

NMIT Board Meeting - Tuesday 27 September 2022 - Open



Room L108 (L Block), NMIT Nelson Campus

20 September 2022 11:00 AM

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Zoom link available on request.



BOARD OF DIRECTORS REGISTER OF INTERESTS

Tracy Johnston (Chair)	<ul style="list-style-type: none"> • TRC Tourism, Consultant • Dayvinleigh Limited, Executive Director • Wine Marlborough Ltd, Deputy Chair • Institute of Directors, Nelson/Marlborough Committee Member • Eastern Institute of Technology, Board Director • Marlborough Local Advisory Committee Fire and Emergency, Deputy Chair • Marlborough Regional Skills Leadership Group • President Nelson Polytechnic Educational Society(NPES)/Chair NPES Executive Committee
Judene Edgar	<ul style="list-style-type: none"> • Nelson City Council, Deputy Mayor • Nelson Regional Transport Committee, Deputy Chair • Nelson Tasman Regional Landfill Business Unit, Chair • Network Tasman Ltd, Shareholder • Network Tasman Trust, Trustee • Network Tasman Charitable Trust, Trustee • NTT Investments Ltd, Director/Shareholder • Encompass Strategic Services Ltd, Director/Shareholder • David Verhagen Consulting Ltd, Director/Shareholder • Nelson Airport Ltd, Shareholder • Nelson Port Ltd, Shareholder • Tasman Bays Heritage Trust, Shareholder • Nelmac Ltd, Shareholder • Nelson Regional Development Agency, Shareholder • Bishop Suter Trust, Shareholder • City of Nelson Civic Trust, Shareholder • Nelson Municipal Band Trust, Shareholder • Nelson Tasman Regional Hospice Trust, Trustee • Member Nelson Polytechnic Educational Society(NPES)/Member NPES Executive Committee
Toni Grant	<ul style="list-style-type: none"> • Rata Foundation Ltd, Director • Canterbury Direct Investments Ltd, Director • Tama Asset Holding Company Ltd, Director • Kotato Ltd, Director • Tui GP Ltd, Chair • Central Districts Cricket Assn Inc, Director • Waikato 1B Ltd, Executive Director • Waikato 1C Ltd, Executive Director • Waikato 1D Ltd, Executive Director • Puramakau 2L Ltd, Executive Director • Puramakau 2M Ltd, Executive Director • Puramakau 2N Ltd, Executive Director • Puramakau 2O Ltd, Executive Director • Te Kumara 3L Ltd, Executive Director • Chatham Is Quota Holding Co Ltd, Director • Wakatū Incorporation: Tamariki Shareholding, Trustee

As at 19 September 2022



BOARD OF DIRECTORS REGISTER OF INTERESTS

	<ul style="list-style-type: none"> Member Nelson Polytechnic Educational Society(NPES)/ <p>Iwi Affiliation</p> <ul style="list-style-type: none"> Ngāti Rarua and Ngāti Rarua Atiawa Iwi Trust, Tamariki beneficiaries
Kathy Grant	<ul style="list-style-type: none"> Whitireia Community Polytechnic Ltd, Director Wellington Institute of Technology Ltd, Director Te Pūkenga, Council Member Trustee of various private trusts (former clients) Central Lakes Trust, Trustee Director, Southern Cross CLT Limited Member Nelson Polytechnic Educational Society (NPES) Director of Waitaki District Health Services Limited Director of OP International Campus Limited
Charles Newton	<ul style="list-style-type: none"> Charles Newton Consulting Ltd: Director Member Nelson Polytechnic Educational Society(NPES)/Member NPES Executive Committee
Patrick Smith	<ul style="list-style-type: none"> Patrick Smith Human Resources Ltd, Managing Director Iwi Māori Partnership Board, Te Kāhui Hauora O Te Tauihu - representative for Ngāti Apa ki te Rā Tō Board of Te Piki Oranga – Maori Health provider across Te Tauihu, Ngāti Apa ki te Rā Tō representative Oakdale Grove Property Limited, Director Member Nelson Polytechnic Educational Society(NPES)/Member NPES Executive Committee
Peter Cowper	<ul style="list-style-type: none"> Director, Q Design Services Ltd Director, Quorum Group Ltd Trustee of Private Trust Member Nelson Polytechnic Educational Society(NPES)/Member NPES Executive Committee

All Directors – remuneration rates (directors fees) as set by Te Pūkenga.

As allowed by the Company's Constitution, NMIT Ltd has arranged policies of Directors' Liability Insurance which together with a Deed of Indemnity ensure that the Directors will incur no monetary loss as a result of actions undertaken by them as Directors provided that they operate within the law.

Directors & Officers Liability insurance is covered under the collective agreement placed by Te Pūkenga on behalf of all ITP's with Marsh. NMIT has a separate Professional Indemnity policy in place with Vero Liability Insurance Ltd (ending 1 November 2021) covering any legal liability incurred by giving negligent advice or through breach of professional duty.

EXECUTIVE TEAM REGISTER OF INTERESTS

Wayne Jackson	<ul style="list-style-type: none"> Director, Aquatx Ltd Director, Aquatx USA Ltd Director, Aquatx Holdings Ltd
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As at 19 September 2022



BOARD OF DIRECTORS REGISTER OF INTERESTS

	<ul style="list-style-type: none"> • Director, Aquatx Distribution Corporation Ltd • Director, ModPod Ltd • Trustee, New Jackson Trust • Trustee, Jackson Investment Trust • Director and Chairperson - ECampus
Olivia Hall	<ul style="list-style-type: none"> • Te Rūnanga o Ngāti Rārua, Chair • Tasman Bays Heritage Trust (Nelson Provincial Museum), Chair • Board Member NMDHB • Wakatu Inc, Shareholder (minor) • National iwi Chairs Forum, Member • Mātauranga Iwi Leaders Group, Chair • Nelson Marlborough Health's Iwi Health Board, NMHB representative
Brian Johnston	<ul style="list-style-type: none"> • None

As at 19 September 2022



OPEN

Nelson Marlborough Institute of Technology Limited
(the Company)

Minutes of a meeting of the Board of Directors
(Board)

Monday 4 July 2022 at 12 pm
NMIT Nelson Campus, Room L108

PRESENT

Board: T Johnston (Chair), J Edgar, T Grant, P Cowper, K Grant, P Smith (from 2.46 pm)

In Attendance: W Jackson (Chief Executive), B Johnston (Company Secretary/Executive Director Finance & Campus Services), O Hall (Executive Director Ōritetanga, Teaching and Learners), K Redgrove (Board Secretary)

1. Welcome, Karakia and Apologies

The Chair reminded Directors they must complete all outstanding cybersecurity modules as soon as possible, as these were part of an important and ongoing organisational training programme.

RESOLVED:

That apologies for lateness be accepted from P Smith.

2. Declarations of Interests and Disclosures

P Smith declared that the Iwi Health Board was no longer in operation and had been replaced by the Iwi Māori Partnership Board. It will be known as Te Kāhui Hauora O Te Tau Ihu and he would continue as the representative for Ngāti Apa ki te Rā Tō.

K Grant confirmed she was a Director of OP International Campus Limited, a declaration she had made at the most recent meeting of the Audit and Risk Committee.

3. Administrative

3.1 Minutes of NMIT Board Meeting 23 May 2022 – Open

RESOLVED:

That the minutes of the NMIT Board Meeting 23 May 2022 – Open - be confirmed as a true and accurate record.

3.2 Action Items of NMIT Board Meeting – Consolidated – Open

There were no 'Public' Action Items for consideration at this meeting.

4. SANITI Update

The Board wished to formally record and pass on their appreciation of Shinn Krammer's work as SANITI President.

RESOLVED:

That the SANITI Report be received, for information.

5. RESOLUTION TO EXCLUDE THE PUBLIC

RESOLVED:

1. That members of the public and press be excluded from the remainder of the meeting and that the NMIT Board move In-committee.
2. Furthermore, NMIT resolves that the Chief Executive, Board Secretary and Executive Directors (full attendance) and (if required), the Risk Manager, Programme Manager, Director Systems and Business Information, Health and Safety Manager be permitted to attend the meeting after the public have been excluded because of their specific knowledge in relation their respective subject matter reports and expertise. This knowledge will be of assistance in relation to the matters above to be discussed.

Resolutions will be made in reliance on section 48(1) of the Local Government Official Information and Meetings Act 1987 (**LGOIMA**) and the particular interests protected by section 9 of the Official Information Act 1982 which would be prejudiced by the holding of the relevant parts of the proceedings of the meeting in public.

Item No.	General Subject of each matter to be considered	Reason for passing resolution in relation to each matter	Grounds under section 48(1) for the passing of the resolution.
6.	Te Pukenga Amalgamation Updates	<p>Section 9(2)(i) of the Official Information Act – enable the organisation holding the information to carry out, without prejudice or disadvantage, commercial activities</p> <p>Section 9(2)(b)(ii) of the Official Information Act - protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>Section 9(2)(j) of the Official Information Act - enable any public service agency or organisation holding the information to carry on, without prejudice or disadvantage,</p>	That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9 of the OIA noting Te Pūkenga (and its subsidiaries) is specified, in Schedule 2 of LGOIMA, as a body to which Part 7 LGOIMA applies)

		negotiations (including commercial and industrial negotiations);	
7.	<p>Minutes of NMIT Board Meeting – 23 May 2022</p> <p>Action Items</p> <p>Correspondence</p>	<p>Section 9(2)(i) of the Official Information Act – enable the organisation holding the information to carry out, without prejudice or disadvantage, commercial activities</p> <p>Section 9(2)(b)(ii) of the Official Information Act - protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>Section 9(2)(j) of the Official Information Act - enable any public service agency or organisation holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations);</p> <p>Section 9(2)(a) of the Official Information Act – to protect the privacy of natural persons, including that of deceased natural persons</p>	<p>That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9 of the OIA noting Te Pūkenga (and its subsidiaries) is specified, in Schedule 2 of LGOIMA, as a body to which Part 7 LGOIMA applies)</p>

8.	Chief Executive's Report	<p>Section 9(2)(i) of the Official Information Act – enable the organisation holding the information to carry out, without prejudice or disadvantage, commercial activities</p> <p>Section 9(2)(j) of the Official Information Act - enable any public service agency or organisation holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations);</p> <p>Section 9(2)(b)(ii) protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.</p> <p>Section 9(2)(a) of the Official Information Act – to protect the privacy of natural persons, including that of deceased natural persons</p>	<p>That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9 of the OIA noting Te Pūkenga (and its subsidiaries) is specified, in Schedule 2 of LGOIMA, as a body to which Part 7 LGOIMA applies)</p>
9.	Health, Safety and Wellbeing Report	<p>Section 9(2)(i) of the Official Information Act – enable the organisation holding the information to carry out, without prejudice or disadvantage, commercial activities</p>	<p>That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9 of the OIA noting Te Pūkenga (and its subsidiaries) is specified, in Schedule 2 of LGOIMA, as a body to which Part 7 LGOIMA applies)</p>

		Section 9(2)(a) of the Official Information Act – to protect the privacy of natural persons, including that of deceased natural persons	
10.	Risk Management	Section 9(2)(i) of the Official Information Act – enable the organisation holding the information to carry out, without prejudice or disadvantage, commercial activities	That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9 of the OIA noting Te Pūkenga (and its subsidiaries) is specified, in Schedule 2 of LGOIMA, as a body to which Part 7 LGOIMA applies)
11.	Review of Policies		
12.	Complaints and Misconduct Report	Section 9(2)(i) of the Official Information Act – enable the organisation holding the information to carry out, without prejudice or disadvantage, commercial activities Section 9(2)(a) of the Official Information Act – to protect the privacy of natural persons, including that of deceased natural persons	That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9 of the OIA noting Te Pūkenga (and its subsidiaries) is specified, in Schedule 2 of LGOIMA, as a body to which Part 7 LGOIMA applies)

The meeting moved into a public excluded session at 12.10 pm and resumed in a public session at 3.54 pm. The following resolution was released:

RESOLVED:

That the NMIT Board approves the revised Student Charter Policy.

14. Items for Information:

14.1 Common Seal Report to 31 May 2022

14.2 Te Pūkenga Minutes from Meetings 3 February and 15 March 2022

14.3 Academic Committee Update – 13 April and 11 May 2022

14.4 Board Workplan 2022

It was noted Board meetings for the remainder of the year were scheduled for August, October and November.

14.5 Table of Commonly Used Acronyms

RESOLVED:

That the Common Seal Reports to 31 May 2022, Te Pūkenga Meeting Minutes (3 February and 15 March 2022) and the Academic Committee Updates (13 April and 11 May 2022) 2022, be received, for information.

15. Karakia Whakamutunga

The meeting closed with a karakia whakamutunga. at 3.58 pm.

Confirmed as a correct record on:

Chairperson – T Johnston

Date of Signature:

NMIT BOARD MEETING – 26 September 2022
RESOLUTION TO EXCLUDE THE PUBLIC

1. That members of the public and press be excluded from the remainder of the meeting and that the NMIT Board move In-committee.
2. Furthermore, NMIT resolves that the Chief Executive, Board Secretary, Executive Directors (full attendance), Risk Manager, Programme Manager and Health and Safety Manager be permitted to attend the meeting after the public have been excluded because of their specific knowledge in relation their respective subject matter reports and expertise. This knowledge will be of assistance in relation to the matters above to be discussed.

The general subject of each matter to be considered while the public is excluded, the reason for passing the resolution in relation to each matter and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 (LGOIMA)/Official Information Act 1982 (OIA) for the passing of the resolution are as follows:

Item No.	General Subject of each matter to be considered	Reason for passing resolution in relation to each matter	Grounds under section 48(1) for the passing of the resolution.
5.	Minutes of NMIT Board Meeting – 4 July 2022 Action Items	Section 9(2)(i) of the Official Information Act – enable the organisation holding the information to carry out, without prejudice or disadvantage, commercial activities Section 9(2)(b)(ii) of the Official Information Act - protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information Section 9(2)(j) of the Official Information Act - enable any public service agency or organisation holding the information to carry on, without prejudice or	That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9 of the OIA noting Te Pūkenga (and its subsidiaries) is specified, in Schedule 2 of LGOIMA, as a body to which Part 7 LGOIMA applies)

NMIT BOARD MEETING – 26 September 2022

		<p>disadvantage, negotiations (including commercial and industrial negotiations);</p> <p>Section 9(2)(a) of the Official Information Act – to protect the privacy of natural persons, including that of deceased natural persons</p>	
6.	<p>Items for Information</p> <p>Te Pūkenga Minutes</p> <p>Items of Note from Academic Committee – In Committee</p>	<p>Section 9(2)(i) of the Official Information Act – enable the organisation holding the information to carry out, without prejudice or disadvantage, commercial activities</p> <p>Section 9(2)(b)(ii) of the Official Information Act - protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>Section 9(2)(j) of the Official Information Act - enable any public service agency or organisation holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and</p>	<p>That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9 of the OIA noting Te Pūkenga (and its subsidiaries) is specified, in Schedule 2 of LGOIMA, as a body to which Part 7 LGOIMA applies)</p>

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		<p>industrial negotiations);</p> <p>Section 9(2)(a) of the Official Information Act – to protect the privacy of natural persons, including that of deceased natural persons</p>	
7.	Formal Ratification of e-Resolutions.	<p>Section 9(2)(i) of the Official Information Act – enable the organisation holding the information to carry out, without prejudice or disadvantage, commercial activities</p> <p>Section 9(2)(b)(ii) of the Official Information Act - protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>Section 9(2)(j) of the Official Information Act - enable any public service agency or organisation holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	<p>That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9 of the OIA noting Te Pūkenga (and its subsidiaries) is specified, in Schedule 2 of LGOIMA, as a body to which Part 7 LGOIMA applies)</p>

NMIT BOARD MEETING – 26 September 2022

8.	Transition to Te Pūkenga	<p>Section 9(2)(i) of the Official Information Act – enable the organisation holding the information to carry out, without prejudice or disadvantage, commercial activities</p> <p>Section 9(2)(j) of the Official Information Act - enable any public service agency or organisation holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations);</p> <p>Section 9(2)(b)(ii) protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.</p> <p>Section 9(2)(a) of the Official Information Act – to protect the privacy of natural persons, including that of deceased natural persons</p>	That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9 of the OIA noting Te Pūkenga (and its subsidiaries) is specified, in Schedule 2 of LGOIMA, as a body to which Part 7 LGOIMA applies)

NMIT BOARD MEETING – 26 September 2022

9.	Chief Executive's Report	<p>Section 9(2)(i) of the Official Information Act – enable the organisation holding the information to carry out, without prejudice or disadvantage, commercial activities</p> <p>Section 9(2)(j) of the Official Information Act - enable any public service agency or organisation holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations);</p> <p>Section 9(2)(b)(ii) protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.</p> <p>Section 9(2)(a) of the Official Information Act – to protect the privacy of natural persons, including that of deceased natural persons</p>	That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9 of the OIA noting Te Pūkenga (and its subsidiaries) is specified, in Schedule 2 of LGOIMA, as a body to which Part 7 LGOIMA applies)