

**TEU****TERTIARY EDUCATION UNION**  
TE HAUTŪ KAHURANGI

## Our Voice Matters

We all believe in strong staff voice, the importance of autonomy, and in academic freedom as being fundamental to tertiary education. These things are threatened in a bill currently before the house:

### The Education (Vocational Education) Amendment Bill 2019

Even if you don't work in a polytechnic, we know that you'll be concerned to make sure everyone in tertiary education has academic freedom, autonomy, and strong representation on council. **You have until 13 October to tell parliament what you think.** Here's how you can do it.

### Make a submission

**Personal submissions are a powerful way of making MPs aware of our concerns.** If you make a personal submission, you can ask to speak to it and address the select committee in person. This is an even more powerful way to make yourself heard. You can make a personal submission as an individual or organise a group of members in your workplace to write a submission together.

If a lot of people from outside Wellington make submissions, the Select Committee can decide to travel around the country and hear them. This is a great way to ensure our politicians aren't just making decisions from inside a political bubble in Wellington.

### Writing your personal submission

Personal submissions are an opportunity to express your concerns. You might want to write about the impacts this Bill could have on students and communities, on the impact it will have on the quality of vocational education and training, or on the impact on your work and wellbeing.

**In your submission be sure to introduce yourself, your background, expertise, and experience. This will give weight to what you say because the Select Committee will understand where you're coming from.**

If you are asked to appear before the Select Committee to speak to your submission, the TEU will support you through that process.

### Key issues

Staff voice, autonomy, and academic freedom are things we value. And working together we've managed to get these things put into The Education (Vocational Education) Amendment Bill 2019 currently before parliament.

- The Bill creates a single institution that will provide for learners both on-job and on-campus.
- There will be legislated staff committees; staff and student seats on the institution's council; and, the bill legislates for the institution to have academic freedom.

All of this is a good start and shows that the Minister of Education has been listening to us. However, there are some things we think need to change.

1) The proposal is to have one staff member and one student on the new vocational education and training institutions council.

**We are proposing an 18 seat council, with a third of the seats reserved for elected students and staff representatives; a third government appointments with equal numbers Pākeha and Māori; and the final group representing iwi, hapū, community, business, and industry.**

The NZ Institute of Skills and Technology will have 260,000 students and 8,000 staff from the far north of New Zealand to Invercargill. That's why we need a bigger and more representative council.

2) The bill does not give institutional autonomy to the vocational education institution that will oversee all of the teaching, learning, and research currently done in polytechnics. We think this move will inhibit the institutions staff for making comment on government policies, on the demands of industry, and will impact on the perceptions about the institute's degree quality. **We want all tertiary education institutions to have autonomy from state, industry, and other power holders – as they currently do.**

3) The academic freedom section of the bill states that the nothing in the section “limits or affects a workforce development council's relevant functions”. The WDCs have currently in their roles the ability to set capstone assessments, set training packages, and to develop and set skill standards.

We think this conflicts with the following section of the bill “the freedom of NZIST and its staff to regulate the subject matter of its courses; and (d) the freedom of NZIST and its staff to teach and assess students in the manner they consider best promotes learning..”

Vocational education should be industry informed, but not industry led. It's teaching and learning professionals that can best decide how and what to teach students.

**There should be no limit to the type of academic freedom staff in tertiary education hold.**

## Next steps

You can go online to [teu.ac.nz/campaigns/rove](https://teu.ac.nz/campaigns/rove) to write a submission; or fill in the short submission form attached and hand it over to your local reps or organiser; or, just write your thoughts in an email and send it to [teu@teu.ac.nz](mailto:teu@teu.ac.nz)

We'll make sure that your voice matters and is heard. And we'll make sure your ideas are added to the national TEU submission.

Don't forget to tell the select committee

- about your background, expertise, and experience;
- your experience of the power of vocational education to transform lives; and,
- what will ensure all New Zealanders get access to quality public tertiary education.

Together we can make sure that all tertiary education institutions are great places to study and work.



# Bill snapshot

## The Education (Vocational Education) Amendment Bill 2019

To help you navigate the bill we've pulled out the relevant sections.

You can find the entire bill online at

<http://legislation.govt.nz/bill/government/2019/0170/latest/LMS245704.html>

And the Regulatory Impact Statement which gives more detail on the intent of the bill at

<https://www.education.govt.nz/assets/Documents/Ministry/Legislation/Vocational-Education-Reform-Bill/Regulatory-Impact-Assessment-ROVE.pdf>

## Staff voice, autonomy, and academic freedom

**NZIST Council** – we want 1/3 of seats for staff and student reps

### *NZIST's council*

#### **222G Membership of NZIST's council**

- |  |    |
|--|----|
| (1) NZIST's council must have at least 8, but not more than 12, members, as follows:   |    |
| (a) 1 member must be a person who is elected by the regional representatives of its staff committee; and   | 5  |
| (b) 1 member must be a person who is elected by the regional representatives of its students' committee; and   |    |
| (c) 1 member must be a person who is elected by its Māori advisory committee; and  | 10 |
| (d) the rest of the members must be appointed by the Minister.   |    |
| (2) A person is not eligible for appointment under <b>subsection (1)</b> if—   |    |
| (a) the person is subject to a property order under the Protection of Personal and Property Rights Act 1988; or  |    |
| (b) a personal order has been made under that Act in respect of the person that reflects adversely on their—   | 15 |
| (i) competence to manage their own affairs in relation to their property; or   |    |
| (ii) capacity to make or to communicate decisions relating to any particular aspect or aspects of their personal care and welfare; or  | 20 |
| (c) the person is a bankrupt who has not obtained an order of discharge, or whose order of discharge has been suspended for a term that has not yet expired or is subject to any conditions that have not yet been fulfilled; or |    |
| (d) the person has at any time been removed from office as a member of the council.  | 25 |

**Institutional autonomy** – we think all tertiary education institutions need some distance from the state, but the bill excludes NZIST from having institutional autonomy

**16 Section 161 amended (Academic freedom)**

- (1) In the heading to section 161, after “**freedom**”, insert “**and institutional autonomy of institutions (other than NZIST)**”. 10
- (2) In section 161(1), replace “institutions that academic freedom and the autonomy of institutions” with “universities, wananga, colleges of education, and specialist colleges that academic freedom and the autonomy of those institutions”.
- (3) After section 161(4), insert: 15
- (5) This section does not apply to NZIST (for which **section 222E** provides).

**Academic freedom** – we think academic freedom should be unfettered but the bill limits this right

**222E Academic freedom of NZIST**

- (1) It is declared to be the intention of Parliament in enacting the provisions of this Act relating to NZIST that NZIST’s academic freedom is to be preserved and enhanced.
- (2) For the purposes of this section, **academic freedom**, in relation to NZIST, means— 5
  - (a) the freedom of academic staff and students, within the law, to question and test received wisdom, to put forward new ideas, and to state controversial or unpopular opinions; and
  - (b) the freedom of academic staff and students to engage in research; and 10
  - (c) the freedom of NZIST and its staff to regulate the subject matter of its courses; and
  - (d) the freedom of NZIST and its staff to teach and assess students in the manner they consider best promotes learning; and
  - (e) the freedom of NZIST through its chief executive to appoint its own staff. 15
- (3) However, nothing in **subsection (2)** limits or affects a workforce development council carrying out its relevant functions.
- (4) In exercising academic freedom, NZIST must act in a manner that is consistent with— 20
  - (a) the need for institutions to maintain the highest ethical standards and the need to permit public scrutiny to ensure the maintenance of those standards; and
  - (b) the need for institutions to be accountable and to properly use resources allocated to them. 25

NOTE: this part of your submission will be made public though the parliament website.

Clerk of the Committee  
The Education and Workforce Committee  
Parliament Buildings  
Wellington

Kia ora koutou Committee Members,

**Re: Education (Vocational Education and Training Reform) Amendment Bill**

I wish to make a personal submission on the bill above.

Overall I applaud the intention of the Bill to create a coherent, accessible, quality tertiary education system.

I urge parliament to listen closely to the staff, students, and communities who interact daily with vocational education and training in strengthening the Bill.

It is only possible to create a vibrant vocational education and training sector that addresses the major issues of our time can only be achieved if there is unfettered academic freedom and this is underpinned by institutional autonomy.

I wish to speak in person to the select committee.

Nāku iti noa, nā

Note: We put details on a separate sheet so that they are lodged with the parliamentary select committee but are not put up publicly on their website.

**Name:**

**Day time telephone number:**

**Email address for contact:**

**Address:**

Please include my thoughts in the TEU national submission [  ]

The TEU may contact you with more information about the Bill and the creation of NZIST. If you do not wish to be contacted by the TEU tick here [  ]