

## Tertiary Education Report: Te Pūkenga/NZIST Statement of Intent and Statement of Performance Expectations: delay in submission

|                        |                 |                              |            |
|------------------------|-----------------|------------------------------|------------|
| <b>Date:</b>           | 6 November 2020 | <b>TEC priority:</b>         | low        |
| <b>Security level:</b> | In Confidence   | <b>Report no:</b>            | B-20-00712 |
|                        |                 | <b>Minister's office No:</b> |            |

| ACTION SOUGHT                                     |   |                           |
|---|---|---------------------------|
|   | Action sought   | Deadline                  |
| <b>Hon Chris Hipkins</b><br>Minister of Education | <b>Note</b> the statutory requirement for a draft statement of intent (SOI) and a draft Statement of Performance Expectations (SPE) to be submitted to the responsible Minister two months' ahead of the first year they relate to;<br><b>Note</b> as Minister you can agree to vary this period for the SOI and SPE of a newly created entity;<br><b>Agree</b> that Te Pūkenga/NZIST may delay submission of the draft SOI and draft SPE to 7 December 2020. | As soon as is practicable |
| <b>Enclosure:</b> No                              | <b>Round Robin:</b> No  |                           |

| CONTACT FOR TELEPHONE DISCUSSION (IF REQUIRED) |                         |           |             |
|--|-------------------------|-----------|-------------|
| Name   | Position                | Telephone | 1st contact |
| John Soulis                                    | DCE Corporate & Finance | s9(2)(a)  |             |
| s9(2)(a)                                       | Principal Advisor MCO   | s9(2)(a)  | ✓           |

| THE FOLLOWING DEPARTMENTS/AGENCIES HAVE SEEN THIS REPORT |                              |                               |                               |   |                              |                                   |
|--|------------------------------|-------------------------------|-------------------------------|---|------------------------------|-----------------------------------|
| <input type="checkbox"/> DPMC                            | <input type="checkbox"/> MPI | <input type="checkbox"/> ENZ  | <input type="checkbox"/> ERO  | <input type="checkbox"/> MBIE           | <input type="checkbox"/> MoE | <input type="checkbox"/> MFAT     |
| <input type="checkbox"/> MPP                             | <input type="checkbox"/> MSD | <input type="checkbox"/> NZQA | <input type="checkbox"/> NZTE | <input checked="" type="checkbox"/> TEC | <input type="checkbox"/> TPK | <input type="checkbox"/> Treasury |

**Minister's Office to Complete:**  Approved  Declined  
 Noted  Needs change  
 Seen  Overtaken by Events  
 See Minister's Notes  Withdrawn

**Comments:**

## Recommendations

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**Hon Chris Hipkins**, Minister of Education

*It is recommended that you:*

1. **note** the statutory requirement for a statement of intent (SOI) and a draft Statement of Performance Expectations (SPE) to be submitted to the responsible Minister two months' ahead of the first year they relate to;
2. **note** as Minister you can agree to vary this period for the draft SOI and draft SPE of a newly created entity;
3. **agree** that Te Pūkenga may delay submission of the draft SOI and draft SPE until 7 December 2020.

**AGREED**  **NOT AGREED**

4. **agree** that the TEC release this briefing in full.

**AGREED**  **NOT AGREED**



**John Soulis**

Deputy Chief Executive, Corporate & Finance  
Tertiary Education Commission

6 November 2020



**Hon Chris Hipkins**

Minister of Education

28 / 11 / 2020

## Purpose

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1. This paper seeks your agreement to a delay in submission of the first draft statement of intent (SOI) and first draft statement of performance expectations (SPE) from Te Pūkenga/NZIST. Granting a delay would be in line with your statutory power as Minister to agree a delay in the submission of these documents for a newly-created entity.

## Background

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2. The statutory framework is set out in the Crown Entities Act 2004. Sections 138 to 149A set out the requirements for an SOI and sections 149B to 149M cover the SPE.
3. An SOI sets out the entity's strategic intentions and medium-term undertakings and relates to the forthcoming financial year and at least the following three financial years (section 139(2)). An SPE has a one-year horizon and provides a basis for the annual report. Submission of draft versions to the Minister allows the Crown to participate in determining the entity's strategic direction and annual priorities.
4. The draft versions of the SOI and SPE are normally due with the responsible Minister at least two months before the first day of the period to which the statements relate. For a newly created entity, the Minister is empowered to vary this date.

## Te Pūkenga is still in set-up mode

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5. Te Pūkenga continues to be in set-up mode and a focus on planning activities has only been possible in recent weeks. Te Pūkenga was established on 1 April 2020, and Chief Executive Stephen Town was unable to take up office until July 2020. Recruitment of the Senior Management Team followed over subsequent months but not all successful applicants have begun in their roles. The impact of COVID-19 further affected the pace of set-up and development activities.
6. Te Pūkenga's SOI and SPE are the first in the tertiary education sector. The requirement to provide these accountability documents is unique to Te Pūkenga and no models exist that could be adapted and modified for use by Te Pūkenga.
7. Requirements for the SOI and SPE include the need for authorisation by the governing council before submission to you and we expect the documents to be submitted to the Te Pūkenga council for approval towards the end of November. The subsequent delay in providing documents to you will be determined by the extent of feedback provided by the council.

## Next steps

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8. The TEC is now supporting Te Pūkenga in preparing the SOI and SPE.
9. As Minister, you are required to respond to the SOI and SPE within 15 working days of receipt. The TEC proposes that our advice to enable you to respond is provided to your office on the same date.