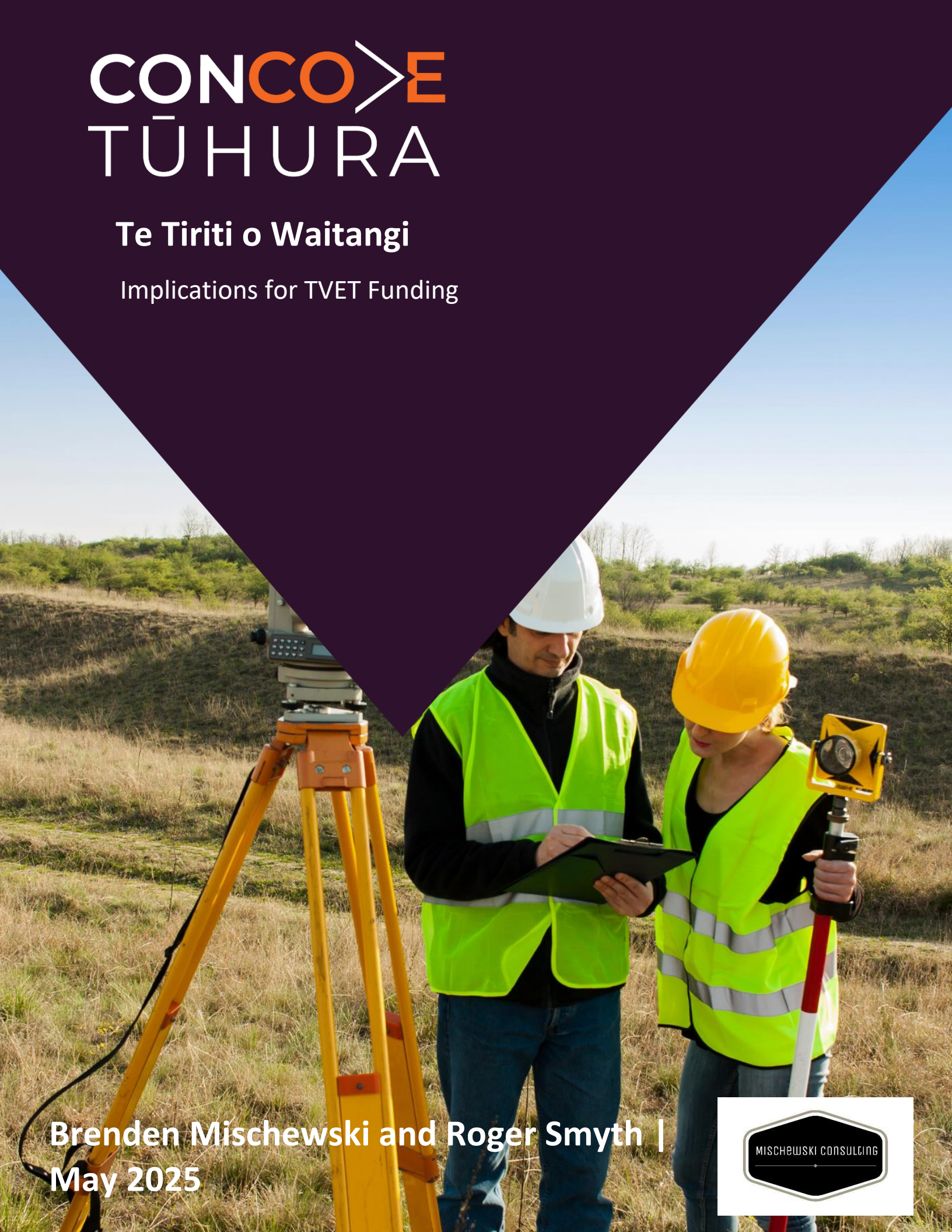
CONCORDE TŪHURA

# Te Tiriti o Waitangi

## Implications for TVET Funding



**Brenden Mischewski and Roger Smyth | May 2025**

MISCHEWSKI CONSULTING

# Table of Contents

# 1. Introduction

This report presents the findings of a review of the literature relating to Te Tiriti o Waitangi/The Treaty of Waitangi and the implications of the Crown/Māori partnership for the design of the tertiary and vocational education and training (TVET) funding system with a particular focus on construction and infrastructure workforce development.

This section examines the role of Te Tiriti o Waitangi in New Zealand's TVET system. It outlines how government policies and legislation, including the Education and Training Act 2020 and the Public Service Act 2020, have reinforced Treaty commitments, requiring greater Māori participation in decision-making and proactive measures to address educational inequities.

The discussion also explores Waitangi Tribunal claims that challenged past reforms for failing to uphold Treaty obligations, underscoring the need for Māori co-governance in funding and policy decisions.

While initiatives such as Taumata Aronui and Te Pūkenga's Tiriti Excellence Framework signal progress, challenges remain in ensuring funding models genuinely reflect Māori needs and aspirations.

The report then critiques the effectiveness of current funding structures for Māori in construction training, highlighting targeted initiatives like the Māori Trades and Training Fund (MTTF), Apprenticeship Boost, and the Unified Funding System (UFS).

While these have improved access, systemic barriers persist, including the complexity of funding processes, insufficient Māori leadership in funding decisions, and a mismatch between funding structures and kaupapa Māori approaches. Additionally, lower completion rates and career progression for Māori in trades signal gaps in equity-focused support.

The section calls for stronger measures to embed Māori governance in TVET funding, greater recognition of Māori aspirations beyond job placement, and a shift from advisory roles to genuine co-decision-making authority to ensure a system that fully aligns with Te Tiriti o Waitangi principles.

This report is part of series of companion reports that comprise the technical background to a discussion paper on the funding of TVET for the construction and infrastructure sector.

References cited in this paper are presented in the standalone report *Funding of Construction and Infrastructure TVET – Methodology and Bibliography*.

# 2. Overview

## 1.1 Te Tiriti in the fabric of the New Zealand TVET system

The Crown's obligations under Te Tiriti o Waitangi are often expressed through key principles of partnership, active protection, equity (ōritetanga), and redress. In practice, partnership means the Crown and Māori must act together in good faith and make decisions honourably and reasonably.

Active protection requires the Crown to protect Māori interests (including Māori educational aspirations and taonga like education) and take positive action to ensure Māori are not disadvantaged.

The principle of equity demands the Crown pursue equitable outcomes for Māori; education and training services should be funded and provided in ways that achieve parity for Māori learners.

Redress entails acknowledging and compensating for past breaches – for example, addressing historical under-funding or exclusion of Māori in higher education.

Together, these principles call for an education funding system that empowers Māori self-determination (tino rangatiratanga) and ensures Māori have equal access and outcomes in tertiary education.

Over the past decade, the New Zealand government has increasingly woven Treaty commitments into legislation and policy guidelines. The Education and Training Act 2020[1], which overhauled and consolidated education legislation, explicitly states its purpose includes establishing an education system that *honours Te Tiriti o Waitangi*.

Likewise, the Public Service Act 2020 (section 14) directs the public service to support the Crown in its Treaty relationship with Māori. This law puts responsibilities on public service leaders to build capability to engage with Māori, understand Māori perspectives, and ensure the aims and aspirations of Māori (including employment and training needs) are recognised in public sector strategies. Consistent with this, Public Service agencies must develop Māori leadership and involve Māori in decision-making, as well as build te ao Māori knowledge into their operations.

At the policy development level, Cabinet has provided clear guidance on considering the Treaty. The Cabinet Office Circular (CO (19) 5) on Te Tiriti o Waitangi requires policy papers to include informed analysis of Treaty implications.

Agencies like MBIE have issued practical guides for "Treaty analysis" to ensure policy aligns with Treaty principles from the start of development. These guidelines prompt officials to ask how proposed policies give effect to partnership, protect Māori rights and interests, and address inequities.

In the context of tertiary/vocational education, this means funding policies should be: formulated with Māori input (co-design); safeguard Māori educational taonga; and proactively close outcome gaps.

Although no major historical Treaty settlement is specific to construction training, recent Tribunal claims highlight Māori concerns. In 2019, Māori stakeholders filed Wai 2881 and Wai 2882, urgent Treaty claims

[1] See in particular, section 9.

opposing the Reform of Vocational Education (RoVE). They argued that vocational education is a taonga (treasured resource) for Māori and that the Crown's rushed reforms failed to honour

Des Ratima (of Skills Active, at the time an Industry Training Organisation with 50% Māori ownership) stated: *"Our claim asserts that the government has failed to recognise and provide for Māori taonga, namely vocational education; and failed to honour the principle of partnership under the Treaty."* (Laing, 2019).

This claim underscored that the Crown must consult and partner with Māori when overhauling funding structures that affect Māori learners and organisations. The Waitangi Tribunal agreed to hear these grievances urgently, reflecting the seriousness of potential Treaty breaches in vocational education.

In the past ten years, the Crown had taken steps to better meet its Tiriti obligations in tertiary funding, though with mixed results.

On the one hand, new partnership structures have been created. The government established Taumata Aronui in 2019 – a Māori advisory group – to create a Māori voice to help shape tertiary education and hence, to provide an oversight of the vocational education reforms[2]. The education reforms also led to Te Pūkenga being legally mandated to give effect Te Tiriti[3].

Te Pūkenga's Te Tiriti Excellence Framework, Te Pae Tawhiti emphasises a "relentless focus on Māori success" and "active and meaningful partnerships" with iwi and hapū to shape vocational training. For example, Te Pūkenga has enabled Māori co-governance arrangements such as a Māori advisory committee (Komiti Māori) (Te Pūkenga, 2022).

These measures indicate the Crown's intent to form genuine partnerships and give effect to rangatiratanga in the tertiary sector. Similarly, Workforce Development Councils (WDCs) were launched in 2021 with Orders in Council that require them to contribute to "an education system that honours Te Tiriti o Waitangi and supports Crown Māori relations[4]". In effect they must take account of Te Tiriti and to empower Māori business and iwi development in their industries.

On the other hand, challenges remain in practice. The Crown's duty of active protection requires ensuring funding models do not inadvertently disadvantage Māori. Yet, as noted in the Tribunal claims and various reviews, Māori have felt that their distinct needs were not fully accounted for in mainstream funding decisions.

The Crown has acknowledged that it must improve – for instance, over recent decades, Ministers have highlighted that disparate outcomes for Māori in education are inconsistent with Te Tiriti and require targeted action.

Overall, the policy context of the last decade showed increasing recognition of Treaty obligations through laws and guidelines until 2023 when emerging policy and legislation de-emphasised the partnership and its broader application to education. However, whether those high-level commitments have translated into equitable funding and tangible improvements for Māori in construction training is further examined in the

[2] See this page. See also Taumata Aronui (2022)

[3] Education and Training Act 2020, section 4(d)(i).

[4] Education (Waihanga Ara Rau Construction and Infrastructure Workforce Development Council) Order 2021 section 7(1)(d)

sections below.

## 1.2 The current funding model for construction training

Several targeted funding initiatives have been introduced to boost trades training, many with implicit or explicit Tiriti goals.

For example, one innovation was the $50 million Māori Trades and Training Fund (MTTF) established in Budget 2020. This fund explicitly sought to enable Māori-led, community-based training programs. It invited proposals from iwi, hapū, and Māori organisations to create employment pathways for Māori impacted by COVID-19.

The fund's first grants supported projects like an apprenticeship scheme tied to Ngāti Kahungunu's iwi housing initiative. *"The key to the Fund's success is its partnerships with Māori organisations. It helps ensure support for employment-based training opportunities in a way that is relevant to Māori,"* noted Minister Willie Jackson[5].

In practice, some MTTP consortia allowed iwi to co-design training that met local development goals (such as building papakāinga housing) while training Māori apprentices – a clear example of funding aligning with Treaty partnership and Māori self-determination in workforce development.

In 2020, as part of the COVID-19 response, the government injected additional funding to sustain and grow construction training. A Targeted Training and Apprenticeships Fund (TTAF) made many trades programs (especially in construction, infrastructure, and primary industries) temporarily free for learners in 2020–2022, reducing financial barriers (Hipkins, 2021).

The Apprenticeship Boost Initiative (ABI) was launched in 2020, providing a monthly subsidy to employers in targeted industries for each first- or second-year apprentice they employ. This subsidy effectively co-funds the wages of apprentices, encouraging employers to retain apprentices during the economic downturn. Thousands of Māori apprentices benefited from ABI (MoE, 2025a) which we infer results from their high representation in entry-level construction roles.

A major change came into effect on 1 January 2023 with the roll-out of the Unified Funding System for vocational education. Under UFS, previous funding silos (industry training funding vs. provider-based SAC funding) were merged for all sub-degree programs at Levels 3–7.

The UFS provided roughly $850+ million per year for vocational education delivery. It is structured in three components: a base grant for providers, a volume-based funding for educational delivery (with different rates for work-based, classroom, or online delivery), and an equity-focused "learner success" component that provides extra funding for enrolling Māori, Pasifika, and disabled learners. The learner component is meant to incentivise institutions to support underserved learners – effectively recognising that it may cost more to support a learner who, for example, needs additional mentoring or catch-up in foundational skills.

In theory, the current funding model under UFS should better support equity. By funding work-integrated learning similarly to classroom learning (removing the old ITO funding cap on support per trainee) and by

[5] See this account.

paying a premium for priority learners, UFS aims to ensure providers like Te Pūkenga invest in Māori learner success.

The unified approach also gave Te Pūkenga flexibility to allocate funds across its network of polytechnics and subsidiaries, potentially enabling more collaboration with Māori entities such as wānanga or iwi training initiatives.

However, barriers remain. There are also systemic funding design issues that may disadvantage Māori learners. Prior to 2023, industry training was funded with minimal provision for pastoral care. This limited support structure was identified as problematic, especially for Māori and Pasifika trainees who could benefit from better quality support (Kerehoma, 2013).

The government has recently indicated that the UFS will be discontinued with the equity funding noted above incorporated into the general subsidy rate for teaching and learning. This change can be expected to reduce funding overall to TEOs that have a higher-than-average proportion of learners who are Māori or Pacific.

## 1.3 Barriers in funding mechanisms

Despite improvements, certain funding system features may still pose barriers for Māori learners and providers in the construction sector:

- *Complexity and Change:* The transition to the new system (Te Pūkenga and UFS) has been complex. Many employers and providers have struggled to understand the new funding rules. Frequent policy changes can disadvantage Māori providers who may have fewer resources to adapt quickly.

  These effects can be particularly salient for some groups like Māori learners undertaking vocational education and training whose needs are not well-met by funding arrangements that do not account for their needs (Ministry of Education, 2021).

  One sector leader noted *"no one truly understands how the system works anymore or how to navigate it effectively"*[6], which can be especially true for smaller iwi-based programs trying to secure funding.

- *Insufficient Māori Voice in Funding Decisions:* While partnership structures exist, the actual funding allocation (e.g. how TEC allocates student places or how Te Pūkenga budgets for each region) may not sufficiently involve Māori in decision-making.

  For instance, iwi might identify a local need for more civil infrastructure trainees, but if funding is allocated purely by national formulas or historic enrolments, those local Māori needs might be unmet. This gap is essentially about rangatiratanga – Māori having a say in where resources go.

- *Unified Funding System Design:* UFS's standardised approach might inadvertently sideline unique models. A kaupapa Māori trade training program might have costs for marae-based delivery or elder support that aren't recognised in the formula.

  If the UFS delivery component doesn't fully fund those, the provider must cross-subsidise or cut

[6] Personal correspondence

those culturally important elements. Moreover, PTEs that specialise in Māori trades training have voiced that the new funding rates favour large providers (due to economies of scale built into the base funding).

In summary, the current funding model has evolved to inject more money into construction training and to introduce equity weightings for Māori learners. Initiatives like MPTT and MTTF show recognition of Māori-led solutions.

However, the core funding system still largely treats Māori learners and providers within a mainstream frame. The next sections discuss how this has affected Māori participation and outcomes, and the extent to which Māori are involved in governance of vocational education.

## 1.4 Māori participation and outcomes in construction training

Māori engagement in construction and infrastructure training is significant. Māori make up about 15.4% of New Zealand's working-age population[7], and in the construction workforce, Māori are well-represented in the sector making up about 16.7% of the construction workforce in 2022 (MBIE, 2024a).

Crucially, Māori are more likely than non-Māori to enter vocational education pathways such as trades training and apprenticeships straight from school. Data shows that Māori and Pasifika learners participate in workplace-based VET roughly in proportion to their share of the population.

In fact, in industry training and apprenticeships, Māori participation rates have been among the highest of any ethnic group with 4.9% of the working age population engaged in some form of workplace-based training[8]. This means a strong pipeline of Māori are entering construction-related training – a positive sign, as it indicates interest in trades and the impact of recruitment initiatives. Programmes like MPTT and trades academies in schools have helped encourage young Māori into construction courses.

However, a closer look reveals stratification. Māori are highly represented in entry-level trades and manual roles but under-represented in higher-level qualifications and professions within construction. Māori (and Pacific peoples) remain a small minority in degree programs like engineering, architecture, or construction management. So while many Māori become carpentry apprentices or machine operators, fewer progress into roles like engineers or project managers. This has implications for long-term career progression and income[9].

The emphasis on boosting apprenticeship numbers for Māori is a starting point, but equity in outcomes also means supporting pathways to advanced skills and leadership roles in the sector.

### Completion and achievement outcomes

One of the critical issues has been the lower completion rates and qualifications attainment for Māori in vocational education. Historically, the completion rate for Māori in workplace training has lagged behind that of non-Māori by 7-10%[10].

[7] Stats NZ (2025). Aotearoa Data Explorer, Statistics New Zealand. Accessed: 1 March 2025.
[8] The comparable rate s for Pacific peoples were 4.8%. Higher than for Europeans (3.8% and Asians (3.0%). Source: (MoE, 2024c), (Stats NZ, 2025)
[9] For example, the proportion of Maori working in the construction and infrastructure sector in 2021 earning above the 80th percentile of the wider workforce was 12% compared to 18% for Europeans. Source: (ConCOVE, 2024).
[10] Between 2016-2023. Source: (TEC, 2025)

Notably, guidance to TEOs seeking funding from government has over time shifted from a strong emphasis on parity of achievement (TEC, 2018) to more of a focus on simply improving educational outcomes of which improved achievement for Māori is identified as a subset (TEC, 2025).

For example, Ministry of Education data[11] shows that Māori and Pacific peoples in workplace-based training have credit completion rates well below those of Pākehā/European ethnicity. For instance, in 2023, the credit completion rate was 66% for Māori and 61% for Pacific learners against 75% for those of Pākehā/European ethnicity.

Part of this may be due to the fact that workplace-based learning is largely self-directed (Alkema 2016) and that Māori and Pacific leaners are often less comfortable taking the initiative to seek help (Holland 2012), and that workplace training rarely reflects the needs of ākonga Māori (Ihimaera Smiler 2023).

Before the RoVE reform, only around half of all apprentices (of any ethnicity) completed their qualification within 5 years. Māori apprentices' completion rate was even lower, contributing to fewer Māori obtaining trade certifications. Reasons for non-completion are multifaceted – including financial pressures, lack of support, or shifting to other jobs.

Several studies and stakeholder interviews point to systemic barriers affecting Māori success. Many Māori apprentices are first-generation tertiary learners and may not have family familiar with navigating any form of post-secondary education, especially apprenticeships. They often juggle work, family, and study obligations (Kerehoma, et al, 2013).

If the training system does not accommodate these realities, attrition can result due to a lack of learner-centred approaches as one literature review noted *"interventions that are not specifically designed to meet the needs of ākonga Māori perform poorly for ākonga Māori"* (Ihimaera Smiler, 2023).

In other words, a Māori apprentice brings their whole self – culture, whānau, community – into the learning journey, and a one-dimensional training approach can alienate them. One of our key informants contrasted the current approach with what's needed: *"We need to change the shape of the box rather than change people to fit the box."* – highlighting that success will improve if the system adapts to Māori learners, rather than expecting Māori learners to assimilate into the existing system.

Specific challenges include the lack of culturally responsive support. Māori trainees have reported feeling less comfortable asking for help from instructors or employers, especially if they are in an environment where they are a minority (Holland 2012).

This lack of support to engage is reflected in relatively high levels of training 'inactivity' reported among Māori learners with one informant noting that it is *"significant that the credit achievement rate of trainees identifying with [Māori and Pasifika] was several percentage points lower than the system average, while the proportion of inactive trainees is higher"*[12].

"Inactive" here refers to learners who are enrolled but whose credit completion rate is zero – a warning sign for drop-out. This can stem from not receiving timely mentoring or academic help. If an apprentice struggles

[11] See the data published on this page. Note that the credit completion rate is a leading indicator of qualification completion.
[12] Personal correspondence

with a theory module but doesn't seek help (perhaps due to whakamā or lack of rapport with the trainer or because of being uncomfortable in seeking support) (Kerehoma, 2013), they may accumulate no credits and eventually disengage (Mischewski, 2020). Thus, funding policies that do not account for additional mentoring or tutoring effectively create an unequal playing field, even if access was equal.

On a positive note, targeted programmes have shown they can improve Māori outcomes when designed well. The MPTT initiative has had success in not only enrolment but also in transitions to apprenticeships for Māori. Its 2017 evaluation found better employment and further training uptake among graduates compared to those outside the programme (MartinJenkins 2017).

Wraparound pastoral care, as funded by MPTT, clearly helps retention. Another example is Skills Active Aotearoa (ITO), which by 2019 had achieved near parity of completion between Māori and non-Māori trainees in their sectors (sports, recreation, and performing arts). Skills Active attributed this success to approaches like culturally tailored mentoring and a governance structure with strong Māori input (Skills Active, 2024).

This suggests that when Māori are supported and training reflects their values (for instance, through relational mentoring or cohort-based approaches), outcome gaps can close (Taumata Aronui, 2022).

### Impact of funding policies on Māori engagement

Funding settings directly influence how well Māori engage in work-integrated learning such as apprenticeships. When funding has been appropriate and targeted, Māori participation has jumped.

An example is the Apprenticeships Boost wage subsidy. During its operation (2020–2023), apprenticeship numbers swelled to record highs – over 20% growth – and many of the new apprentices were Māori and Pasifika learners who may not have been hired otherwise. The subsidy made employers more willing to take a chance on learners with less traditional backgrounds, thereby increasing Māori enrolment in trades.

Similarly, the TTAF (free fees) policy removed a financial barrier; while apprenticeships usually don't charge fees to learners (they earn while they learn), pre-trades courses and other provider-based programs did. With fees waived in 2020–22 for priority sectors (including construction), more Māori took up trades training, according to enrolment data (e.g., strong growth was noted in Level 3–4 certificates for construction during that period).

However, when funding is *not* designed with a lens on equity, it can unintentionally perpetuate lower Māori engagement or success. For instance, before UFS, funding for industry training did not include specific allocations for pastoral care or learning support – it was mostly a per-learner training subsidy paid to ITOs. And, before the introduction of the UFS, the equity supplements in the funding system for provider-led qualifications applied only at degree level, hence, excluding most TVET[13].

ITOs had limited ability to provide extra tutoring or culturally-based support because those activities were not funded. A consequence was that Māori apprentices, who might benefit from more holistic support (e.g., involving whānau in their learning, or receiving mentorship from a Māori tutor), had to fit into a generic model that didn't fund those supports. In those years, completion disparities persisted.

[13] Refer to this page on the TEC website.

Even under the new Unified Funding System, some stakeholders worry that funding alone doesn't guarantee change. It provides *resources*, but how those resources are used matters. If, for example, a polytechnic simply uses the "Māori learner component" funding to backfill its budget and doesn't create new Māori mentoring roles or adapt teaching methods, then Māori learners might see little difference. Thus, funding policy needs to be coupled with accountability for using funds to support Māori. Taumata Aronui (and others) have recommended that Te Pūkenga and all vocational providers develop comprehensive Māori learner success plans and report on them, so that the additional money translates to actual improved experiences (such as hiring more Māori training advisors, integrating tikanga Māori into curriculum, etc.) (Taumata Aronui 2022).

## Work-integrated learning and employment outcomes

Like many learners, Māori benefit greatly from *earn-while-you-learn* models – apprenticeships, on-the-job training, and cadetships – because these models alleviate financial pressure and build real-world experience. Many Māori learners are attracted to the practical, paid nature of construction apprenticeships as opposed to full-time study.

The Government's Māori Employment Action Plan notes that to achieve equity, services must ensure Māori have equitable access to employment, education, and training opportunities. In construction, one pathway to do this has been through cadetship programs (often funded by Te Puni Kōkiri or MBIE), where Māori are placed into infrastructure projects (like road building or civil works) and trained on the job.

The He Poutama Rangatahi initiative (under MBIE) also funded community-led schemes to engage young Māori NEETs (Not in Education, Employment, or Training) in work-based learning, including in trades.

Employer-led training partnerships are crucial for Māori workforce development. The Construction Sector Accord – a partnership between government and industry launched in 2019 – explicitly identifies growing diversity and improving outcomes for Māori as key to a "future ready" construction workforce.

This has spurred some large construction sector firms to partner with Māori entities. For example, some companies have signed MOUs with iwi to offer apprenticeship placements for Māori on local projects (sharing costs or guaranteeing jobs post-qualification)[14].

Where employers are proactive – providing culturally competent supervisors, time off for educational components, and a supportive environment – Māori apprentices thrive and often stay with those employers long-term.

Conversely, if employers "poach" skilled workers instead of training new ones, Māori can be left out. Stakeholders have raised the idea of an industry training levy to discourage poaching and encourage all employers to contribute to training (see *Appendix D*).

Such a levy, if introduced, could generate funds that might be used to support group training schemes or iwi-led training consortia, further benefiting Māori by providing more structured support outside of individual employers.

In summary, Māori participation in construction VET is strong at entry level but the system has not yet achieved equitable outcomes. Funding policies in the last decade – especially those with a Te Tiriti or equity

[14] See this example

focus – have started to improve engagement (leading to more Māori in training) and there are promising signs in pockets (for example, parity in completion in a few programmes).

Yet, challenges like lower completion rates and unequal representation in higher-skilled roles persist. The data and voices suggest that funding must go beyond access and address the success and progression of Māori learners. This is where governance and decision-making by Māori in the system become critical, as discussed next.

## 1.5 Māori governance and decision-making in TVET

Māori engagement and leadership in tertiary education has a long tradition predating contact with the European world and evolving in response to the challenges presented by colonial and post-colonial society (Durie, 2005).

The most significant of the Māori-led responses included the establishment of Māori alternatives such as Kōhanga Reo extending throughout the education system including through the establishment of Ngā Wānanga[15], private providers with close links with iwi, and several Māori research centres both within[16] and external[17] to the 'mainstream' system.

There are also numerous practical expressions of decision-making in relation to education and training initiatives led by or in partnership with iwi such as the efforts of Ngai Tahu[18] and Te Rūnanga o Toa Rangatira[19].

In the tertiary education context, Ngā Wānanga developed out of efforts by iwi groups in the 1980s and 1990s to provide tertiary education to their own people (Taumata Aronui, 2022) and were formally recognised in the 1989 Education Amendment Act (Durie, 2005) and have over time grown to offer a wide range of education and training opportunities.

The main feature of efforts to increase Māori influence on governance and decision making by central governance agencies (outside of the political sphere) was the establishment of a Ministerial Advisory Group (Taumata Aronui) in 2019 and hard wiring of co-governance arrangements for the Councils of the Workforce Development Councils, the design of the Centres of Vocational Excellence and obligations for the Te Pukenga expressed through its charter[20] and expressed through the Komiti Māori advisory group[21].

From the perspective of funding and investment decisions, the provisions relating to the Workforce Development Councils were most significant in principle because of the role those organisations had in providing funding advice that TEC is required to give effect to. While a strong role for Māori in the

[15] Te Whare Wānanga o Awanuiārangi, Te Wānanga o Aotearoa and Te Wānanga o Aotearoa.
[16] Such as Ngā Pae o te Māramatanga
[17] Such as Whakauae Research Services.
[18] Such as the Tokona te raki Maori Futures initiative.
[19] Such as this initiative to develop a training centre for water infrastructure.
[20] An exception was the exploration of a possible role for iwi in determining directly investment in tertiary education and funding in their rohe in the early 2010s.
[21] Education and Training Act 2020 Section 320

governance of these organisations has influenced the advice provided[22], in practice however this advice was considered to have limited or marginal impact on actual investment decisions[23].

ConCOVE Tūhura)was established to drive innovation and address big challenges in construction training. It has projects focused on diversity and inclusion in the trades. Māori are involved in ConCOVE's governance (several Māori researchers and leaders are on its advisory groups) and the organisation has funded several projects focused on Māori learners in construction[24].

At the provider level, Te Pūkenga introduced a co-governance element through its Komiti Māori (Māori Advisory Committee) and partnerships with iwi leaders including through the Mātauranga Iwi Leaders Group of the National Iwi Chairs Forum (Te Pukenga, 2023) and signed an MOU with Te Wānanga o Aotearoa to collaborate rather than compete, aiming to leverage each other's strengths for Māori learners (Te Pūkenga, 2021).

These moves acknowledged iwi and wānanga as key partners in delivering outcomes, however their practical impact will have been limited by the work underway to disestablish Te Pūkenga and return regional vocational education and training to local control.

These local relationships are nonetheless very long-standing in many cases with provisions for Māori representation on the councils of the formerly independent ITPs, extensive and ongoing collaborations[25] and numerous examples of Māori advisory groups.

## The limits of authority

Giving effect to Te Tiriti o Waitangi includes ensuring that Māori contribute to decision-making at all levels of the tertiary education system including exercising authority over the education of Māori learners (WAI 262 Ko Aotearoa Tēnei, 2011).

One could argue that the current arrangements partially contribute to the realisation of this exercise of authority. There are, however, sharp constraints. The broader policy, regulatory and funding settings, including decisions about how funding is apportioned between TEOs, is determined centrally.

The example of Māori authority discussed above fall into two main categories: distributional authority within TEOs, and advisory authority.

*Distributional authority* describes how self-governing TEOs can determine the kind of education and training offered, how that education and training is organised and how funding is directed within the relevant organisations. This kind of authority is particularly significant for wānanga given their distinctive mission and role in the tertiary education system and provides an expression of rangatiratanga.

Advisory authority refers to the advice that is provided by 'internal' groups like Taumata Aronui, Māori advisory groups, ConCOVE and WDCs about how the system is organised and the way in which TEOs might express their distributional authority.

---

[22] See Kaitaka Paepaeroa Māori Workforce Development Plan developed by Waihanga Ara Rau (the Construction and Infrastructure WDC) that emphasises collaboration with Māori communities.
[23] Personal correspondence.
[24] Listed here.
[25] As an example see (Ara, 2018)

Both of these authorities operate, however, within the constraints of government policy, regulatory and funding settings. In practice this means that, for example, a Māori advisory board can recommend changes or a wananga might identify a need for a particular kind of education and training, but if the funding formula or policy is inflexible, those recommendations might not be fully implemented.

An example of the positive impact of distributional authority is the significant role of Te Wānanga o Aotearoa (TWoA) in becoming a significant provider of trades training for Māori. TWoA runs trades programs and apprenticeships (often in partnership with other providers or through initiatives like He Poutama Rangatahi and carpentry courses), and it receives government funding via the same SAC/UFS streams.

The difference is that wānanga operate under a kaupapa Māori framework – so funding them inherently supports Māori leadership in delivery. While wānanga have negotiated funding packages (Henare, 1999), (Horomia, 2001), (Hipkins, 2019) to compensate for specific disadvantage such as historical underfunding of capital expenditure (Waitangi Tribunal, 1999) and research (Potter, 2017) conducted at wānanga, there is no recognition of separate funding category for wānanga or kaupapa Māori providers in trades; they must meet the same performance and enrolment metrics. This can be a disadvantage if the metrics don't capture holistic outcomes valued in Māori communities.

We also see that Māori-led training providers (outside of wānanga) have had to rely on special funds or partnerships. For example, before RoVE, some iwi formed their own training organisations under ITOs or partnered with polytechnics for trades training (such as Ngāi Tahu's He Toki ki te Rika program in construction, in partnership with Ara Institute of Canterbury). Those partnerships often depended on time-limited funding or the individual commitment of institutions rather than a guaranteed funding line.

The Māori and Pasifika Trades Training (MPTT) consortia model was one way the government tried to formalise Māori and Pasifika governance in allocating funding – each consortium typically has a governance group including iwi or Māori community reps who decide how to use the brokerage funding to support learners. This model has shown success in wrapping cultural and mentoring support around trainees, but it exists largely at the pre-trade/pre-employment stage. Once learners move into apprenticeships, funding flows into the general system where Māori-specific governance is less direct.

While *advisory authority* provides *voice* for Māori and catalyse ideas, but the *power* to allocate funding still largely sits with Crown agencies or large providers. As a member of Taumata Aronui was quoted as saying they "didn't see ourselves [our roopu] as calling all the shots and making all the decisions," rather seeing Taumata Aronui steering the waka to "guide our ministry officials and those people in government positions to empower and give them direction." (Quinn, 2022).

If a Tiriti partnership is to be fully realised, such gaps would need to be dealt with.

In short, Māori governance and influence in TVET is growing but is not yet equal to Crown control. Iwi and Māori organisations were at the time of writing[26] increasingly at the table, but the effectiveness of these models is realised when they are truly empowered.

[26] The current government has signalled its intention to remove provisions in legislation relating to Te Tiriti o Waitangi and in specific discontinue the WDCs in their current form and Te Pukenga.

The key going forward is moving from consultative or advisory roles to genuine co-decision-making authority for Māori over funding and priorities.

## 1.6 Gaps and challenges

Despite advancements, several gaps hinder Māori aspirations and self-determination in the construction and infrastructure workforce development:

- *Limited Co-Governance in Funding Decisions*: While policies espouse partnership, Māori are still often in an advisory capacity rather than having joint decision-making power over funding allocations. Important funding decisions (such as TEC investment plan approvals, or how Te Pūkenga distributes its budget) are typically made by Crown agencies or provider executives which can sideline Māori priorities.
- *Misalignment with Māori Aspirations*: The design of funding mechanisms may not fully reflect Māori concepts of success and development. Māori aspirations in construction go beyond simply having many individuals employed; they include building capacity for iwi to construct and manage their own assets, preserving Māori culture within the trades, and uplifting whānau and communities. The current funding system, however, measures outputs like qualification completions and job placements in a generic way

  In essence, there is a gap in cultural fit: funding criteria may inadvertently force Māori initiatives to fit into a Pākehā framework of education delivery. One of our key informants said that the issue is that the system tries to "fix Māori to fit the system, rather than fix the system so everybody fits" (see *Appendix D*).
- *Equity in Outcomes Not Yet Achieved*: Despite equity initiatives, Māori learners still face lower completion rates and fewer progressions into higher-skilled roles.

  The gap in apprenticeship completion and progression is a clear indicator that the funding and support provided are not yet sufficient to equalise outcomes.

  While the TEC from time to time makes modest proportions of funding dependent on progress toward equity of outcomes, the system in practice lacks robust mechanisms to ensure accountability for closing these gaps. The reasons for this may have as much to do with the complexity of attributing specific outcomes to particular initiatives, the limited understanding of how the preparation and background of learners impacts on educational outcomes and the lack of clear penalties or incentives tied to Māori outcome disparities aside from moral suasion and high-level targets.
- *Barriers for Māori Training Providers*: Kaupapa Māori and iwi-led providers face challenges in navigating funding processes. They may lack the scale to easily engage with TEC's funding systems or to meet auditing requirements.

  Some have to partner with larger PTEs or Te Pūkenga subsidiaries to get funding, which can dilute their autonomy. The UFS aimed to simplify funding, but from a small provider perspective it can still be daunting. As a result, innovative Māori-led training models might struggle to get sustained funding, meaning the system may not be fully tapping into Māori community solutions.

- *Workplace Discrimination and Support Gaps*: Outside the formal funding system, Māori learners often encounter workplace challenges (e.g., bias, lack of acceptance in certain trades teams, or apprentices being left doing menial tasks).

  These factors lead to higher dropout but are not directly addressed by funding policies. A truly Treaty-aligned approach would consider the learner's whole journey. Currently, funding doesn't extend to educating employers or enforcing supportive workplace practices widely (beyond voluntary programmes).

  So, there is a gap in active protection – the Crown could do more to actively protect Māori learners from adverse experiences by making support in the workplace a funded priority (for instance, funding cultural competency training for employers who take on apprentices).

Addressing these gaps is not without challenges. One major challenge is institutional inertia and competing priorities.

We have seen considerable concerns from some parts of society about reallocating funding toward Māori-specific initiatives as some view it as serving a subset rather than the "whole system."

There's also the matter of resources – truly supporting every Māori learner with high-touch services costs money, and in tight budgets there's competition for funds. However, failing to invest now could perpetuate much larger socio-economic costs or opportunity costs for learners, their whanau and communities.

Another challenge is ensuring that Māori representation is effective and not tokenistic. It's not enough to have Māori on councils; they need capacity, data, and mandate to influence decisions. Building that capability (both for Māori representatives and for agencies to work in partnership) takes time and commitment. The Public Service Act 2020 mandates improving Māori representation and capability, but making it real on the ground in funding bodies or boards is a work in progress.

As Crown Law guidance noted, applying Treaty principles "is not an area of great clarity" and requires judgment and cultural understanding (Crown Law, 2017). This speaks to the challenge of moving beyond rhetoric to concrete practices in funding.