



## **UNIVERSAL COLLEGE OF LEARNING (“UCOL”) COUNCIL MEMBER POSITION DESCRIPTION**

### **Introduction**

Institutes of Technology and Polytechnics (“ITPs”) are complex, large scale, multi faceted businesses requiring a highly sophisticated and demanding level of governance. The responsibilities of a Council member are founded in statute, best business practice and by the distinctive characteristics and nature of each ITP.

Part 15 and 15A of the Education Act 1989 provides the legal foundation for the governance of ITPs by Councils. Best business practice means that a Council’s governance roles and responsibilities are expected to be consistent with those of directors in a wide range of crown entities, public and private sector organisations. Councillors also have specific and special responsibilities that are determined by the nature of their ITP’s activities and relationship with its wider community and industry.

A different set of provisions of the Education Act apply to the constitution of ITP Councils, following the amendments made by the Education (Polytechnics) Amendment Act 2009. ITP Councils are now smaller, with a total of eight members: four appointed by the Minister for Tertiary Education, and four appointed by the Council itself, in accordance with the ITP’s own statutes (S222AA, Education Act 1989). The Council must appoint as members people who (in the Council’s opinion) have relevant knowledge, skills, or experience, and are likely to be able to fulfil their individual duties as members of the Council and the functions, duties, and responsibilities of the Council. It is also desirable that the Council should include Māori; and that, so far as is possible, the Council of a designated polytechnic should reflect the ethnic and socio-economic diversity of the community it serves.

The general basis of appointment to ITP Councils is established in statute (S222AA, Education Act 1989) and reflected in the individual ITP’s Council Appointment Statute. However, once appointed to the Council, a member assumes a responsibility for the full operation of the ITP notwithstanding the means or basis of their appointment.

### **Background to the Universal College of Learning**

UCOL is a Polytechnic under the Education Act 1989. It was founded in 1909 and was known as the Palmerston North Technical School. In 1971 it became the Palmerston North Technical Institute and in 1983 the Manawatu Polytechnic. At the time it specialised in apprenticeship courses for the trade sectors, and in hobby, art and craft classes. It also developed a range of night school programmes in business studies for working adults. In late 1998 the Manawatu Polytechnic changed its name to the Universal College of Learning (“UCOL”).

In January 2001 the Wairarapa Regional Polytechnic was incorporated into UCOL, followed by the integration of the Wanganui Regional Community Polytechnic on 1 April 2002. As a result of these incorporations, UCOL now has three campuses in the lower half of the North Island – Palmerston North, Wairarapa and Whanganui.

UCOL provides a wide range of vocational and applied education and training opportunities from foundation courses through to post-graduate degrees. UCOL also delivers education outside of its immediate region in order to meet identified needs.

UCOL's community and continuing education programmes have been strongly supported by its local communities, demonstrating that these courses are highly valued and contributing to the social and economic development of the region.

UCOL has developed a strong vision, mission and set of operating values that have guided its growth and delivery of services over recent years. This high level strategic direction is as follows:

#### Vision

Together creating great futures through innovative education and training.

#### Mission

UCOL will provide its communities with universal access to applied education and training that enhances student development and career potential.

#### Values

UCOL's values guide it to strive for excellence in education, training and research; to equip students to meet workplace demands; to encourage the participation of communities so as to enhance their educational opportunities; and to place particular emphasis on communities under-represented among the UCOL students.

To achieve its vision and mission UCOL believes that:

- student learning and student needs are paramount to its existence;
- access to learning is every individual's right;
- learning is a lifelong process enhanced by education and training appropriate to individual needs;
- learning is the result of a partnership between the teacher and learner that builds on the participant's knowledge and experience;
- teaching nourishes learning by providing the environment, resources, knowledge, skills, values and support needed by the learner;
- people are entitled to respectful consideration of their personal, cultural and spiritual values;
- the principles of the Treaty of Waitangi are incorporated into UCOL operations to ensure participation, protection and partnership are addressed in all policy decisions;
- educational equity is actively promoted by providing appropriate services to students with particular needs, including Maori learners;
- community needs are anticipated and reflected in the services offered;
- students' sense of self worth and achievement are as important as content based learning success;
- students and staff work in an environment conducive to student success;
- quality improvement and assurance processes are essential to striving for excellence in education;
- the social and support elements of the learning experience are as important as the educational elements;
- education and training provision should address regional and sub-regional economic characteristics and needs;
- staff development is a key component of personal, professional and organisational growth.

Prime statistics for the year ended 2009 include the following:

Total revenue	\$54.5M
Student population	4,154 Equivalent Full Time Students (“EFTS”)
Number of staff employed	469 Full Time Equivalent Staff
Surplus	\$2M
Total Assets	\$153M

A copy of the 2009 UCOL annual report can be found on the UCOL website at:

<http://www.ucol.ac.nz/about/whoweare/Pages/index.aspx>

## Roles and Responsibilities

The Council of UCOL is accountable to the Crown and has responsibility for the following:-

1. **Academic freedom** - Preservation and enhancement of academic freedom while maintaining the highest ethical standards and accountability.
2. **Leadership and management** - Appointment of the Chief Executive and for monitoring and evaluation of their performance against the agreed UCOL Strategic Business and Investment Plans.
3. **Strategic planning** - Development of a Strategic Business Plan in line with strategic goals and priorities developed by the Council of UCOL.
4. **Investment planning** - Development of an Investment Plan in line with strategic goals and priorities advised by the Minister for Tertiary Education, planning guidance provided by the Tertiary Education Commission and sound strategy for the needs of the region and community served by UCOL.
5. **Performance management** - Translation of the agreed Strategic Business and Investment Plans into management action plans and budgets with regular monitoring by the Council of activity and performance against targets to ensure the Plans are met.
6. **Academic focus** - Receiving advice from the Academic Board and determining policy relating to:
  - student achievement and educational support;
  - academic integrity of the institutional strategic goals and academic portfolio;
  - academic approval of programmes and courses of study; and
  - the effectiveness of the institution in improving student outcomes.
7. **Human resource management** - Ensuring the implementation and operation of sustainable human resource management practices that contribute to the achievement of the Strategic Business and Investment Plans, promote excellence, desired student outcomes and staff wellbeing.
8. **Student support** - Ensuring policies are in place to promote student learning and the well being of students.
9. **Capital management** - Managing the Government’s and community’s capital investment in UCOL to ensure sustainable asset management, proper asset utilisation and appropriate asset renewal and investment developments in line with long term needs and affordability.
10. **Risk management** - Ensuring risk management policies are in place and are effective covering all facets of operations of UCOL.
11. **Relationship management** - Maintaining meaningful relationships with key local, regional and national stakeholders in UCOL’s area and region of interest to ensure the Council is aware of community and industry needs and the distinctive characteristics of UCOL are maintained.
12. **Regional facilitation** - Development of a regional statement of tertiary education needs to assist in building a shared understanding of needs, developing regional capability, better outcomes for learners and efficiency benefits for stakeholders.

13. **Research focus** - Fostering research and innovation contributing to improved economic, social, cultural and environmental outcomes for New Zealand.
14. **Audit** - Ensuring a regular and effective programme of internal and external audit operates to give confidence to the Council, staff, students and the Government on quality and integrity of services and operations.
15. **Reporting** - Ensuring Government reporting and information requirements are met in a timely, accurate and complete manner.
16. **Compliance** - Ensuring compliance with all statutory requirements.
17. **Equity** - Ensure that UCOL works towards achieving education development aspirations for Maori and other targeted priority groups outlined in Government strategy and provided for in the Investment Plan.

### **Individual Councillor Responsibilities**

In addition to general responsibilities of the Council as a whole, an individual Councillor has additional expectations and responsibilities as follows.

1. Advise the Chair immediately of any potential or perceived conflicts of interest in line with the policies and procedures of UCOL.
2. Have the necessary skills, knowledge, experience and communication skills to make a meaningful and constructive contribution.
3. Prepare for and participate appropriately in Council meetings and activities.
4. Participate in the annual evaluation of the Council's performance.

Council members must:

- share a commitment to the importance of education and training to social and economic development;
- be able to work effectively as members of a team;
- understand the place of the Treaty of Waitangi in New Zealand;
- have a high degree of professional judgement and integrity; and
- maintain the respect of their peers.

It is desirable that Council members have knowledge of:

- the tertiary education sector and the needs of the communities and industry within the region which the institution serves;
- stakeholder expectations and perspectives; and
- the Government's tertiary education strategy, priorities and policies.

### **Core Competencies**

In accordance with section 222AD(3)(a) of the Education Act 1989, the Council must be satisfied that a potential Council member, in the Council's opinion, possesses some or all of the following relevant skills, knowledge and experience:

- Adult education skills and experience; and/or
- Business experience; and/or
- Chairing experience; and/or
- Financial skills and knowledge; and/or
- Governance experience; and/or
- Knowledge of tikanga Maori and iwi expertise; and/or
- Leadership qualities; and/or
- Strategic thinking experience; and/or
- Tertiary education industry knowledge.

An analysis of Council membership has emphasised the need to strengthen adult education skills and experience and tertiary education industry knowledge rather than general governance experience.

In determining the suitability of a potential Council member, the following will also be considered:

- Members of diverse ethnic backgrounds; and
- Male and female members; and
- Members who are or have been students of UCOL; and
- Members of diverse lifestyles, including employed and retired members; and
- Members that reside in a diversity of regions served by UCOL including the Manawatu, Whanganui and Wairarapa regions.

### **Term of Appointment**

All Council members are appointed for terms of up to four years. Reappointment for a further term (or terms) may be possible.

### **Commitment**

There is usually a full meeting of Council each month. Meetings, which are normally scheduled on the last Tuesday of each month, usually start at 10.00 a.m. and typically take four to six hours. However Council members should allow one day to accommodate this commitment. In addition, special meetings may be called to address specific issues.

Council members receive papers approximately four days before meetings and it is important that members make sufficient time to familiarise themselves with the material prior to the meeting.

Council members may be appointed to a committee of Council. This will involve additional meetings and preparation.

From time to time, members will also be expected to attend formal and social occasions on behalf of the Institute (e.g. graduations).

### **Payment**

Payment is by way of meeting fees only, although reimbursement of some expenses (e.g. travel) is available. The current meeting fee for Council members is \$14,400 per annum, up to \$28,800 for the Chairperson and \$18,000 for the Deputy Chairperson. This fee is intended to cover all meeting and preparation time.

### **Appendix A**

Minister for Tertiary Education: Statement of Expectations (to assist the members of Tertiary Education Institution Councils) – dated 2009

### **Minister for Tertiary Education: Statement of Expectations (to assist the members of Tertiary Education Institution Councils)**

#### **Introduction**

This statement is intended to clarify the expectations that the Minister has of those individuals appointed to tertiary education institution councils. They do not seek to usurp or replace the obligations of councils under the Education Act 1989. Council members should be aware of the provisions of the Act, especially sections 180-182 on the functions and duties of councils. Amendments made to the Education Act by the Education (Tertiary Reform) Amendment Act 2002, from 1 January 2003, brought into effect a new environment for the tertiary education sector in New Zealand and all council members should be familiar with those provisions.

A council carries responsibility for ensuring the effective management of the institution and for planning its future development. It has the ultimate responsibility for all the affairs of the institution. Council members need to be aware that, while a council determines the overall strategic direction, it does not run the institution. The chief executive is responsible for the executive management of the institution and its day to day direction. The chief executive is, however, an employee of the council, must implement the council's decisions, and is answerable to the council for his/her performance.

Councils are entrusted with public funds and therefore have a particular duty to fulfil the highest standards of corporate governance at all times. Council members should bear in mind, however, that section 183 of the Education Act 1989 provides that:

“no member of the council of an institution is personally liable for any act done or omitted by the member or the council:

- in good faith; and
- in pursuance or intended pursuance of the functions of the institution or of the council.”

The membership of a council is specified by the Education Act 1989, with the details noted in an institution's constitution of council, published in the New Zealand Gazette. In each case four members are directly appointed by the Minister of Education and other members are appointed/selected from a variety of different sources. The list of expectations set out below is not a list of explicit rules for the appointees of the Minister only. Rather it is a clarification of how the Minister considers that individual members should tailor their personal contribution to the Council. If the guidelines are followed, and occasionally amended to fit particular circumstances, the Council will collectively be acting in the best interests of its institution.

#### **Minister's Expectations**

It is expected that all members of Tertiary Education Institution Councils will, to the best of their ability:

- a) comply with all relevant statutory requirements;
- b) ensure that the institution undertakes sound strategic and business planning in accordance with its charter, once approved by the Minister;
- c) ensure that the strategy of the institution is in alignment with the Tertiary Education Strategy;
- d) ensure that the Council appropriately directs the chief executive of the institution and holds the chief executive accountable for performance with explicit and measurable performance criteria;
- e) ensure that the institution provides the Minister and officials with the information necessary to monitor the performance of the institution;
- f) ensure that the institution adopts sound organisational and financial management practices so as to safeguard and enhance the country's investment in the institution and optimise the institution's expenditure in accordance with its annual business plan;
- g) encourage the institution to actively explore ways in which greater co-operation and collaboration with other tertiary institutions can be achieved to the benefit of all institutions involved;
- h) ensure that the institution works with iwi Maori and Maori communities to achieve Maori educational development aspirations and provides an environment in which Maori students are encouraged and supported to succeed;

- i) ensure that the institution adopts a sound risk management strategy for all facets of its activities;
- j) ensure that the institution implements an internal audit function that includes unfettered reporting of findings to Council;
- k) ensure that the institution and Council implement appropriate mechanisms for communicating and working with key stakeholder groups including the student body, staff, the wider community, the Ministry of Education, Tertiary Education Commission, other education agencies, other departments, and other tertiary institutions and schools;
- l) participate in an annual Council member performance appraisal to be undertaken by the Council chair, and
- m) advise the Council chair immediately of any circumstances, conflicts of interest, or perceived conflicts of interest that may prevent the Council member from performing his/her role in a fair and impartial way, in the best interests of the institution.