



Tertiary Education Report: Options to allow a longer timeframe for wānanga to consider involvement in RoVE

To:	Hon Chris Hipkins, Minister of Education Cc Hon Kelvin Davis, Associate Minister of Education, Minister for Māori Crown Relations Te Arawhiti		
Date:	8 March 2019	Priority:	Medium
Security Level:	In Confidence	METIS No:	1181079
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Messaging seen by Communications team:	No	Round Robin:	No

Purpose of Report

This report provides you with advice and options for wānanga involvement in RoVE.

Recommended Actions

The Ministry of Education and the Tertiary Education Commission recommend that you:

- a. **note** the attached briefing responds to your request for advice about whether it would be possible to defer the effects of RoVE on wānanga
Noted
- b. **note** that we recommend you or senior officials discuss the options in this briefing with the wānanga
Noted
- c. **forward** the attached annotated agenda to any additional ministers you may wish to discuss this with, and

Agree / Disagree

- d. **agree** that this briefing will be proactively released after you have agreed to vocational education reforms at Cabinet.

Agree / Disagree



Vic Johns

Policy Director, Graduate Achievement,
Vocations and Careers
Ministry of Education

08/03/2019



Hon Chris Hipkins

Minister of Education

17/3/19

Wānanga involvement in RoVE

The wānanga will expect to work in partnership with the Crown on RoVE

1. You have asked for options to allow a longer timeframe for the wānanga to consider their involvement in RoVE. The wānanga have expressed concern over the timeframes for consultation and the extent to which they reflect a partnership approach between the Crown and wānanga.
2. Given their status as treaty partners, the three wānanga are likely to want to work directly in partnership with the Crown on policy options for regarding funding for vocational education, rather than being consulted. The wānanga will be concerned about tino rangatiratanga and their ability to charter their own course as education providers.
3. The Government, through the establishment of the Māori Crown Relations portfolio, has signalled a commitment to developing a new way for establishing government policy in partnership with Māori. The wānanga will have a strong interest in the outcome of this work. The wānanga will be acutely conscious of how the development of mainstream education policy has not served the educational aspirations and needs of Māori and will be concerned this is not repeated.
4. The Crown is currently in negotiation with Te Wānanga o Raukawa to resolve claim WAI 2698. Amongst other things, Te Wānanga o Raukawa views current funding rates as inadequate to meet the costs of their delivery model. This claim is both historical and addresses current funding rates. s 9(2)(f)(iv)
- 5.

Decisions are needed now on how to progress RoVE changes that impact on wānanga

6. Officials consider that it would be possible to draft legislative changes that would allow flexibility to extend the RoVE changes to wānanga at a later date. In considering this, our priority is to:
 - a. ensure that Maori are fully involved in the design of RoVE, so that we get a system that meets the needs of Māori learners and businesses.
 - b. ensure that wānanga are not disadvantaged by the design and transition process.
7. Whilst it is possible to create a process that would temporarily 'carve out' the wānanga, this carve out might see:
 - a. wānanga missing out on key opportunities for their learners (e.g. by not participating in initial transfers of responsibilities for apprentices and trainees).
 - b. challenges from other tertiary education organisations who have also sought a longer period to develop the RoVE proposals with government.
8. In light of these considerations, officials have developed three options to consider, which we recommend you or senior officials discuss with the wānanga.

Options to discuss with the Wānanga

Option 1: Aim to keep wānanga involved in RoVE changes but commit to reviewing non-vocational wānanga funding

9. If the wānanga were included in the RoVE changes, they would be involved in the initial design and have opportunities to establish an expanded role in work-based delivery from the start of the reforms.
10. Ministers have indicated their intention to work in partnership with wānanga, and so it is important to honour this commitment. However, important joint work to flesh out and formalise this partnership approach is far from conclusion.
11. The wānanga may be concerned that the creation of a unified funding system with a higher funding rate for vocational education will put their other provision at a disadvantage, such as foundation education, te reo and tikanga.
12. If Ministers were able to assure wānanga that the Government intends to review non vocational funding rates in the near future, in particular for te reo, mātauranga and tikanga-related provision, this could go some way to assuring the wānanga that they would not be disadvantaged by RoVE changes. It may also incline them towards further engagement.
s 9(2)(f)(iv)
13. We would need agreement from wānanga to include them in RoVE changes at this stage.

Option 2: Ensure the RoVE proposals don't apply to wānanga

14. You could continue with the current time frames for RoVE, but exempt wānanga, with the understanding that wānanga could be included later, should they so choose.
15. It's possible to develop the legislative changes so that wānanga could be included at a future date – especially since the changes affecting wānanga largely require changes in funding or quality assurance rules, rather than legislation. The legislation would establish ISBs' functions (including standard setting, moderation of assessments), but the effect of these functions on providers could be set in New Zealand Qualifications Authority (NZQA) rules (which is similar to the current approach). NZQA would need to write a separate set of rules for wānanga to maintain the same relationship that they currently have with ITOs.
16. We would need to make sure the wānanga understood the implications of not being part of the RoVE changes. There would be a substantial task to develop the details of the system and the transition process, during which it would be helpful to engage with wānanga. If they opted into the RoVE changes later, the system might not be fit for purpose for them.
17. If the wānanga choose not to opt in the RoVE changes altogether, there could be flow on negative impacts to learners in wānanga. For example, learners who are not required to have been through capstone assessments set by industry skills bodies may find it difficult to gain employment in industry. Without industry buy-in wānanga may struggle to attract students. There is currently no system in place that could act as an alternative to the ISB function for the wānanga.
18. There is risk that if the wānanga were not engaged, it may reduce the willingness of other Maori stakeholders to engage in the design of RoVE.

Option 3: Extending consultation for the ITO proposals

19. A further option is to delay time frames for the ISB changes by 6 weeks to allow a longer consultation. This would be achieved by shifting these proposals to the second legislative vehicle in 2019. If you want to pursue this option we would provide more advice about how this would be managed.
20. This would allow more time for the wānanga to consider their involvement in RoVE, but likely not enough time to advance meaningful discussions with the wānanga about an approach that would work for both parties. Wānanga are still likely to have limited capacity to engage with these options on this timeframe, consult their founding iwi and other stakeholders, and then engage with officials or Ministers. However, it would provide extra time to test the proposals and develop an agreement about how we would work together to design the implementation and transition process.
21. This option would extend the extra consultation period to all stakeholders, in particular ITOs. This would require deferral of changes to establish ISBs to a second legislative vehicle in 2019.
22. This would have the advantage of offering the same extension of engagement to all stakeholders, but is unlikely to significantly address the wānanga concern about time to work through the issues, alongside the wider Māori Crown partnership work.