

**Constitution
of the
Academic Quality Agency for New
Zealand Universities-
AQA**

*Te Pokapū Kounga Mātauranga mō ngā Whare Wānanga
o Aotearoa*

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**Constitution of the
Academic Quality Agency for New Zealand Universities – AQA
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Approved by the AQA Board

19 March 2018

Approved by the New Zealand Vice-Chancellors' Committee

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1. Independence, Intention and Integrity of AQA

1.1 Establishment of the AQA

In order to maintain and enhance the quality of the academic activities of universities, the New Zealand Vice-Chancellors' Committee¹ [NZVCC] established the Academic Quality Agency for New Zealand Universities [AQA] and it funds and sustains its operation.²

NZVCC appoints the Board and the Chair of the Board of AQA and approves its Constitution.

1.2 Purpose of the AQA

The purpose of the AQA is to contribute to the advancement of New Zealand university education by:

- engaging as a leader and advocate in the development of academic quality,
- applying quality assurance and quality enhancement processes that assist universities in improving student engagement, academic experience and learning outcomes, and
- supporting confidence in the academic quality of New Zealand universities.

1.3 Participation by all New Zealand Universities

All New Zealand universities have undertaken to participate in supporting the existence of the AQA and to participate in its academic quality assurance activities. The scope of AQA's operation may not be extended without the consent of NZVCC.

1.4 Independence of the AQA

The AQA is an unincorporated body. While it was established by the New Zealand Vice-Chancellors' Committee, it is operationally independent of NZVCC in the conduct of its quality assurance activities. Neither the NZVCC nor the individual Vice-Chancellors have

¹ While the New Zealand Vice-Chancellors' Committee is now known as Universities New Zealand *Te Pokai Tara*, the statutory name remains the New Zealand Vice-Chancellors' Committee and is therefore used throughout this document. From June 2012 the financial statements of the AQA have been required to be consolidated with those of Universities New Zealand for financial reporting purposes. The AQA remains operationally independent.

² The Academic Quality Agency for New Zealand Universities was known as the New Zealand Universities Academic Audit Unit from 1993 until 31 December 2012.

authority to amend quality assurance process or the content of quality assurance reports or otherwise direct the operations of the AQA.

1.5 Disestablishment of the AQA

If any property remains after the disestablishment of the AQA and settlement of all its debts and liabilities, that property must be given or transferred to Universities New Zealand provided that it has charitable status under New Zealand law at the time of disestablishment of the AQA, or failing that, to other registered charities with the advancement of education as their charitable purpose.

2. Terms of Reference

AQA will:

- acknowledge the principles of Te Tiriti o Waitangi.
- maintain consistency with international expectations, standards and developments in external quality assurance;
- advise the New Zealand Vice-Chancellors' Committee and Universities New Zealand on quality assurance matters;
- reflect areas of importance to universities with respect to their teaching, learning, student experience and student outcomes activities;
- undertake quality assurance reviews (currently in the form of an academic audit) that are robust, fair and perceptive and that assist universities and their students;
- acknowledge and respect the individual contexts of universities in undertaking quality assurance reviews;
- make provision for appeals regarding the content of a quality assurance review;
- publish quality assurance reviews of universities;
- identify and promote good practice in quality assurance and enhancement;
- support the contribution of an effective student voice in quality assurance and enhancement;
- recognise other accountabilities and responsibilities of universities;
- maintain a constructive relationship with the Committee on University Academic Programmes (CUAP) that recognises the responsibilities of CUAP and AQA;
- contribute to the development of quality assurance in New Zealand and internationally;
- undertake contract work as is compatible with its purpose and terms of reference.

3. Structure

The AQA comprises:

- a Board,
- a Register of Auditors,
- a Secretariat, headed by a director.

4. The Board

4.1 Composition of the Board

The Board comprises seven members appointed by the New Zealand Vice-Chancellors' Committee plus the director of AQA. The Board may co-opt one or two additional members if required. The seven appointed members are:

- one university student representative from nominations presented by the New Zealand Union of Students' Associations;
- one senior academic from nominations presented by the New Zealand Tertiary Education Union;
- one member of the New Zealand Vice-Chancellors' Committee;
- three suitably experienced lay members;
- an independent chairperson appointed by the New Zealand Vice-Chancellors' Committee.

One or two additional members may be co-opted by the Board, for reasons of special expertise or experience.

After considering the advice of the Board, the New Zealand Vice-Chancellors' Committee shall appoint one of the members of the Board to be the Deputy Chair of the Board.

4.2 Considerations in making appointments to the Board

In making its appointments to the Board as defined in 4.1 above, the New Zealand Vice-Chancellors' Committee will take account of Māori representation and gender balance on the Board. The Board will also normally include among its lay members a person or persons with experience in quality assurance and a person or persons with experience of the professions or as an employer of graduates.

The term of office of appointed Board members is three years, with the exception of that of the nominee of the New Zealand Union of Students' Associations which, at the request of that association, may be for a shorter period.

Appointed Board members shall not serve continuously for more than two terms of office.

4.3 Conflicts of interest

Members of the Board shall declare and avoid as far as possible conflicts of interest as members. The Board will keep a register of interests and decide how to manage potential conflicts.

4.4 Functions of the Board

The functions of the Board are:

- to exercise the power of governance over the AQA;
- to seek independent advice as may be appropriate to assist the prudent governance of the AQA;
- to further the interests of the AQA acting with care, diligence, integrity and in good faith;
- to appoint the director of the AQA;
- to advise the New Zealand Vice-Chancellors' Committee on the Terms of Reference of the AQA and its operation;
- to determine the policies of the AQA, within the parameters set by its Terms of Reference and the AQA Constitution, and to monitor their implementation;
- to develop and approve the strategic framework of the AQA;
- to approve the annual statement of performance expectations and to approve the budget of the AQA for recommendation to the New Zealand Vice-Chancellors' Committee;
- to approve the operating procedures of the AQA, and to confirm that they are carried out;
- to ensure that the process of quality assurance is such as to produce reliable reports that reflect an independent judgement and that are perceived as authoritative, rigorous, fair and perceptive;
- to receive and approve the release of quality assurance reports;
- to approve and submit the financial statements and a statement of service performance of the AQA to Universities New Zealand for inclusion in the consolidated Annual Report of the New Zealand Vice-Chancellors' Committee;
- to receive regular progress reports on the operation of the AQA and to monitor these against the strategic framework and budget;
- to make recommendations to the New Zealand Vice-Chancellors' Committee on appointments to the Board;
- to review the performance of the director annually against the director's objectives.

4.5 Exceptions

The Board does **not** have the following powers:

- to offer or make recommendations to or in respect of individual universities;
- to amend the quality assurance reports.

4.6 Roles and responsibilities of the Chair of the Board

In fulfilment of the roles and responsibilities, the Chair of the Board is:

- to chair the meetings of the Board;
- to foster sound relationships with key stakeholders, in particular, the New Zealand Vice-Chancellors' Committee and Government quality and educational agencies;
- to lead the Board in providing leadership and strategic direction for the AQA;
- to chair the selection panel when appointing the director;
- to act as a liaison between the Board and the director;
- to oversee, mentor and provide advice and support to the director.

4.7 Nominations for appointment to the Board

All members of the Board except the director (who is appointed by the Board) and Chair (who is appointed by the New Zealand Vice-Chancellors' Committee) are appointed by the New Zealand Vice-Chancellors' Committee from nominations presented to it by the Board. Co-opted members require the approval of the Vice-Chancellors' Committee.

4.8 Conduct of business

The business of the Board is conducted according to its standing orders.

With the approval of the majority of the Board members, the Chair may suspend standing orders to allow for free discussion of any matter.

4.9 Quorum

The quorum for a meeting of the Board shall be five members.

5. Auditors

5.1 Register of Auditors

Subject to the approval of the Chair, persons with appropriate knowledge and/or expertise may be invited by the director to train as auditors. Auditors who are deemed competent to undertake academic audit and quality assurance reviews are appointed to the Register by the Board on the advice of the director. From the Register, small panels are drawn to audit the individual universities.

5.2 Appointment of audit panels

The size and composition of an audit panel is influenced by the particular characteristics of the institution to be audited, the scope of the audit, and the availability of prospective panel members. An audit panel typically includes a senior person (usually an academic or academic administrator) from a New Zealand university as Chair, a New Zealand academic, an academic from outside of New Zealand, and an experienced student or recent graduate.

The director of the AQA, or a professional member of the AQA's staff, will support the audit panel.

6. Administration

6.1 Funding of the AQA

The AQA may not take out a loan or overdraft, or enter into a finance lease. If the AQA was in danger of not being able to meet its commitments as they come due, the AQA must report this to the New Zealand Vice-Chancellors' Committee who, after consultation with the Chair of the Board and the director, will determine the course of action to be taken.

6.2 Prevention of private pecuniary profit during the operation of the AQA

Any income, benefit, or advantage must be used to advance the purpose of the AQA.