Minutes of the Twenty-second Meeting
of The Open Polytechnic of New Zealand Limited Board
held
on 22 April 2022 at 9.50am
Rydges Wellington Airport
PUBLIC BUSINESS

Present:
Vaughan Renner (Chair)
Dr Thérèse Arseneau
Jerry He
Breccan McLeod-Lundy
Murray Strong
Dr Karen Vaughan

In Attendance:
Dr Caroline Seelig, Chief Executive
Neil Carroll, Deputy CE & Executive Director Academic Services
Dr Alison Harrison, Executive Director Strategy
Murray Hill, Executive Director Financial Services
Shelley Fitzpatrick, Board Secretary

The meeting opened with the Polytechnic's karakia.

1.0 Apologies

There were no apologies

2.0 Directors' Interests Register

The Directors' Interests Register was noted.

There were no conflicts of interest received for today's meeting.

Motion **Moved from the Chair:**
That the Board notes the Directors' Interests Register.

Agreed

3.0 Confirmation of the Minutes of the Public Meeting held on 18 March 2022

Motion **Moved from the Chair:**
That the minutes of the Public Meeting held on 18 March 2022 be confirmed as a correct record.

Agreed

4.0 **Matters Arising from the Previous Meeting (and not listed elsewhere)**

Action items were reviewed; it was noted that all actions are either complete or under action for future meetings.

Board Secretary will look at aligning Board workshops with face-to-face Chairs' / CEs' meetings now that in person meetings have resumed.

5.0 **Correspondence**

There was no correspondence.

6.0 **Academic Matters**

6.1 **Trends in Extramural Provision 2017-2021**

This report summarised the trends in extramural education from 2017 to 2021, across all sectors, with a focus on ITP provision. It was prepared at the request of TEC and can be used to inform decisions in relation to future strategies for, and investments in, extramural provision.

Management was excited by the findings.

Across the entire tertiary sector, the demand from learners to study extramurally is increasing at the expense of intramural. Extramural learners comprise 44% of all ITP learners, and 24% of EFTS (due to part time extramural study). OPNZL has more extramural learners than any other tertiary provider. In 2021, it enrolled 32,600 learners – 27% of tertiary sector extramural learners; 64% of ITP extramural learners and 28% of all ITP learners. OPNZL had almost double the extramural learners compared to Massey; however, Massey had more EFTS due to more of its learners studying full time.

Learner profiles were static, except the age profile changed with a decline in under 25-year-olds. Women are more likely to study extramurally than intramurally. There are higher numbers of Māori and Pasifika learners in intramural than extramural.

Course completions for extramural and intramural were noted as being static across the sector for the past four years, except OPNZL's course completions have increased steadily year on year, which coincides with the start of the Polytechnic's transformation.

It was noted that OPNZL's course completions for extramural are almost equal to intramural course completions. The same trends are seen for Māori and Pasifika course completions - static across the sector for extramural and intramural, but at OPNZL (which has 25% of all Māori ākonga and 20% of Pasifika learners across the sector), Māori and Pasifika extramural course completions are increasing and are within a couple of percentage points of intramural. It was noted that OPNZL is working to close the equity gap for Māori and Pasifika, and not just reach the intramural course completions rate.

From the Combined Data and Analysis Group - Te Pūkenga projections, at the current velocity, are that it could expect to close the equity gap for Māori and Pasifika in 147 years; OPNZL would close the gap within 10 years, one of the shortest timeframes for an ITP.

3 NZSCHED groups have greater than 50% of learners studying extramurally; across the board at various levels, extramural is starting to have the same course completion rates as intramural.

OPNZL learners have less loans when compared to Te Pūkenga overall; OPNZL learners also receive less allowances, as many are in work whilst studying. The average cost to the Crown is $5k per year per EFTS for intramural, versus $1800 per year per EFTS for extramural, which was noted as being a 65% cost benefit for students who study extramurally. As long as OPNZL can keep performing to scale, it can keep producing the positive results; if it doesn't get funding then it can't keep delivering to the current level. Te Pūkenga has had a 18-25% reduction in funding from TEC and true cost analysis is not being done by TEC.

There was concern that there could be a TEC proposal to fund extramural less because it's succeeding. OPNZL has been able to achieve these results because it has had funding to enable digital investment, a cut in funding will not enable the current outcomes to continue. Management was advised to share any future TEC requests for information with Te Pūkenga prior to providing information.

OPNZL was encouraged by Te Pūkenga last year to keep delivering and that funding would follow. It was noted that TEC did not fund OPNZL for distance delivery in the year of the pandemic; both OPNZL and Massey were capped for extramural provision.

The trends in extramural provision 2017-2021 report was sent to K Ulberg at TEC and copied to S Town; no responses have been received to date.

It was noted that "extramural" is a dated term that no longer applies; TEC has not mentioned terminology changes.

The Board thanked the Executive Director Strategy for the work that went into the analysis and report.

Motion **Moved from the Chair:**
That the Board notes the report.

Agreed

6.2 **Academic Committee**

This report updated the Board on the recent Academic Committee meetings and was taken as read.

Motion **Moved from the Chair:**
That the Board notes the report and receives and notes the minutes of the Academic Committee meeting held on 04 March 2022.

Agreed

6.3 **Ōritetanga Progress Report, April 2022**

This report provided an update on the progress of activities set out in the Ōritetanga Plan as at the end of March 2022 and was taken as read.

Action: Te Pae Tawhiti report (due to be submitted 22 April) to be included in the Information Section - Public.

The Board would like the opportunity to input into Te Pae Tawhiti report; Board Chairperson and CE to discuss offline.

In engaging with Te Ātiawa, they have suggested there would be no benefit in joining the OPNZL Board as a Māori representative at this time, given the OPNZL Board will be dissolved by end of year.

It was noted that this is the first time the Māori Office has taken responsibility for this report; the Board felt this was a fantastic step and noted the good progress.

Motion	**Moved from the Chair:** **That the Board notes the progress report.** **Agreed**

7.0	**Safety and Wellbeing Update – April 2022**

The Board received the update on Safety and Wellbeing at OPNZL and it was taken as read.

There are 100 positive COVID-19 cases as of today. OPNZL has decided it will continue working under its COVID-19 response policy (as things are working well) while a working group is put together to work through how the Polytechnic will evolve to be more flexible than its current flexible working policy. There are kaimahi who are vulnerable and need to be protected, so there will be decisions in the coming weeks about work on campus.

For Te Pūkenga Safe 365 Assessment, V Renner and J He will be the governance representatives; J He to attend virtually.

Action: Board to do a walk around campus, as part of its health and safety obligation, at the next on campus meeting.

It was noted that the oversight OPNZL has of health, safety and wellbeing of learners in workplaces is varied as some of the information has been collected by OPNZL on behalf of workplaces and other workplaces collect it directly from learners. The Board is responsible for the health, safety and wellbeing of learners and there is a need for policies and/or oversight. It was noted that both the workplace and the training / educational facility share the responsibility for health, safety and wellbeing and there needs to be a clear policy delineating responsibility. This extends to the expectation around a workplace culture that is in keeping with OPNZL’s workplace culture. It was noted that the scale is huge though it doesn’t change the obligation to look after learners and ensure learners are aware of the process and health, safety and wellbeing standards.

Action: Management to report back to the Board on how OPNZL will ensure the health, safety and wellbeing of learners in workplaces.

It was suggested that OPNZL could engage with Te Pūkenga to see what policies are being developed and/or drive the policy creation.

It was noted that Waikato University has a good work integrated learning office and could be approached.

It was also noted that subsidiary boards will be providing representation letters, including risk profiles, to Te Pūkenga at dissolution, so it would be good to have this in place.

Action: eCampus NZ health and safety report to be included in Public papers in future.

Motion **Moved from the Chair:**
That the Board notes the Safety and Wellbeing update.

Agreed

8.0 Board Work Plan 2022

The Board reviewed its 2022 work plan.

9.0 General Business

9.1 Annual Report 2021

The Board resolved to carry this item 17.1.2 from the Public Excluded meeting agenda into the Public meeting agenda.

The Audit, Finance and Risk Committee endorsed for transmission of the 2021 Financial Statements and Statement of Service Performance and Management representation letter for Board approval; noted the Audit Close Report; and endorsed for Board approval the additional audit fee of $8,000 relating to eCampus NZ.

The Board commended kaimahi on the great work producing the 2021 Annual Report.

Motion **Moved from the Chair:**
That the Board approves the:

- **2021 Financial Statements,**
- **Statement of Service Performance,**
- **Management representation letter; and**
- **the additional audit fee of $8,000 relating to eCampus.**

That the Board notes that if approved, the Annual Report and management representation letter will be electronically signed after the meeting.

That the Board notes the Board Secretary has approval from the Board Chairperson and AFRC Chairperson to insert their electronic signatures into Te Pūkenga representation letter and reporting template.

Agreed

9.2 Board Committee membership

This minute was carried from 20.1 of the Public Excluded Meeting agenda into the Public minutes. The Board agreed K Vaughan as Chair, People and Performance Committee; other members of the People and Performance Committee will remain as is:

- K Vaughan, Chair
- T Arseneau
- V Renner, Chairperson, as ex officio member.

10.0 **Strategic Matters: Public Excluded Business**

Motion **Moved from the Chair:**
That the Board excludes the public from the remainder of the meeting.

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

PE 11.0	Apologies	s9(2)(a)
PE 12.0	Confirmation of PE Minutes 18 March 2022	s9(2)(a),(b), (g)(i), (i), (j)
PE 13.0	Matters Arising	s9(2)(a),(b), (g)(i), (i), (j)
PE 14.0	Correspondence	s9(2)(a),(b), (g)(i), (i), (j)
PE 15.0	eCampus NZ Board reports	s9(2)(a),(b), (g)(i), (i), (j)
PE 16.0	Organisational Dashboard	s9(2)(a),(b), (g)(i), (i), (j)
PE 17.0	Board Committee Update	s9(2)(a),(b), (g)(i), (i), (j)
PE 17.1	Audit, Finance & Risk Committee Update	s9(2)(a),(b), (g)(i), (i), (j)
PE 17.1.1	Financial delegation for courseware development	s9(2)(a),(b), (g)(i), (i), (j)
PE 17.1.2	Annual Report 2021	s9(2)(a),(b), (g)(i), (i), (j)
PE 18.0	Subsidiary Collaboration	s9(2)(a),(b), (g)(i), (i), (j)
PE 19.0	Secondary-Tertiary Initiative Update & presentation	s9(2)(a),(b), (g)(i), (i), (j)
PE 20.0	General Business	s9(2)(a),(b), (g)(i), (i), (j)
PE 20.1	Board Committee appointments	s9(2)(a),(b), (g)(i), (i), (j)
PE 20.2	Learner facing dashboard demonstration	s9(2)(a),(b), (g)(i), (i), (j)

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

s9(2)(a) – To protect the privacy of natural persons, including that of deceased natural persons
s9(2)(b) – To protect information where the making available of the information
(i) would disclose a trade secret; or (ii) would be likely unreasonably to prejudice the commercial position of the person who supplied or who is subject of the information
s9(2)(g)(i) – To maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to members of an organisation and employees of any department or organisation in the course of their duty
s9(2)(h) – To maintain legal professional privilege

s9(2)(i) – To enable a Minister of the Crown or any department or organisation holding the information to carry out, without prejudice or disadvantage, commercial activities
s9(2)(j) – To enable a Minister of the Crown or any department or organisation holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)

a) **Permit the following to remain at this meeting for items PE 11-20 after the public has been excluded, because of their specialist knowledge of the subjects:**
   - Dr Caroline Seelig, Chief Executive
   - Neil Carroll, Deputy CE & Executive Director Academic Services
   - Dr Alison Harrison, Executive Director Strategy
   - Murray Hill, Executive Director Financial Services
   - Shelley Fitzpatrick, Board Secretary

Agreed

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17 June 2022

Chair **Date**