Tertiary Education Commission
Te Amorangi Mātauranga Matua

Ministerial Appointees to Tertiary Education Institutions – Governance Skills Framework – January 2024

This framework is primarily to help potential candidates understand what is involved in being a Ministerial appointee at a tertiary education institution (TEI), and what skills, knowledge and experience we look for. The framework should also be useful to TEIs as a tool to support skills mapping, in the appointment and development of other Council-appointed (or co-opted) members, and in succession planning.

Most TEIs – eight universities, two wānanga and Te Pūkenga – are Crown entities, and the Minister of Education appoints around a third of members[1] to their governing councils or mana whakahaere. The third wānanga, Te Wānanga o Raukawa, is a non-Crown entity TEI and does not have Ministerial appointments. The statutory functions, duties and powers of governing councils are set out in the Education and Training Act 2020.[2] The statutory functions and duties of Te Pūkenga are slightly different to those for universities and wānanga, but the governance roles are similar.

This framework sets out the main statutory functions and duties of TEI councils/mana whakahaere, and how the governance role relates to each of these.

Currently, these ministerial appointments are not suitable roles for emerging governors. There is, however, no expectation that members who are elected to, or nominated for the Council by their peers (including students, academic staff, and general staff) will have significant governance or management experience at first.

Statutory functions and duties under the Education and Training Act 2020	Governance role	Experience and knowledge	Professional or specific skills	Attributes
s281 (1) (a) *to strive to ensure that the institution attains the highest standards of excellence in education, training, and research.* **Schedule 11 clause 18(2)** *The Council must also establish an academic board to advise the Council on academic matters and exercise the powers that the academic board has been delegated.*	The overall aim of the institution, and its characteristics, are defined in law. Council members need to understand the environment (including the full legal framework) within which they perform their functions and duties. They also need to ensure meaningful and regular engagement with the sectors that the institution serves. Councils need to give regard to the Tertiary Education Strategy (TES) and other strategies and policies. Using that knowledge, the council/mana whakahaere provides strategic leadership to: › define the institution's purpose and vision, and › turn that purpose and vision into executable strategy and policy for the Chief Executive/Vice-Chancellor/Kaiwhakatere and their staff to deliver.	› Significant strategic leadership as a chief or deputy (Vice-Chancellor, Chief Financial Officer, Chief Executive, Kaiwhakatere, Chief of Operations, Chief/Head of Legal, HR, Pouwhakahaere, Chief Investment Officer, etc.), and/or › Owner, partner, or director level consultant/lawyer/accountant or similar in a mid-tier or above firm, and/or › Other comparable experience and knowledge.	One or more of: › Strategic planning › Strategic financial planning › Business transformation › Risk and assurance › Investment planning › Leadership and organisational development › Commercialisation › Governance › Education	› A commitment to tertiary education, research, and teaching excellence › A connection to the institution or its community › Behaviour that enhances inclusive decision-making and kotahitanga.
s281 (1) (c) *to encourage the greatest possible participation by the communities served by the institution so as to maximise the educational potential of all members of those communities, with particular emphasis on groups in those communities that are under-represented among the students of the institution.*	Council members should understand what enrolled learners need to succeed and identify any barriers to potential learners applying to the institution. The Council should lead strategy and policy development that: › has an all-of-system equity focus › recognises the needs and aspirations of Māori, Pacific, disabled and low-income learners, and › aims to close the attainment gap between those groups and all learners.	› Have (or develop) an understanding of, and commitment to, Ōritetanga (learner success) and learner well-being, and › Have (or develop) an understanding of the national priorities for learning.	› A background in education or tertiary education is useful but not required for all members.	› A commitment to approaches that grow participation and potential.

[1] More than this for Te Pūkenga – can be up to nine of the twelve possible council members.
[2] Councils also have other responsibilities and duties under the Crown Entities Act 2004 which are not set out in this framework.

Statutory functions and duties under the Education and Training Act 2020	Governance role	Experience and knowledge	Professional or specific skills	Attributes
s280 (e) *to undertake planning relating to the institution's long-term strategic direction*. **s281 (1) (e)** *to ensure that the institution operates in a financially responsible manner that ensures the efficient use of resources and maintains the institution's long-term viability.*	Well-led TEIs are intergenerational taonga. Council members have a duty, as the current guardians/kaitiaki, to plan for long-term sustainability. In doing so, they should be mindful of the requirement for institutions to be accountable and make proper use of resources allocated to them as required by **s267 (2) (b)** of the Act. This might mean that periodically, an institution may need to change aspects of its operating model to remain both relevant and sustainable. Gradual changes will be part of normal business, but occasional shocks and disruptions can and do happen (Canterbury and Kaikōura Earthquakes, GFC, Covid, etc.). The council should ensure that effective risk identification and mitigation is in place, and that changes are managed while remaining focused on the council's overall long-term plan.	› Experience of long-term strategic planning, including long-term financial planning and sustainability. › A well-tuned understanding of risk. › Maintaining high-standards, and a focus on current and future learners, and staff, while managing large-scale change. › Experience in a TEI would be useful.	One or more of: › People and capability › Academic quality improvement › Diversity and inclusion › Financial management › Audit and assurance › Insurance and/or risk › Information management and technology, including digital transformation and cyber security › Capital asset management.	› A commitment to social and environmental sustainability. All members, irrespective of the appointment pathway, should be: › able to understand council finances and performance reporting, bearing in mind the relative complexity of funding, and › confident in contributing effectively on financial matters.
s280 (b) *to prepare and submit a proposed plan if the institution is seeking funding under a funding mechanism that provides for funding via plans, and* **s280 (c) (ii)** *determine policies to implement that plan.*	In preparing and submitting investment plans, the role of the council is to ensure that: › investment plans support the TES and the institution's long-term strategy › there is a robust analysis supporting delivery projections, and › the institution has the policies and capability to deliver.	› Have or develop an understanding of the TES and its priorities. › Have or develop and understanding of the relevant funding mechanisms.	› Setting challenging but realistic delivery targets, standards, and outcomes. › Effectively monitoring organisational performance as a governor or senior manager.	› Recognising the importance of contributing to a strong and diverse national network of provision.
s280 (d) *to determine, subject to the Public Service Act 2020, the policies of the institution in relation to the management of its affairs, and* **s281 (1) (f)** *to ensure that proper standards of integrity, conduct, and concern for the public interest and the well-being of students attending the institution are maintained.* **s281 (1) (b)** *to acknowledge the principles of Te Tiriti o Waitangi:* **s281 (1) (d)** *to ensure that the institution does not discriminate unfairly against any person*	Universities and wānanga have academic freedom and institutional autonomy under **s267 (2) (a)**. Te Pūkenga has academic freedom under **s318.** All TEIs must act in a manner that is consistent with the need for institutions to maintain the highest ethical standards, and the need to permit public scrutiny to ensure the maintenance of those standards**.** Councils oversee a significant programme of policy work covering the institution's activities, including employment policies, internal financial controls, an ethical framework (including conflicts of interest, sensitive expenditure, social media use, etc.) and many more. Much of this oversight will occur in committees, so the council should ensure it has sufficient and capable subject matter experience to provide the right level of leadership and scrutiny in those committees.	› Understanding of, and commitment to, Te Tiriti o Waitangi principles and, ideally, experience of active participation or practical application. › Experience of implementing or improving policy frameworks, and in leading ethical behaviours (tone from the top). › Understanding of the employment environment, including anti-discriminatory legislation.	One or more of: › People and capability › Audit, assurance, and risk › Financial management › Academic quality improvement › Information management and technology, digital transformation, and cyber security › Capital asset management. Specialist HR knowledge and experience can be useful.	› High standards of personal integrity and conduct, and concern for the public interest and learners › Willing to develop and grow cultural capability as required.
Education and Training Act 2020 **s280 (a)** *to appoint a chief executive in accordance with the Public Service Act 2020, and to monitor and evaluate the chief executive's performance.* **s280 (c) (i)** *if the institution has a (funding) plan to ensure that the institution is managed in accordance with that plan.*	The Chief Executive/Vice-Chancellor is the council's only employee. The council is responsible for selecting and mentoring an appropriately skilled chief and holding them to account for the institution's performance. Council members need to ensure they are receiving appropriate information, in a format that is timely and digestible, to provide effective oversight, scrutiny and direction.	› Experience of effectively monitoring individual and organisational performance in a governance or senior management role.	› Performance management › Performance measurement.	› Ability and willingness to ask questions › Able to articulate information needs.