

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

*Approved by the New Zealand Vice-Chancellors' Committee  
Approved by the AQA Board*

*3 December 2021  
23 November 2021*

## **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' Committee<sup>1</sup> [NZVCC] established the Academic Quality Agency for New Zealand Universities [AQA] and it funds and sustains its operation.<sup>2</sup>

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

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<sup>1</sup> While the New Zealand Vice-Chancellors' Committee is now known as Universities New Zealand *Te Pōkai 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.

<sup>2</sup> 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 processes 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 AQA Board is appointed by the New Zealand Vice-Chancellors' Committee (with the exception of the director who is appointed by the Board) and comprises:

- an independent chairperson;
- A deputy chair who is Māori appointed on the advice of the Board either from among Board members or, if necessary, by co-option;
- one university student representative from nominations presented by the New Zealand Union of Students' Associations or through a process agreed between NZVCC and NZUSA;
- one Māori university student representative from nominations presented by Te Mana Ākonga;
- 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, at least one of whom should be Māori;

The size of the Board will normally be limited to eight members, plus the director. With the agreement of the NZVCC, the Board may co-opt one or two additional members if required.

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

#### **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 membership and the diversity and inclusivity of 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 student members which, at the request of nominating associations, may be for a shorter period.

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

From time to time the New Zealand Vice-Chancellors Committee may agree to extend a term of office by up to 12 months to cover a period before a replacement Board member is able to take up their appointment.

### **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 and actual conflicts.

### **4.4 Functions of the Board**

The functions of the Board are to:

- exercise the power of governance over the AQA;
- seek independent advice as may be appropriate to assist the prudent governance of the AQA;
- further the interests of the AQA acting with care, diligence, integrity and in good faith;
- appoint the director of the AQA;
- advise the New Zealand Vice-Chancellors' Committee on the Terms of Reference of the AQA and its operation;
- determine the policies of the AQA, within the parameters set by its Terms of Reference and the AQA Constitution, and to monitor their implementation;
- develop and approve the strategic framework of the AQA;
- approve the annual statement of performance expectations and to approve the budget of the AQA for recommendation to the New Zealand Vice-Chancellors' Committee;
- approve the operating procedures of the AQA, and to confirm that they are carried out;
- 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;
- receive and approve the release of quality assurance reports;
- approve inter-cycle reports
- make appointments to the Register(s) of Auditors and Reviewers and to audit panels;
- 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;

- receive regular progress reports on the operation of the AQA and to monitor these against the strategic framework and budget;
- make recommendations to the New Zealand Vice-Chancellors' Committee on appointments to the Board;
- review the performance of the director annually against the director's objectives.

#### **4.5 Exceptions**

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

- to make recommendations in respect of an individual university's quality assurance reports;
- 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;
- foster sound relationships with key stakeholders, in particular, the New Zealand Vice-Chancellors' Committee and Government quality and educational agencies;
- lead the Board in providing leadership and strategic direction for the AQA;
- chair the selection panel when appointing the director;
- act as a liaison between the Board and the director;
- 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. Administration**

### **5.1 Funding of the AQA**

The AQA may not take out a loan or overdraft, or enter into a finance lease.

In the event of a significant perceived risk to AQA's capacity to meet its financial obligations, the Chair of the AQA Board will immediately inform the Chair of UNZ. After consultation with the Chair of the Board and the director, the Chair of UNZ will determine the response to the perceived risk.

### **5.2 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.