Tertiary Education Commission
Te Amorangi Mātauranga Matua

Establishment Advisory Groups for Polytechnics

Terms of Reference

Terms of Reference

Establishment Advisory Groups

A key feature of the vocational education and training (VET) sector redesign is the disestablishment of the New Zealand Institute of Skills and Technology (NZIST) and the establishment of regional polytechnics. Ten polytechnics were established on 1 January 2026, with a further three to be established on 1 January 2027.

Establishment Advisory Groups (EAGs) will make the governance level decisions required to establish the new polytechnics and ensure they are ready to operate successfully from Day One.

1.1 Background information

Purpose of Establishment Advisory Groups

EAGs are responsible for making ‘in-principle’ establishment decisions to enable the new polytechnics to be successfully established and operational from 1 January 2027. Each polytechnic will have a dedicated EAG. While EAGs are expected to collaborate, each is responsible for the establishment of its respective polytechnic.

The governing body of each polytechnic will be required to make a number of decisions on or soon after 1 October 2026. To enable this, significant preparatory work must be completed in advance on an ‘in-principle’ basis. This work will enable councils to confirm key policies, procedures, and appointments required for effective governance and organisational performance.

Appointment of members to Establishment Advisory Groups

Prior to the polytechnic council terms commencing, the Tertiary Education Commission (TEC) will appoint the council members selected by the Minister for Tertiary Education to the EAGs[1]. EAGs are advisory groups providing establishment services to TEC. They are not distinct legal entities and have no legal standing.

Appointing EAG members that will subsequently become council members ensures continuity between the establishment phase and the commencement of formal governance of the new organisations through consistent membership.

Members appointed to EAGs will have the skills specified in legislation that members of the relevant governing body would be required to have.

The TEC will provide support and guidance to each EAG as it carries out its responsibilities. This specifically includes secretariat, logistical, document and file sharing, administration, engagement and communications support.

[1] Appointment will be under either a contract for services or employment agreement, according to the preference of the EAG member.

EAG members will be bound by TEC's relevant policies and procedures. These will be provided to each member at, or prior to, their induction.

Term of appointment

Each EAG will be appointed until 30 September 2026. This aligns with the polytechnic establishment date, when the council can commence their terms. The TEC may extend the appointment term if required.

In the period between establishment of the polytechnics on 1 October 2026, and their commencement of operations on 1 January 2027, TEC will continue to provide support to the councils and the polytechnic transitions. This will include TEC continuing regular engagement with councils throughout the remainder of 2026.

1.2 Responsibilities

Responsibilities of the Establishment Advisory Groups

Each EAG is responsible for ensuring that, on or soon after 1 October 2026, the governing body of the polytechnic is able to:

› determine its constitution in accordance with the relevant legislation,
› appoint a Chief Executive,
› establish governance sub-committees,
› delegate the functions and powers appropriately,
› make financial and human resource delegations,
› appoint staff if necessary, and
› authorize bank account signatories.

To support this, EAGs/councils will:

› select a Chief Executive via a recruitment process,
› negotiate Chief Executive's employment terms,
› oversee preparation of required governance and operational documentation (including regulatory, financial, and human resource delegations),
› support the transition of intellectual property, resources, and essential staff from NZIST to the polytechnic,
› prepare documentation for banking arrangements and signatories,
› develop key policies required from Day One,
› determine governance structure and accountability arrangements where not set out in legislation.

Responsibilities of the EAG Chair

TEC will appoint one member of each EAG to be the Chair of that group. The Chair will preside over all meetings of the EAG. If the Chair is absent from any meeting, the Chair shall appoint one member to assume the role of Chair for that meeting.

The Chair will be responsible for:

- Providing leadership to their EAG,
- Holding the primary relationship with the TEC, NZQA and NZIST Chair and Chief Executive,
- Chairing EAG meetings and ensuring all members' voices are heard,
- Working with the TEC to set meeting agendas in line with the workplan set by TEC,
- Reporting on the EAG's progress and challenges to the TEC,
- Identifying where the TEC can assist and/or where the EAG needs to be provided with additional advice or expertise,
- Ensuring the EAG delivers all milestones on its workplan within the expected timeframes, and
- Supporting the facilitation of handover activities to the polytechnic council.

Responsibilities of the members

Members are responsible for:

- Providing business, industry, governance, and education expertise,
- Reaching consensus on required decisions,
- Engaging with the TEC, NZQA and NZIST Chair and Chief Executive (where relevant),
- Collaborating with other EAGs where appropriate, and
- Contributing to and ensuring the EAG delivers all milestones on its workplan within the required timeframes.

References to members in this document include the Chair unless indicated otherwise.

1.3 Operating principles, guidance, and support

Operating principles

All members of the EAG will, to the best of their ability:

- Act with honesty, integrity, and good faith, always in the interests of the EAG and in a way that promotes high standards of tertiary education in New Zealand,
- Understand and comply with their responsibilities as members of the EAG and fulfil their individual duties and functions,
- Ensure the EAG adopts sound governance practices and business planning to achieve its aims and objectives, managing risks effectively,
- Ensure the EAG asks for the information it needs to fulfil its responsibilities,
- Ensure the EAG implements appropriate ways for communicating and working with key stakeholder groups,
- Actively explores ways to cooperate and collaborate with other EAGs to identify efficiencies in activities,
- Ensure the EAG provides the TEC with the information necessary to monitor their performance,
- Effectively use their own knowledge, experience, and skills in the work of the EAG, and

- Advise the Chair immediately of any circumstances, conflicts of interest, or perceived conflicts of interest, which may prevent them from performing their role in a fair and impartial way or in the best interests of the EAG.

Communication guidelines

EAG members are expected to abide by TEC's policies and conduct themselves in a way that protects the reputation and interests of the EAG, the future polytechnic, the TEC and the Government.

If the EAG or any member is asked, or intends, to make a public comment via media, the Chair will obtain approval from TEC before making or agreeing to make any comment.

1.4 Meetings

Frequency

The first meeting of EAG members will be an in-person induction session in June 2026.

The frequency and length of subsequent meetings will be determined with consideration of the decisions that need to be made and the dependencies upon those decisions, as set out in the workplan provided by the TEC. Meetings will be held by conference call or video conference, unless there is a specific need to bring people together in person.

The Chair and members will make themselves available for an average of three days per month over the appointment period, noting that some months will require less activity than others.

Quorum

The quorum shall comprise two members of the relevant EAG.

Where only two members are present, any decisions that cannot be made unanimously will be carried over to the next meeting, made via an out-of-cycle meeting, or by another means such as exchange of emails.

Secretariat

The secretariat provided by the TEC will provide support to the EAG and will work with the Chair to:

- ensure the EAG is familiar with the workplan,
- schedule and arrange meetings,
- set and distribute agendas on the instruction of the Chair,
- record minutes and actions, and
- keep all appropriate records as required by the Public Records Act 2005.

Progress reports and other papers

Meeting papers, including agendas and actions from previous meetings will be provided to the EAG within agreed timeframes prior to a meeting.

Logistics, travel, and accommodation

The TEC will arrange any required travel and accommodation for EAG members. Travel that will incur costs to TEC will require TEC's authorisation in advance.

Fees and expenses

Members of the EAG will be paid a daily fee for their services. This fee level is in accordance with the Cabinet Fees Framework and will be detailed in a letter to each member and in other guidance materials.

Members travelling to and from meetings, or on EAG business (where the members are required to be away from their normal place of residence) are entitled to reimbursement for actual and reasonable out-of-pocket expenses incurred.

Conflict and dispute resolution

The Chair of each EAG, in consultation with TEC, is responsible for resolving any conflicts or disputes that arise within the group. If a matter is unable to be resolved by the Chair, it will be escalated to the Chief Executive of the TEC for resolution.

Management of Interests

All members are required to declare their interests in an Interests Register, which will be maintained by the secretariat on behalf of the EAG. If a member's interests change, they must promptly inform the Chair so the register can be updated.

Members must declare any actual or perceived interests in relation to meetings, agenda items, or any other aspect of the EAG work as soon as they become aware of them. The Chair will discuss the interest with the member and determine whether it constitutes a conflict of interest and, if so, what steps are required to manage it.

If the Chair has an actual or perceived conflict of interest, they must notify the secretariat, who will escalate the matter within TEC.

Official Information Requests

If the EAG or any EAG member receives a request for information under the Official Information Act 1982, it must be referred to TEC, as the responsible agency, for consideration and response.