



COUNCIL

**Minutes of the Council Meeting held on Monday, 18 September 2023
in the Council Chamber, Level 2, Hunter Building
from 9.00 am to 4.00 pm**

PRESENT:

Mr John Allen (Chancellor)
Professor Richard Arnold
Professor Brigitte Bönisch-Brednich
Mr Jaistone Finau
Ms Pania Gray
Mr Alan Judge
Ms Kelly Mitchell
Ms Cath Nesus
Professor Nic Smith (Vice-Chancellor)
Hon Maryan Street (Pro-Chancellor)
Mr James Te Puni

Ms Vicki Faint (Acting Secretary to Council)

APOLOGIES:

Mr David McLean
Ms Caroline Ward

IN ATTENDANCE:

Mr Di Bao, PGSA President
Mr William Bell-Puchas, 2024-2025 Student Representative elect
Professor Stuart Brock, Vice-Provost, Academic
Ms Katherine Edmond, Director, Communications
Professor Rawinia Higgins Deputy Vice-Chancellor, Māori and Engagement
Mr Clinton Jenkins, Associate Director, Planning and Performance Management
Mr Simon Johnson, General Counsel
Ms Marianna Nicolaou, Associate Director, Financial Operations
Mr Lincoln North, Project Manager
Ms Rhonda Thomson, Pou Hapai – Senior Advisor – Co-project Manager, Living Pā
Ms Tina Wakefield, Chief Operating Officer
Professor Peter Whiteford, Professor of English Literature
Professor Mike Wilson, Acting Provost
Ms Jessica Ye, VUWSA President

23.135

Noted:

WELCOME / ACKNOWLEDGEMENTS / APOLOGIES

- 1 that Mr Jaistone Finau led the Karakia.
- 2 that the Chancellor warmly welcomed all to the meeting.
- 3 that Mr Allen thanked Ms Vicki Faint for covering for the Secretary to Council and extended a special welcome to William Bell-Puchas, the 2024-2025 student elect.

- 4 that apologies had been received from Mr David McLean, and Ms Caroline Ward.

Resolved: that apologies from Mr David Mclean and Ms Caroline Ward be sustained.

Allen/Mitchell
Carried
230115

23.136 DECLARATIONS AND DISCLOSURE OF INTERESTS

Received: declarations and disclosure of interests by members of Council.

Noted: that there were no further disclosures of interest since the release of the meeting documentation.

- Noted:**
- 1 that Council members were reminded to advise the Secretary to Council of any changes to their disclosure of interests listing between meetings.
 - 2 that for item-specific disclosures, the Chancellor asked that Council members alert him at the time.

23.137 COUNCIL MINUTES, MEETING HELD ON 7 AUGUST 2023

Received: the public Minutes of the meeting of Council held on 7 August 2023.

Resolved: that the public Minutes of the meeting of Council held on 7 August 2023 be approved.

Street/Nesus
Carried
230116

23.138 REPORT FROM THE CHANCELLOR

Received: a Council paper from the Chancellor, Mr John Allen, dated 11 September 2023 (document VUWC 23/95).

- Noted:**
- 1 that the report was taken as read.
 - 2 that this is a challenging time for Council and all members of our University community as the final decisions are made on the proposal for change to ensure the University's financial sustainability.
 - 3 that the Chancellor thanked everyone for continuing to operate professionally throughout this time to deliver for the University's students.
 - 4 that the University's Open Day held late August was well attended by potential students and their whanau. A concerted effort by staff across the University's campuses generated a buzz of enthusiasm and possibility.
 - 5 that the Chancellor reiterated the Council's support for its new Vice-Chancellor, Professor Nic Smith and that his leadership through this period of challenge and change has been exemplary.
 - 6 that the Chancellor acknowledged the efforts of everyone across the University community who has continued to deliver for our students despite the challenges.
 - 7 that the decisions which will be made today are decisions we would prefer not to have had to make. However we need to ensure that the University will be able to deliver into the future.

- 8 that in looking to the future, we have an opportunity to reset the funding model and leverage relationships which have been formed and strengthened through this period of challenge.

Resolved: that the Chancellor's report be noted.

Street/Judge
Carried
230117

23.139

REPORT FROM THE VICE-CHANCELLOR

Received: a report from the Vice-Chancellor, Professor Nic Smith, dated 11 September 2023 (document VUWC 23/96).

Noted:

- 1 that the report was taken as read.
- 2 that the consultation period for feedback to be given on our proposed changes to academic programmes and staffing levels in some CSUs and faculties closed on Tuesday 5 September 2023. There was strong engagement with the process by staff with a total of 199 submissions on roles proposed for disestablishment.
- 3 that Phase 3 of our consultation process is nearly completed, with the final decision document due to be published on Thursday 21 September 2023.
- 4 that the Vice-Chancellor will hold a series of staff forums on Thursday 21 September and Friday 22 September to discuss the outcomes with the University community.
- 5 that there is a university-wide focus on enrolment for 2024.
- 6 that the University will host an education -focused debate with candidates from five of NZ's political parties in late September.
- 7 that the University held an outstanding Open day in late August.
- 8 that the Vice-Chancellor encouraged everyone to attend the Election Debate on 28 September in the Hub.
- 9 that the Vice-Chancellor thanked the University community for the submissions (over 800) received. He also thanked the leadership and the HR team who have done extraordinary work under very tight time pressure.
- 10 that the process has been as thorough as possible. There have been multiple submissions received suggesting alternative ways to make savings to help achieve the financial sustainability of the University. These have been actively considered.
- 11 that the largest number of redundancies are from the Chief Operating Officer portfolio.
- 12 that Professor Arnold thanked the Vice-Chancellor for the consultation process that was delivered as promised.
- 13 that the Chancellor recognised the significant amount of work that has been undertaken in this process and thanked the Vice-Chancellor who has shouldered a large amount of the load.

Resolved: that the report from the Vice-Chancellor be noted.

Street/Finau
Carried
230118

23.140

FINANCIAL REPORT TO 31 AUGUST 2023

Received: the Financial report to 31 August 2023 from the Chief Financial Officer, Mr Les Montgomery (document VUWC 23/97).

- Noted:**
- 1 that the report was taken as read.
 - 2 that Mr Jenkins spoke to the report in Mr Montgomery's absence.
 - 3 that revenue was unfavourable to budget by \$22.6m mainly due to the lower than expected number of students enrolled.
 - 4 that the Foundation has a surplus of \$7.6m, which was favourable to budget by \$6.8m, largely due to investment gains and higher donation revenue.

Resolved: that the Financial report to 31 August 2023 be noted.

Judge/Gray
Carried
230119

23.141

ACADEMIC BOARD ADVICE – FINANCIAL SUSTAINABILITY PROPOSAL

- Received:**
- 1 a Council paper from Professor Peter Whiteford on behalf of Academic Board, dated 22 August 2023 regarding the Academic Implications of the "Achieving Financial Sustainability" proposal (document VUWC 23/98).
 - 2 an oral report from Professor Peter Whiteford following the Special meeting of the Academic Board held on Thursday 14 September 2023, providing further advice.

- Noted:**
- 1 that the Chancellor acknowledged Professor Whiteford's willingness to report back on the Academic Board meeting to Council.
 - 2 that concerns had been raised at the Academic Board meeting about the depth of information provided to explain the decisions outlined in the decision document and the amount of time available to Academic Board to consider them. Some felt they could not provide the advice sought because of this. Nevertheless, some specific new concerns were voiced which Professor Whiteford itemised to Council as follows:
 - a. the situation of postgraduate research students (especially those undertaking a PhD) remains quite uncertain. Some have been told they are likely to lose one or both of their supervisors, and their ongoing supervision remains problematic;
 - b. admission of new doctoral candidates who applied in July is equally problematic if supervision arrangements cannot be known in advance;
 - c. the impact of losing current doctoral candidates or failing to attract new candidates will be significant in terms of EFTS, but equally in terms of the research output of the University (and consequentially on PBRF outcomes);
 - d. there is a considerable risk of internal competition for EFTS as a consequence of the narrow focus on individual programmes, and such competition would inhibit interdisciplinary activities and developments;
 - e. concern was raised about the proposal to reduce the opening hours of the libraries at Pipitea and Te Aro campuses. This will have a detrimental impact on student access to library services, especially for those students who are part-time.
 - f. In addition to the above specific concerns, a general theme in the questions and comments around the continued lack of transparency with some key parts of the process.

- 3 that Professor Bönisch-Brednich, as one of two staff representatives on Council, thanked Professor Whiteford, for speaking on behalf of Academic Board.
- 4 that the Vice-Chancellor reinforced the acute need to press on with the process due to the requirement to release details to prospective students of our calendar for 2024, and to address the continuing financial pressure on the University.

Resolved: that the Council paper and oral report from Professor Peter Whiteford on behalf of Academic Board be noted.

Allen/Street
Carried
230120

23.142 STUDENT PRESIDENT REPORTS, VUWSA AND NGĀI TAUIRA

Received: a report from the VUWSA President, Ms Jessica Ye, covering the period 26 June-4 September 2023 (document VUWC23/99).

- Noted:**
- 1 that the report was taken as read.
 - 2 that an apology was received from Mr Harris Devon as he was unable to attend at short notice to deliver his planned oral report.
 - 3 that in response to a question on the opening of enrolments later this week, Ms Ye confirmed that there are uncertainties for students if we open enrolments with programmes that may be deleted included. However, she acknowledged the reality that we need to open on-line as planned in order to compete with the other Universities.

Resolved: that the report from Ms Jessica Ye, VUWSA President be noted.

Allen/Street
Carried
230121

23.143 2024 DOMESTIC TUITION FEES

Received: a Council paper from the Chief Financial Officer, Mr Les Montgomery, dated 6 September 2023, regarding 2024 Domestic Tuition Fees (document VUWC 23/100).

- Noted:**
- 1 that the Council paper was taken as read and Mr Clinton Jenkins spoke to it.
 - 2 that the recommendations cover:
 - Tuition fees for domestic (government funded) students for all undergraduate and postgraduate programmes;
 - Full-fee international tuition fees not included in the previous full fee recommendation paper (VUWS23/28);
 - Amendments to the Fees Policy.
 - 3 that the recommended fee increases will be included in the 2024 Budget.
 - 4 that a Briefing for the Incoming Minister (BIM) is being prepared.

Resolved:

- 1 that Council approve:
a 2.8% increase to the domestic (government-funded) tuition fee rates for 2024, in line with the Annual Maximum Fee Movement (as per Appendix 1);

- 2 the proposed domestic (government-funded) tuition fee rates for fee exceptions, new subjects and courses commencing 2024 (as per Appendix 2);
- 3 to reconfirm the approved 2024 international (full fee) tuition fee dollar values at subject level from VUWC23/28 2024 International (Full Fee) Tuition Recommendations (as per Appendices 3.1 and 3.2);
- 4 the proposed international (full fee) rates for subjects and courses omitted from VUWC 23/28 2024 International (Full Fee) Tuition Recommendations, and new subjects and courses commencing 2024 (as per Appendix 3);
- 5 amendments to the Fees Policy (as per Appendix 4 and summary on page 7).

Gray/Nesus
Carried
230122

23.144

2024 STUDENT SERVICES LEVY

Received: a Council paper from the Deputy Vice-Chancellor, Academic, regarding the 2024 Student Services Levy (document VUWC 23/101).

Noted:

- 1 that the Council paper was taken as read.
- 2 that the Finance Committee considered this item in detail at its meeting held on Monday 4 September 2023.
- 3 that Professor Stuart Brock spoke to the paper and noted that a review of the Student Services Levy took place in 2022. He advised that all NZ Universities are considering increasing their SSL for 2024 and we will not be the most expensive University based on current knowledge of likely increases.
- 4 that the recommended fee increases will be included in the 2024 Budget. that post graduate students have different needs and would like a different structure on the fees and should be fed into the Operating Review.

Resolved:

- 1 **that on the recommendation of the Finance Committee, Council:**
approve the 2024 Student Services Levy charge price per point being set at:
 - \$9.20 per point for Wellington based students;
 - \$4.60 per point for distance students outside Wellington (This is the equivalent of a 7% increase);
- 2 approve the Student Assistance Levy for 2024 increase from \$28 to \$30.

Judge/Mitchell
Carried
230123

23.145

CONFERMENT OF QUALIFICATIONS

Received: the list of degrees, diplomas and certificates granted on 18 September 2023 (document VUWC 23/102).

Resolved:

- 1 that Council grants the degrees, diplomas and certificates in this University on the persons listed in document VUWC 23/102, and that their names be entered on the Roll of Graduates on 18 September 2023.
- 2 that a motion of congratulations to the Graduates be recorded.

Mitchell/Finau

Carried
230124

23.146

CONFLICTS OF INTEREST STATUTE REVIEW

Received: a Council paper from the General Counsel, Mr Simon Johnson, dated 5 September 2023 regarding the Conflicts of Interest Statute review (document VUWC 23/103).

Noted:

- 1 that the Audit and Risk Committee considered this item in detail at its meeting held on 4 September 2023.
- 2 that the Conflicts of Interest Statute sets out the principles for the identification, disclosure, and management of Conflicts of Interest to safeguard the integrity of decision-making and other work processes at Te Herenga Waka-Victoria University of Wellington and its subsidiaries.
- 3 that the Statute and its accompanying Procedure, were overdue for review as they were last approved by Council in 2011.
- 4 that after undergoing thorough formal consultation the draft Statute and its supporting Procedure are now submitted to Council for final approval.
Action:
- 5 that Mr Simon Johnson add a clarifying point to the statute on pre-determination.

Resolved: **that on the recommendation of the Audit and Risk Committee, Council:**

approve the proposed amendments to the Conflicts of Interest Statute and its supporting Procedure, subject to the amendment under point 5 above.

James/Street
Carried
230125

23.147

APPOINTMENT OF COUNCIL MEMBER FOLLOWING STUDENT ELECTION TERM – 1 JANURARY 2024 – 31 DECEMBER 2025

Received: a Council paper from the Chancellor, Mr John Allen, dated 11 September 2023 regarding the Appointment of a Council member following the student election (document VUWC 23/104).

Noted:

- 1 that the Chancellor acknowledged William Bell-Purhchas, in attendance for the public session of this meeting.
- 2 that under clause 5.1(c) of the Council Membership statute Council must, by resolution appoint at least two students following an election held in accordance with the Council Elections Procedure.
- 3 that there was unanimous support for Mr William Bell-Purchas's, appointment as the highest polling candidate to a two year term commencing 1 January 2024.

Resolved: **that in accordance with clause 5.1(c) of the Council Membership Statute, Mr William Bell-Purchas be appointed to Council for a two year term from 1 January 2024 to 31 December 2025.**

Allen/Street
Carried
230126

the meeting adjourned at 11.21am for morning tea

the meeting reconvened at 11.40 am

23.148 COMMITTEE MINUTES / ACADEMIC BOARD REPORT

Received: Committee minutes and the Academic Board report as follows:

- Te Aka Matua Committee, 28 August 2023
- Audit & Risk Committee, 4 September 2023
- Finance Committee, 4 September 2023
- Academic Board report, meeting held 18 July 2023 (document VUWC 23/105).

Noted: that the Committee Minutes and the Academic Board report were taken as read.

Resolved: that the Committee minutes and the report of the Academic Board be noted.

Judge/Nesus
Carried
230127

23.149 FORTHCOMING EVENTS AND NEXT COUNCIL MEETING

Received: a Council paper from the Secretary to Council, Ms Caroline Ward, dated 1 September 2023 regarding Forthcoming Events and the next Council meeting (document VUWC 23/106).

Noted: that the next meeting of Council will take place on Monday, 30 October 2023, at 9am in the Council Chamber, Level 2, Hunter Building, Kelburn Campus, Wellington.

Resolved: that the Council paper on Forthcoming Events and the date and details of the next Council meeting on Monday, 30 October 2023 be noted.

Arnold/Gray
Carried
230128

23.150 RESOLUTION CONCERNING THE EXCLUSION OF THE PUBLIC

Received: a recommendation that certain items be taken with the public excluded (document VUWC 23/107).

Resolved: 1 that the public be excluded from the following parts of the proceedings of this meeting, namely agenda items 18-27.

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter The public conduct of each item below would be likely to result in the disclosure of information for which good reason for withholding would exist under the sections of the OIA identified below.	Ground(s) under section 48(1) for the passing of this resolution
18. Minutes of previous meeting held on 7 August 2023	s9(2)(a), s 9(2)(b)(ii), and s 9(2)(i)	LGOIMA s48(1)(a)(ii)
19. Safety, Health & Wellbeing report 1 July-31 August 2023	s9(2)(a), s9(2)(b)(ii), s9(2)(i), and s9(2)(ba)(i)	LGOIMA s48(1)(a)(ii)
20. Vice-Chancellor's report	s9(2)(a), s9(2)(b)(ii), s9(2)(i), and s9(2)(ba)(i)	LGOIMA s48(1)(a)(ii)
21. Financial report to 31 August 2023	s 9(2)(b)(ii) and s 9(2)(i)	LGOIMA s48(1)(a)(ii)
22. 2024 Budget and Targets update	s 9(2)(b)(ii) and s 9(2)(i)	LGOIMA s48(1)(a)(ii)
23. Kaikoura Earthquake Insurance Claim update	s 9(2)(b)(ii), s 9(2)(h), s 9(2)(i), and s 9(2)(j)	LGOIMA s48(1)(a)(ii)
24. Financial Sustainability proposal motion	s 9(2)(a), s 9(2)(b)(ii), s 9(2)(ba)(i), s 9(2)(h), s 9(2)(i), s 9(2)(j) and s 9(2)(k)	LGOIMA, s48(1)(a)(ii)
25. Living Pā quarterly report	s 9(2)(b)(ii) and s 9(2)(i)	LGOIMA, s48(1)(a)(ii)
26. Committee and Academic Board minutes	s9(2)(a), s9(2)(b)(ii), s9(2)(h), and s 9(2)(i)	LGOIMA, s48(1)(a)(ii)
27. Council only time	s9(2)(a), s9(2)(b)(ii), s9(2)(i), and s9(2)(ba)(i)	LGOIMA, s48(1)(a)(ii)

In relation to each of the above items, no public interest consideration has been identified favouring disclosure of the particular information in public proceedings of the meeting that would override the need to withhold the information.

This resolution is made in reliance on section 48(1)(a) of the Local Government Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 or section 9 of the Official Information Act 1982, as the case may require, which would be prejudiced by holding of the whole or the relevant part of the proceedings of the meeting in public are set out above.

- 2 that such members of the senior leadership as the Chancellor and the Vice-Chancellor request be permitted to remain at this meeting, after the public has been excluded, with the exception of agenda item 27, because of their knowledge of the relevant matters identified above which will be of assistance in relation to those matters.

Allen/Mitchell
Carried
230129

at 11.55am members of the Public left the meeting