



**TEU**

**TERTIARY EDUCATION UNION**  
**TE HAUTŪ KAHURANGI**

# Education (Vocational Education and Training Reform) Amendment Bill

**Submission of Te Hautū Kahurangi | Tertiary Education Union**

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# Co-creating a strong VET sector

## Education (Vocational Education and Training Reform) Amendment Bill 2019

### Submission of Te Hautū Kahurangi | Tertiary Education Union

Te Hautū Kahurangi | Tertiary Education Union (TEU) represents nearly 10,000 general/allied/professional and academic staff from across New Zealand's tertiary education sector working in ITPs, universities, wānanga, REAPs, and private training establishments.

As the professional association for staff working in the tertiary education sector we have extensive knowledge about how to achieve high quality educational outcomes for taira | learners, foster research excellence, and encourage the continued high performance and dedication of our tertiary education sector's teaching and research staff.

We work collectively to ensure good working conditions in the tertiary education sector to ensure strong quality public education provision – as staff conditions of work are students' conditions of learning. And we work collectively for pay that reflects the work we put in.

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## Executive summary

*The term education is about something much bigger than training for a job. It is about broadening one's perspective of the world, personal development and development of transferable skills. In the contemporary workplace we know that people will have multiple careers across their working life and the skills needed to navigate the changing world of work are much more than just technical training for a specific job (ITP staff member).*

*Lastly, wherever you may be reading this, look around the room you are in. Everything there is in place (and hopefully working efficiently) because someone somewhere went to a technical institute. All the materials and the human services surrounding us are achieved through the praxis of vocational education. (ITP staff member)*

The TEU supports the intent of government to create through the Education (Vocational Education and Training Reform) Amendment Bill a unified and cohesive network of vocationally focused public tertiary education provision that is both locally responsive and meets the social, economic, environmental and cultural well-being needs of Aotearoa and beyond. Many of the proposals for a strong VET sector put together by TEU members in 2018 and set out in '[Changing Lives](#)' have been incorporated into the Bill. However, in some places they need to be strengthened.

In order to meet these aspirations, we urge the select committee to:

- Refocus the New Zealand Institute of Skills and Training (NZIST) Charter so that it gives effect to Te Tiriti o Waitangi (Te Tiriti) and so the crucial principles of accessible, inclusive, and culturally appropriate educational provision are given primacy of place;
- Put taura | learners and learning needs as the prime focus of the Charter and ensure they are central to all parts of the system;
- Ensure that all parties recognised in the Bill are required to focus on the delivery of social, economic, environmental, cultural and human well-being;
- Ensure all parties recognised in the Bill simultaneously focus on regional and national needs;

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- Recognise that VET is about creating responsible, critical, and well informed capable citizens and workers in order for them to contribute to society and the economy;
- More explicitly recognise the breadth and depth of VET provision as well as its crucial role in tertiary education – which covers trades, professions, and vocations - within the Charter of NZIST and throughout the Bill;
- Ensure all parts of the VET system as set out in the Bill (including Workforce Development Councils (WDCs) and Regional Skills Leadership Groups (RSLGs) give effect to Te Tiriti o Waitangi, the decisions of Te Taumata Aronui, and the co-created Tertiary Education Strategy;
- Give effect to Te Tiriti by conferring a Māori name on the NZIST on 1 April 2020, TEU Kaumātua Hōne Sadler offers either Te Umanga<sup>1</sup> or Umanga Aotearoa<sup>2</sup>;
- Require WDCs to acknowledge and give regard to the NZIST Charter, the decisions of the NZIST academic board/committees, and Regional Skills Leadership Groups;
- Ensure parity of esteem between universities, wānanga, and NZIST by constructing a legislative, funding, and policy framework that creates identical relationships with the crown and ensures all qualifications are valued equally;
- Give genuine effect to academic freedom, and empowerment of taura | learners and staff who are at the heart of the system;
- Advance equity for all taura | learners and staff;
- Demonstrate world leadership in the achievement of Sustainable Development Goal 5 Gender Equality through all practices and processes in the VET sector;
- Recognise and provide for the inclusion of the expertise and experience of NZIST staff and industry professionals in designing broad graduate attributes including:
  - the sets of skills needed in professions, vocations, and trades;
  - the attributes to be assessed at the completion of training; and,
  - in determining the curriculum, courses, materials, and methods of delivery required to meet economic, social, human, and environmental well-being requirements set out for the network of VET provision.

<sup>1</sup> “Te” is the definite article. “Umanga” has multiple meanings including pursuit, occupation, business, career, and profession.

<sup>2</sup> “Umanga Aotearoa” locates the institute on the national and global stages as being distinctly and proudly Aotearoa New Zealand made.

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- Require WDCs and NZIST staff to collaborate in designing all components of the vocational qualification framework and provision;
- Require NZIST staff to produce strong foundations and degree based learning, in collaboration with iwi, community, industry and professional bodies, and all other parts of the education system;
- Write into the legislation the requirement for TEC to seek input from iwi, community, and appropriate levels of government on the overall VET funding investment package to ensure balance in training schemes that meet the needs of all stakeholders and the citizens of Aotearoa;
- Change 'agreements' in the legislation to 'collective and individual employment agreements' to ensure the rights of all current workers are properly protected;
- Ensure that during the transition, existing and future capabilities in the public VET system are protected from the negative effects of a competitive market model and agents still operating within that model (PTEs and universities in particular); and,
- Signal more clearly that in the transition there will be changes in the delegated authorities across the network in order to enable the national coordination of the system and breaking down of silos.

We thank the select committee for consider our submission.

**We wish to speak to the select committee.**

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# Introduction: A strong VET sector for all

There are a range of amendments we propose to the Education (VET) Amendment Bill in order to create a strong VET sector which is focused on tauira | learners in all their diversity, and that will deliver for hapū and iwi, communities and business, and the many industries and professions reliant on a quality public tertiary education system.

Our focus as staff in tertiary education is to ensure a system with the following attributes:

VET provides the comprehensive foundation and ongoing innovation needed in broad fields of practice for professions and life-long vocations. It does so through developing an awareness of self and culture, knowledge of practice, the technical base of practice, and the attributes needed for the integration of tauira | learners into both professional life and society. This can be provided at all levels of education and includes research-based vocational bachelors and postgraduate degrees taught in institutes of technology and polytechnics.

In Aotearoa, the vocational education sector, like the tertiary education sector as a whole, has the responsibility to convey a deeper understanding of the shared Tiriti history of this country and to support and encourage innovative ways to practically implement the obligations agreed by the two Tiriti partners (iwi Māori and the Crown). The Tiriti relationship means our sector is also able to offer and develop unique teaching, learning and research practices of tauira | learners and staff, and governance and management models that serve to strengthen our understanding of each other and the world we live in.

VET is a powerful instrument that contributes to the full development of the human personality, social mobility, the reduction of inequality, and the betterment of society.

What this looks like and means for staff on a day-to-day basis is expressed in the following quote from a TEU member:

*I have been teaching in the Hospitality area since 2004. I am not only very passionate in what I teach but also in my students. Tertiary education is about practical learning. It is teacher and student based, my students said that they do not pay all this money*

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*to sit in front of a computer! They love that they have someone that can pass on their knowledge and teach them to industry standards. Someone that is on hand to correct them if they are doing something wrong or praise them when they get it right. Someone to be on hand to give them the confidence to serve wine table side or to feel comfortable enough to place napkins on customers' laps. To teach them the difference between a good latte and a bad latte AND to teach them how to correct those mistakes. To be able to sit down with your students when they are struggling in areas of their learning or problems in their personal life and what we can do to help so as it does not impact on their learning. To build a rapport and trust with your students and to earn their respect. (ITP staff member)*

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## Section One: Begin with taurira | learners

*Learners MUST be the priority in this reform, not the needs of industry. If we are to emerge as a future focused country, a country built from the foundations of its people – please put the community needs first. (ITP staff member)*

*Individual and community well-being in all sectors of society is the “glue” that holds a society together. In part this is achieved when people feel that they are contributing to the society that they live in. Vocational education provides a pathway for people to not only learn the requirements of a chosen career but to explore and learn more of their own capabilities. (ITP staff member)*

- 1.1 A VET network that puts taurira | learners and learning at the heart will be a system of meaningful relationships; a system that is inclusive of, and at the same time meets the needs of, whānau, iwi, communities, employers, industries, professions, and the government. This system must, above all, be based on Te Tiriti, equity, be integrated and coordinated, balance regional and national needs, and be constantly on guard against racism, discrimination, harassment and bullying as is set out in the draft NELP and TES (2019).

*Education is more than satisfying industry. It is a lifelong educational journey not measured by the number of qualifications a person has but the social and personal good that results. (ITP staff member)*

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- 1.2 Being taura | learner focused means the process of learning happens through co-creation and co-production. There is the moment when a taura | learner says 'I get it' and the teacher has a sigh of relief having found a way to explain a complicated idea – co-production of learning has taken place. This co-creation and co-production will constantly be impacted upon by what is happening in whānau, hapū, family, communities, iwi, and workplaces.
- 1.3 Being taura | learner focused (or taura | learner-centred) is not about maximising so-called market 'choice'. It is rather a situation in which there is a clear understanding of a taura | learner's present situation, where they might be heading, and what they have the right to do and wish for in the future. They have experience, knowledge, skills and aspirations as a taura | learner, and the task of a tertiary education system is to build on what exists. It is also the role of all in the system to extend taura | learners' abilities beyond the utilitarian needs of work and income to the creation of a constructively critical citizen with a sense of belonging and commitment to strong human and community relationships.
- 1.4 The VET system is about expanding opportunities for domestic and international learners.
- 1.5 With regard to international taura | learners we agree that the social, cultural and economic benefit brought to Aotearoa through participation by international learners in our tertiary education system is significant. International learners benefit from high-quality programmes delivered by staff with both teaching

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expertise and in-depth knowledge of an industry or profession. These learners are also afforded the opportunity to study and interact with their domestic peers in safe and caring communities, whether these are located in large urban centres or smaller regional centres.

- 1.6 What has been of concern to TEU members over the past decade has been the focus on international student enrolments as primarily a revenue stream for providers. This has meant that services such as pastoral care and support and ESOL support have not always been adequate. Addressing the competitive funding model currently operating in the vocational education sector, so that providers do not need to resort to competing for international student enrolments to ensure their day-to-day operations, is an important element for a reformed sector. International student enrolments should be on the basis of the strength of our programmes and provision, not because of the income these taura|learners bring to the sector.
- 1.7 A taura|learner focussed system begins by examining what it is that helps people on their learning-journey. The experience and expertise of TEU members and the voices of those who contributed to Roadmap 2020 and the Reform of Vocational Education throughout 2018 and 2019, as well as domestic and international literature on education, give us the answer.
- 1.8 The key to the taura learner journey is staff and the relationship between staff and taura|learners. As Welby Ings states "Learning and teaching are processes, not products".

*Life-long learning is at the heart of vocational education. I have been a diesel mechanic for 30 years and am still learning. As a tutor, I believe in education for everyone no matter what their circumstances; this requires more than just fiscal and technical knowledge to achieve good outcomes. A personal relationship based on pastoral care and a good understanding of educational principles are the principles that we work towards. (ITP staff member)*

### **Taura|learners and learning journeys backed by people**

- 1.9 Given the importance of staff to the quality of learning experiences and the success of the journey for all taura|learners, it is crucial for staff to have the authority to set the direction and boundaries of VET. This means full recognition

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of the professional skills, knowledge, aptitude, and attitudes of the academic and general staff responsible for tertiary education provision.

- 1.10 All academic staff in the VET system are, and must be, dual professionals. This comes from their own training in a primary trade, vocation, or profession, and through ongoing reflective practice. They spend their days in classrooms, workshops, labs, and in industry guiding tauira | learners through on-campus and on-job training. Skilled general, allied, and professional staff provide the student support, administration, and operational expertise needed to successfully provide quality learning experiences. The expertise and experience held by staff means they are the ones who know best what tauira | learners in the VET system need.
- 1.11 Correspondingly, tauira | learners and staff do not and cannot operate in a vacuum. Their daily co-creation and co-production of learning – ako – must reflect the changing needs of the tauira | learners themselves, advances in teaching and learning, as well the changing needs of industries, professions, and vocations.
- 1.12 Above all, the tauira learner’s journey will and must be informed by, and respond to, the major issues of the day: in this moment, key concerns include environmental degradation, growing inequality, rapidly changing technological innovation, and population change.
- 1.13 To meet these needs, we need to foster ‘ahikā’ – the interrelationship of people and the land. As a starting point there must be a recognition of the environment in the NZIST Charter.
- 1.14 The Sustainable Development Goals, which Aotearoa has signed up to, contains a number of strong statements which should guide the creation of a VET system which contributes environmental well-being. We advocate for the inclusion of SDG 13 in the NZIST Charter. It is beholden on all institutions and peoples to “take urgent action to combat climate change and its impacts”.
- 1.15 The proposed NZIST Charter recognises all of the areas of importance described above by stating the Institute must operate in a way that allows it to “empower tauira | learners and staff on academic, non-academic, and well-being matters and matters relating to the organisation’s practices and services”.

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*It is good to see staff well-being acknowledged in the NZIST charter. However, more detail surrounding what this actually entails would be advisable. Salaries need to be reviewed, and tertiary education support service salaries should be standardised across all educational institutions. Also, an acknowledgement and appreciation of the support services from higher leadership, and recognition that what we do has a huge impact on student and employee happiness and career satisfaction. Support services in tertiary education are massively underappreciated and under-resourced. Students come to tertiary education to start their career, yet the career support is minimal. More and more students are stressed and unsure about their future direction. Lecturers do not solve this issue. Students need specialist advice to support them through this huge period of change for them. (ITP staff member)*

- 1.16 The systems and processes surrounding staff is the next factor in achieving a strong outcome for all tauira | learners, no matter their background or ability. This is a core goal of the Education (VET Reform) Amendment Bill.

### **Moving away from the corrosive effects of markets**

- 1.17 The government's intention to create "a unified and cohesive vocational education and training system" is laudable. For too long, market model competition has permeated all aspects of the education sector, creating perverse incentives, actions, and outcomes thus subverting the central rationale of teaching and learning.
- 1.18 The removal of unhealthy and unnecessary market competition in education – which is after all a public good – is crucial to the successful achievement of the intent of this Bill. We urge all members of the select committee to recognise that tauira | learners and staff, not customers and human resources, are what will deliver for tauira | learners, whānau, hapū, communities, industries, and the nation. We recommend the government move carefully during the transition to reinforce with staff, communities, and students that creating 'companies' as subsidiaries of NZIST is not a move towards privatisation, and that in fact the intent of the Bill is to do the opposite as it creates a strong public network of provision.
- 1.19 It is necessary to create an environment for all staff that no longer forces them always to evaluate their professional aspirations in the light of a corrosive and saddening reality:

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*Welby Ings: ... I always feel proud to call myself a teacher. It is not a term I use lightly, because it permeates my whole life. I bore people at parties by telling them about the students I am working with; I get swept up in the enthusiasm of their ideas and breakthroughs and I despair when regulation and fashion damage the structures around them that would help them to reach greater levels of potential. I feel the same way about my colleagues, many of whom are gifted, highly educated professionals who are forced to become micromanaged performance providers. These are people whose insights tell them that we need something more as a nation than a second neo-liberally constructed generation of kids who have learned strategy and risk aversion instead of creative risk-taking.*

- 1.20 Staff have witnessed and experienced this corrosive reality on a daily basis through:
- pressure to amend grades and enrol any taura | learner, even if they don't quite meet the criteria set out by the institution;
  - being 'told off' for taura | learners finding jobs and leaving courses early, as this affects the funding of their institution;
  - being subject to continuous reviews and restructuring to enable their institutions to compete cost-wisely with other ITPs;
  - reduction in student support services – both academic support and pastoral care – by management in a system where these are falsely seen as 'nice-to-haves';
  - being at the sharp end of decisions which increase the layers of technocratic management who spend their time counting and 'measuring'; and,
  - the expansion of marketing both domestically and internationally to attract more taura | learners (including the perverse decision by all but one ITP to provide a 'shop front' on Queen Street in Auckland).
- 1.21 Staff have over the last two decades faced and continue to face all of the above without the right of voice and in fear of non-compliance while institutions are short of staff to do the fundamental work of teaching, academic support and pastoral care. The total impact of all of these factors is to constantly redirect staff focus from the debates, attention and collective endeavour which should properly occupy their time in the pursuit of teaching and learning.

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- 1.22 Change, as the Bill acknowledges, is mandatory to ensure the system supports staff to undertake their core work, and ensure all tauira | learners are able to undertake learning journeys that work for them throughout their lives.
- 1.23 To tackle the perverse incentives of pseudo-markets in VET, there must be stronger recognition of the different parts of the system and what they contribute; and, a clear drive to get these different parts of the system working well together.
- 1.24 We urge the select committee in all they read and hear to come back to the central focus - 'what is it tauira | learners need?' If focused on this, then the committee will address the rest of the stakeholders' needs. The needs of industries, trades, and professions will be met by a system designed to work for tauira | learners.
- 1.25 The Bill must ensure tauira | learners and teachers can walk side-by-side to create strong learning opportunities. Industry experts and professional teaching staff must be given the time and environment to work together to create these strong learning experiences.

### **Recommendations: Section One -Tauira |learners**

***Recommendation 1: TEU supports the intent of the Bill – to co-create a strong VET system – and urges the select committee to ensure that all parts of the system – WDCs, NZIST, government agencies – co-create the system to ensure all tauira |learners and learning approaches are the starting point. In particular, the statement in the Charter which looks to “empower students and staff” should be the litmus test for the refinement of the Bill. (See Recommendations Sections 5, 6, and 7)***

***Recommendation 2: To ensure tauira |learners and learning approaches are delivered on, there needs to be additions to the Charter around professional development. (See Recommendations Sections 5, 6, and 7)***

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## Section Two: NZIST as the anchor institution

- 2.1 The NZIST is the core institution for the collaborative and comprehensive provision of a national network of vocational education, skills training and associated research in Aotearoa. It is integral to the entire tertiary education sector and contributes to educational, social, technological, cultural, and economic development.
- 2.2 NZIST must provide the above at several levels of education including research based vocational bachelors and postgraduate degrees taught in institutes of technology and polytechnics.

*[P]ostgraduate polytechnic courses offer a unique opportunity for students to gain higher qualifications which combine practical skill with broader contextual understanding. Polytechnics offer a uniquely nurturing environment for students pursuing such endeavours. Remember that polytechnic art schools produced many of the most famous artists and musicians of our generation. This is because of their unique combination of art practice and theory. (ITP staff member)*

- 2.3 NZIST must be responsible for the co-creation and provision of regionally appropriate vocational education and skills-training in safe, campus-based, online and workplace learning environments.

*All communities need access to tertiary education. Travel and accommodation are often huge barriers for students in tertiary education and having access in smaller communities is of huge benefit for many students. Those who will contribute to our future do not only reside in city centres. Rural communities need more than only online delivery for effective learning accessibility for all students (ITP staff member).*

*There are a number of students for whom it is not possible to travel to receive their education. They may have strong connections in their local community or are inhibited from moving to a large urban centre due to financial costs. In addition, there are also many types of vocational training for which a purely online course will not deliver the best results. Therefore, you need to ensure all communities have access to face-to-face learning and support services in the future NZIST. (ITP staff member)*

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- 2.4 NZIST must also be proactive in advancing the needs of Māori-Crown partnerships, industries, professions and relevant levels of government in every region and nationally.
- 2.5 NZIST as the core of the vocational education and skills training sector, like the tertiary education sector as a whole, has the responsibility to convey a deeper understanding of the shared Tiriti history of this country and to support and encourage innovative ways to practically implement the obligations agreed by the Tiriti partners (Māori, Crown and community).
- 2.6 In each region, NZIST must ensure accessibility for all tauira | learners and the provision of a coherent network education and skills training to meet regional skill needs and the infrastructure to match.

*Tertiary education should be accessible to all: second-chance learning must not be allowed to become second-class education. (Wānanga staff member)*

*I believe every town or city is different and what is being taught and how the teaching is to be delivered should be handled by the ones that know what is best for their community and that is the teaching professionals. We are not all the same – our students come from all walks of life, they are not robots and they do not fit in the same box. We need those that are in the know, that understand tertiary study and who understand students' different needs. (ITP staff member)*

- 2.7 In accomplishing this, regional providers are empowered to operate autonomously, but in a collaborative manner ensuring that provision and operations are informed by local relationships, and that all decisions meet the needs of their region and facilitate the encouragement of international tauira | learners to train and study in a suitable region.

**NZIST should have a strong commitment to gender equity.**

- 2.8 In the planning and design of new governance structures, for example, a council or academic board, these bodies need to be established with due regard to gender-balanced leadership. The composition of Regional Leadership Groups also needs to be based on gender balance, as do the top tiers of leadership positions for the NZIST – regionally and nationally.
- 2.9 While the Gender Pay Gap Action Plan (GPGAP) is focused on the Public Service, it has relevance and applicability to the tertiary sector. Closing or eliminating gender

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pay gaps within the sector is an area where the GPG Action Plan can be implemented in vocational education and concrete milestones can be set. Measuring and reporting on the GPG for the sector, followed by specific objectives to eliminate any gaps, would be a positive start.

- 2.10 Implementing the Gender Pay Principles endorsed by the State Services Commissioner is fundamental to advancing gender equality in VET.

### Parity of Esteem for NZIST

- 2.11 Parity of esteem is crucial if NZIST is to be sustainable and vibrant and we urge the select committee to take all steps possible to protect the parity of esteem of NZIST.

- 2.12 For too long, VET provision has been seen as the poorer and less desirable cousin of universities by students and their parents, and in some cases by employers.

Parity of esteem is important to ensure strong domestic and international student enrolment.

- 2.13 Given that the teaching, learning, research, and innovation is carried out at the same levels across the public providers – even if executed differently – any division created by the legislation, and competition that will inevitably follow, is not helpful. Experience shows us that tertiary education providers will exploit any perceived competitive advantage in any way they can.

- 2.14 We urge the select committee to remove any unnecessary differentiation between NZIST and other tertiary education providers.

### Remove the exception around academic freedom

*Academic freedom is paramount and is also guaranteed in the Tiriti o Waitangi. The articles talk about Partnership, Protection and Participation, and all 3 of these values need to be considered when forming the relationship between educational providers and industry. It should be a collaboration of ideas that culminate in better decisions and outcomes for all in education, and therefore, academic freedom should not be taken away or compromised from the educational providers. (ITP staff member)*

- 2.15 There are already boundaries drawn around academic freedom within the Education Act and the proposed Bill which makes 222E (3) necessary. 222E (4) (b)

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states that academic freedom is bounded by “the need for the institutions to be accountable and to properly use resources allocated to them.”

- 2.16 The Bill clearly sets out that the resources allocated to NZIST are to ensure that vocational education and training meets the needs of “the regions of New Zealand and their taurira | learners, industries, employers, and communities”. This clause ensures NZIST is required to consider the decisions of WDCs as part of its core accountabilities. Furthermore, the funding policy and Tertiary Education Strategy will reinforce the importance of vocational education to meet industry and business needs, giving the government on behalf of business significant power to ensure NZIST is following the paths set by WDCs.
- 2.17 One unintended consequence of leaving 222E (3) in place will be to further embed hierarchies within the tertiary education system. To ensure parity of esteem for degree programmes taught through NZIST, the institution requires academic freedom.
- 2.18 There seems to be a false assumption that by removing academic freedom there will be greater alignment between the learning outcomes for people doing on campus and online training, and what employers need. This is a misunderstanding of what learning and VET provision is really about.
- 2.19 In ITPs we are working to develop ‘work ready’ graduates, but they will need support once they reach the point of taking a job in an industry, profession, or vocation (ITP academic).
- 2.20 Too much industry influence impacts on what is taught and researched in the tertiary education sector.

*For years, industry has been gaining influence over scientific work by holding the purse strings. As government has under-funded the tertiary sector, academics have had to look elsewhere to find funding for their research. Many have located that within industry, but this then limits the kind of scholarship they may conduct and disseminate. It is limiting the innovation of knowledge in New Zealand. It would be a gross travesty to see the same thing happen with our tertiary curriculums, whether in polytechnics or universities (university staff member).*

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### Remove the exception around institutional autonomy

- 2.21 Given separation from the state is given to wānanga and universities, but not to NZIST, this will result in the public providers being viewed as two distinct and separate systems.
- 2.22 We believe that the whole Bill, and the review of the funding model for tertiary education which is underway, will address some of the issues which may have led to the government looking to remove NZIST's institutional autonomy.
- 2.23 We want to note that the ITP sector may be facing financial issues, but that overall it is academically strong. While there have been a couple of institution EER downgrades, most are category one showing they have strong quality assurance and excellent teaching.
- 2.24 With the removal of the perverse incentives put in place by the market model and managerial approach, there is absolutely no need to remove institutional autonomy around teaching, learning, and research.
- 2.25 The government already has a range of levers – in terms of policy, the Tertiary Education Strategy, and funding – to control the sector.
- 2.26 The international reputation desired for the teaching, research and innovation, requires separation from state. We should not be reliant on having a benign state to ensure fundamental democratic and civil functions being enacted. The role of tertiary education providers in teaching critically engaged workers and citizens, and acting as the critic and conscience function through the execution of academic freedom, is a fundamental civil right and responsibility.

### Recommendations: Section Two - NZIST

***Recommendation 3. Acknowledgement of the need to enact Te Tiriti o Waitangi is essential in the Functions and Charter of NZIST.***

***Recommendation 4. The Functions of NZIST must state the institution is responsible for research based vocational bachelors and postgraduate degrees taught in institutes of technology and polytechnics.***

***Recommendation 5. The Functions of NZIST should also recognise that the institution is responsible for the co-creation and provision of regionally appropriate vocational***

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*education and skills-training in safe, campus-based, online and workplace learning environments.*

*Recommendation 6. The Select Committee should ensure that NZIST is a body created through the same process as universities, wānanga, and other TEIs, with the same rights and responsibilities – including institutional freedom.*

*Recommendation 7. That the select committee remove proposed clause (3) in section 222E Academic Freedom of NZIST.*

*Recommendation 8. That NZIST have institutional autonomy like all other public TEIs.*

*Recommendation 9. Demonstrate world leadership in the achievement of Sustainable Development Goal 5 Gender Equality through all practices and processes in the VET sector.*

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## Section Three: A new direction for VET

*The application of the market model in tertiary education combined with a relentless drive to train rather than educate has been a terrible mistake. We seem to have lost sight of why a society needs tertiary education ...we have gone from being a sector that provided leadership in society to one that is a pawn in a poorly conceived socio-economic experiment that allows market forces/money to determine how it operates. Students are definitely not attaining the same level of critical thinking and literacy that they did 20 years ago. We need to change the way we think about education and the measures we use nationally to assess it before there can be any real change within institutions (university staff member).*

- 3.1 The importance of changing the direction of the tertiary education sector is clear when examining the range of harms done by the market-model imposed on public sector providers and the ill-effects of the concomitant use of managerial approaches to running the sector.
- 3.2 Like the government, we think a new direction is needed for VET, and suggest a range of ways to ensure that at the end of this process the VET system is a collaborative space.

### A new direction for Te Tiriti obligations

*I witness through my work as programme manager for the Creative Technologies Bachelor's degree, the power that strong art and design courses possess, to lift people into a degree qualification and onto better jobs, a self initiated enterprise or a career. These are often students who may not have such opportunities in other qualifications or may not have even aspired to reach that far, prior to enrolling. This is working for us because of the unique alignment between creative thinking, and Mātaranga Māori. Action learning, collective outcomes, whakawhanaungataunga and indeed, entrepreneurial outcomes, fit into this dynamic world view (ITP staff member)*

- 3.3 The TEU | Te Hautū Kahurangi actively acknowledges Te Tiriti o Waitangi as the foundation for the relationship between Māori and the Crown. As such, the union acknowledges the He Wakaputanga o Te Rangatiratanga o Nu Tireni | Declaration of Independence of New Zealand 1835, as the precursor to Te Tiriti

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o Waitangi 1840. We also acknowledge the significance of specific reference to Te Tiriti o Waitangi in the Education Act<sup>3</sup> and the emergent discourse resulting from this. Finally, we acknowledge the responsibilities and actions that result from our nation's signing of the UN Declaration on the Rights of Indigenous Peoples.<sup>4</sup>

- 3.4 In order to ensure the advancement of the needs of Māori tauira | learners, whānau, hapū, and iwi, the Bill and all subsequent policy and planning documents must give priority to the acknowledgement of Te Tiriti o Waitangi and aspirations for Māori tauira | learners. As our members have repeatedly been heard to say: 'what's good for Māori is good for all'.
- 3.5 The Government expression of the Tiriti relationship is lacking in detail. Our strong contention is that the provision of vocational education needs to be underpinned by a robust Tiriti framework that recognises a Tiriti relationship between two parties, and that is able to show this relationship in action in all decision-making for the sector. Those participating in vocational education should be able to see the relationship working at all levels – in governance, operations, programme delivery, industry, service provider and community engagement – and across all parts of the sector. The enacting of the Tiriti relationship should provide tangible results across the sector and contribute to increasing equity, diversity, and accessibility for Māori and for anyone else seeking to participate in the system.
- 3.6 We urge the select committee to put into the Charter of NZIST a clause requiring the creation, retention, and ongoing resourcing of Māori liaison teams and Māori tauira | learner support centres. Added to this we encourage a strong commitment in the Bill to hiring, retaining, and promoting Māori staff to ensure that Māori students are actually able to engage with the learning processes.

*I lament the loss of a specific service to support Māori students in their study and the running down of learning support services, in particular the one-to-one consultations that allowed students who were at a loss to make a human connection (Respondent, Education Under Pressure 2017)*

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<sup>3</sup> Specifically Section 181 (b), (c), and Section 220 (2A) (a) to (e)

<sup>4</sup> Particularly Article 14

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- 3.7 If the government's objective of ensuring that we have a vocational education and training system that works for those previously underserved and of ensuring inclusivity as a core principle is to be upheld, it is crucial to treat this question of provision by Māori for Māori and with Māori seriously.
- 3.8 This requirement was laid out in the report by Helen Potter and Lee Cooper ([Project Whitestreaming: A report on the generalising of Māori specialist staff positions in the tertiary education sector 2016](#)):

*... best practice and success for Māori is tied to culturally-responsive provision in recruitment, student learning support, teaching practices, and programme content and delivery. Investing in and bedding down institutional best practice for Māori student participation and success is especially important in light of the fact that the Māori population is growing faster than New Zealand's population as a whole. It is estimated to nearly double in number by 2038 so that Māori will make up a significantly larger share of the population in the future.*

#### **A new direction for student learning and well-being**

- 3.9 There are ill-effects for students as seen in research on the well-being of students such as the NZUSA reports: "Kei Te Pai? Report on Students' Mental Health"; and the "Income and Expenditure Report 2017".
- 3.10 The ill-effects are best summed up by the repeated statements by taura | learners in forums and public events during the RoVE consultations, that learning institutions see them merely as "dollar-signs".
- 3.11 Staff report that service provision for students was getting worse in the areas of mental health, study skills and pastoral care. For example, one TEU member noted:

*Since arriving in the education field, I have become a passionate advocate for it and my taura | learners. Having taught on Cookery, Front of House and Tourism at all levels has given me a unique prospective of being involved with all our hospitality students' journeys and with some I have helped guide from High School gateway courses through to completion of Level 5 diplomas. For the past 2 years I have been working with High School Dual Pathways students in Timaru and Oamaru at both L2 and L3. Some of these students have had severe mental health and learning issues, helping them to progress onto full time courses or employment has been very rewarding.*

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- 3.12 Added to this, high workloads were reported to interfere with staff capacity to adequately support students, especially those who needed more support because they were poorly prepared for tertiary education (For more detail see Proctor-Thomson and Sedgwick 2019).
- 3.13 We want to congratulate the government on including staff and student wellbeing in the Charter of NZIST, and urge this principle to be included in the functions of all parties in the Bill.

### A new direction for staff engagement and voice

*My stomach is often in knots but I keep going for the potential and current students' sake (Respondent, Education Under Pressure 2017).*

- 3.14 The ill-effects for staff of the current ITP sector rules and policies are noted in the report by Proctor-Thomson and Sedgwick (2019):

*New public management arising from the neoliberalisation of higher education has been reported to profoundly affect 'identity' (McNaughton & Billot, 2016; Chong, Geare & Willett, 2017), to 'alienate academic workers from their labour' (Harvie, 2000, McCarthy et al., 2017), reduce or erode academic collegiality and autonomy (Currie, 1998; Weinberg & Graham-Smith, 2012), and create schisms (Winter, 2009) or intense struggle for staff within the tertiary education sector worldwide (Harley, 2012).*

- 3.15 The impact of this approach includes a reduction in academic autonomy around pedagogical issues and staff being excluded from decision-making at the top level of providers.

*The effects of managerialism take hold at multiple levels. For example - at paper level, one grapples with a wider distribution of student abilities, which impacts on course ratings (less able students tend to be less satisfied particularly if the course is challenging) therefore there is explicit and implicit pressure to change delivery modes (dumb it down, change assessment, pass students who should not have been admitted in the first place, gamify and so forth). These pressures come from the department, and in turn from faculty, and in turn from the centre. All of those entities are keen to keep numbers up and the dollars flowing in. The conversations are increasingly commercial - 'customer satisfaction' and 'return on investment' - rather than social or educational (Respondent, Education Under Pressure, 2017).*

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- 3.16 Staff urgently need a system that is truly collaborative and where leaders value their expertise.
- 3.17 If our capacity to comment is curtailed, New Zealand loses a voice it vitally needs, it is also vital that staff and students have a strong voice at the table in terms of direction.

*Over the last decade, we have had more than our fill of a brutal managerialism and the only effective counter is to empower the voice and decision-making capacity of those who do the work of teaching and learning. (ITP staff member)*

*The NZIST presents an opportunity to empower academic staff, who for years have had to subordinate their roles to a profit-driven managerial structure. Teaching staff need the freedom to draw on their research and experience to inform their teaching, rather than have curricula dictated to them. (ITP staff member)*

- 3.18 The Charter recognises the importance of this empowerment. We will address three elements that will ensure empowerment – academic freedom, institutional autonomy, and the Councils of NZIST - in sections 4, 5, and 6.

### **New directions for community and industry**

- 3.19 The ill-effects of managerialism and marketisation of a human and social service – that is education – is also felt in communities and by industries. The constant restructuring of the ITP sector due to the drive to do more with less, has meant course and programme cuts throughout the country. Currently there is little certainty of provision in many parts of Aotearoa, inadequate long-term vision of what is needed for communities and industries both now and into the future, and little space for building the strong relationships needed to ensure VET works for all stakeholders.

### **A new collaborative direction**

- 3.20 The new network of VET provision must be inclusive of all and give agency and authority to all who will contribute to its effectiveness. There needs to be:
- a stronger mandate on the development of strong Tiriti relationships;
  - a better balance between the currently prescribed ‘right’ of industry leaders to set out what they need from a quality learning system and the responsibility and rights of teaching staff to co-create what is taught, how it is taught, and how to assess learning; and,

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- The creation of a balance between the Crown's need to ensure that the system delivers for Aotearoa, and a system in which taurira | learners and staff have the time and space to innovate, create, change, and grow.

3.21 Educationalists are being asked to respect and take cognisance of industry needs, but there is no evidence that there is a reciprocal respect for the skills and knowledge of the academics and support staff in the ITP sector.

### *VET is more than skills training*

3.22 As currently written, the scope of the Bill is focused on the need for Aotearoa to address current and future skills gaps. We agree that we need a VET system that can address skills needs, but this is not the sum total of what a modern and responsive vocational education and training can, or should, do as an integral part of the tertiary education system.

### *General contributions to self and society*

3.23 Vocational education and training provides the comprehensive foundation and ongoing innovation needed in broad fields of practice for life-long professions and vocations.

3.24 VET is a powerful instrument that contributes to the full development of the human personality, social mobility, the reduction of inequality, and the betterment of society.

3.25 VET does this through developing an awareness of self, culture, knowledge of practice, the technical base of practice, and the attributes needed for the integration into both professional life and society.

### *Contribution to immediate need and future challenges*

3.26 In Aotearoa, vocational education (like all other parts of the education sector), has the responsibility to convey a deeper understanding of the shared Tiriti history of this country and to support and encourage innovative ways to practically implement the obligations agreed by the two Tiriti partners (iwi Māori and the Crown).

3.27 The teaching and learning in vocational education and training is based on research and the ongoing development and evaluation of applied, workplace, and hapū/iwi/community situated methods of teaching and learning.

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- 3.28 Students will be inspired to be life-long tauira | learners, and to exercise their rights and obligations as citizens. They can then collectively address and advance the major issues of their time (environmental, social, cultural, technological, and economic), including the ever changing needs of industries and the labour market. As one ITP staff member put it:

*Education is about providing people the skills and information literacy that will allow them, moving forward, to learn new skills and adapt to the ever changing work environment. Education is lifelong and life-wide, and should not be conceptualised as a set of competencies and skills that make you capable to complete specific tasks for a specific job.*

Yet another said:

*VET is about providing a comprehensive foundation that includes developing attributes for positive citizenship as well as providing those skills and knowledge for the workplaces of now and in the future.*

- 3.29 The VET system helps learners build networks and make connections in their trades, vocations, professions, and life.

### **Recommendations: Section Three New directions**

***Recommendation 10. We urge the select committee to amend the Functions Sections for both WDCs and NZIST to include Te Tiriti requirements.***

***Recommendation 11. The select committee should ensure that through changes to the Council composition; reworking of the WDC functions; and, amendments to the NZIST Charter that the dual professionals who are responsible for teaching and learning are given due respect.***

***Other recommendations on setting the new direction can be found in Recommendation Sections 5, 6, and 7.***

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## Section Four: NZIST Charter

4.1 The new direction for the VET system is set out in the NZIST Charter. We applaud the decision to write a Charter setting out the core responsibilities of NZIST, its students, staff, and all parts of the government.

4.2 The Charter aligns with the whāinga used by TEU members to guide their Tiriti relationships and behaviours, and to set out a vision of how we aspire to work together:

**Tū kotahi, tū kaha:** we are strong and unified; we are committed to actions which will leave no-one behind; and we create spaces where all people can fully participate, are fairly represented, and that foster good relationships between people.

**Ngā piki, ngā heke:** we endure through good times and bad; we work to minimise our impact on the environment; and we foster ahikā – the interrelationship of people and the land, including supporting tūrangawaewae – a place where each has the right to stand and belong.

**Awhi atu, awhi mai:** we take actions that seek to improve the lives of the most vulnerable; we give and receive, acknowledging that reciprocity is fundamental to strong and equitable relationships; and we work to advance approaches that ensure quality public tertiary education for all.

**Tātou, tātou e:** we reach our goals through our collective strength and shared sense of purpose, which are supported through participatory democratic decision-making processes and structures.

4.3 The Charter also accords with the aspirations of staff in the sector. Research by Proctor-Thomson and Sedgwick (2019) which drew on responses from 2971 staff working in universities, polytechnics, and wānanga examined the core values of staff in tertiary education.

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UNIVERSITY		ITPS AND WĀNANGA	
1. Collegial and supportive relationships	3.14	1. Collegial and supportive relationships	3.53
2. Supportive management	3.50	2. Supportive management	3.82
3. Ability to negotiate realistic workload expectations and allocations	4.63	3. Engagement with students	4.55
4. Availability of professional and skill development	4.63	4. Availability of professional and skill development	4.72
5. The possibility of career progression	4.88	5. Ability to negotiate realistic workload expectations and allocations	4.92
Mean responses from a forced ranking scale from 1-9 (1 = most important).			

UNIVERSITY		ITPS AND WĀNANGA	
1. Effective Teaching	3.27	1. Effective Teaching	2.10
2. Quality of research	3.81	2. Engagement with students	3.27
3. Academic freedom	4.72	3. Collegial and supportive relationships	4.88
4. Engagement with students	4.86	4. Supportive management	5.26
5. Collegial and supportive relationships	5.03	5. Ability to negotiate realistic workload expectations and allocations	5.72
Mean responses from a forced ranking scale from 1-12 (1 = most important).			

- 4.4 We urge the select committee to strengthen the Charter to give effect to the vision that was drawn up through broad consultation, desired by the staff of ITPs, and set out by the Minister publicly.
- 4.5 This includes amending the Charter and other parts of the Bill to acknowledge that VET moves beyond skills training. Much of what our members do is to impart the passion, aptitude, and skills needed to be life-long taura | learners.
- 4.6 Those working in the creative industries noted:
- You can't keep up to date with the new and innovative trends in the music, film, design industries unless you are able to upskill and reskill constantly. Things change rapidly and that means you can't rely on a one shot hit at knowledge, skills, and aptitudes.*
- 4.7 We think there needs to be a stronger focus on the breadth of vocational education and training than occurs currently. Greater focus will be needed in the future if this part of the tertiary education sector is going to deliver for employers, industries, and communities.
- 4.8 Taura | learners, families, and communities need a system that affords them transformative experiences throughout their lives, and this requires a VET

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system which provides learning opportunities across a range of subjects, disciplines, trades, professions, and vocations.

- 4.9 Employers have repeatedly noted that they want, in their employees, both the skills for a job and, importantly, the soft skills needed for people to integrate into their places of work. The government wants future focused learners to deal with technological, climate, and population change.
- 4.10 Given the Charter will be used as a foundation for auditing the work of the NZIST, we believe it must be strongly focused not just on the importance VET has in the world of business and the economy, but on the genuine transformative nature of the sector and in tackling both current and future human, social, and economic crises.
- 4.11 The Charter should also advance gender equity. NZIST should report annually on its gender and ethnic pay gap and the gender and ethnicity of people at each level of their organisation. This information should be publicly available.
- 4.12 We are far behind other countries like Australia, the UK, Germany, and parts of Canada that have passed laws requiring organisations to report on their gender pay gap. The government has an opportunity in creating NZIST to tackle the issues of pay equity and pay secrecy head on. This should also include addressing the issue of the huge gaps in our public institutions between the highest and the lowest paid workers.

### **Recommendations: Section Four – NZIST Charter**

#### ***Recommendation 12. Re-word the NZIST Charter as follows:***

- 1) The New Zealand Institute of Skills and Technology (NZIST) is the core institution for the collaborative and comprehensive provision of a national network of vocational education, skills training and associated research, scholarship, and innovation.
- 2) NZIST exists to develop, create, provide, arrange, and support a range of education and training in the workplace and in formalised learning environments, using a variety of delivery methods.
- 3) NZIST will be responsible for a wide range of foundational, vocational, and research based vocational bachelors and postgraduate degrees taught in institutes of technology and polytechnics.

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- 4) NZIST as the central vocational education and skills training provider, like the tertiary education sector as a whole, has the responsibility to convey a deeper understanding of the shared Tiriti history of this country, and to support and encourage innovative ways to practically implement the obligations agreed by the Tiriti partners (Māori, Crown, and community).
- 5) NZIST will be responsive to the needs of tauira | learners in all regions of New Zealand, and in doing so will meet the needs of iwi, communities, professions, and industries.
- 6) NZIST will contribute to New Zealand's actions to combat climate change and its impacts.
- 7) To meet the needs of tauira | learners, and to contribute to educational, social, technological, cultural, and economic development, NZIST must:
  - a) offer in each region a mix of education and training, including on-the-job, face-to-face, and distance delivery, as well as support and pastoral care services, that are accessible to the tauira | learners of that region;
  - b) provide Māori liaison teams and support centres;
  - c) operate in a manner that ensures NZIST staff, students, and those in local industries, professions, and relevant levels of government in each region work collaboratively in making decisions about delivery and operations that meet the needs of their hapū, iwi, and communities;
  - d) ensure that international learners are attracted to train and study in regions throughout New Zealand;
  - e) ensure there is collaboration across its national network; and,
  - f) maintain a high-quality coherent network of infrastructure that meets regional skills needs.
- 8) NZIST's governance, management, and operations must give real effect to Te Tiriti o Waitangi and reflect Māori-Crown partnerships. It must also operate in a way that:
  - a) recognises Māori as key actors in regional, social, environmental, and economic well-being and development;
  - b) responds to the needs of, and improve outcomes for, Māori tauira | learners, whānau, hapū and iwi, employers, and training organisations;
  - c) empowers staff and students on academic, non-academic, and well-being matters, and matters relating to the organisation's practices and services;

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- d) develops meaningful collaborative partnerships – both within regions and nationally - with community, regional and national interests including but not limited to: employers represented through their WDCs, Māori and Pacific employers, community, local government and central government agencies, professional groups, other adult educational providers, and the compulsory education sector; and,
- e) uses the insights gathered through strong relationships at all levels to –
  - i) develop and provide vocational education and training that meets short-term and long-term skills needs; develop and provide access to vocational education and skills training when and where it is needed, meeting both short-term and life-long education and skills requirements of tauira | learners; and,
  - ii) align vocational education and skill training delivery to support unique community, regional and national needs; ensures flexible solutions to the absence of training in some regions, and enable tauira | learners' access. This may mean shifting groups of students to available sites for training or bringing staff from another site to them.
- f) holds inclusivity and accessibility as core principles, recognising and valuing the culture, skills and knowledge of all tauira | learners, including those currently excluded, 'under-served' or neglected by the system;
- g) provides high quality and relevant credentials in all disciplines which facilitate transferability and the possibility of transition or changed focus for the tauira | learner (including reskilling or upskilling) at any stage in their life, during training or work, to other learning sites and learning programmes;
- h) supports the well-being of students and all academic and non-academic staff including in matters relating to organisational practices and services:
  - i) tauira | learners must be provided appropriate support to ensure successful learning throughout, including pastoral care (mental health services) sufficient to ensure general well-being and relevant advice to encourage the aspirations of tauira | learners and enable them to make informed study choices;
  - ii) all staff must be provided with time and facilities to engage in further learning (upskilling, reskilling or acquire professional development) and be acknowledged and included in the collaborative processes of programme design and delivery. This means the professionals in

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- NZIST to have access to professional development, refresher leave, trades conferences and networking opportunities to reinforce and constantly update their connection to industry;
- iii) NZIST will ensure its enrolment, teaching, support, and employment practices are consistent with the principles of equity and fairness, and report on gender or ethnic pay gaps; and,
  - iv) NZIST will ensure that the achievement of gender equality is fundamental to decision making and politics.

*Section 5 remains as is.*

## Section Five: The functions of NZIST

- 5.1 It is crucial that there be a shared sense of purpose on which to build NZIST. As well as specifying these in the Charter, it is important that the Functions section of the Bill reflects the breadth and depth of vocational education and training. Members have repeatedly noted: “We educate and train people for jobs and for life.”
- 5.2 The Functions as currently set out focused strongly on outcomes for industry at the national level. The provision of locally and nationally relevant VET is only possible if NZIST work in collaboration with WDCs (representing industries at the national level) and RSLGs (who will include iwi and community representatives, as well as local industry representatives).

*It is important that NZIST Functions include the development of courses, teaching materials, and training packages. We do not think the phrase ‘to provide or arrange, and support’ adequately covered the creation and design elements of the work education institutions are responsible for. Other parts of the Bill specify the need for co-creation of the vocational education and training sector, but this can only happen if NZIST staff and students have a specified role in that creation. The voice of educators and students has been seen as secondary to those of managers and bureaucrats. Academics and students are frontline. They are facing the everyday challenges that education brings. They know what works and what does not work. Academics and educators are experienced at designing, planning and implementing programmes and responding quickly to the changes needed to make things work. It is crucial that their voice is heard and they are part of the planning process. Good representation of those in the field on the councils and planning committees is vital. (ITP staff member)*

- 5.3 The Functions of NZIST must include the reinforcement of the Charter’s aims: “To provide inclusive, accessible, and culturally relevant learning opportunities in all regions of New Zealand.”
- 5.4 We also think that the Functions section of the Bill should note the role of NZIST to confer certificates, diplomas, degrees and other awards. While the process is

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found in 222K, for purposes of understanding of the Functions of NZIST this insertion would be helpful.

- 5.5 The vocational education and training system needs to be founded on a broad range of research, scholarship, and innovation. This must be reflected in the Functions of the NZIST, which currently only specifies applied research.
- 5.6 It is crucial for the Bill to encompass the breadth and depth currently found in polytechnics and on-job training.
- 5.7 We believe the Functions section should specify that NZIST is involved in the provision of L1-L7 learning opportunities.

### **Recommendations: Section Five - Functions**

***Recommendation 13. The Functions of NZIST must include: "To provide inclusive, accessible, and culturally relevant learning opportunities in all regions of New Zealand."***

***Recommendation 14. The Functions must include reference to the range of actors who co-create strong VET, including NZIST, WDCs, and RSLGs.***

***Recommendation 15. We urge the select committee to insert "to create, design" alongside "provide or arrange, and support taura | learners" in the Functions of NZIST.***

***Recommendation 16. The addition of the words "research, scholarship, and innovation" to the Functions of NZIST section will better represent the totality of what staff and students would be engaged in rather than limiting to applied research.***

***Recommendation 17. The select committee should add to NZIST's functions "to confer certificates, diplomas, degrees and other awards."***

***Recommendation 18. It is important that the select committee specify in the Charter that NZIST is responsible for provision of L1-L6 learning opportunities.***

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## Section Six: Unified and cohesive

*“Kotahitanga – we are united towards our shared purpose.”*

- 6.1 The creation of a strong and unified vocational education system is timely. Proctor-Thomson and Sedgwick note in their 2019 research (p. 2): “We need to turn away from a competitive, market driven model of business, back to a recognition of the value of tertiary education to society and its ability to transform the lives of all the people of Aotearoa. This change needs to happen now.”
- 6.2 Some of the perverse incentives of a market-model are:
- All institutions (but one) providing courses in Auckland
  - Institutions being forced to increase international students enrolment to make ends meet and without in some cases the right support or staffing
  - Institutional leaders trying to find ways around rules so they can ‘be the best’ and attract students.
- 6.3 It is important to ensure that all parts of the Bill reinforce the goal of creating a unified system that works for tauira | learners, iwi, communities, and businesses. We think a number of amendments are needed to achieve this.
- 6.4 In the transitional arrangements laid out in the Bill, we urge the select committee to set out clear delegations that lay the foundations for the unified system. If the current structures remain wholly intact, and all that is done is to add an extra layer of management and governance over the top, then the current embedded individualistic and competitive behaviours will continue.
- 6.5 Sadly, three decades of marketisation has been internalised by many in the tertiary education sector, including chief executives and other senior leaders. It is important that to create a wholly new culture based on collaboration and cooperation, the NZIST Council and Chief Executive are given the responsibility and right to act without pushback from those who lead the current senior management teams.
- 6.6 In three successive research projects commissioned by TEU into the state of the tertiary education sector it has been clear that there has been little collaboration in the system. The reality has been a system of divide and rule.

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*Staff reported declining influence over decision-making. At institution or council level exclusion from decision-making was almost absolute. The closer a decision was to the department or work unit, the more likely input was possible but deterioration over time was noted. Qualitative comments indicated that phrases used in the sector like 'consultation', 'meaningful engagement' or 'committee decision-making' were empty signifiers for a number of respondents; Even having a voice did not mean acceptance of one's input. The common perception was that final decisions were usually already made by senior leadership before consultation processes began. (Proctor-Thomson and Sedgwick, 2019, p. 1).*

- 6.7 To reorient the system to one where there is proper co-creation and co-production, and real collaboration and cooperation, the select committee must ensure that this Bill is more than just about 'lifting and shifting' current ITPs under a new management structure with power and authority left as it currently is. As we have outlined in the opening, the only way to refocus the system on taura | learners and learning is to respect and value the expertise of the staff of the tertiary education sector.
- 6.8 We urge the select committee to rethink any approach which gives WDCs a brokerage role with regard to the provision of vocational training. When there are 'brokers', there is the encouragement of market behaviour. The creation of pseudo-markets in the system cuts across the crucial goal of unifying the sector.

### **Structural requirements for greater collaboration**

- 6.9 For those working in the current ITPs, there is a strong set of connections to local and national employers and industries. But these relationships are patchy in places.
- 6.10 This Bill must provide a strong framework for ensuring that all parts of NZIST are closely connected to industries, vocations, and professions without subsuming the work of the Institute under the needs and demands of business.
- 6.11 There is the need for strong relationships to provide a balance between the needs and focus of industry - productivity of workers and profits -and the heart of educational institutions - life-long learning.

*Tertiary education is about lifelong learning. It is about setting taura | learners up for long-term career success, not just training them in technical skills. Tertiary education*

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*should be about learning how to navigate the world, determine what one's dream job or career actually is, and how to get it. (ITP staff member)*

- 6.12 An equitable balance must be found between the needs of firstly industries for the skilling, reskilling, and upskilling of New Zealanders; secondly the broader needs of Aotearoa for taurira | learners who can contribute to knowledge generation, innovation, advancing Te Tiriti o Waitangi, creating stronger communities; and thirdly addressing the collective problems the nation faces.

*The way I read this is that the WDC is set up to be industry led, whereas I feel it should be industry informed. Industries know what they want from employees, but do not know what is involved in getting learners to this level. Some of them come to us with literacy and numeracy issues, confidence issues and disability issues. Surely it makes sense to have educators involved in some of the developing and setting out of these courses as we are the ones that work with the students day in and day out and no how to get these students to the point where they are employable (ITP Staff member).*

*Tertiary education is about much more than training for jobs. It is about teaching students critical thinking, social skills, resilience, and how to navigate through life. If education is just about a job, then the training becomes obsolete when the job goes or there's a career change. (ITP staff member)*

- 6.13 In order to achieve this, the Bill must be rewritten to ensure that the industry-led WDCs, which will receive public funding to operate, are required to:
- advance Te Tiriti o Waitangi relationships and obligations;
  - connect closely to communities through RSLGs;
  - be mindful of and accommodate in their own actions the broad direction for tertiary education set out in the Tertiary Education Strategy and strategies put together by Te Taumata Aronui; and,
  - have regard for the principles in the NZIST Charter.
- 6.14 The Bill also needs to be amended to make it clear that the work of WDCs is about vocational qualifications and that there are others who will be involved in informing foundational and degree teaching and learning.
- 6.15 Currently the Bill notes that WDCs operate in relation to vocational education and training which means “education and training that leads to the achievement of industry-developed skill standards, qualifications, or other awards.” It must be clear that the definition of ‘vocational education and training’ was intended to be

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limited to L3-6, and that both foundational and degree courses are not under the direction of WDCs.

- 6.16 If industry and the government are to support stronger taura learner journeys, then connection to those responsible for teaching and learning advancement is a must for WDCs.
- 6.17 Those who are in industry have a different focus than the dual professionals who work on the current ITP campuses. For business, the primary focus is on skills to ensure productivity; for dual professionals, the focus is on advancing broad skills to ensure people are competent workers and citizens, -be critical thinkers, and passionate life-long taura | learners. The difference in focus is because of the fundamental difference in purposes between the two very different sectors – for-profit business sector and the public good education sector.

*WDCs cannot assume that teaching professionals do not have industry connections, or that they do not participate in their industries. Many hold current industry certificates, visit and/or participate in their industries on a very regular basis. Teachers are part of their communities and are well aware of the needs of their communities. It is crucial that we work together to provide transformational education that will improve the social, economic, environmental and cultural well-being of all of our communities (ITP staff member).*

- 6.18 It would be good to have formal requirements set out in the Bill for WDC leaders and NZIST academic board representatives to meet in order to help create a system-wide perspective.

*There needs to be balance of expertise with regard to industry and teaching professionals. If vocational education is industry-led, learners will only be able to account for the current industry needs and requirements. I believe a better way forward would be for the Bill to be oriented toward an industry-informed approach that provides training for the future. (university staff member)*

- 6.19 Additionally, WDCs need the teaching professionals with their experience and access to networks, including professional and vocational bodies, such as the nurses' and teachers' councils, and professional engineering, business, ICT bodies and trades. Given this NZIST's current teaching staff must be able to contribute their knowledge and expertise during decision-making that effects their contribution to the sector. This structurally acknowledges the 'relevance of

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the teaching experience'. There should also be a reciprocal requirement in the Bill that requires the dual professionals in NZIST to have access to professional development, refresher leave, trades conferences, and networking opportunities to reinforce and constantly update their connection to industry.

*It is particularly important for midwifery that our regulatory authority continue to set standards for education, and education staff continue to use this to guide curriculum. A Workforce Development Council (WDC) is unlikely to have members in it who are qualified and appropriately knowledgeable to direct our curriculum or to in anyway be representative of the women we work for and have the responsibility to provide safe care to. (ITP staff member)*

- 6.20 There must be clarity with regard to what qualifications and training schemes WDCs have oversight.
- 6.21 'Skills standards' must be founded on educationally sound project based learning using achievement-based assessment not entailing a move back to 'unit standards'. The piecemeal approach to teaching and learning of clipping together lots of national-standards failed industry, learners and academic staff.
- 6.22 When the VET sector is working well, teaching staff will be able to look, not only at what New Zealand industries need, but look further afield to international trends in trades, professions, vocations, and industries. Teaching staff will take time to be future focused and innovate. Additionally, the Bill must guard against corporate capture by large firms making sure that small and medium size firms are adequately represented in all regions.

*The trouble with WDCs is that it is likely to only be a small window of industry. If they are employer based they'll be larger companies and they don't represent the whole industry. For example, in the joinery manufacturing sector, the industry is made up many smaller manufacturers, along with a few larger companies. The risk here is that these smaller manufacturers cannot afford (as easily as the larger companies) to send staff to sit on these committees, so their voices will not be heard. The government must be aware that some of these larger companies would like to "swallow up" the competition that these smaller companies present, so it is vital that all industries are represented and heard. RSLG will be people on the ground, but it must be ensured that they are representative of all who have the potential to train.*

- 6.23 We propose that the following wording be added to the Bill in the WDC section:

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- That the Workforce Development Councils will work collaboratively with community, iwi, and NZIST to create a strong and cohesive system of vocational education. This includes taking responsibility for enacting Te Tiriti o Waitangi, adhering to decisions made by Te Taumata Aronui, connecting their work to the Tertiary Education Strategy, and having regard for the Charter of NZIST.
- As with recommendations around institutional autonomy for NZIST, we do not believe the state should be central to decision-making in the VET sector. Therefore we recommend the final bullet point be changed to read: “to engage in fulsome conversation with the government, iwi, community, and NZIST representatives to ensure they meet the functions required of them.”

### ***Recommendations Section Six – Unified VET system***

***Recommendation 19. The Bill must more clearly lay out the delegations that will be given to the campuses of NZIST.***

***Recommendation 20. Give NZIST a Māori name e.g. Te Umanga or Umanga Aotearoa.***

***Recommendation 21. Remove brokerage from the role of WDCs.***

***Recommendation 22. Put together a ‘vocational education strategy’ which shows how the many parts of the system are brought together to the benefit of taura | learners and learning.***

***Recommendation 23. Incorporate in the Functions of WDCs:***

- ***Te Tiriti o Waitangi relationships and obligations;***
- ***The decisions of Te Taumata Aronui and RSLGs;***
- ***The broad direction for all tertiary education provision set out in the current TES and VET strategy; and,***
- ***the principles in the NZIST Charter.***

***Recommendation 24. Add that ‘vocational education and training’ is limited to L3-6 primarily.***

***Recommendation 25. The Bill should include “WDC leaders and NZIST academic board representatives are to meet regularly to ensure the creation of a systems wide perspective.***

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**Recommendation 26. Added to the NZIST Charter “Dual professionals in NZIST to have access to professional development, refresher leave, trades conferences and networking opportunities to reinforce and constantly update their connection to industry.**

**Recommendation 27. We propose that the following wording be added to the Bill in the WDC section:**

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**And that a sentence be inserted to clarify the operational space of WDCs:**

***That WDCs are concerned with teaching and learning in vocational spaces, this excludes L1 and 2 foundation course and degree work.***

**Recommendation 28. We recommend the following changes to Section 482 “Functions of workforce development councils:**

- (b) to develop and maintain industry skill standards and graduate profiles to be used in the assessment of taurira | learners in vocational education, both employment based and campus based;
- (c) develop and maintain industry qualifications for listing on the qualifications frameworks in conjunction with NZIST; and,
- (d) to develop training schemes in conjunction with NZIST.

**Recommendation 29. Rewrite section on endorsing programmes (new number format)**

**WDCs and providers should:**

- (e) work in collaboration (including using secondments as necessary) to develop and maintain vocational education curriculum (or learning objectives) at Graduate Profile Outcomes level and, in some cases, down to Learning Outcomes level;
- (f) work in collaboration to develop and maintain capstone assessments and the moderation of these assessments (although see comments on ‘capstone assessments’ above);
- (g) have due regard to Te Taumata Aronui, to Regional Skills Leadership Groups and the NZIST Charter;

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- (h) promote, support and maintain strong relations with local industry advisory groups; and,
- (i) the academic board of NZIST and the relevant boards of WDCs should meet twice a year, with similar interaction between WDCs and other providers.

***Recommendation 30: Further we think that there needs to be additions around the advisory and representative role:***

- (j) to advise the Commission on its overall investment in vocational education and training alongside iwi, community, RSLGs, and Te Taumata Aronui; and,
- (k) To advise the Commission about the mix of vocational education and training needed alongside iwi, community, RSLGs, and Te Taumata Aronui.

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## Section Seven: Good governance

- 7.1 We hold that the following principles are needed to ensure good governance in the tertiary education sector and should be applied to the development of nation-wide tertiary education strategies to the composition of councils, academic boards, and departmental decision-making bodies.
- Diversity is necessary for the health of the tertiary education sector, including diversity between, and inside, governance bodies and institutions themselves
  - Tertiary education institutions require autonomy from the political, social, and economic elite of the nation in order to best serve the interests of all New Zealanders
  - Institutional autonomy enables the academic freedom so crucial to economic, social, scientific, and human discovery
  - Requiring staff, student, and community representation in the governance bodies of the tertiary education sector will ensure educational and pedagogical decisions will be at the centre of decision-making
  - Good decision-making in the tertiary education sector requires sound, open, and on-going input from those who work and study in the tertiary education sector
  - Staff, student, and community involvement in tertiary education decision-making is necessary in order for these groups to have confidence in the decisions made.
- 7.2 We urge the select committee to reconsider the size and composition of the Council proposed for NZIST.
- 7.3 International research into governance shows that opting for a small council means that under-represented groups will miss out. These groups, such as women, Māori, students, are already marginalised and excluded from much of the decision-making in the tertiary education sector. And their experience and expertise is crucial if we are going to address the goals of ensuring strong outcomes for Māori, Pasifika, people with disabilities, and women. Also, it will not enable 222H (a) or (b) to be enacted.

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*It is vital that tertiary teaching staff and students have a say on the board of NZIST. Staff need to have good representation (minimum of 3 members) to offer a thorough teaching and learning perspective to the council. This basic and thorough perspective must be at the heart of what the new organisation needs to be about. Learner representation is also important, as these two perspectives are often lost at a higher level of an organisation. If NZIST is to be an all-encompassing and inclusive organisation to take tertiary/vocational education into the future, it cannot be done without good representation from these two quarters. (ITP staff member)*

- 7.4 NZIST has a council but regional voice is in part delivered via creating 'directors' for the subsidiaries. Long term we think it would be best to create sub-committees of the NZIST Council at the regional level, to ensure the focus is not on 'directing' business but on providing sound advice and leadership from a regional perspective to the national council.

### **Recommendations: Section Seven - Governance**

***Recommendation 31. We urge the select committee to ensure that there is a council of no less than 18 and no more than 24 that is comprised of 1/3 staff and students elected by their respective constituencies, 1/3 industry, iwi, community, and 1/3 government appointees.***

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## Section Eight: Transfer of staff

- 8.1 In order to fully protect the rights of those working in the ITP and ITO sectors it is necessary to ensure the Bill specifies that the references to agreements covers both collective and individual agreements.
- 8.2 We would note also that recognition is given the fact that while our members have greeted this overall proposed change positively, it is nevertheless a stressful period for them all. We must ensure that through these changes good employment practices are observed and that members are accorded the time and resources to be fully engaged in these significant changes.
- 8.3 In addition staff must have access to retraining, professional development and be reassigned and or redeployment to meaningful, permanent jobs.

### **Recommendations: Section Eight - Transfer of staff**

*Recommendation 32: Replace agreement in sections 32 and 33 with the words "collective and individual agreements."*

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## Conclusion

There is no doubt in the minds of our members that significant change has been needed in the polytechnic sector for many years now. The on-going financial failures of many of our institutions and the increasing levels of micro-management and mismanagement have led to a sector under significant stress which means that in some instances staff have not been able to deliver the quality of education they aspire to.

As a union we have been repeatedly talking with the government of the day about the failure of the current market model being applied to our polytechnics. They are not businesses – they are public institutions delivering a public good for the betterment of students, communities, the economy, and for New Zealand.

Therefore we applaud this government's bold move to take this radical step to realign our VET sector to better deliver on the needs of the country.

We look forward to speaking with the select committee members.

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# Recommendations

Recommendation 1: TEU supports the intent of the Bill – to co-create a strong VET system – and urges the select committee to ensure that all parts of the system – WDCs, NZIST, government agencies – co-create the system to ensure all taura | learners and learning approaches are the starting point. In particular, the statement in the Charter which looks to “empower students and staff” should be the litmus test for the refinement of the Bill. (See Recommendations Sections 5, 6, and 7)

Recommendation 2: To ensure taura | learners and learning approaches are delivered on, there needs to be additions to the Charter around professional development. (See Recommendations Sections 5, 6, and 7)

Recommendation 3. Acknowledgement of the need to enact Te Tiriti o Waitangi is essential in the Functions and Charter of NZIST.

Recommendation 4. The Functions of NZIST must state the institution is responsible for research based vocational bachelors and postgraduate degrees taught in institutes of technology and polytechnics.

Recommendation 5. The Functions of NZIST should also recognise that the institution is responsible for the co-creation and provision of regionally appropriate vocational education and skills-training in safe, campus-based, online and workplace learning environments.

Recommendation 6. The Select Committee should ensure that NZIST is a body created through the same process as universities, wānanga, and other TEIs, with the same rights and responsibilities – including institutional freedom.

Recommendation 7. That the select committee remove proposed clause (3) in section 222E Academic Freedom of NZIST.

Recommendation 8. That NZIST have institutional autonomy like all other public TEIs.

Recommendation 9. Demonstrate world leadership in the achievement of Sustainable Development Goal 5 Gender Equality through all practices and processes in the VET sector.

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*Recommendation 10. We urge the select committee to amend the Functions Sections for both WDCs and NZIST to include Te Tiriti requirements.*

*Recommendation 11. The select committee should ensure that through changes to the Council composition; reworking of the WDC functions; and, amendments to the NZIST Charter that the dual professionals who are responsible for teaching and learning are given due respect.*

*Recommendation 12. Re-word the NZIST Charter as follows:*

- 1) The New Zealand Institute of Skills and Technology (NZIST) is the core institution for the collaborative and comprehensive provision of a national network of vocational education, skills training and associated research, scholarship, and innovation.
- 2) NZIST exists to develop, create, provide, arrange, and support a range of education and training in the workplace and in formalised learning environments, using a variety of delivery methods.
- 3) NZIST will be responsible for a wide range of foundational, vocational, and research based vocational bachelors and postgraduate degrees taught in institutes of technology and polytechnics.
- 4) NZIST as the central vocational education and skills training provider, like the tertiary education sector as a whole, has the responsibility to convey a deeper understanding of the shared Tiriti history of this country, and to support and encourage innovative ways to practically implement the obligations agreed by the Tiriti partners (Māori, Crown, and community).
- 5) NZIST will be responsive to the needs of tauira | learners in all regions of New Zealand, and in doing so will meet the needs of iwi, communities, professions, and industries.
- 6) NZIST will contribute to New Zealand's actions to combat climate change and its impacts.
- 7) To meet the needs of tauira | learners, and to contribute to educational, social, technological, cultural, and economic development, NZIST must:
  - g) offer in each region a mix of education and training, including on-the-job, face-to-face, and distance delivery, as well as support and pastoral care services, that are accessible to the tauira | learners of that region;
  - h) provide Māori liaison teams and support centres;

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- i) operate in a manner that ensures NZIST staff, students, and those in local industries, professions, and relevant levels of government in each region work collaboratively in making decisions about delivery and operations that meet the needs of their hapū, iwi, and communities;
  - j) ensure that international taura | learners are attracted to train and study in regions throughout New Zealand;
  - k) ensure there is collaboration across its national network; and,
  - l) maintain a high-quality coherent network of infrastructure that meets regional skills needs.
- 8) NZIST's governance, management, and operations must give real effect to Te Tiriti o Waitangi and reflect Māori-Crown partnerships. It must also operate in a way that:
- i) recognises Māori as key actors in regional, social, environmental, and economic well-being and development;
  - j) responds to the needs of, and improve outcomes for, Māori taura | learners, whānau, hapū and iwi, employers, and training organisations;
  - k) empowers staff and students on academic, non-academic, and well-being matters, and matters relating to the organisation's practices and services;
  - l) develops meaningful collaborative partnerships – both within regions and nationally - with community, regional and national interests including but not limited to: employers represented through their WDCs, Māori and Pacific employers, community, local government and central government agencies, professional groups, other adult educational providers, and the compulsory education sector;
  - m) uses the insights gathered through strong relationships at all levels to:
    - i) develop and provide vocational education and training that meets short-term and long-term skills needs; develop and provide access to vocational education and skills training when and where it is needed, meeting both short-term and life-long education and skills requirements of taura | learners; and,
    - ii) align vocational education and skill training delivery to support unique community, regional and national needs; ensures flexible solutions to the absence of training in some regions, and enable taura | learners' access. This may mean shifting groups of students to available sites for training or bringing staff from another site to them.

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- n) holds inclusivity and accessibility as core principles, recognising and valuing the culture, skills and knowledge of all tauira | learners, including those currently excluded, 'under-served' or neglected by the system;
- o) provides high quality and relevant credentials in all disciplines which facilitate transferability and the possibility of transition or changed focus for the tauira | learner (including reskilling or upskilling) at any stage in their life, during training or work, to other learning sites and learning programmes;
- p) supports the well-being of students and all academic and non-academic staff including in matters relating to organisational practices and services:
  - v) tauira | learners must be provided appropriate support to ensure successful learning throughout, including pastoral care (mental health services) sufficient to ensure general well-being and relevant advice to encourage the aspirations of tauira | learners and enable them to make informed study choices;
  - vi) all staff must be provided with time and facilities to engage in further learning (upskilling, reskilling or acquire professional development) and be acknowledged and included in the collaborative processes of programme design and delivery. This means the professionals in NZIST to have access to professional development, refresher leave, trades conferences and networking opportunities to reinforce and constantly update their connection to industry;
  - vii) NZIST will ensure its enrolment, teaching, support, and employment practices are consistent with the principles of equity and fairness, and report on gender or ethnic pay gaps; and,
  - viii) NZIST will ensure that the achievement of gender equality is fundamental to decision making and politics.

*(Section 5 remains as is.)*

*Recommendation 13. The Functions of NZIST must include: "To provide inclusive, accessible, and culturally relevant learning opportunities in all regions of New Zealand."*

*Recommendation 14. The Functions must include reference to the range of actors who co-create strong VET, including NZIST, WDCs, and RSLGs.*

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*Recommendation 15. We urge the select committee to insert “to create, design” alongside “provide or arrange, and support taura | learners” in the Functions of NZIST.*

*Recommendation 16. The addition of the words “research, scholarship, and innovation” to the Functions of NZIST section will better represent the totality of what staff and students would be engaged in rather than limiting to applied research.*

*Recommendation 17. The select committee should add to NZIST’s functions “to confer certificates, diplomas, degrees and other awards.”*

*Recommendation 18. It is important that the select committee specify in the Charter that NZIST is responsible for provision of L1-L6 learning opportunities.*

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*Recommendation 20. Give NZIST a Māori name e.g. Te Umanga or Umanga Aotearoa.*

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- (p) promote, support and maintain strong relations with local industry advisory groups; and,

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- (q) the academic board of NZIST and the relevant boards of WDCs should meet twice a year, with similar interaction between WDCs and other providers.

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