

## Cabinet Paper material

### Proactive release

Minister & portfolio Hon Chris Hipkins, Minister of Education  
Name of package Consultation on tertiary education learner wellbeing and safety: code of practice, dispute resolution and legislative change  
Date considered 6 April 2021  
Date of release

#### These documents have been proactively released:

**Cabinet Paper: Consultation on tertiary education learner wellbeing and safety: code of practice, dispute resolution and legislative change**

6 April 2021

Minister of Education

**Cabinet Minute: CAB-21-MIN-0095**

6 April 2021

Cabinet Office

**Cabinet Minute: CBC-21-MIN-0033**

29 March 2021

Cabinet Office

#### Associated documents:

**1245064 Education Report: Improving tertiary education equity and learner outcomes through a focus on learner wellbeing**

9 December 2020

Ministry of Education

**1249009 Education Report: Draft Cabinet paper – Consultation on tertiary education learner wellbeing and safety: code of practice, dispute resolution and legislative change**

10 March 2021

Ministry of Education

**1254619 Education Report: Revised Cabinet paper – Consultation on tertiary education learner wellbeing and safety: code of practice, dispute resolution and legislative change**

25 March 2021

Ministry of Education

**1254830 Aide Memoire: Consultation on a package of provisions for tertiary learner wellbeing and safety (CBC 29 March 2021)**

25 March 2021

Ministry of Education

### **Material redacted**

Some deletions have been made from the documents in line with withholding grounds under the Official Information Act 1982. Where information has been withheld, no public interest has been identified that would outweigh the reasons for withholding it.

The applicable withholding grounds under the Act are as follows:

- Section 9(2)(a) to protect the privacy of natural persons
- Section 9(2)(f)(iv) to protect the confidentiality of advice tendered by Ministers of the Crown and officials
- Section 9(2)(j) to avoid prejudice to negotiations

Some deletions have been made from the documents as the information withheld does not fall within scope of the Minister's portfolio responsibilities, and is not relevant to the proactive release of this material.

You can read the Official Information Act 1982 here:

<http://legislation.govt.nz/act/public/1982/0156/latest/DLM64785.html>

## In Confidence

Office of the Minister of Education

Cabinet Business Committee

## Consultation on tertiary education learner wellbeing and safety: code of practice, dispute resolution and legislative change

### Proposal

- 1 I seek Cabinet agreement to publicly consult on options for:
  - 1.1 a new combined version of the two existing codes of practice for the pastoral care of domestic tertiary, and of international learners, which must take effect by 1 January 2022;
  - 1.2 a dispute resolution scheme to resolve financial and contractual disputes between domestic tertiary learners and providers, also to start by 1 January; and
  - 1.3 legislative change to support and reinforce the focus on student wellbeing and safety.

### Relation to government priorities

- 2 This work supports the Government's overall focus on wellbeing and creating a fairer New Zealand. It was not specifically mentioned in the Speech from the Throne or manifesto. However, it has links to wider work on strengthening social inclusion, supporting diversity, and creating a New Zealand where all people feel safe, have equal access to opportunities and do not experience discrimination.

### Executive Summary

- 3 I seek Cabinet agreement to consult on a package of provisions for learner wellbeing and safety. This is to meet my obligations under the Education and Training Act 2020 (the Act) to have a new code of practice for pastoral care of domestic tertiary students, and a dispute resolution scheme, in place by 1 January 2022, and to have consulted on these beforehand. Through consultation I propose to seek feedback on:
  - 3.1 the development of a new code of practice of pastoral care which sets out shared requirements for domestic and international tertiary students, and retains specific protections for international students;
  - 3.2 the development of rules for the dispute resolution scheme to resolve financial and contractual disputes between domestic tertiary learners and providers; and

- 3.3 legislative changes to support and reinforce the focus on wellbeing and safety, and to ensure settings for the code, code administrator and dispute resolution scheme are fit-for-purpose.
- 4 The overall purpose of this work is to develop a system of supports for the wellbeing and safety of domestic and international learners, through one set of clear rules and expectations that providers can tailor to their learners' needs. It will replace the Education (Pastoral Care of Domestic Tertiary Students) Interim Code of Practice 2019 (the interim code), put in place urgently at the end of 2019, as well as the existing Education (Pastoral Care of International Students) Code of Practice (the international code).
- 5 I propose to report back to Cabinet in July this year seeking agreement to the new code and dispute resolution scheme rules as informed by the public consultation. I will also report back on a package of proposed amendments to the Act, for introduction in late 2021.

## Background

- 6 In 2019, urgent law changes were made to improve the welfare of domestic tertiary learners in student accommodation and reinforce learner wellbeing more generally. In addition to enabling the Minister of Education to issue a code of practice for the pastoral care of domestic tertiary learners, the then Education Act 1989 set out arrangements relating to code administration, monitoring, compliance and enforcement, offences and penalties, and dispute resolution.
- 7 Specifically, the interim code I released sets requirements for all providers in relation to a general duty of pastoral care for all domestic tertiary learners. It also sets out additional requirements for providers that offer student accommodation (CAB-19-MIN-0651). It was aligned with the Child and Youth Wellbeing Strategy and anchored in the same regulatory framework as the existing international code. The interim code was an urgent response to tragic events and as such was expected to be in place for one year until 1 January 2021. This was to allow time to develop, consult on, and issue a new code to replace the interim code.
- 8 Due to the impacts of COVID-19, it was no longer practicable to have the new code fully developed and implemented by 1 January 2021. This is primarily because the code needs to be developed in a manner that enables full engagement with regulated groups and intended beneficiaries of the regulation. To take account of this, the Education and Training Act 2020 (the Act) extended the duration of the interim code which now expires on 1 January 2022 (CAB-20-MIN-0253).<sup>1</sup>
- 9 For international students, a compulsory code of practice has been in place since 2002. The current code was published in 2016. It sets out detailed pastoral care requirements for signatories to the code.<sup>2</sup> It has been a signal of New Zealand's emphasis on supporting international student wellbeing and plays an important role in helping to attract prospective students. International students also have access to a

<sup>1</sup> The Act also made consequential changes to clarify that no dispute resolution scheme for domestic tertiary students is required in the period of the interim code.

<sup>2</sup> To enrol, and provide educational instruction for, a person as an international student, providers must be signatories to a code that sets out a framework for the pastoral care of international students. Providers can apply to NZQA for approval to become a signatory.

dispute resolution service set up specifically to help resolve financial and contractual disputes with their providers.

- 10 I propose consulting on initiatives to establish a more accessible, culturally responsive, effective, and equitable system of supports for learner wellbeing and safety. This work is an opportunity to reduce complexity, build on existing provisions for domestic tertiary and international learners and embed the early focus on wellbeing and safety to support achievement that the interim code has started to encourage. It will also raise the prominence of wellbeing and safety as a precondition to success in education, address concerns around mental health and psychological distress among learners, and support more equitable outcomes for diverse learners, including Māori, Pacific, disabled, LGBTQIA+, ethnic or migrant and former refugee learners.
- 11 This work is consistent with the objectives of the new Tertiary Education Strategy and National Education Learning Priorities (TES/NELP), the International Education Strategy 2018-2030 and the Strategic Recovery Plan for International Education (the recovery plan). The changes in relation to tertiary international student wellbeing and safety support the recovery plan's emphasis on transformation towards a high-quality, sustainable sector delivering excellent outcomes for students and for New Zealand. I also see this work as playing a key role in the Government's commitment to respond to concerns about racism, bias and discrimination, including recommendations from the Royal Commission of Inquiry into the Terrorist Attack on Christchurch Mosques on 15 March 2019.<sup>3</sup>
- 12 Ensuring the system of supports for learner wellbeing and safety honours Te Tiriti o Waitangi and works well for Māori is part of the Crown's responsibility under Te Tiriti o Waitangi. A key part of this will be building the cultural capability of those working within the system to work with Māori. The education system has some way to go to ensure Māori receive their general citizenship rights under article 3. It also has an important role in enabling Māori to exercise authority over their taonga, in particular te reo, tikanga and mātauranga Māori, under article 2. The new code and dispute resolution scheme will integrate the expectations for the Crown's obligations under Te Tiriti o Waitangi. In doing so, this work will also contribute to Ka Hikitia<sup>4</sup> and to realising Māori potential and Māori economic resilience.

## Overview of consultation proposals

- 13 Before issuing a new code, I am required to consult those parties that I consider likely to be affected by the code, including representatives of students, parents, whānau, providers and their staff, as well as the Privacy Commissioner. There is also a statutory requirement to consult any relevant bodies and sector representatives that I think fit before recommending that the Governor-General, by Order in Council, make rules for the functioning and administration of the dispute resolution scheme.

*I seek to consult on combining expectations for domestic tertiary and international learners in a single code of practice*

<sup>3</sup> The report made several recommendations to improve social cohesion and New Zealand's response to our increasingly diverse population, including a specific education-based recommendation 36: 'Invest in opportunities for young New Zealanders to learn about their role, rights and responsibilities and on the value of ethnic and religious diversity, inclusivity, conflict resolution, civic literacy and self-regulate.'

<sup>4</sup> Ka Hikitia is a cross-agency strategy for the education sector. Its guiding principles include supporting excellent outcomes for Māori learners and their whānau and ensuring a sense of belonging across the education system.

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- 14 I seek to consult on a single, new code to cover domestic tertiary and international learners, rather than having separate codes and inconsistent requirements for domestic and international students in the same providers. The goal is to ensure consistent expectations that meet the needs of diverse learners.
- 15 I consider this proposal will support a shift to a wider, developing system of supports for learner wellbeing and safety because it:
- 15.1 continues to focus on outcomes and flexible processes that enable providers to support their learners in ways that best meet their needs;
  - 15.2 allows providers to build on the work they are doing to comply with existing provisions by retaining strengths of the existing codes, refining requirements and adding some new practices;
  - 15.3 aligns expectations for domestic and international learner groups, where their needs are shared, to improve clarity for providers and learners; but
  - 15.4 continues to spell out the expectations that apply now for providers regarding the specific needs of international learners;
  - 15.5 requires providers to increasingly involve learners, as well as whānau, staff, local communities, and iwi, as they review the adequacy of their policies and processes in meeting all the outcomes of the code; and
  - 15.6 sets expectations for providers to have culturally responsive practices for supporting learner wellbeing and learners' identity, language, and culture.
- 16 I note that given the impacts of COVID-19 and the early stage of work under the recovery plan, I do not intend to make changes to requirements for schools that host international students. Instead I propose to restate existing requirements for schools in the new code. I will include schools with international students in the consultation.

### *The dispute resolution scheme addresses a regulatory gap for domestic tertiary learners*

- 17 The dispute resolution scheme is separate to the code but complements its aims of improving outcomes for learners and strengthening student voice. The scheme is expected to be in place and operating alongside the new code, from 1 January 2022. It is important that providers have effective internal complaints processes and provide information and support to resolve problems. Domestic tertiary learners have also had access to NZQA's complaints processes and the Disputes Tribunal. However, unlike international learners, they have not had a bespoke tertiary education dispute resolution process to escalate otherwise unresolved complaints.
- 18 The proposed dispute resolution scheme rules fill this gap and draw on good dispute resolution practice, as informed by the Government Centre for Dispute Resolution, by being accessible, inclusive, and enabling timely actions and resolution for learners. The rules are designed so the scheme works well for all domestic learners, including Māori, Pacific, disabled, LGBTQIA+, ethnic or migrant and former refugee learners, and is consistent with the Crown's obligations to Te Tiriti o Waitangi. I propose the scheme will also be designed to address the inherent power imbalance between learners and providers.

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*To support the focus on wellbeing and safety I consider legislative changes are necessary*

- 19 I consider that legislative changes are necessary to ensure we can deliver the learner wellbeing and safety outcomes sought, minimise provider compliance and administration costs, and ensure that the provisions are fit-for-purpose.
- 20 The consultation materials include proposals for legislative change to help achieve five key objectives, including:
- 20.1 better supporting the safety and wellbeing of all domestic and international tertiary students;
  - 20.2 honouring Te Tiriti o Waitangi and supporting Māori-Crown relationships;
  - 20.3 ensuring the code and code administrator legislative provisions are fit-for-purpose;
  - 20.4 ensuring the dispute resolution scheme legislative provisions are fit-for - purpose (including for example by broadening its scope to deal with more than financial and contractual complaints); and
  - 20.5 providing for effective administration.
- 21 Based on feedback from consultation and subject to Cabinet approval of policy intent, the legislative change proposals will be included in the Education and Training Amendment Bill (No 2). 9(2)(f)(iv)

### Impact

- 22 I expect the main impact for learners and providers will be greater clarity of expectations on providers for their learners' wellbeing and safety from one combined code. There will be some administrative cost for providers to comply with new processes and expectations. Providers that predominately enrol international students may have additional costs in terms of having to implement new requirements that were not included in the existing international student code. Learners will also need to become familiar with the new code and complaints and disputes systems. While schools with international students may need to update documentation, retaining current settings will minimise the burden on them at a time of significant change in the education sector. Part 6 of the attached consultation materials outline impacts and costs across a range of learner groups and providers.
- 23 I intend to manage these impacts through clear communications that the changes are strengthening care provisions to better meet the needs of learners. Supporting providers in transitioning to the new regulatory framework will be critical to its success. It will be particularly important to clearly communicate to the school sector and those in the wider international education sector the rationale for changes and the retention of current settings for schools with international students. This also ensures continuity and clarity as schools look ahead to the potential return of international students.

## Consultation materials and process

- 24 Full consultation materials are attached. These will be made available online and designed prior to release. This includes targeting the materials to learners, whānau and specific audiences (e.g. international students). The attached version has not yet been designed. I seek Cabinet agreement to allow me to approve consultation materials, including in accessible formats, before release.
- 25 People will be able to provide input in various ways, including through national meetings with sector peak bodies, government and community organisations, face-to-face regional engagements, online workshops and providing feedback online. The engagement sessions will vary in location, time and content to suit stakeholders and to ensure meaningful engagement with all those potentially affected by the proposals: learners, whānau, providers and their staff, peak bodies, Māori, iwi, Pacific peoples, and communities, including ethnic or migrant communities.

## Timing and sequencing of proposed changes

*The new code and dispute resolution scheme will come into force from 1 January 2022* 9(2)(f)(iv)

- 26 I intend to report back to Cabinet in July following public consultation, seeking policy approvals for the new code, dispute resolution scheme rules and legislative change proposals.

Key deliverable	Timeframe
Report-back to Cabinet	July 2021
<span style="background-color: black; color: red;">9(2)(f)(iv)</span>	
New code and dispute resolution scheme rules due to take effect	1 January 2022
<span style="background-color: black; color: red;">9(2)(f)(iv)</span>	
Further changes to the code and dispute resolution scheme in line with the revised legislative framework	2022/23 onwards

## Financial Implications

- 27 There are no financial implications for this paper.
- 28 Budget 2020 established a contingency for funding the administration of the domestic learner code and associated dispute resolution scheme, and authorised Joint Ministers to draw-down the contingency once Cabinet had considered next steps for the code and upon agreement of costs (CAB-20-MIN-0155.33). Given Cabinet rescinded the invitation to report back (CAB-20-MIN-0253), in December 2020, Joint Ministers agreed to use the contingency to fund NZQA to administer the interim code and the new code (at \$108,000 in 2020/21, \$1.251 million in 2021/22 and \$1.211 million in 2022/23 and outyears) and to fund the Ministry of Education to deliver the associated dispute resolution scheme 9(2)(j)



- 29 The international code administration and dispute scheme have been funded through the Export Education Levy (EEL), which has been charged to signatories based on student numbers. As the EEL collection is suspended until 1 January 2022 in response to COVID-19 (CAB-20-MIN-0253), the Government has provided interim funding through the COVID-19 Response and Recovery Fund (CAB-20-MIN-0219.27 – Initiative No: 12726 and CAB-20-MIN-0328.22 – Initiative No: 12857). A review of the EEL is underway under the recovery plan and I will report to Cabinet by May 2021. 9(2)(f)(iv)

### Legislative Implications

- 30 There are no legislative implications in the proposal to consult. However, the consultation materials include proposals for legislative change, both in terms of secondary legislation (that is, a new code and dispute resolution scheme rules) and primary legislation through amendments to the Act.
- 31 I will report back to Cabinet in July seeking agreement to the policy intent of the new code, dispute resolution scheme rules and amendments to the Act, as informed by feedback from the public consultation.

### Regulatory Impact Statement

- 32 The Regulatory Impact Analysis panel at the Ministry of Education has reviewed and confirmed that the consultation materials can substitute for a Regulatory Impact Statement. They will lead to effective consultation and support the eventual development of a quality Regulatory Impact Statement.

### Population Implications

- 33 The aim of this work is to support the wellbeing and safety of all learners, including disabled learners, whatever their ethnicity, culture, religion, age or gender identity.

#### *Māori perspective*

- 34 The proposals aim to address system inequalities to strengthen our system for Māori learners and whānau to support them to achieve their education aspirations. Providers and the dispute resolution scheme operator are also expected to be able to give effect to Māori learners' article 2 rights. The new code requires providers to work with learners, whānau, staff, local communities and iwi to design strategic goals, plans and practices for learner wellbeing and safety, and safe spaces for learners to use te reo and tikanga Māori. The scheme operator, working with learners, is expected to be able to draw on appropriate tikanga to design the dispute resolution process to meet the student's needs and expectations (including wider family or whānau participation as appropriate). The legislative proposals will further embed and clarify the expectations for the code and scheme to honour Te Tiriti o Waitangi and support Maori-Crown partnerships.

#### *Disability perspective*

- 35 Providers and the dispute resolution scheme operator are expected to support disabled learners in fully and easily accessing and participating in services and navigating

provider facilities with ease. This includes providing information about the code and scheme in a range of accessible formats. The new code also requires providers to have policies and processes in place which support learners to manage their physical and mental health, and to access appropriate support where required. This includes personalised arrangements for disabled learners. The implementation of the new code will be supported by a refreshed Kia Ōrite – Code of Practice for Disabled Students which is being developed by the Tertiary Education Commission.

### *International students*

- 36 The new code will require tertiary providers and schools enrolling international students to consider and respond to the particular wellbeing and safety needs of foreign nationals enrolled as onshore international students. International students are a particularly vulnerable cohort, due to distance from family and support networks, linguistic and cultural differences, financial and social pressures, and may be susceptible to pressure from home governments. The new code therefore retains current protections relating specifically to international tertiary and school students while setting general wellbeing and safety requirements at the same level as those for domestic learners.

### **Human Rights**

- 37 The proposals discussed in this paper, including the proposed legislative changes, are consistent with the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993. The proposals are also consistent with the New Zealand Government's obligations under the United Nations Convention on the Rights of Persons with Disabilities and seek to fulfil a fully inclusive education system as outlined in the New Zealand Disability Strategy.
- 38 The new code upholds human rights by requiring providers to create and maintain inclusive learning environments that support the academic, personal, and social development of learners. Providers will also be required to have practices for recognising, reducing and responding effectively to discrimination, racism, bullying, harassment and abuse (including physical and sexual harassment and abuse). Every learner has the right to a safe, healthy and supportive learning environment, where they are accepted and respected, and an education that values their identity, language and culture, and those of their whānau and family.
- 39 The dispute resolution scheme upholds human rights by seeking to deal with disputes in a mana-enhancing, culturally responsive and accessible manner that meets the diverse needs of domestic tertiary learners, particularly those with vulnerabilities. It is proposed that, in resolving disputes, the scheme operator must be consistent with the principles of restorative and natural justice.<sup>5</sup>

### **Consultation**

- 40 The Ministry of Education drafted this Cabinet paper and the attached consultation materials, in consultation with NZQA.

<sup>5</sup> Restorative justice means focusing on how to put things right and take responsibility. Natural justice means enabling everyone to have an opportunity to present their case, be balanced and fair and use logical evidence.

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- 41 The following organisations were consulted or informed on this Cabinet paper and during the preparation of the attached consultation materials:

Education New Zealand	Ministry of Health
Ministry for Pacific Peoples	Ministry of Justice
Ministry of Housing and Urban Development	Office of the Ombudsman
Office of the Privacy Commissioner	Tertiary Education Commission
The Office for Māori Crown Relations – Te Arawhiti	Treasury
Ministry of Foreign Affairs and Trade	Te Puni Kōkiri
Department of Internal Affairs (Office of Ethnic Communities)	
Department of Prime Minister and Cabinet (Policy Advisory Group; and National Security Group)	
Ministry of Social Development (Office for Disability Issues)	
Ministry of Business, Innovation & Employment (the Government Centre for Dispute Resolution; and Immigration New Zealand)	

### Communications

- 42 I intend to release the finalised consultation materials publicly following Cabinet decisions on Tuesday 6 April for approximately six weeks until Friday 21 May 2021. During the consultation process, my officials will undertake engagement with learners and stakeholders across the country, as outlined in paragraph 25.

### Proactive Release

- 43 I propose that this paper alongside all attachments are proactively released within 30 days of Cabinet decisions having been made, with any redactions in line with the provisions of the Official Information Act 1982.

### Recommendations

The Minister of Education recommends that Cabinet:

- 1 **note** that I seek to consult on a package of provisions for learner wellbeing and safety because ensuring their wellbeing and safety is essential for learners to be able to achieve their aspirations in education and beyond;
- 2 **note** that there are statutory consultation requirements under:
  - 2.1 section 534(5) of the Education and Training Act 2020 (the Act) before the Minister of Education issues a code of practice for pastoral care; and
  - 2.2 under sections 539(1) and (2) of the Act before the Minister of Education recommends that an order be made for issuing rules for the functioning and administration of the dispute resolution scheme, established under section 536 of the Act;
- 3 **note** that attached to this paper is a package of public consultation materials setting out options for:

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- 3.1 the development of a new code of practice of pastoral care which sets out shared requirements for domestic and international tertiary students, as well as retaining specific protections for international students;
  - 3.2 the development of the rules for the legislated dispute resolution scheme to resolve financial and contractual disputes between domestic tertiary learners and providers; and
  - 3.3 legislative changes to support and reinforce the focus on wellbeing and safety, and to ensure settings for the code, code administrator and dispute resolution scheme are fit-for-purpose for the future.
- 4 **agree** that I approve final consultation materials before release;
  - 5 **agree** that the finalised consultation materials will be released following Cabinet decisions for six weeks of public consultation;
  - 6 **note** that the I intend to report back to Cabinet in July seeking agreement to the policy intent of the new code, the dispute resolution scheme rules and amendments to the Act 2020, as informed by feedback from the public consultation.

Authorised for lodgement

Hon Chris Hipkins

Minister of Education



# Cabinet

## Minute of Decision

*This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.*

### Report of the Cabinet Business Committee: Period Ended 2 April 2021

On 6 April 2021, Cabinet made the following decisions on the work of the Cabinet Business Committee for the period ended 2 April 2021:

# Out of scope

CBC-21-MIN-0033

**Tertiary Learner Wellbeing and Safety Code of Practice, Dispute Resolution, and Legislative Change: Approval to Consult**  
Portfolio: Education

CONFIRMED

# Out of scope

Michael Webster  
Secretary of the Cabinet



# Cabinet Business Committee

## Minute of Decision

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### Tertiary Learner Wellbeing and Safety Code of Practice, Dispute Resolution, and Legislative Change: Approval to Consult

Portfolio                      Education

On 29 March 2021, the Cabinet Business Committee:

- 1        **noted** that the Minister of Education (the Minister) seeks to consult on a package of provisions for learner wellbeing and safety because ensuring their wellbeing and safety is essential for learners to be able to achieve their aspirations in education and beyond;
- 2        **noted** that there are statutory consultation requirements under:
  - 2.1        section 534(5) of the Education and Training Act 2020 (the Act) before the Minister issues a code of practice for pastoral care;
  - 2.2        under sections 539(1) and (2) of the Act before the Minister recommends that an order be made for issuing rules for the functioning and administration of the dispute resolution scheme, established under section 536 of the Act;
- 3        **noted** the package of public consultation materials, attached to the paper under CBC-21-SUB-0033, setting out options for:
  - 3.1        the development of a new code of practice of pastoral care which sets out shared requirements for domestic and international tertiary students, as well as retaining specific protections for international students;
  - 3.2        the development of the rules for the legislated dispute resolution scheme to resolve financial and contractual disputes between domestic tertiary learners and providers;
  - 3.3        legislative changes to support and reinforce the focus on wellbeing and safety, and to ensure settings for the code, code administrator and dispute resolution scheme are fit-for-purpose for the future;
- 4        **agreed** to the release of the consultation documents outlined in paragraph 3 above;
- 5        **authorised** the Minister to approve final consultation materials before release;
- 6        **noted** that the finalised consultation materials will be released following Cabinet decisions for six weeks of public consultation;

- 7 **noted** that the Minister intends to report back to Cabinet in July 2021 seeking agreement to the policy intent of the new code, the dispute resolution scheme rules and amendments to the Act 2020, as informed by feedback from the public consultation.

Rachel Clarke  
Committee Secretary

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**Present:**

Rt Hon Jacinda Ardern (Chair)  
Hon Grant Robertson  
Hon Kelvin Davis  
Hon Dr Megan Woods  
Hon Chris Hipkins  
Hon Carmel Sepuloni  
Hon Andrew Little  
Hon David Parker  
Hon Stuart Nash  
Hon Kris Faafoi  
Hon Michael Wood

**Officials present from:**

Office of the Prime Minister  
Department of the Prime Minister and Cabinet