
Agenda (Part I)

Venue: Room L01, Wairarapa Campus

10.15am

Procedural Note:

1. Council has the ability to make its 'own' procedures and has adopted Model Standing Orders for Meetings of Public Bodies (MP 9204:1993) with Sections 2.24.8, 2.24.9 and 2.24.10 replaced by its own procedure.
2. The Council Chair presides throughout the meeting and at law has the right to cast both a deliberative vote and a casting vote.
3. Council has agreed to shift meeting facilitation to a Committee Chair if the matter is the province of that Committee.
4. Voting at these combined meetings shall be decided by majority of Council members present (who are eligible to vote).

Business		Page
1. Apologies	Receive	
2. Disclosures of interest in relation to Part I	Decision	
3. Confirmation of Minutes (Part I) of 31 October 2018 (137/18)	Approval	3
4. Chairperson's report	Information	
5. Finance report summary – as at 31 October 2018 (138/18)	Information	7
6. Academic report (139/18)	Information	9
7. Safety and wellbeing report (140/18)	Information	11
8. Correspondence (141/18) (142/18)	Information	13
9. Call for items for the next Part I agenda		
10. General Business		
11. Supplementary matters for Part II		

Next Meeting: Wednesday 12 December 2018, Manawatū Campus

SCHEDULE 2A, SECTION 48 LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987

1. The Council Chair recommends that the public be excluded from the following parts of proceedings, namely, agenda items [12] to [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 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	Ground(s) under Section 48(1) for the passing of this Resolution
Standing Matters Confirmation of Minutes Part II of 31 October 2018 Matters Arising – Part II Action List of 31 October 2018	Result in disclosure of matters that Council had decided it had good reasons for withholding	For those reasons identified by the Council in its meeting on 30 October 2007
Strategic Discussion	Enable the institution to carry on without prejudice or disadvantage commercial activities	For those reasons identified by the Council in its meeting on 30 October 2007
Decisions	Enable the institution to carry on without prejudice or disadvantage commercial activities	Section 48(1)(a)(ii) of the Local Government Official Information and Meetings Act 1987 and Section 9(2)(i)(h) and (j) of the Official Information Act 1982
Discussion Papers	Enable the institution to carry on without prejudice or disadvantage commercial activities	Section 48(1)(a)(ii) of the Local Government Official Information and Meetings Act 1987 and Section 9(2)(i)(h) and (j) of the Official Information Act 1982
Reporting Chief Executive's Report	Enable the institution to carry on without prejudice or disadvantage commercial activities	Section 48(1)(a)(ii) of the Local Government Official Information and Meetings Act 1987 and Section 9(2)(i)(h) and (j) of the Official Information Act 1982
Information Papers	Enable the institution to carry on without prejudice or disadvantage commercial activities	Section 48(1)(a)(ii) of the Local Government Official Information and Meetings Act 1987 and Section 9(2)(i)(h) and (j) of the Official Information Act 1982
Correspondence	Enable the institution to carry on without prejudice or disadvantage commercial activities	Section 48(1)(a)(ii) of the Local Government Official Information and Meetings Act 1987 and Section 9(2)(i)(h) and (j) of the Official Information Act 1982
General Business	Enable the institution to carry on without prejudice or disadvantage commercial activities	Section 48(1)(a)(ii) of the Local Government Official Information and Meetings Act 1987 and Section 9(2)(i)(h) and (j) of the Official Information Act 1982
Council Matters Standing Matters	Enable the institution to carry on without prejudice or disadvantage commercial activities	Section 48(1)(a)(ii) of the Local Government Official Information and Meetings Act 1987 and Section 9(2)(i)(h) and (j) of the Official Information Act 1982
Supplementary Matters	Identify and describe appropriate ground generally under Section 9 of the Official Information Act except Section 9(2)(g)(i)	Section 48(1)(a)(ii) of the Local Government Official Information and Meetings Act 1987 (identify the applicable ground from the Official Information Act Section 9(2) of the Official Information Act 1982) (not being Section 9(2)(g)(i))

This Resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest(s) protected by Section 6 or Section 7 of that Act or Section 6, Section 7 or Section 9 of the Official Information Act 1982, as the case may require, which would be prejudiced by the holding of the relevant part of the proceedings of the meeting in public (give particulars).

The Council Chair moves that the following members of the public remain for Part II being staff of the institution who are not Council members, namely: Dr Amanda Lynn, Christine Beech, Brian Trott.

Note: Section 48(4) provides that every resolution to exclude the public shall be out at a time when the meeting is open to the public and the text of that resolution (or copies thereof) shall:

- (a) Be available to any member of the public who is present; and
- (b) Shall form part of the minutes of the local authority.

PART I MINUTES

The meeting was held in Room 3.0.02, Manawatū Campus.

Present: Ben Vanderkolk (Chairperson), Leanne Southey (Deputy Chairperson), Verne Atmore (Councillor), Lisa Ferguson (Councillor), Leonie Hapeta (Councillor), Pamela Jefferies (Councillor), Annette Main (Councillor)

Apologies: Lynette Bradnam (Councillor)

In Attendance: Dr Amanda Lynn (Chief Executive), Brian Trott (Chief Financial Officer), Jerry Shearman (Executive Director Education and Applied Research), Gianetta Lapsley (Executive Director Quality), Christine Beech (Director Public Relations and Communications), Teina Mataira (Director Māori and Pasefika Education), Michelle Tentori (Executive Council Officer)

ITEM 1: STANDING MATTERS

Disclosures of Interest (Part I)

There were no disclosures of interest received.

Confirmation of the Part I Minutes of the Council Meeting dated 26 September 2018 (125/18)

Council accepted the Part I Minutes dated 26 September 2018 as a true and accurate record. *(Moved by L Hapeta and seconded by A Main)*

Matters Arising: Part I Action List as of 26 September 2018 (126/18)

Council requested the information on First Aid Training Courses be distributed to all Councillors. *(This was completed on 1 November 2018.)*

ITEM 2: REPORTING

Finance Report Summary – month ended 30 September 2018 (126/18)

The Council considered the report and noted the timing difference with improvement expected before year end.

Council received the Finance report summary for the period ended 30 September.

(Moved by L Southey and seconded by A Main)

Academic Report (127/18)

Council received the academic report. *(Moved by A Main and seconded by L Southey)*

ITEM 3: SAFETY AND WELLBEING**Safety and Wellbeing Report (128/18)**

Council requested more information about Wairarapa disability toilet noncompliance be provided in Part II of the meeting.

Council noted that disability student support was in place.

Council received the Safety and Wellbeing Report. *(Moved by B Vanderkolk and seconded by L Ferguson)*

ITEM 4: COUNCIL MATTERS**Items for Next Agenda**

There were no items for the next Part I agenda.

ITEM 5: GENERAL BUSINESS

There were no items of General Business.

ITEM 6: STANDING MATTERS**Papers Available for Review:**

Academic Board Papers are available for review.

Supplementary Matters for Part II

Safety and Wellbeing Report.

Moving into Part II

Council resolved to move the meeting into Part II as per the attached scheduled outlining the reason for each agenda item. *(Moved by B Vanderkolk and seconded by A Main)*

Signed:

Date:

SCHEDULE 2A, SECTION 48 LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987

1. The Council Chair recommends that the public be excluded from the following parts of proceedings, namely, **agenda items [7] to [14]**.

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 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	Ground(s) under Section 48(1) for the passing of this Resolution
Standing Matters Confirmation of Minutes Part II of [26 September 2018] Matters Arising – Part II action List as of [26 September 2018]	Result in disclosure of matters that Council had decided it had good reasons for withholding	For those reasons identified by the Council in its meeting on 30 October 2007
Strategic Discussion	Enable the institution to carry on without prejudice or disadvantage commercial activities	Section 48(1)(a)(ii) of the Local Government Official Information and Meetings Act 1987 and Section 9(2)(i)(h) and (j) of the Official Information Act 1982
Reporting Chief Executive's Report Finance Report Period Ending 30 Sept 2018	Enable the institution to carry on without prejudice or disadvantage commercial activities	Section 48(1)(a)(ii) of the Local Government Official Information and Meetings Act 1987 and Section 9(2)(i)(h) and (j) of the Official Information Act 1982
Draft Budget Report	Enable the institution to carry on without prejudice or disadvantage commercial activities	Section 48(1)(a)(ii) of the Local Government Official Information and Meetings Act 1987 and Section 9(2)(i)(h) and (j) of the Official Information Act 1982
Safety and Wellbeing	Enable the institution to carry on without prejudice or disadvantage commercial activities	Section 48(1)(a)(ii) of the Local Government Official Information and Meetings Act 1987 and Section 9(2)(i)(h) and (j) of the Official Information Act 1982
General Business	Enable the institution to carry on without prejudice or disadvantage commercial activities	Section 48(1)(a)(ii) of the Local Government Official Information and Meetings Act 1987 and Section 9(2)(i)(h) and (j) of the Official Information Act 1982
Council Matters Standing Matters	Enable the institution to carry on without prejudice or disadvantage commercial activities	Section 48(1)(a)(ii) of the Local Government Official Information and Meetings Act 1987 and Section 9(2)(i)(h) and (j) of the Official Information Act 1982
Supplementary Matters	Identify and describe appropriate ground generally under Section 9 of the Official Information Act except Section 9(2)(g)(i)	Section 48(1)(a)(ii) of the Local Government Official Information and Meetings Act 1987 (identify the applicable ground from the Official Information Act Section 9(2) of the Official Information Act 1982) (not being Section 9(2)(g)(i))

This Resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest(s) protected by Section 6 or Section 7 of that Act or Section 6, Section 7 or Section 9 of the Official Information Act 1982, as the case may require, which would be prejudiced by the holding of the relevant part of the proceedings of the meeting in public (give particulars).

The Council Chair moves that the following members of the public remain for Part II being staff of the institution who are not Council members, namely Dr Amanda Lynn, Brian Trott, Arthur Chin, Christine Beech, Michelle Tentori.

Note: Section 48(4) provides that every resolution to exclude the public shall be out at a time when the meeting is open to the public and the text of that resolution (or copies thereof) shall:

- (a) Be available to any member of the public who is present; and
- (b) Shall form part of the minutes of the local authority.

Schedule of resolutions passed

1/1	Receive the apology from Lynette Bradnam (Councillor)
1/2	Accept the Part I Minutes dated 26 September 2018 as a true and accurate record
1/3	Receive the Finance report summary for the period ended 30 September
1/4	Receive the Academic Report
1/5	Receive the Safety and Wellbeing Report
1/6	Resolve to move the meeting into Part II as per the attached scheduled outlining the reason for each agenda item

Item 138/18: Part I: Finance Report Summary As at 31 October 2018

1. Purpose

To present Council with a summary of UCOL's financial position for the period ended 31 October 2018.

2. Executive Summary

The following gives a summary of UCOL's financial position for the period ended 31 October 2018 and highlights UCOL's revenue and expenses against budget for this period.

3. Background

Summarised Finance Report

The 2018 financial year sees revenue and expenses which are adverse to budget leading to a net surplus of \$7,189,000 which is behind budget by \$1,389,000.

October 2018		2018 Year to Date Actual \$000	2018 Year to Date Budget \$000	Variance \$000
	Note			
Revenue	1	\$47,234	\$48,162	(\$928)
Expenditure	2	\$40,045	\$39,584	(\$461)
Net surplus	3	\$7,189	\$8,578	(\$1,389)
Capital Expenditure	4	\$1,344	\$1,746	\$402
Working capital	5	121%	123%	(2%)
Cash In/Cash Out		107%	102%	5%
Current Monetary Assets (000's)	6	\$11,326	\$9,056	\$2,270
Debt/ Equity Ratio		4.1%	4.4%	(0.3%)

1. Revenue is behind budget.
2. Expenditure is adverse to budget with a negative variance.
3. Net Surplus is behind budget due to adverse revenue and expenditure variances.
4. CAPEX is behind budget with a positive variance.
5. Working capital is behind budget due to current asset items being less than budget, with the most significant item being Debtors.
6. Cash is better than budget due to the timing of TEC funding.

4. Current Issue

Nothing to report.

5. Options

Nothing to report.

6. Recommendation

It is recommended that Council:

1. Receives the Finance Report Summary for the month ended 31 October 2018.

Brian Trott on behalf of

Dr Lynn

Chief Executive

23 November 2018

Item 139/18: Academic Report

1. Purpose

This report will focus on educational delivery and outcomes in consideration of UCOL's key strategic story.

2. Executive Summary

Activities of the Education and Applied Research directorates and teams for October 2018 have focused on completing the delivery to our second semester students, and ensuring assessments and results are completed in a timely manner.

3. Background

October focussed on delivery of programmes, assessment and planning for 2019 coupled with an increase in the level of stakeholder engagement, as we work to establish delivery intentions for 2019. The Research and Knowledge Transfer (RKT) Committee is now focussing on the next 6 year cycle of activity leading into the 2024 PBRF.

The October Academic Board meeting approved a lowering of the academic entry requirements to the NZ Certificate in Cookery L4. Academic Board also approved changes to the Recognition of Prior Learning Procedure. The Board received and was satisfied with progress on a wider review of the entry criteria for programmes of study (L1 to L6) at UCOL, and a longer term piece of work regarding entry for students aged 20 years and over.

The RKT Committee has been working on how to improve dissemination of research outcomes. This involved a relaunch of our Power Hour research seminars which used the library hub to allow students to participate, and better use of our digital platform including social media and the new [RKT website](#).

The Terms of Reference and the RKT Strategy (2019-2024) are both being drafted for consideration and adoption. There are discussions taking place with the Chief Executive which focus on how we can better support RKT activity at UCOL.

4. Current Issue

Nil to report

5. Options

Nil to report

6. Recommendation

It is recommended that Council

1. Notes minutes from Academic Board
2. Receives the Academic Report

Links

[Academic Board Minutes \(October\)](#)

Jerry Shearman and Gianetta Lapsley on behalf of

Dr Lynn

Chief Executive

23 November 2018

Item 140/18: Part I - Safety and Wellbeing Monthly Report

1. Purpose

This report is provided to assist Council in exercising their due diligence under the Health and Safety at Work Act 2015.

2. Executive Summary

Below is the monthly update for Risk Management, Emergency Management Review, Wellbeing Programme and Notifiable, illnesses, Incidents and Events.

3. Background

Risk Management

During this month there have been no new high risks or serious issues identified.

Emergency Management Review

Currently, there is a full review of the emergency management policy and its procedures, which includes Business Continuity Plans for all Faculties and Departments. This will be followed by simulation exercises in the first quarter of 2019.

These simulation exercises will allow us to validate our Business Continuity Plans, in addition to giving practical experience to staff in an emergency situation.

Wellbeing Programme Update

During the week of the 8th of September, UCOL was part of the nationwide “Mental Health Awareness” week. There was a BBQ, volleyball, music, an Eco Therapist from Te Waka Huia, Kind Hearts Manawatu, make-up demonstrations, as well as an array of support services.

Notifiable Injuries, Illnesses, Incidents and Events

There have been no notifiable events over this month.

4. Current Issues

Nil to report

5. Options

Nil to report

6. Recommendation

It is recommended that Council:

1. Receives the Health and Safety Report for the period ended 31st October 2018.

Sylvie Hickton on behalf of

Dr Lynn

Chief Executive

23 November 2018

Hon Chris Hipkins

MP for Rimutaka

Minister of Education

Minister of State Services

Leader of the House

Minister Responsible for Ministerial Services



Mr Ben Vanderkolk
Universal College of Learning
Private Bag 11022
Palmerston North 4442

18 OCT 2018

Dear Mr Vanderkolk

Engagement of external security providers

I write regarding the engagement of external security providers.

The State Services Commission (SSC) commenced an inquiry on 16 March 2018 into the circumstances, reasons and outcome of Southern Response Earthquake Services Limited's engagement of external security consultants, including Thompson and Clark Investigations Ltd (TCIL). The inquiry terms of reference were subsequently widened to cover all State sector agencies.

Unlawful or inappropriate intrusions into the activities of the public by providers that are engaged by agencies are serious allegations. Public assurance that external security resources are being used in a manner that is consistent with the expectations of the State services is required, to maintain public trust and confidence in the activities of the State sector.

Tertiary education institutes do not fall within the scope of the State Services Commissioner's powers of inquiry and I acknowledge the importance of avoiding any perceived or actual interference with academic freedom and autonomy. These are concepts that underpin a free and democratic society. However, it is my view that it is in the public interest that tertiary education institutions, as part of the wider State sector, are able to provide an assurance to me that the use of external security providers (if any) is both lawful and appropriate.

I do not have authority to issue a direction to you in relation to the operation of your institution, but I am able to counsel and advise.

I seek your assurance, through the Tertiary Education Commission (TEC), that if your institute or its subsidiaries have engaged, and used, any external security providers, they have done so in a manner that is consistent with public expectations of the State sector. If you or your subsidiaries have not used any external security consultants, please provide that advice to TEC.

TEC will provide you with advice and assistance, should you require this, for any review you consider necessary to achieve the assurance I am seeking. Gillian Dudgeon, Deputy Chief Executive, Delivery is the contact at TEC. TEC will liaise with SSC to ensure any review is consistent with the approach taken across the broader State sector.

Ultimately, to review any aspect concerning the operation of your institution, or its subsidiaries, is a matter for you and your council to consider and determine. I would, however, appreciate it if your Council's assurance on these important matters were provided to TEC within a month from the date of this letter.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'CH', with a stylized flourish extending from the end.

Chris Hipkins
Minister of Education

19 November 2018

Hon. Chris Hipkins
Minister of Education
Private Bag 18041
Parliament Buildings
Wellington 6160

Via email to: Dean.Winter@tec.govt.nz

Dear Minister Hipkins,

Engagement of External Security Providers

Thank you for your letter dated 18 October 2018 regarding the enquiry commenced by the State Services Commission (SSC) on 16 March 2018 into the circumstances, reasons and outcome of the Southern Response Earthquake Services Limited's engagement of external security consultants.

We note that the Universal College of Learning (UCOL) as a Tertiary Institute falls outside of the scope of the SSC inquiry. However, we acknowledge your request for assurance in relation to the substance of that inquiry.

In response to your request the UCOL Privacy Officer undertook a review of operations in relation to security, we advise as follows.

UCOL currently engages the following security consultants through a Contract for Service:

- First Security Guard Services Ltd – Palmerston North Campus (current contract concludes 30 June 2019).
- First Security Guard Services Ltd – Levin Campus (current contract concludes 30 June 2019)
- Armourguard – Whanganui and Wairarapa Campuses (guard patrols after 8pm only) (current contract concludes 31 July 2019).
- We confirm that UCOL **does not** contract the services of Thompson and Clark Investigations Limited.

The contracted security companies utilised by UCOL have access to the following which is within the scope of their contracted services:

- Access to UCOL alarm and security systems (security alarm monitoring) – Palmerston North; Whanganui (5pm to 11pm guard); Wairarapa (night guard only); during the day Wairarapa and Levin are monitored remotely from Palmerston North.
- Access cards and keys for access to buildings (mobile and random patrols; unlocks and lockups; call outs) – Palmerston North - card access to all areas and key access except for the Chief Executive Office; Wairarapa, Whanganui – access all areas; Levin - card access only for night patrols.

- Access to UCOL CCTV systems (for the purpose of investigating on campus incidents) – Whanganui; Palmerston North (8.00am to 11.30pm guards only); Wairarapa and Levin monitored remotely from Palmerston North by First Security. Have access to all areas monitored by CCTV. Access is restricted to “operator” access only. Third tier access – live view, playback and exporting.
- Access to log incidents through Incident Reporting on the UCOL Teams Portal – First Security only. Security incidents on Whanganui and Wairarapa campuses are lodged by UCOL Facilities Management staff.
- UCOL Car Parking Register (to update and maintain currency) – First Security has access to Palmerston North and Wairarapa to update and manage the register; Whanganui – done by UCOL Facilities Management staff in Whanganui. Details are staff ID, name and vehicle details (registration, model, make, colour).
- Access to generic UCOL email for First Security in Palmerston North only - mainly used for communications between guards and UCOL Facilities Management but has ability to email staff and students. Guards have no other access to UCOL systems.
- Incident reporting access – can only lodge incidents via UCOL’s Incident Reporting Portal, unable to access UCOL’s health and safety management system and view information contained in that system.

Both security companies are required to have a Police vet for all their staff as part of the contracted requirements with UCOL. This is undertaken by the security company directly.

From a privacy perspective, our security contractors do not have access to staff or student’s personal information outside the parameters of their contracts. All access falls within the scope of their responsibilities. We confirm that the contractors have no authorised access to student information collated in the Student Management System, Arion.

In relation to other types of contractors that might have access to student information, UCOL utilises the services of Baycorp for the collection of student “bad debts”. Use of Baycorp is limited, with UCOL having a preference for internal collection processes. Where Baycorp is engaged, the information provided is limited to that required to recover the debt.

The UCOL Privacy Officer confirms that she has “no concerns, from the review, in relation to the misuse of private data by contracted security providers.”

I trust this information provides reassurance.

Yours sincerely,



Ben Vanderkolk
UCOL Council Chair