

Ako Aotearoa's feedback to the Six Workforce Development Councils Order in Council Proposals

30 September 2020

Contents

Feedback on the Workforce Development Councils Draft Orders in Council (OiCs) from Ako Aotearoa	2
1. WDC Preamble	2
2. Proposed legal names	3
3. Proposed coverage	3
4. Commitment to Te Tiriti o Waitangi	3
5. Appointment of Councils	4
6. Appointment of Chair/Co-Chairs	5
7. Council composition	5
8. Proposed council composition - representation for Māori employers	5
9. Proposed additional functions	6
10. Collective representation of both employers and employees	6
11. Advisory Group/other group mechanisms	6
12. Other feedback	7
Appendix A: Our Koronga Rautaki Mahitahi Shared Strategic Agenda	8



Feedback on the Workforce Development Councils Draft Orders in Council (OiCs) from Ako Aotearoa

Tēnā koutou katoa.

Ka pu te ruha, ka hao te rangatahi. As an old net withers, another is woven.

Ako Aotearoa appreciates the opportunity to provide feedback on the draft Workforce Development Council (WDC) Orders in Council (OiC) proposals by the Interim Establishment Boards (iEBs). We note the response timeframe has been extended in some cases, but not others. We are submitting (having completed several surveys already) collated feedback to address matters common to all six WDCs as the official response from Ako Aotearoa.

Since 2007, Ako Aotearoa has held to an unwavering commitment to building tertiary sector educational capability for the benefit of all learners, and in partnership with educators, tertiary education organisations, policy makers, industry and workplaces. Our expertise, resources, independent insight and professional learning programmes provide significant support for a renewed vocational education system. We strongly support the vision for a strong, unified vocational education system.

For more information about us see Appendix A: Our Koronga Rautaki Mahitahi | Shared Strategic Agenda, and visit our website: www.ako.ac.nz.

1. WDC Preamble

- The “Common” preamble is comprehensive, although it would benefit from also referring to how it will engage with the RSLGs and Te Taumata Aronui, for example: “The [WDC] will also engage with Te Taumata Aronui and the Regional Leadership Groups on common goals and priorities”.
- How will the WDC take account of specialist requirements and distinctive capabilities needed by different industries or employers? There is a risk that the scope of the WDC as stated in the OiC preamble is too generalised and risks excluding in its scope and priorities opportunities to support distinctive and specialised industry innovation and related industry training.
- It is great to see statements on future workforce needs and wider goals such as for sustainability and success of learners and their communities. Explicit inclusion of learners through further learner-centred statements such as on the impact of technological change on the future of work would be beneficial,

for example, on supporting a training system that is more flexible and accessible, ensuring better careers advice and improving schooling outcomes for learners, as discussed in the recent Productivity Commission report: https://www.productivity.govt.nz/assets/Documents/223e187413/At-a-glance_Technological-change-and-future-of-work.pdf .

- There is little, if any, mention in the OICs at a high level of how the WDCs will strengthen collaboration and system contribution, either in the preamble or as “additional statements”, and it would be helpful to do so. For example, at a high level the WDCs are intended to contribute to the new vocational education and training system by:
 - Providing skills and workforce leadership for the industries they represent.
 - Providing vocational education investment advice to the Government
 - Developing qualifications, setting standards, and moderating assessments
 - Endorsing programmes
 - Promoting the benefits of educating employees to employers.¹
- The statement on Te Tiriti o Waitangi presumes that equitable outcomes for all is the goal, however, what is required is a commitment to and due regard of Te Tiriti obligations and its constitutional importance in New Zealand.² This means consideration of issues concerning Māori rights and interests, and weighing and balancing of options. Sources of information include those from policy making and as provided by the courts and the Waitangi Tribunal.³ We recommend the statement is revised accordingly.

2. Proposed legal names

- As a Tiriti-led organisation, we recommend that all publicly funded services should have bilingual names to reflect our partnership with iwi, hapū and whānau under Te Tiriti o Waitangi.
- We advise that the iEB/WDC team seeks expert advice on this from registered Te Reo Māori translators.

3. Proposed coverage

- It is positive that the industry coverage is primarily based on the Vocational Pathways. We assume that coverage and rationalisation of industry coverage has been worked out with the other WDC iEBs.

4. Commitment to Te Tiriti o Waitangi

- We agree with the use of the Co-Chairs model for all WDCs (see comments in 5 below). It is essential to have Māori WDC members with Te Ao Māori, Te Reo and Mātauranga Māori experience and expertise. Having at least one Māori Co-Chair with expertise in Te Ao Māori is a great start. It cannot, however, be the

¹ Source: Powerpoint provided by the ‘Services’ iEB in support of their OiC consultation.

² Source: <https://www.tearawhiti.govt.nz/assets/Tools-and-Resources/CO-19-5-Treaty-of-Waitangi-Guidance-for-Agencies.pdf> Page 7.

³ See 2 above.

sole responsibility of one person as cultural responsibility can be too heavy a load to carry alone and can put them in a culturally unsafe position. The onus should be on the entire Board to be accountable with the skills to work under Te Tiriti o Waitangi, and in kaupapa Māori contexts, or have expectations to gain the capability to do so over time.

5. Appointment of Councils

- The process for Appointment of Councils seems to vary across the six WDCs. We would like to see a consistency of practice in this process.
- It is not always entirely clear who makes the appointments, which could imply the Board appoints itself, and we see this as inappropriate, so this needs to be clarified. For example, will the process feature independent governance experts with high level knowledge and capability as is required of Board members – including Te Ao Māori and Kaupapa Māori – and supported by an appropriate secretariat, with recommendations for approval by the Minister (recommended), or something else?
- A major concern mirrored across most IEBs, is that just five Māori and one Pasifika members were selected, spread thinly across the six WDCs with a total of around 48 members. We appreciate that the work undertaken through RoVE is moving at a rapid pace. We strongly recommend the progression to the next stage to fill the Board leadership vacancies that WDC Boards proactively ensure they seek out, identify and attract a larger number of Māori and Pasifika members, genders and other ethnicities to reflect society. Achieving this would then provide a better representation for a sector that has a high level of employees and trainees from these groups.
- In selecting Board members and acknowledging that members' "skills and abilities" are important, we wholeheartedly endorse the connections to their communities as equally important. While "relationships with iwi" are factored in, so should the connections that Pasifika representatives have to the communities they represent.
- A matter the OIC is silent on in the appointment criteria relates to standards of conduct, for example, consensus seeking, maintaining ethical standards, showing respect, manaakitanga, being professional and impartial, being accountable and trustworthy, etc. these are important as they should be a transparent part of the skills matrix for selecting members. For example, see: <https://www.aucklandcouncil.govt.nz/about-aucklandcouncil/performance-transparency/Documents/codeconduct.pdf>. For another example: see "The Code of Practice for Directors" and "The Charter" found at <https://www.iod.org.nz/about-us/policies-anddocuments/founding-documents/#>

6. Appointment of Chair/Co-Chairs

- We strongly agree with the Co-Chairs model for all six WDCs to broaden representation, however, this approach needs further development to set a consistent approach with minimum expectations applied to all WDCs and all members. We note this is not currently the intention of at least one of the Boards (Services WDC).
- Having at least one Māori Co-Chair with expertise in Te Ao Māori is great, but it is too heavy a load for that person to carry alone and can put them in a culturally unsafe position. The onus should be on the entire Board to be accountable (see point 5 above). All Board members need skills in working under Te Tiriti o Waitangi, and in kaupapa Māori contexts, or to be expected to gain the capability to do so over time. It is essential to have Māori members on the WDC with Te Ao Māori, including Te Reo and Mātauranga Māori experience and expertise.
- We do not support election of Chairs of any of the WDCs by the members of the Board itself as this represents a conflict of interest (see point 5, above).
- The Appointments Panel mentioned on p4 of the Toi Mai OiC outlines that the panel consists of one representative from each of the six WDCs. For consistency, this process could be applied across the other WDCs.
- A “well-functioning WDC board” should include people with expertise and leadership in vocational education and/or training, not just “experience” as mentioned (refer to p4 of the Toi Mai OiC).

7. Council composition

- As stated above, we feel there is a major concern mirrored regarding composition across membership of the iEBs, in that just five Māori and one Pasifika members were selected, spread thinly across the six iEBs with a total of around 48 members. We appreciate that the work undertaken through RoVE is moving at a rapid pace, but we strongly recommend the progression to the next stage WDC Boards actively ensures identifying and attracting a larger number of Māori and Pasifika members and diverse ethnicities to fill the Board leadership vacancies. Nominations should be sought from among Iwi Māori and Pacific Peoples, and as a priority where they have strong industry and community employment interests.

8. Proposed council composition providing representation for Māori employers

- We strongly agree with measures to actively engage with Māori in industry.

9. Proposed additional functions

- In some OiCs the statement about "Additional functions" is unclear and needs better punctuation to help that. The additional functions section of the Primary Industries OiC proposal provides the most comprehensive example for the others to follow.
- For "Advisory Groups" it is only possible to infer that the Chief Executive is that of the WDC. Make the wording specific. Reference to the engagement model is also vague and needs to be clear. Does it relate to all industries, all employers, all training providers?
- What is the difference between a "governance engagement model" and "the engagement model established by the Chief Executive" - are they the same thing? Make this clear, for example, that "the priorities and outcomes sought through the WDC engagement model reflect those aspirations and transformational goals set out in the preamble".
- In relation to advisory groups, we made comments for the Services iEB feedback that is also be relevant to other WDCs:
 - In response to the point about an advisory group that is industry-led with industry voices, we maintain that community voice should be included, so community and industry voices are closely connected and working together.
 - In response to the reference to a "sufficient number" of Industry or Sector Advisory Groups, we maintain that the emphasis should be on the most appropriate advisory groups to represent the interests of a wider group of stakeholders to advocate for the needs of the diverse communities they serve. For example, it may be possible to engage peoples of the Pacific through existing community groups, or through Iwi and Māori leaders' and business forums.

10. Collective representation of both employers and employees

- We support the active inclusion of collective representation as strong productive workplace partnerships are essential to workforce development.

11. Advisory Group/other group mechanisms

- In addition to the feedback we have given in 9 above, the descriptions, intentions and language used across the six OiCs in this section varies widely. We would rather see a consistent advisory group model established to provide the additional industry, learner, Māori, Pasifika, iwi/community, and employer/employee independent advice to the WDCs.
- The use of the term "engagement models" is too vague (see Construction and Infrastructure, pg. 4).

12. Other feedback

- The short consultation timeframes place unreasonable pressure on respondents with insufficient time to engage satisfactorily with our own stakeholders.
- As mentioned in point 1, how do the WDC's intend to connect to Te Taumata Aronui? How will they seek guidance from this important group?
- We acknowledge that seeking and obtaining feedback from learners is not always easy, and not always widely representative, we stress the importance of including this as a priority for the WDCs, per our comments in point 1.

Our team is happy expand on our views further in person with the individual iEBs.

Nō reira, tēnā koutou katoa,

Nāku noa, nā



Helen Lomax

Director | Tumuaki | Ako Aotearoa

30 September 2020

Appendix A: Our Koronga Rautaki Mahitahi | Shared Strategic Agenda



Koronga Rautaki Mahitahi Shared Strategic Agenda

Our shared strategic agenda for the tertiary sector, educators, learners and their communities, has been created within an Aotearoa New Zealand context, so that it drives lasting impact for and with our stakeholders to advantage the nation.

Ka pū te ruha,
ka hao te rangatahi

As an old net withers,
another is woven

He aha ngā tino tūmanako o Aotearoa mai i te wāhanga mātauranga tuatoru?

What is New Zealand strongly seeking from the tertiary education sector?

He aha ngā uara hei whakaūnga mā Ako Aotearoa mō tōnei rautaki?

What values will Ako Aotearoa uphold when implementing this strategy?

- 1 Lifelong learning journeys to attain the best possible outcomes.
- 2 A range of valuable tertiary education options that are customised, personalised, accessible and that provide holistic skill sets and innovative thinking. Cultural centredness is fundamental to these options.
- 3 Contributing long term and sustainable benefits to the wider community through enhanced tertiary teaching, positive learner experiences and equitable learner outcomes.
- 4 Education for economic, social, cultural and environmental benefits.



- 1 **Pūnautanga**
We are a trusted and credible advocate for tertiary teaching and learning excellence and the best possible educational outcomes for all learners.

- 2 **Māramatanga**
We are insightful, with a sound understanding of the tertiary sector and an independent voice.

- 3 **Awhitanga**
We are inclusive. We value and enable diversity, equity and success for all learners, particularly Māori and Pacific Peoples, and the people who support them across our dynamic tertiary sector.

- 4 **Whanaungatanga**
We value our relationships. We work with others through positive, productive partnerships by sharing knowledge and expertise to contribute towards shared goals.

- 5 **Whakamanatanga**
We seek to empower. We are led by Te Tiriti o Waitangi and our Te Tauāki Ako framework in our journey to become a bicultural organisation.

He aha ngā whāinga nui mā te wāhanga mātauranga tuatoru, hei painga mō Aotearoa?

What achievements does the tertiary education sector want to progress for the nation?

He aha ngā āhuatanga hei whāinga mā Ako Aotearoa?

What must Ako Aotearoa strive to become?

- 1 The tertiary education sector is an agent of change for learner success through collaboration instead of competition.
- 2 The tertiary education sector builds its capability through professional standards, to enable educators to self assess and direct their professional learning.
- 3 The tertiary education system values learner experiences and voices to establish learners as partners.
- 4 We create a New Zealand where Māori, Pākehā, Pacific Peoples and migrant groups have equality and equity as citizens and the ability to participate and contribute to New Zealand society.



- 1 To be relentlessly leading the change agenda for professional standards in teaching and learning.
- 2 To be recognised as change agents in the education space, being agile and adaptable.
- 3 To be champions at transforming the lives of learners, their whānau and their communities.
- 4 To be Tiriti o Waitangi-led and to champion Māori and Pacific Peoples and diversity while tackling systemic and unconscious bias.



