why a certain option was chosen.

The questions in both questionnaires had been seen by the Senate Review Reference Group but required further fine-tuning before it could be sent out.

**c) REVIEWS****1. Review of the School of Pharmacy**

Senate 28.11.2022 **RECOMMENDS** to Council that it **receive** the Review of the School of Pharmacy.

**2. RECOMMENDATIONS FROM SENATE REQUIRING COUNCIL CONSIDERATION/APPROVAL****ACADEMIC MATTERS AND REGULATIONS****1. CUAP AMENDMENTS**

**Senate, advises Council that the following CUAP amendments were approved ex-officio by the Chair for reporting to CUAP:**

**Science**

i-2022-719	Graduate Certificate in Science	Introducing an exit qualification for students who have completed 60 points towards a GradDipSci or GradDipAppPsych.
ii- 2022-720	Postgraduate Certificate in Data Science	Introduce a pathway qualification into the Master of Data Science and also a stand-alone qualification in its own right

## 2. REGULATION AMENDMENTS

**Senate, 28.11.2022 RECOMMENDS that Council approve the following Regulation Amendments:**

- a) Regulation Amendment 2022-916:** Academic Statutes and Regulations- - Examination Regulations
1. This amendment proposes that a number of temporary regulation and procedure changes, approved for the 2022 academic year to address the impacts of the COVID-19 pandemic, now be made permanent.
  2. To update the name of the Examinations Office to Assessment Services and the title of Examination Services Manager to Assessment Services Manager.
- b) Regulation Amendment 2022-918:** General Statutes and Regulations – Key University Dates – Closing Dates for Admission, 2023 Programme Start Dates  
To amend the application closing dates for the Bachelor of Education (Teaching), Bachelor of Education (Teaching English to Speakers of Other Languages), Bachelor of Social Work, Bachelor of Sport, Health and Physical Education and Bachelor of Early Childhood Studies.
- c) Regulation Amendment 2022-919:** Academic Statutes and Regulations - Admission Regulations  
To amend the Admission Regulations to incorporate a Discretionary Entrance Academic Adviser as a decision-making authority.
- d) Regulation Amendment 2022-920:** General Statutes and Regulations – Enrolment and Programme Regulations  
Including an accompanying paper regarding the proposal to change withdrawals and GPA calculation  
To update the Withdrawals section of the Enrolment and Programme Regulations with option 1.
- e) Regulation Amendment 2022-921:** Academic Statutes and Regulations- General Statutes and Regulations – Bachelor Honours Degrees
1. To clarify decision makers (replacing references to Senate or its representative).
  2. To amend the language relating to semesters.
  3. To introduce the option of longer periods of extension/suspension to be approved by the Pro-Vice Chancellor Education.
  4. To clarify appeal options.
  5. To introduce a one-month extension and allow approval by the supervisor.
  6. To include a requirement for a progress review for research projects of 90 points or more.
  7. To clarify the basis on which honours is calculated.
  8. To add a specific clause relating to the delegation of decision making.
  9. To amend the variations clause.
- f) Regulation Amendment 2022-922:** Academic Statutes and Regulations- General Statutes and Regulations – Postgraduate Diplomas
1. To clarify decision makers (replacing references to Senate or its representative).
  2. To amend the language relating to semesters.

7.1

3. To introduce the option of longer periods of enrolment and extension/suspension to be approved by the Pro-Vice Chancellor Education.
4. To clarify appeal options.
5. To introduce a one-month extension of time for research components and allow approval by the Supervisor.
6. To clarify the basis on which distinction/merit will be calculated.
7. To introduce a specific clause allowing the delegation of decision making.
8. To amend the variations clause.

**g) Regulation Amendment 2022-923:** Academic Statutes and Regulations- General Statutes and Regulations – Postgraduate certificates

1. To clarify decision makers (replacing references to Senate or its representative).
2. To amend the language relating to semesters.
3. To introduce the option of longer periods of enrolment to be approved by the Pro-Vice Chancellor Education.
4. To clarify appeal options.
5. To introduce a specific clause about delegated decision making.
6. To amend the variations clause.

**h) Regulation Amendment 2022-924:** Academic Statutes and Regulations- General Statutes and Regulations – Masters Degrees

1. To clarify decision makers (replacing references to Senate or its representative).
2. To amend the language relating to semesters.
3. To introduce the option of longer periods of extension/suspension to be approved by the Pro-Vice Chancellor Education.
4. To clarify appeal options.
5. To introduce a one-month extension.
6. To include a requirement for a progress review for theses and research portfolios.
7. To include specific reference to delegating decision making.
8. To amend the variations clause.

**i) Regulation Amendment 2022-925:** General Statutes and Regulations – Key University Dates – Closing Dates for Admission, 2023 Start Dates  
To amend the application closing dates for the Master of Professional Supervision and Master of Professional Supervision Practice.

**3. 2023 Programme Limitations - Update**

**Senate 28.11.2022 RECOMMENDS** that Council **approve** the 2023 Programme Limitations Update

**4. Assessment (Coursework, Tests and Examination) Procedures 2023 – immediate changes**

**Senate 28.11.2022 RECOMMENDS** that Council **approve** Assessment (Coursework, Tests and Examination) Procedures 2023 – immediate changes prior to submission of a fully revised version in March 2023.

**5. Examination of Sub-doctoral Postgraduate Research Components of 30 Points and Above Procedures 2021**

**Senate 28.11.2022 RECOMMENDS** that Council **approve** Examination of Sub-doctoral Postgraduate Research Components of 30 Points and Above Procedures 2021 - immediate changes prior to submission of a fully revised version in March 2023

**6. Draft Omnibus Statute 2023**

**Senate 28.11.2022 RECOMMENDS** that Council **approve the Draft Omnibus Statute 2023**

**7. Doctoral Policy and Procedures updates:**

- Doctoral Coursework Policy and Procedures;
- Doctoral Examination Procedures; and
- the Doctoral Oral Examination Procedures

**Senate 28.11.2022 RECOMMENDS** that Council **approve the Doctoral Policy and Procedures updates**

**PART B: ITEMS FROM SENATE FOR NOTING BY COUNCIL**

None

**PART C: MATTERS RECEIVED AND APPROVED UNDER DELEGATED AUTHORITY**

**1. Academic Teaching Dates 2025-2026**

**Senate, 28.11.2022** advises Council that it approved the Academic teaching dates 2025-2026.

**2. The new PhD subject areas of Communications and Innovation and Entrepreneurship**

**Senate, 28.11.2022** advises Council that it approved the PhD subject areas of Communications and Innovation and Entrepreneurship

**3. Changes to the membership of the Research Committee**

**Senate, 28.11.2022** advises Council that it approved the changes to the membership of the Research Committee

**4. Faculty Centres:**

**Faculty of Arts**

1. Public Policy Institute\* (PPI)
2. Centre for Centre of Methods and Policy Application in the Social Sciences (COMPASS)

**Faculty of Education and Social Work**

1. Te Rito Toi – The Centre for Arts and Social Transformation (CAST)
2. Tāwharau Whakaumu - Centre for Asia Pacific Refugee Studies (CAPRS)

**Faculty of Business and Economics**

1. New Zealand Asia Institute\* (NZAI)
2. Juncture - Dialogues on Inclusive Capitalism

**Faculty of Engineering**

1. Centre for Advanced Materials Manufacturing and Design

7.1

2. Centre for Automation, Robotics and Engineering (CARES)
  3. Infrastructure for Community Futures Research Centre (ICFRC)
  4. Te Pūnaha Ātea – Space Institute
  5. Transportation Research Centre

**Faculty of Medical and Health Sciences**

1. Aotearoa-New Zealand National Eye Centre (ANZ-NEC)
2. Centre for Addiction Research
3. Eisdell Moore Centre
4. Manaaki Manawa – The Centre for Heart Research
5. Surgical and Translational Research (STaR) Centre
6. Auckland Cancer Society Research Centre (ACSRC)
7. Centre for Medical Imaging
8. He Ara ki Mua (Centre for Longitudinal Research)
9. NIHI (Research)

**Faculty of Science**

1. Centre for Computational Evolution
2. Centre for Pūtaiao
3. Future Food Research Centre
4. Natural, Artificial and organisational Intelligence Institute (The NAO Institute)
5. Te Ao Mārama (Centre for Fundamental Inquiry)

**Senate, 28.11.2022 advises Council that it approved the listed faculty Centres.**

**5. NEW SCHOLARSHIP, PRIZE & AWARD REGULATIONS**

**Senate, 25.07.2022 advises Council that it approved the following:**

**a) Proposed amendments to regulations:**

1. Anna Nathan Prizes in Early Keyboard Music
2. Faculty of Arts Doctoral Scholarship
3. Faculty of Arts Sub-doctoral Postgraduate Scholarship
4. Faculty of Arts PhD Fees-Free Bursary
5. Kilpatrick Research Excellence Prize
6. Professor Brian Coote Memorial Scholarship

**b) Seven new Scholarship, Prize & Award Regulations:**

1. NZAS (New Zealand Audiological Society) Master of Audiology Award for Māori Students
2. University of Auckland –[insert name] PhD Scholarship
3. Sir John Logan Campbell Māori and Pacific Postgraduate Research Scholarship

4. PMA Knowledge Hub Doctoral Fees Award
5. PMA Knowledge Hub Doctoral Scholarship
6. PMA Knowledge Hub Masters Fees Award
7. PMA Knowledge Hub Masters Scholarship



Date: 30 November 2022  
To: Council  
From: Professor Bridget Kool, Pro Vice-Chancellor (Education)  
Subject: CUAP and Graduating Year Reviews Delegation memo

### Overview

This paper proposes to delegate the authority to approve Committee on University Academic Programmes (CUAP) proposals (Round 1 and Round 2) and Graduating Year Reviews (GYRs) to Senate, rather than requiring approval from the Academic Programmes Committee (APC), Senate and then Council.

9.2

### Purpose

The University Council is the governing body of the University and is accorded powers under the Education and Training Act. In order to ensure the efficient and effective operations of the institution on a day-to-day basis, Council delegates many of its powers, functions and duties to various committees and in turn a number of responsibilities to members of staff.

Considering the above, it is proposed that Council delegates the authority for Senate to approve:

- CUAP proposals for final submission to CUAP
- GYRs for final submission to CUAP.

### Outcome

The outcome we are seeking to achieve is the alignment of the University's approval processes with the final CUAP submission deadlines, as well as increased flexibility to approve CUAP proposals and GYRs.

Currently, both CUAP proposals and GYRs must be approved by APC, Senate and Council before they can be formally submitted to CUAP. The 2023 (and 2022) August Council meeting does not align with the CUAP Round 2 Peer Review round. The Council meeting takes place on 21 August; however, the CUAP Round 2 Peer Review round begins on 1 August 2023. We will therefore not have Council approval in place at the time the Peer Review formally starts, which puts us in a risky position. It seems sensible to delegate

both Round 1 and Round 2 approvals to Senate, rather than just applying this to Round 2.

Similarly, GYRs must be approved by APC, Senate and Council, and must be submitted to CUAP by 1 October each year. The current chain of Committee approvals provides limited flexibility for faculties to complete this important quality assurance process, which involves multiple stakeholders from across the University. Delegating the approval of GYRs to Senate, would allow faculties to spend more time on producing high quality and meaningful reviews.

9.2

#### **DELEGATION TO SENATE**

1. Pursuant to section 285(1) of the Education and Training Act 2020 (Act), Council DELEGATES to Senate its function and power to approve CUAP proposals and Graduating Year Reviews for submission.

#### **SIGNED BY**

---

Council member  
Date:

---

Council member  
Date:



## Internal Memorandum

Date: 8 November 2022  
To: University Council  
From: Mark Bentley, Director Alumni Relations & Development  
CC: Adrienne Cleland  
Subject: Approval of revised Philanthropic Gift Acceptance Policy

**Recommendation:** That Council approve the updated policy, attached in the Appendix.

9.3

**Background:** The *Charitable Gift and ARD Sponsorship Acceptance and Approval Policy* covering the acceptance and management of philanthropic gifts to the University (including the Foundations, UniServices Limited, UK and US Friends) has been reviewed and updated as recommended during a 2021 Internal Audit carried out by PwC.

**Key Changes:** The policy has been renamed ***Philanthropic Gift Acceptance Policy*** and reviewed to cover the gaps identified by the audit with specific attention given to:

- explicitly stating the due diligence process that must be completed to ensure the suitability of donors and their gifts, with lifetime giving thresholds specified to determine the level of examination required
- requiring greater oversight by Deans and Directors of staff who are giving in support of their own fields of work
- improved gift documentation

A guidelines document sits alongside the policy to provide staff with more support (also attached in appendix).

**Preliminary Approval and Consultation:**

- Revised policy endorsed by UEC for staff consultation – 6 September 2022
- Staff consultation period closed – 18 October 2022. Minor feedback from this consultation has been incorporated.

## APPENDIX 1 - DRAFT POLICY

### Philanthropic Gift Acceptance Policy – draft

#### Application

This policy applies to all **University staff members** and only applies to **gifts** made to the **University charities**.

This policy does not cover gifts made personally to staff; for information on these please refer to our [Sensitive expenditure policies and guidelines](#).

#### Purpose

To provide clarity and guidance on the solicitation and acceptance of gifts and certain **sponsorships** for the University to ensure they can be accepted properly, legally and to ensure consistent and equitable relationships with donors.

1. **Council** has the sole power to accept gifts made to the University whether on trust or otherwise, except where the Council has delegated its power to do so, and subject always to the terms of that delegation, as per [Education and Training Act 2020](#).
2. Sponsorships and the granting of them where they involve the use and potential alienation of University assets or interests in assets, oblige the [Council or its delegate](#) to [express an opinion](#) recording that the function of granting sponsorships will not disadvantage the University's [characteristic functions](#).
3. In cases where an asset is charged with an obligation, or a lease may be involved, the University may be obliged to seek the consent of the Chief Executive of the Ministry of Education.

#### Delegation

4. Council [delegates to the Vice-Chancellor](#) the powers of Council in relation to gifts upon terms of reference as determined by Council and in accordance with this policy.
5. The power to grant and accept sponsorships may be delegated and [managed by the Vice-Chancellor](#) in line with this policy and the asset disposal requirements of the Act.
6. The Vice-Chancellor may elect to be advised by [persons of their choosing](#) who may also assist them to:
  - negotiate
  - assess
  - approve
  - accept
  - or set the terms of any gift or sponsorship.
7. The Vice-Chancellor and any sub-delegate must report regularly to Council on the exercise of the delegation set out in this policy. The report to Council must detail:
  - the origin
  - the amount and nature of gifts or sponsorships accepted by the University charities.
  - such other details as Council may request from time to time provided that only gifts or sponsorships valued at greater than \$25,000 must be reported
  - any gifts or sponsorships not accepted due to concerns about the nature of the donor or their motivation.

### Gift acceptance framework

8. Staff who are not part of Alumni Relations and Development (ARD) and are approached by a potential donor must seek advice on how to best manage a gift at the earliest opportunity from their faculty Development Manager (DM), or, in their absence the Foundations General Manager.
9. All gifts must be assessed against this framework to establish whether the gift can be accepted and, if so, who can accept the gift on behalf of the University and what level of acceptance checks should be applied.
10. DMs in ARD working with prospective donors must consider the Gift Acceptance Framework in all their discussions and must formally initiate background checks, as prescribed when the gift moves into solicitation phase.
11. Auckland UniServices Limited (AUL) Funds Advisor Team must initiate background checks when establishing new schemes provided by philanthropic funders. Similarly, AUL Business Development teams must liaise with ARD as required when working with new philanthropic funders.
12. Gifts are typically of the form:
  - cash (including bank transfers, credit and debit card payments)
  - pledges to make future payments, including the matching of other gifts
  - planned gifts (bequest intentions)
13. Less commonly, gifts of other forms of property can be accepted but must be approved by the Foundations General Manager. These may include:
  - real estate
  - gifts in kind
  - rights
  - stock (US only)
  - cryptocurrency.
14. Certain sponsorships are managed by ARD and are covered by this policy. Typically, these will:
  - have a financial value greater than the market value of benefits
  - fit into a broader philanthropic relationship between the sponsor and the University.
15. Due diligence checklist approval must be completed before a signed gift agreement is shared with the donor. Different levels of check and approval are required for gifts which bring the donor's lifetime giving:
  - a. Up to and including \$10,000
  - b. Between \$10,001 and \$250,000
  - c. Between \$250,001 and \$999,999
  - d. \$1,000,000 and above

The different requirements at each level are detailed in the [Gift Acceptance Guidelines](#). Where any concerns are noted through the due diligence process, a Review Panel consisting of Director ARD, Associate Director Business Intelligence ARD and Foundations General Manager will meet and refer their decision to DVC Strategic Engagement for ratification or further escalation.

16. For a gift to be considered philanthropic it must meet the definitions of a donation provided by both IRD and CASE further detailed in the [Gift Acceptance Guidelines](#). No consideration can be received by the donor for example (but not limited to) a contractual relationship, exclusive information, IP or other benefits and control over the expenditure of the gift.
17. For a gift to be considered feasible it must meet the following conditions:
  - the faculty or University entity receiving the gift must be able spend the money in a timeframe that would meet the donor’s expectations
  - the nature of the gift and area of support must fit with the university’s broad aims, objectives and academic research priorities
  - the nature gift must fit the charitable purposes of the entity accepting the gift
  - the gift must not incur significant undisclosed or unplanned costs, liabilities or administrative burden for the university
  - the purpose of the gift must be clear and must carry sufficient flexibility to adapt its use should the need arise
  - if the gift is to be endowed, it must generate a sufficient return to support the prescribed activities
18. Staff donating to the University must declare any conflict of interest. Expenditure of gifts originating from a staff member cannot be controlled by that same staff member.
19. Media and background searches must be conducted to ensure:
  - the gift and the donor are compatible with the ethics and standards of the University
  - the need to permit public scrutiny
  - that they do not affect the University’s autonomy or academic freedom.
20. Where a donor has been previously approved, then no further media and background checks are required provided that:
  - previous checks have been carried out to the relevant threshold as the new lifetime giving level
  - previous checks have been completed within the last ten years for domestic donors or within the last five years for overseas donors
  - no new concerns have been identified or brought to the attention of the ARD prospect research team since previous checks were completed.
21. Gifts from a related entity that has not previously donated must be treated as a new donor.

[Gift documentation and recording](#)

22. Clear documentation must accompany the gift to ensure that, as a minimum, the following information is identified:
  - the donor
  - the purpose
  - the amount and timing of payments
  - the donor’s preference for anonymity
  - and any other special conditions (e.g., reporting requirements).
23. The acceptance of gifts must be recorded on the ARD Fundraising database and its committal approved by the Associate Director Business Intelligence, or their delegate.
24. This process will confirm that the necessary approvals have been granted, which in the case of Director ARD or VC are granted by signature of gift agreement.

## Unusual circumstances

### Declining a gift

25. Should the decision be taken to decline a gift, whether it be due to the nature of the gift or the profile of the donor, every effort must be taken to inform the donor as quickly as possible, providing transparency for the reasons behind the decision.

### Unexpected gifts and gifts without agreement

26. If a gift is received into the foundation bank accounts ahead of the relevant approvals, the acceptance criteria will be applied at the earliest opportunity and in all cases before the gift is committed for expenditure.

### Bequests / gifts in wills

27. For both gifts in wills received unexpectedly and for those which had been anticipated, the full gift acceptance checks should be considered when notification is first received from the solicitor or executor.

### Gifts in kind

28. For the purposes of donor recognition and calculating fundraising totals, gifts in kind are recorded at the appropriate fair market value for that gift.
29. A tax receipt is never issued for a donation of a gift in kind, although a letter of acknowledgement can be produced to confirm receipt and donors in certain jurisdictions (e.g. United States), may use this to accompany their own valuation submitted as part of their personal tax return.
30. Gifts in kind of property may include works of art, equipment, ornaments, statues and more. Any such gift must be referred to the Risk Office and if appropriate, relevant department of the University that would be responsible for the maintenance, insurance, depreciation and safety of any such gift.

### Gifts of stock

31. Gifts of stock may only be received via the US Friends charity.
32. Where gifts of stock are received by the US Friends, they must be sold at the earliest possible opportunity.
33. If a donor elsewhere in the world wishes to donate stock, the University can only accept the proceeds of any sale made by the individual themselves.

### Naming gifts

34. Naming of scholarships, awards and prizes are governed by the Scholarships Committee, which in turn is governed by Education Committee and Council. Note: Naming of facilities, positions or other elements within the University are covered by the [Naming Policy](#).

### Refunds

35. Gifts accepted by the University are not refundable except in exceptional circumstances typically where an administrative error has been made by the donor.
36. All refunds must be approved by the Chair of the University of Auckland Foundation's Audit and Risk committee and will only be made into the originating bank account.

### Income from investment or interest

37. Use of income from investment or interest earned on a gift is usually defined in the gift agreement and in such cases will usually be returned to the fund for expenditure on a similar purpose to the original gift.
38. Where the gift agreement does not determine this, the Foundation Trustees have the discretion to allocate the investment income or interest.

### Definitions

The following definitions apply to this document:

**Act** refers to the Education Act 2020.

**Council** means the Council of The University of Auckland constituted and continued under S283 of the Act.

**Gift** means a philanthropic donation of any type of property, including goods, real estate, devises, bequests, rights or monies, where there is no consideration made or paid to the donor in any form for the making of that donation.

**Sponsorship** means the payment of money or anything having a monetary value, or the provision of services, rights or any type of property including goods and real estate, to the University where the payer or provider receives a consideration for such payment or provision in the form of advertising, logo use, publicity, naming or such similar rights but is not intended to mean or include normal day to day commercial transactions in which the University, in the ordinary course of business, purchases or otherwise acquires goods and services from another party.

**Staff member** refers to an individual employed by the University on a full or part time basis.

**University** means Waipapa Taumata Rau – The University of Auckland and includes all subsidiaries.

**University charities** mean University of Auckland Foundation (CC10985) and University of Auckland Medical and Health Sciences Foundation (CC30871); the University itself (CC20421), Auckland UniServices Limited (CC21514). Overseas, in the US, The Friends of University of Auckland is a 501(c)3 registered charity and in the UK the The UK Friends of The University of Auckland (1090141).

### Key relevant documents

Include the following:

[Conflict of Interest Policy](#)

[Education and Training Act 2020](#)

[Gift Acceptance Guidelines](#)

[Marketing Sponsorship Policy](#)

8 November 2022

[Naming Policy](#)

[Sensitive expenditure policies and guidelines](#)

## Document management and control

**Owner:** Registrar

**Content manager:** Associate Director Business intelligence, ARD

**Approved by:** Council/Vice-Chancellor

**Date approved:**

**Review date:**

9.3

## APPENDIX 2 - GUIDELINES

### Philanthropic Gift Acceptance Guidelines

These guidelines should be read alongside the [Philanthropic Gift Acceptance Policy](#). See also a [flow chart](#) to assist the understanding of the process.

#### Gift acceptance framework

All gifts will be assessed against this framework to establish whether the gift can be accepted and, if so, who can accept a gift on behalf of the University and what level of acceptance checks should be applied.

Due Diligence checks required and Gift Agreement signatories							
Lifetime Giving Level (inclusive)	Philanthropic	Gift Feasibility	Staff Gift	Background Checks	Gift Agreement format	Due Diligence Check List Approval	Gift Agreement Signatories
\$0 - \$10,000	✓	✓	x	x	Annual appeal, online donation page, purchase order or gift agreement	Assoc. Dir BI (ARD) or AUL	Director, ARD + Foundations GM <i>or</i> AUL
\$10,001 - \$249,999	✓	✓	✓	Development Manager	Gift agreement or donor documentation	Assoc. Dir BI, Foundations GM or AUL	Director, ARD + Foundations GM <i>or</i> AUL
\$250,000 - \$999,999	✓	✓	✓	Prospect Researcher	Gift agreement with donor documentation annexed	Director, ARD or AUL	Director, ARD + Foundations GM <i>or</i> AUL
\$1,000,000+	✓	✓	✓	Prospect Researcher	Gift agreement with donor documentation annexed	Vice-Chancellor or AUL	Vice-Chancellor + Director ARD +2 x Trustees <i>or</i> AUL

9.3

## Philanthropic Checklist

For a gift to be considered philanthropic it must meet the definitions of a donation provided by both IRD and CASE. In simple terms, this means no consideration can be received by the donor – which, for example (but not limited to) – precludes a contractual relationship, exclusive information, IP, other benefits or control over the expenditure of the gift.

IRD defines an [Unconditional Gift](#) and considers if GST is payable on such a payment – based on whether “identifiable direct valuable benefit” is received by the donor; further explained in an [interpretation statement](#).

The globally recognised [CASE Global Standards for reporting](#) define a philanthropic gift as:

*“Educational philanthropy is the voluntary act of providing private financial support to non-profit educational institutions... such financial support must be provided for the sole purpose of benefiting the institution’s mission and its social impact, without the expressed or implied expectation that the donor will receive anything more than recognition as the result of such support.”*

9.3

## Philanthropic exclusions

CASE provide the following examples as typical reasons for excluding gifts from being considered philanthropic:

- **Contractual relationship:** A contract exists between the two parties that commits the University to provide an economic benefit for compensation, where the agreement is binding and creates a tangible benefit between the University and the funder. Contract income, including income for clinical trials, is ineligible.
- **Exclusive information:** The funder is entitled to receive exclusive information, or other privileged access to data or results emerging from the program or activity.
- **Exclusive publication:** The donor is entitled to exclusive rights to publication of research or other results through their own branded communication channels (website, report etc.).
- **Consultancy included:** Consultancy for the funder or a linked organisation is included as part of the agreement.
- **Intellectual property rights:** The agreement assigns to the funder any full or partial commercial rights to intellectual property which may result from the program or activity. This exclusion extends to the provision of royalty-free licenses (whether exclusive or non-exclusive) to the funder and also to granting the funder first option or similar exclusive rights to purchase the rights to any subsequent commercial opportunities. If the written agreement includes any actual or potential future commercial benefit of this kind, it must be excluded.
- **Other forms of financial benefit:** Any other direct financial benefits required by the funder as a condition of the funding (e.g., discounted courses, training etc.).
- **Donor control:** The donor retains control over operational decisions relating to the use of funds once the gift has been made. This includes control over appointment and selection procedures to academic posts and student scholarships. Note that this clause has nothing to do with a donor’s right to know that a gift will be used for a designated purpose, where applicable, which is entirely consistent with a philanthropic gift.

In respect of donor control, donors may participate in selection committees but may not have the ability to be the deciding representative.

### Philanthropic exclusions – sponsorship exception

A sponsorship being managed by ARD will fail to meet the philanthropic checks above but need not be excluded from being accepted for those reasons provided it is clearly identified as a sponsorship and GST is charged as applicable. Typically, these will:

- have a financial value greater than the market value of benefits
- fit into a broader philanthropic relationship between the sponsor and the University
- is likely to have residual funds which will be utilised in subsequent years.

### Gift feasibility checklist

As part of accepting a gift the following considerations should be made:

- can the faculty or University entity receiving the gift spend the money in a timeframe that would meet the donor's expectations?
- does the nature of the gift and area of support fit with the University's broad aims, objectives and academic research priorities?
- does the nature of the gift fit the charitable purposes of the entity accepting the gift?
- is the gift likely to incur significant undisclosed or unplanned costs, liabilities or administrative burden for the University?
- is the purpose of the gift clear and does it carry sufficient flexibility to adapt its use should the need arise?
- has consideration been given to the most appropriate entity with which the gift Agreement should be made (Foundations, UniServices, University)?
- if the gift relates to a scholarship, prize or award that will be managed by the Scholarships Office, has the Scholarships Office been consulted in the creation of this?
- if the gift is to be endowed, will it generate a sufficient return to support the prescribed activities?

9.3

### Staff giving checklist

Gifts from current employees and contractors of the University (or their companies, trusts or other related entities) are welcomed and it is understood that in many cases, staff are best placed to recognise the opportunity to support students and research by making a personal donation.

In some cases, staff may wish to donate directly to their own field of work (for example, donating fees or profits that they have received in relation to their own activities and publications). However, it is important to ensure the following:

- the University Conflict of Interest Policy is considered at all times and any conflict of interest disclosed
- the relevant manager (head of department, dean, director or Provost) has been consulted regarding the gift and has approved any implication for academic research priorities, exemption of overheads or other decision-making, for example that regarding staffing or expenditure
- the staff member making the donation may be involved, but must not have control over the decisions around expenditure of the gift; the relevant manager (head of department, dean, director or Provost) must have oversight of this process
- the staff member is responsible for following IRD guidelines regarding any tax credits they claim.

For any such gift either:

- correspondence between the staff member, Development Manager, and relevant manager (Head of Department, Dean, Director or Provost) confirming that this checklist has been met should be recorded and annexed to the Gift Agreement
- or, the Gift Agreement should include these terms and be signed by both the donor and relevant manager (Head of Department, Dean, Director or Provost).

### Media and background checklist

The purpose of this checklist is to ensure that the gift is compatible with the ethics and standards of the University and that it will not have a detrimental effect on donor or other public relationships or the reputation of the University.

It is not the role of the Development Manager or prospect researcher undertaking these checks to decide if any findings of their search would be detrimental to the University but rather highlight anything that could reasonably be considered of interest. The relevant senior member of staff approving the gift will decide, based on the findings of the search.

9.3

#### Development Manager search

A Development Manager should undertake an internet review of media seeking both positive and negative elements relating to the donor or related parties. A media search will explore known related parties (such as companies or family members) where the Development Manager or ARD Prospect Research team are aware of them, but does not exhaustively consider all related companies, trusts and individuals.

AUL Funds Advisory Team and Business Development Managers will liaise with ARD to ensure appropriate gift acceptance checks have been completed prior to set up of a scheme or engagement with a new funder.

The country of origin of funds should also be identified and considered in light of any University guidance or concerns regarding money laundering, political influence or sanctions ongoing at that time.

#### Prospect Researcher search

In addition to the searches detailed within the development manager search, a member of the ARD Prospect Research team will conduct more extensive searches:

- An internet media search will be carried out using specific negative search terms and the Factiva database
- A search of company directorships and significant shareholdings which may indicate a connected party of relationship of interest
- A search of real estate holdings
- A review of other philanthropy and causes supported
- Other relationships with individuals or organisations which may be of interest

In some cases, especially where the gift originates outside of New Zealand, or where an independent viewpoint would be of value, the search will be undertaken with the assistance of a third-party provider within the limitations of University privacy obligations.

If anything of interest is raised by the media and background searches the Director ARD should be consulted before proceeding with the gift solicitation.

The exact sources used change from time to time and are maintained by the ARD Prospect Research team.

## Gift documentation

Clear documentation must accompany the gift to ensure that as a minimum the following information is identified:

- the donor
- the purpose
- the amount and timing of payments
- the donor's preference for anonymity
- and any other special conditions (e.g., reporting requirements).

The format of this documentation varies with the nature and size of the gift. The following definitions are used in the acceptance criteria in the table introducing this section:

- **Annual appeal** documentation takes the form of the postal response device or email template used for the appeal. Copies of this documentation are held by ARD.
- **Online donation pages** typically direct gifts to general purpose faculty and student support funds or very specific projects. The use of the gift is detailed on those pages and where the scope of the activity varies, the use of the gift can be varied at the discretion of the dean, director or Provost as appropriate. A record of these pages is captured by the ARD gift processing team.
- Where a donation or sponsorship payment is made by a company or other organisation, their **purchase order** detailing the purpose of the payment can be accepted in lieu of a gift agreement.
- A **Foundation gift agreement** must, as a minimum satisfy the requirements expressed above.
- Alternatively, a donor-provided gift agreement is acceptable if it includes this same minimum information as above and doesn't impose commitments contrary to the philanthropy and gift feasibility checklists
- A contract formed with UniServices which must, as a minimum satisfy the requirements expressed as above.

Gifts made directly into the University of Auckland Foundation or the Medical & Health Sciences Foundation bank accounts and are identifiable as annual appeal or online donation as above, will be considered to have been made in response to the purposes described within an annual appeal or online donation page.

Gift agreements should be prepared by ARD's Donor and Trustee Support Officer. To request a gift agreement please complete the form on the [intranet](#).

## Checklist and Background Approval

When submitting a request for a gift agreement through the appropriate [intranet form](#) the Development Manager can confirm that all philanthropic, gift feasibility, staff giving and Development Manager searches have been completed.

When a full background check is required to be completed by ARD Prospect Research this must be undertaken before a signed gift agreement can be shared with the donor. What happens next:

### No negative media or results

DM should complete checklist and send checklist along with background report sent to Associate Director, Business Intelligence (AD BI) to confirm that there is nothing of concern. ADBI will present these to Director ARD periodically for signature.

### Background checks require further discussion

Should any issue which may even possibly give cause for thought emerges from the background checks, the background should be reviewed by the Gift Acceptance Panel (Director ARD, ADBI and Foundations GM).

Following this review, the DM will be notified of the decision and the DVC Strategic Engagement asked to confirm that decision.

#### Lifetime Giving \$250,000 - \$999,999

The checklist only need be signed by the Director ARD, unless the donor is a member of staff in which case the relevant Dean, Director or Provost should also sign.

#### Lifetime Giving \$1m+

The checklist should be signed by the Director ARD, relevant Dean, Director or Provost and the Vice Chancellor.

Due diligence checklist approval is a statement that, for the lifetime giving value the necessary checks have been completed and raise no concerns for the Foundation or University. Only once these have been completed can a signed gift agreement be shared with the donor.

9.3

#### Signatories

The final stage of gift acceptance sees the gift recorded on the ARD Fundraising database and its committal approved by the Associate Director Business Intelligence, or their delegate. This step will ensure that the necessary checks have been completed and recorded on the database, and that the specific amount, donor and fund have been accurately recorded against the gift. This process will also confirm that the necessary approvals have been granted.

### Additional clarification

#### Unexpected gifts and gifts without agreement

It is not uncommon for a gift to be received into the Foundation bank accounts ahead of a signed gift agreement being received. This is typically a result of the donor signing and paying at the same time, or an ongoing understanding where the continued payment of a gift has outlived the original agreement.

In the interest of efficiency and good donor stewardship, in these circumstances the gift will be accepted and receipted in a timely manner, but the acceptance criteria will be applied at the earliest opportunity and in any eventuality before the gift is committed for expenditure.

#### Bequests / gifts in wills

In the majority of circumstances, the University receives minimal detail, if any, of a gift intention documented in a will ahead of the death of the donor. Where this information is provided, the gift acceptance checks should be undertaken to the extent that they are relevant at that time.

For both gifts in wills received unexpectedly and for those which had been anticipated, the full gift acceptance checks should be considered when notification is first received from the solicitor or executor.

#### Pathways for receiving a gift

The University operates two foundations which are registered charities (University of Auckland Foundation CC10985 and University of Auckland Medical and Health Sciences Foundation CC30871). The University itself is also a registered charity (CC20421), as is Auckland UniServices Limited (CC21514). Overseas, in the US, The Friends of

University of Auckland is a 501(c)3 registered charity and in the UK, The UK Friends of The University of Auckland (1090141).

In general, smaller gifts, all gifts from individuals and endowed gifts are managed through the Foundations – University of Auckland Medical & Health Sciences Foundation for gifts to the Faculty of Medical & Health Sciences and the University of Auckland Foundation for everything else.

Annually paid scholarship gifts are made directly to the Scholarships Office through the University.

Large gifts for research projects, often from larger grant-making trusts via a competitive process or with more onerous contractual obligations are managed through Auckland UniServices.

Donors in UK and US will only obtain tax benefits from their gifts if they give directly to the charity in their jurisdiction. In turn, that charity awards grants (faithful to the use of the original gifts) to the Foundations here in New Zealand.

Donors in Canada can only obtain tax benefits if they give directly to the University (not to the Foundations). Donors from any other country have no such special provisions and would typically behave as an NZ resident, without any tax benefits.

## Key relevant documents

Include the following:

### Internal links

- [Agreements and Award Letters Guide](#)
- [Conflict of Interest Policy](#)
- [Education and Training Act 2020](#)
- [Marketing Sponsorship Policy](#)
- [Naming Policy](#)
- [Philanthropic Gift Acceptance Policy](#)
- [Sensitive expenditure policies and guidelines](#)

### External Links

- IRD definition of [Unconditional Gift](#)
- IRD [interpretation statement](#) on GST on unconditional gifts
- [CASE Global Standards for reporting](#)

## Document management and control

**Owner:** Registrar

**Content manager:** Associate Director Business intelligence, ARD

**Approved by:** Foundations General Manager

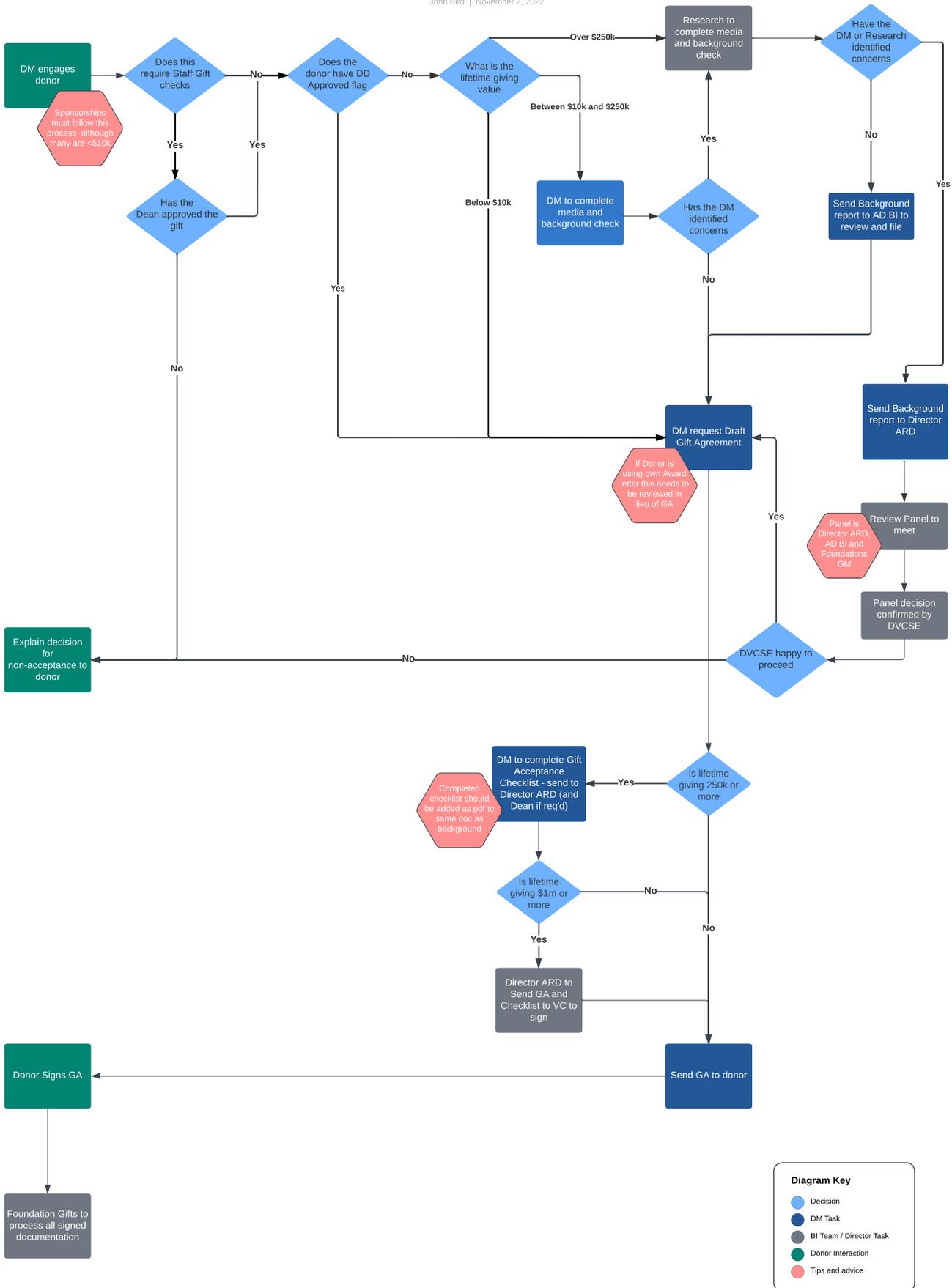
**Date last approved:** November 2022

Original versions of these documents are stored on <\\vcfileserv\Advancement\SecureDevelopment\BI\Gift Acceptance Policies>

APPENDIX 3 - PROCESS FLOW

Gift Acceptance Process

John Bird | November 2, 2022



9.3



## Internal Memorandum

Date: 17.10.2022  
To: Council  
From: Deputy Vice-Chancellor (Operations) and Registrar  
CC:  
Subject: Statutes and Procedures due for review

The following Council approved Statutes and Procedures are due for review:

1. Council Appointments Statute
2. Council Appointments Procedures
3. Court of Convocation Statute
4. Election Procedures

Management review has not identified any requirements for amendment other than to update references to legislation (as per attached).

**Recommendation:** That Council approve the renewal of the mentioned Statutes and Procedures for a further 5 years until December 2027.

# Council Appointments Statute ~~2019~~2022

## Title and commencement

- a) The Council of the University (~~“the Council”~~) makes the following statute under ~~section 194 of the Education Act 1989~~section 194-284 of the Education and Training Act 1989/2020.
- b) This statute may be cited as the Council Appointments Statute ~~2019~~2022.
- c) This statute comes into force on ~~26 August 2019~~13 December 2022.
- d) The Council Appointments Statute 201~~9~~5 is repealed from the date this statute comes into force.

## Application

This statute applies to Council members and those eligible for appointment or election to Council.

## Purpose

This statute governs the election and appointment of those members of ~~the~~ Council appointed to ~~the~~ Council by resolution, in accordance with the [Amendment to the Constitution of the University of Auckland Council Notice 2019](#)~~University of Auckland’s constitution (gazetted 20 February 2019)~~ and ~~section 171(1)(b) of the Education Act 1989~~section 171(1)(b)276 of the Education and Training Act 1989/2020 (Act).

## Contents

- Appointments by virtue of office
- Appointments by expressions of interest
- Appointments by election

## Statute

### (1) Appointments by virtue of office

- a) The Council is to resolve to appoint the Vice-Chancellor as a member of Council, by virtue of their holding office as the chief executive officer of the University of Auckland.
- b) The Vice-Chancellor is to be a member of Council for as long as they hold that office.

### (2) Appointments by expressions of interest

- a) The Council is to resolve to appoint:
  - (i) One person, being Māori and able to advise Council on issues relevant to Māori,

following a call for expressions of interest from iwi and other Māori individuals or groups

(ii) One person being an alumnus of the University of Auckland, following a call for expressions of interest from alumni

(iii) Two persons able to provide skills specified by Council, following a call for expressions of interest.

b) A person must not be disqualified from appointment under section 277 of the Act.

cb) Expressions of interest will be sought, and recommendations made to Council for appointment by resolution, in accordance with the Council Appointments Procedures approved by Council.

d) When appointing Council members, as far as is reasonably practicable, Council must have regard to the requirement that Council should reflect:

(i) the ethnic and socio-economic diversity of the communities served by the University; and

(ii) fact that approximately half the population of New Zealand is male and half the population is female.

However, Council must ensure that at least 1 Council member is Māori, and appoint people who (in Council's opinion):

(i) have relevant knowledge, skills, or experience; and

(ii) are likely to be able to fulfil their individual duties to Council; and

(iii) together with the other members of Council, are capable of undertaking its responsibilities, duties, and functions.

e) Each person selected in accordance with the provisions of this section is to be appointed to Council by resolution for a period of not more than four years.

f) A person must not be appointed to Council for more than three periods of four years (except where a person was a member of Council on 31 December 2015, and has not completed their current term, they may serve up to four periods of no more than four years each).

### **(3) Appointments by election**

a) The Council is to resolve to appoint one **permanent** member of the **academic staff** elected by the permanent members of that staff, one permanent member of the **professional staff** elected by the permanent members of that staff, and one **student** elected by the students of the University.

b) Except as otherwise provided by this statute, the elections are to be conducted in accordance with the Council Appointments Procedures and the provisions of the Election Procedures.

c) ~~To~~ To be eligible to be a candidate:

(i) ~~academic or professional staff~~ must:

- ~~(i)~~ provide a Notice of Candidacy in the format and within the timeframe specified by the Returning Officer;
- ~~(ii)~~ be employed on an employment agreement of sufficient duration to allow them to serve a four-year appointment;
- ~~(iii)~~ be available to attend Council meetings, participate in Council business and serve on Council committees; and
- ~~(iv)~~ not be disqualified from appointment under ~~section 171A-2776 of the the Education and Training Act, 1989~~ section 171A-2776 of the the Education and Training Act, 1989

(ii) a student must:

- [any other requirements?]
- not be disqualified from appointment under section 277 of the Act.

d) Any candidate statement submitted with the Notice of Candidacy is to address the skills and experience sought by Council, and must not exceed 500 words.

e) The Returning Officer is to compile a list of electors who are eligible to vote in each election, which is to include each permanent member of academic or professional staff, and each student, at a date to be determined by the Returning Officer.

f) Each person elected ~~as academic or professional staff representative~~ in accordance with the provisions of this statute:

(i) as academic or professional staff representative is to be appointed to Council by resolution for a term of four years or until they cease to be a member of the permanent academic or professional staff of the University of Auckland, whichever is the earlier event;

(ii) as ~~Each person elected as~~ representative of the students of the University, is to be appointed to Council by resolution for a term of one year from 1 November of the current year until 31 October of the following year or until they cease to be an enrolled student of the University, whichever is the earlier event.

g) A person must not be appointed to Council:

(i) as academic or professional staff representative for more than three periods of four years (except where a person was a member of Council on 31 December 2015, and has not completed their current term, they may serve up to four periods of no more than four years each);

(ii) as representative of the students of the University for more than three periods of one year.

hg) If they are not already members of Senate, the academic and professional staff members elected to Council will become members of Senate for the duration of their respective term on Council.

#### **(4) Casual vacancies**

a) If the office of a Council member becomes vacant in accordance with clause 7 of Schedule 11 of the Act before the end of the member’s term of office, another person must be appointed to the office by the procedure by which the Council member became a member (subject to sections 4(b) and (c) below).

b) If the appointment procedure is no longer available or applicable to the vacant position, Council must consider whether it is necessary to appoint another person under its constitution and, if so, both:

- i. determine the appropriate procedure for appointment of another person; and
- ii. appoint another person using it.

c) If the office becomes vacant within 6 months before the end of the member’s term of office, the Minister or Council (as applicable) can decide that the vacancy does not need to be filled.

## **Definitions**

The following definitions apply to this document:

**Academic staff** includes persons employed as a professor, associate dean, associate professor, senior lecturer, lecturer, senior tutor, tutor, professional teaching fellow, senior research fellow or research fellow, and such other positions as may from time to time be designated ‘academic staff’ by the Vice-Chancellor.

**Act** means the Education and Training Act 2020.

**Alumnus** means a person who has been awarded a qualification by:

- The University of Auckland
- The Auckland College of Education, or
- The Auckland College of the University of New Zealand.

**Council** refers to the Council, the governing body of the University of Auckland, ~~constituted in accordance with Part 15~~Part 4, Subpart 3 of the Education Act 1989~~Education and Training Act 2020, which is the governing body of the University.~~

For the purposes of this statute, **permanent** means a member of academic or professional staff who is employed on an employment agreement with a duration of 12 months or more as at the date of eligibility determination.

**Professional staff** includes- persons employed in administrative, technical and library positions, and such other positions as may from time to time be designated 'professional staff' by the Vice-Chancellor.

**Student** means an enrolled student of [the University of Auckland](#)~~University~~.

**University** means the University of Auckland and includes all subsidiaries.

## Key relevant documents

Include the following:

- ~~Education Act 1989~~[Education and Training Act 2020](#)~~Education and Training Act 2020~~
- [University of Auckland Act 1961](#)
- [Elections Procedures](#)
- [Council Appointments Procedures](#)

## Document management and control

**Owner:** [Vice Chancellor](#)

**Content manager:** ~~Deputy Vice-Chancellor (Operations)~~ and Registrar

**Approved by:** Council

**Date approved:** ~~26 August 2019~~...

**[Review date:](#)**

# Council Appointments Procedures

## Application

These procedures apply to **Council** members and those eligible for appointment or election to Council.

## Purpose

This document provides further explanation and detailed mandatory procedures for implementing the ~~Council Appointments Statute 2019~~ [Council Appointments Statute 2022](#).

## Procedures

### Appointments [of members](#) by expressions of interest

1. Prior to calling for expressions of interest, the Council is to identify the relevant skills and experiences it is seeking from members to be so appointed, which are to be collated in a statement of skills and experiences sought relevant to the position.
2. The -Pro Vice-Chancellor (Māori) is to maintain a list, which is to be submitted to the Council for approval before expressions of interest are invited, of iwi and other Māori individuals or groups who may have an interest in the appointment (under section 3(b) of the constitution) of one person, being Māori and able to advise Council on issues relevant to Māori.
3. Following approval of the list, the Pro Vice-Chancellor (Māori) is to distribute to the interested parties the notice provided by the Returning Officer inviting expressions of interest.
4. Expressions of interest are to be invited as follows:
  - on the **University** website Home page for a period of one month
  - in the four national daily newspapers, on two separate occasions during the month
  - for the alumnus vacancy, by email to those alumni currently listed on the Alumni Database.
5. Interested parties identified are to be notified of:
  - the vacancy; and
  - the skills and experiences sought (through the Statement of Skills and Experiences Sought Relevant to the Position); and
  - the closing date for expressions of interest, which will be no less than four weeks after the date of the notification.
6. The notification is to be in the format attached (Call for Expressions of Interest for an Appointment to Council).

7. Expressions of interest of no more than 1,000 words must be submitted on the form attached (Expression of Interest for an Appointment to Council) and are to be received by the University Committee Executive.

8. The Vice-Chancellor and Vice-Chancellor's Review and Executive Remuneration Committee (VCRERC) will consider the expressions of interest and shortlist the candidates. The Pro Vice-Chancellor (Māori) is to be a member of the VCRERC when the appointment of the Māori member of Council is being considered.

9. The Vice-Chancellor together with the VCRERC may interview candidates should it wish to do so.

10. Council is to be provided with the names of the long list of candidates and copies of the Expressions of Interest of the short-listed candidates, which should accompany the Report of the short-listing sub-committee.

11. The Vice-Chancellor's Review and Executive Remuneration Committee (VCRERC) will provide advice to Council regarding the Council skills matrix. In the case of sitting Māori, Alumni and skills-based members, the VCRERC will also advise Council on the merit of running a full expression of interest appointment process at the end of the member's term (noting the requirements of the Constitution) or not. If Council decides not to seek expressions of interest, Council may vote to reappoint the sitting Council member.

### **Appointments by eElection of staff representatives**

12. Before notices of candidacy are called for, the Council is to identify the skills and experiences it is seeking from members to be appointed by election, which are to be collated in a Statement of Skills and Experiences Sought Relevant to the Position.

13. Notice of the election is to be given as follows:

- ~~in the Vice-Chancellor's Update or other~~ in an all-staff communication ~~at from~~ the Vice-Chancellor's ~~Chancellor; discretion,~~ and
- ~~ion~~ on the University intranet Home page, for a period of three weeks from the date of the Vice-Chancellor's initial notification. ~~(as per 10(a))~~

14. The notice of election will inform staff of:

- the vacancy, and the skills and experiences sought (through the Statement of Skills and Experiences Sought Relevant to the Position); and
- the closing date for Notices of Candidacy, which will be three weeks from the date of the Vice-Chancellor's initial notification.

### **Appointments by eElection of a student representative**

15. This election will be run through an appropriate electronic voting system.

16. Notice of the election is to be given by email to all enrolled **students**.

17. The notice of election will inform students of:

- the vacancy, and
- the opening and closing date of the nomination period.

## Results

18. The results of the election(s) will be publicised on the University intranet after Council has been advised.

## Definitions

The following definitions apply to this document:

**Council** refers to the Council, [the governing body](#) of the University of Auckland, ~~constituted in accordance with Part 4 Subpart 3 of the Education and Training Act 2020, which is the governing body of the University.~~

**Student** means an enrolled student of [the University of Auckland](#) ~~University~~.

**University** means the University of Auckland and includes all subsidiaries.

## Key relevant documents

Include the following:

- [Education and Training Act 2020](#)
- ~~[Council Appointments Statute 2019](#)~~ [Council Appointments Statute 2022](#)
- ~~[Expression of interest form. Size: 56.1 kB. Type: DOCX.](#)~~ [Expression of interest form. Size: 56.1 kB. Type: DOCX.](#)  
[Download this DOCX file. Size: 56.1 kB.](#)
- ~~[Notice of candidacy – Academic Staff. Size: 30.5 kB. Type: PDF.](#)~~ [Notice of candidacy - Academic Staff. Size: 30.5 kB. Type: PDF.](#)  
[Download this PDF file. Size: 30.5 kB.](#)
- ~~[Notice of candidacy – Professional Staff. Size: 30.6 kB. Type: PDF.](#)~~ [Notice of candidacy - Professional Staff. Size: 30.6 kB. Type: PDF.](#)  
[Download this PDF file. Size: 30.6 kB.](#)

## Document management and control

**Owner:** ~~Deputy Vice Chancellor (Operations) and Registrar~~ [Vice Chancellor](#)

**Content manager:** [Registrar](#)

**Approved by:** Council

**Date approved:** ~~15 March 2021~~

**Date reviewed:**

# Court of Convocation Statute ~~2016~~2022

## Title and commencement

This statute is made pursuant to ~~section 4 of the University of Auckland Act 1961~~[section 4 of the University of Auckland Act 1961, as amended by the Education Act 1989](#)~~Education and Training Act 2020 (Act)~~ and may be cited as the Court of Convocation Statute ~~2016~~2022. This statute repeals and replaces the Court of Convocation Statute ~~2007~~2016. It comes into force on ~~11 April 2016~~13 December 2022.

## Application

This statute applies to members of the Court of Convocation and those eligible to become members.

## Purpose

This statute defines the principles and procedures that govern the registration of members of the Court of Convocation.

Under ~~section 4(7) of the University of Auckland Act 1961~~[section 4\(7\) of the University of Auckland Act 1961](#), the Court of Convocation may make representations to **Council** on any matter concerning the interests of the University.

## Statute

### Register

1. The **Registrar** will ensure that the **Register** is prepared and maintained.
2. The Register may be maintained in such a format (or formats) as the Registrar, after consultation with the Council, determines.
3. The Register will (subject to [section 4 of the Act](#)) contain the names and the contact addresses of persons entitled to be enrolled on the Register under the [University of Auckland Act 1961](#).
4. Consistent with the provisions of [section 4\(5\) of the Act, 1961](#) each person will be entitled to have ~~his or her~~[their](#) name enrolled on the Register of the Court of Convocation (without fee) who:
  - is a **graduate** of the **University**; or
  - not being such a graduate, is a professor or graduate full-time member of the staff of the University; [or](#)
  - being a graduate of the University of New Zealand is not by reason of that qualification enrolled on the Register of the Court of Convocation for any other

University in New Zealand, and

- under [section 23A of the New Zealand University Act 1908](#) was enrolled or entitled to be enrolled on the register of the Court of Convocation of the University of Auckland at ~~the 31<sup>st</sup> day of~~ December, 1961; or
- was an undergraduate member of the University of Auckland at ~~the 31<sup>st</sup> day of~~ December, 1961; and became a graduate of The University of New Zealand after that date.

5. A person who is not enrolled on the Register and who believes that ~~he or she is~~[they are](#) entitled to be enrolled on the Register under the provisions of this statute or ~~the section 4 of the University of Auckland Act 1961~~[section 4 of the University of Auckland Act 1961](#), may apply to the Registrar for enrolment. Each application for enrolment will contain such evidence of the facts and matters the Registrar may reasonably require to determine whether or not the applicant satisfies the requirements for enrolment on the Register.

9.4

## Definitions

The following definitions apply to this statute:

~~Act~~ means the [University of Auckland Act 1961](#).

~~Council~~ refers to the Council, the governing body of the University of Auckland.

~~Council~~ is the University's governing body which comprises lay, staff and student members.

**Graduate** means a person who has graduated from the University of Auckland.

**Register** means the list of members of the Court of Convocation.

**Registrar** means the Registrar of the University.

**University** means the University of Auckland and includes all subsidiaries.

## Key relevant documents

Include the following:

- ~~The Education Act 1989~~[The Education Act 1989](#)~~The Education and Training Act 2020~~
- ~~The University of Auckland Act 1961~~
- [New Zealand University Act 1908](#)

## Document management and control

~~Content manager:~~ Office of the Vice-Chancellor

~~Owned by:~~ Deputy Vice-Chancellor (Operations) and Registrar

**Content manager:** Registrar

**Approved by:** Council

**Date approved:** ~~11 April 2016~~

**Review date:** ~~March 2021~~ December 2027

# Elections Procedures

## Application

These procedures apply to elections called for by the Returning Officer.

## Purpose

This document provides procedures for running electronic elections.

## Procedures

### Contents

1. Returning officer.
2. Electors and candidates.
3. Election dates, notice of election and call for candidates.
4. Candidates.
5. When the number of candidates does not exceed the number of positions.
6. When the number of candidates exceeds the number of positions.
7. Withdrawal of candidacy.
8. Method of voting.
9. Validity of votes
10. Counting of votes.
11. Equality of votes.
12. Declaration of result.
13. Re-run.
14. Destruction/deletion of votes.
15. Casual vacancies.
16. Terms of Office.

### 1. Returning Officer

The **Registrar** is the Returning Officer for elections conducted under these procedures.

### 2. Electors and candidates

For each election, the Returning Officer must set the date on which each person's eligibility to vote and to be a candidate in that election is determined. On that date, the Returning Officer must compile a list of all persons who are eligible to vote ('electors') and to be candidates in that election ('eligible candidates').

### 3. Election dates, notice of election and call for candidates

a) The Returning Officer:

- (i) is to set the start and finish date and time for each election;
- (ii) is to give notice of an election and call for notices of candidacy no less than 25 working days before the start date for the election; and
- (iii) will set the closing date and time by which notices of candidacy must be received ('candidacy notice closing date'). The candidacy notice closing date must not be less than 15 working days from the date of the notice of election.

b) The notice of election:

- (i) must be given to all electors and eligible candidates at their University email address, in such **University publications**, as the Returning Officer may require; and
- (ii) is to contain details of the election, including but not limited to:
  - a. The name of the election;
  - b. The number of positions to be filled;
  - c. Election start and finish date and time;
  - d. Method of voting;
  - e. Availability of candidacy forms;
  - f. Criteria for eligibility of electors and candidates;
  - g. The candidacy notice closing date and time; and
  - h. The contact details for the Returning Officer to which notices of candidacy and all other communications arising under these procedures are to be addressed

9.4

#### 4. Candidates

To be a candidate for election an eligible candidate must submit to the Returning Officer an authenticated notice of candidacy.

a) The notice of candidacy must:

- (i) Be in the format specified by the candidacy form;
- (ii) Include a personal statement of eligibility and availability;
- (iii) Be received by the Returning Officer at the contact address specified in the election notice before the candidacy notice closing date;
- (iv) Include a supporting statement that:
  - a. does not exceed:

- 200 words for elections run under the [Senate and Committee Elections Statute](#);
  - 500 words for elections run under the [Council Appointments Statute 2019](#) [Council Appointments Statute 2022](#)
    - b. complies with any restrictions on content and format determined by the Returning Officer;
    - c. includes information about the candidate that is relevant, accurate and fair; and
    - d. relates only to the candidate.
- (v) Include confirmation that the candidate is either employed permanently or on a fixed term contract that extends beyond the term of office.

b) The Returning Officer may allow a candidate who has submitted a notice of candidacy that does not comply with the notice requirements to revise and resubmit the notice before the candidacy notice closing date so as to comply with these requirements.

c) Except as otherwise provided in this section, the Returning Officer must reject any candidacy notice that does not meet the above requirements or that is submitted by a person who is not an eligible candidate. Where a candidacy notice is rejected, the Returning Officer must in writing notify the person who submitted the notice and provide reasons for the rejection.

d) The Returning Officer must acknowledge receipt of every valid notice of candidacy in such manner as they see fit.

## **5. When the number of candidates does not exceed the number of positions**

If the number of candidates does not exceed the number of positions to be filled, the Returning Officer must, as soon as practicable after the candidacy notice closing date, declare the candidate or candidate selected and any positions not filled to be casual vacancies by giving notice in such University publications as the Returning Officer sees fit.

## **6. When the number of candidates exceeds the number of positions**

If, after the candidacy notice closing date, the number of candidates exceeds the number of positions to be filled, the Returning Officer must:

- a) give notice that the election will proceed (including the start and finish date and time for the election) and promulgate the names of the candidates and their candidate statements in such University publications as the Returning Officer sees fit; and
- b) send instructions for voting by email addressed to each elector at their University email address.

## **7. Withdrawal of candidacy**

- a) A candidate at an election may withdraw their candidacy by authenticated notice to the Returning Officer.
- b) Notification to the Returning Officer of the death or incapacity of a candidate is deemed to be a notice of withdrawal.
- c) Where the Returning Officer receives a notice of withdrawal they must:
  - (i) Take such steps (if any) as the Returning Officer decides to confirm that the notice of withdrawal is genuine;
  - (ii) Where the instructions for voting have not yet been distributed, and where practicable, remove the candidate's name from the election or give notice of the withdrawal in such University publications as they see fit; and
  - (iii) Where the instructions for voting have been distributed, take such steps as are practicable to advise the electors that the candidate has withdrawn and ensure that the name of the withdrawn candidate is removed from the candidate list for that election.
- d) A vote cast for a withdrawn candidate is void.
- e) If, by the withdrawal of a candidate, the number of candidates is equal to or less than the number of positions to be filled, section 5 will apply.

9.4

## **8. Method of voting**

An elector who chooses to vote must exercise their vote personally in accordance with the instructions for voting sent by the Returning Officer. Where however an elector:

- (i) is wholly or partially blind; or
- (ii) has any other disability which makes it difficult to cast their vote in the prescribed manner, that elector's vote may be recorded by another person in accordance with the instructions of the elector.

## **9. Validity of votes**

A vote in an election is valid only if:

- a) the elector's username or any similar or equivalent identification adopted by the University is entered into the electronic voting system;
- b) the elector's University password or any similar or equivalent password adopted by the University is entered into the electronic voting system;
- c) the elector has not already exercised their vote in that election; and

- d) the elector's vote is recorded on the day or days of the election.

## **10. Counting of votes**

Votes are tallied electronically.

## **11. Equality of votes**

Where two or more candidates get an equal number of votes, the Returning Officer must determine by lot which candidate will be declared elected.

## **12. Declaration of result**

The Returning Officer is to declare the result of the election, giving the name or names of the candidates elected and the number of votes gained by each candidate in the election as soon as reasonably practicable after close of voting.

## **13. Re-run**

- a) Where an online election fails to give the final result or the result is incorrect due to a technical reason, the Returning Officer may decide to re-run the election.
- b) A re-run must be carried out as soon as reasonably practicable, by such means as the Returning Officer sees fit.
- c) Where the Returning Officer directs a re-run, candidates must be notified of the necessity of a re-run and it must follow the same process as the original election.

## **14. Destruction/deletion of votes**

The Returning Officer is to arrange for all records of electors' votes to be destroyed or deleted in a manner which ensures that the confidentiality of voting information is preserved, no earlier than:

- a) three months after the declaration of the result of an election; or
- b) if the Returning Officer has directed an election re-run, three months after the Returning Officer has declared the results of the re-run;

which ever is the later.

## **15. Casual vacancies**

This item 15 only applies to Senate and committees. It does not apply to Council.

a) ~~Θ~~Casual vacancies occurring during the term of office of a duly elected member.

I. A casual vacancy arises when the Returning Officer is advised that a member has:

(i) died;

(ii) become disqualified to hold office under The Senate and Committee Elections Statute or any voting statute or by operation of any applicable law of New Zealand;

(iii) been declared bankrupt;

(iv) become mentally disordered within the meaning of the Mental Health (Compulsory Assessment and Treatment) Act 1992;

(v) resigned office by notice in writing to the Registrar;

(vi) been convicted of an offence and sentenced to imprisonment; or

(vii) otherwise become ineligible to remain an elected member in accordance with the Senate and Committee Election Statute or under the applicable terms of reference.

II. A casual vacancy that occurs within one year of the end of a term of office remains unfilled and will be included in the next election.

III. Where a casual vacancy arises under section 15(a) more than one year before the end of the term of office, that vacancy may be filled for the remainder of the term.

IV. When a casual vacancy has occurred that has not been filled prior to giving notice for an upcoming election, the vacancy will cease to be a casual vacancy and will be included in that election.

V. Where a person is appointed to fill a casual vacancy, their term of office will expire at the same time that the original office holder's term of office would have expired.

b) ~~A~~Casual vacancy arising from insufficiency of candidates in an election.

I. Where the Returning Officer declares a casual vacancy for Senate under section 5:

(i) If the casual vacancy relates to the Lecturers' Representatives of Faculties, the relevant Faculty will submit nominations to Senate for approval.

(ii) If the casual vacancy relates to the Lecturers' Representatives At-large, the Vice-Chancellor will submit nominations to Senate for approval.

II. Where the Returning Officer declares a casual vacancy under section 5 for a Committee of Senate, the Committee will submit a nomination to Senate for approval.

III. Where the Returning Officer declares a casual vacancy under section 5 for Staff Advisory Committee and University Academic Staffing Committee, the Chair will propose a nomination to the Committee for approval.

IV. Where the Returning Officer declares a casual vacancy under section 5 for a Senate elected position on University Honours Committee, the Chair will submit a nomination to Senate for approval.

9.4

## 16. Term of Office

Except as otherwise provided in these Procedures or in the [Council Appointment Statute 2019-Council Appointments Statute 2022](#) for appointments by election on Council, the term of office of every person elected will be three years and begin with effect from the first day of February next following their election.

## Definitions

The following definitions apply to this document:

**Candidate** means a candidate for election to [Council](#), Senate, Committees of Senate, University Honours Committee, Staff Advisory Committee and University Academic Staffing Committee.

**Council** means the Council, [the governing body](#) of the University ~~constituted in accordance with Part 15 of the Education Act 1989 Part 4 – Subpart 3 of the Education and Training Act 2020, and the governing body of the University as defined in University of Auckland Act 1961 and s165(1) of the Education Act 1989s 271 of the Education and Training Act 2020~~.

**Elector** means a person eligible to vote under the [Senate and Committee Elections Statute or the Council Appointment Statute 2022](#).

**Registrar** means the Registrar of the University ~~as defined in the University of Auckland Act 1961~~.

**Senate** means the academic ~~board-committee~~ established in accordance with [clause 18\(2\) of s182\(2\) of the Education Act 1989. Schedule 11 s18 of the Education and Training Act 2020.s18 of the Education and Training Act 2020](#).

**Statement** means a candidate's supporting statement for a specified election which must be made in accordance with these Election Procedures.

**University** means the University of Auckland.

**University publications** may be in hard copy or electronic form and includes magazines, newsletters and websites which may be used by the University from time to time.

**Vice-Chancellor** is the person currently holding office as the Chief Executive Officer of the University; and includes any person

- a. acting temporarily in that capacity; or
- b. acting under the delegated authority of the Vice-Chancellor.

## Key relevant documents

Include the following:

- ~~Education Act 1989~~~~Education Act 19~~~~Education and Training Act 2020~~
- [Education and Training Act 2020](#)
- [Mental Health \(Compulsory Assessment and Treatment\) Act 1992](#)
- [University of Auckland Act 1961](#)

## Document management and control

**Owner:** [Vice-Chancellor](#)

**Content manager:** Registrar

**Approved by:** Council

**Date approved:** ~~26 August 2019...~~

**Date last reviewed:** ~~11 March 2019...~~