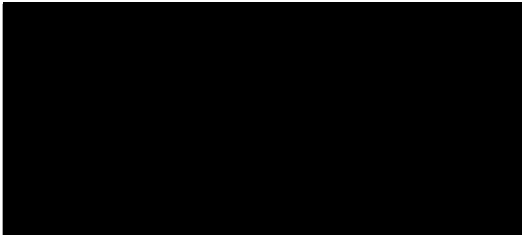


18 September 2020



Response to your request for official information

Thank you for your request under the Official Information Act 1982 (the Act) transferred from Canterbury District Health Board (DHB) on 13 August 2020 for information about the appointment of Gabrielle Huria as a board member of Canterbury DHB.

Each DHB board has up to 11 members, of which four may be appointed by the Minister of Health. Appointed members serve a term of up to three years. They may be reappointed subject to an upper limit of nine consecutive years on the board.

In making appointments, the Minister considers a range of people who may be able to fill gaps on the board in terms of skills and experience. For example, the Minister may wish to appoint people with financial or other experience in governing large organisations, or people from groups not represented among the elected members.

The Ministry of Health assists the Minister in the appointment process.

I have responded to each of your questions in turn.

"1. Please provide ALL documentation in relation to the appointment of Gabrielle Huria as a board member of the CDHB."

Two documents have been identified within scope of your request. These documents are itemised in Appendix One of this letter. The table in Appendix One outlines the grounds under which I have decided to withhold information. Please note that information deemed out of scope of your request has been excluded.

"2. Please provide the CV that was submitted by of Gabrielle Huria, for her position as a Board member of the CDHB."

Part two of your request for information is withheld pursuant to section 9(2)(a) of the Act to protect the privacy of natural persons. The enclosed Cabinet Appointments and Honours Committee paper includes a summary of Gabrielle Huria's skills and experience.

"3. Please provide any supporting documents that were submitted by Gabrielle Huria for her position as a Board member of the CDHB."

4. Please provide any iwi or hapu, letters of recommendation or support that were submitted by Gabrielle Huria, for her position as a Board member of the CDHB.

5. Please provide any documentation that was submitted by Gabrielle Huria from the Te Ngai Tūāhuriri Runanga for her position as a Board member of the CDHB.

6. Please provide any documentation that was submitted by Gabrielle Huria from Te Maire Tau for her position as a Board member of the CDHB."

I am unable to provide any information in response to parts three to six of your request under to section 18(e) of the Act as no information within scope exists.

I trust this information fulfils your request. Under section 28(3) of the Act you have the right to ask the Ombudsman to review any decisions made under this request.

Please note that this response, with your personal details removed, may be published on the Ministry of Health website.

Yours sincerely



Sarah Turner
Deputy Director-General
Office of the Director-General

Appendix 1: List of documents

#	Date	Title	Decision on release
1	November 2019	Cabinet paper: District Health Board: Board Appointments or Reappointment 2019	<p>Released with some information withheld pursuant to the following sections of the Act:</p> <ul style="list-style-type: none">• Section 9(2)(a) of the Act, to protect the privacy of natural persons; and• Section 9(2)(g)(i) of the Act, to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers of the Crown. <p>Note the Candidate CV forms are withheld under section 9(2)(a) of the Act, to protect the privacy of natural persons. Information deemed out of scope of your request has been excluded.</p>
2	November 2019	Health Report: District Health Board Appointments or Reappointments 2019	<p>Released with some information withheld pursuant to the following sections of the Act:</p> <ul style="list-style-type: none">• Section 9(2)(a) of the Act, to protect the privacy of natural persons. <p>Note that information deemed out of scope of your request has been excluded.</p>

In Confidence

Office of the Minister of Health

Chair, Cabinet Appointments and Honours Committee

DISTRICT HEALTH BOARD: BOARD APPOINTMENTS OR REAPPOINTMENTS 2019

Proposal

1. This paper outlines my intention to appoint or reappoint to 19 District Health Boards (DHBs), a Chair, a Deputy Chair and members. These (re)appointments are for terms of office commencing on 9 December 2019 and ending on 5 December 2022.

Background

2. DHBs were established on 1 January 2001 under section 19 of the New Zealand Public Health and Disability Act 2000 (the NZPHD Act). DHBs are responsible for providing, or funding the provision of, government-funded health and disability services for the populations of 20 districts around New Zealand.
3. Under section 29(1) of the NZPHD Act, DHBs are governed by boards comprising seven members elected triennially at the time of local government elections, and up to four members appointed by the Minister of Health. Final results for the 2019 DHB board elections have been declared, and elected members will come into office on 9 December 2019.
4. Appointments to DHB boards are made pursuant to section 29(1)(b) of the NZPHD Act and section 28(1)(a) of the Crown Entities Act 2004 (the CE Act). Appointed members are appointed for terms of three years or less (section 32(1)(a), CE Act) and can serve up to a maximum of nine consecutive years on a DHB board (clause 2(1)(b), Schedule 3, NZPHD Act). There is no limit to the number of times an elected member may be re-elected. The Minister must also appoint a Chair and Deputy Chair from among each board's elected and appointed members (clause 10, Schedule 3, NZPHD Act).
5. DHB board Chairs, Deputy Chairs and members are involved in a wide range of governance activities, including participation in statutory advisory committees and other groups created by DHB boards. Their duties are set out in the NZPHD and CE Acts. These include requirements to act in good faith, with reasonable care, diligence and skill, and with honesty and integrity. Board member appointments are made to help ensure a good balance of skills, experience and diversity on each board. Members must be individuals who, in the Minister's opinion, will assist the DHB to carry out its functions and achieve its objectives (section 29(2)(a), CE Act).

Comment

6. This paper outlines the (re)appointments that I intend to make to the boards of 19 DHBs. Waikato DHB is not included because of the appointment of the Commissioner in 2019.
7. I intend that new appointees and reappointees take office alongside their elected colleagues on 9 December 2019. Attached is an appendix for each of the 19 DHBs (Appendices 1-19). Each attachment includes information specific to the DHB, candidate CV forms which provide further detail on each proposed (re)appointee and an organisation form which outlines the full membership of the relevant DHB board.
8. I intend that the individuals listed in the recommendation be appointed or reappointed to the noted position on the relevant DHB board. These appointments or reappointments will be for three-year terms of office, commencing on 9 December 2019 and ending on 5

December 2022. This is consistent with the requirement that elected members come into office 58 days after polling day (clause 14, Schedule 2, NZPHD Act). Polling day is always the second Saturday in October (section 10(2), Local Electoral Act 2001).

9. Upon taking office as Minister of Health, I made it clear that this Government's focus is on putting patients at the centre of healthcare and reducing inequities in health outcomes. This is reiterated in my expectations to DHBs that they deliver on better population health outcomes, supported by a strong and equitable public health and disability system.
10. I have been actively addressing governance challenges facing DHB boards with the appointment of Crown Monitors, and the replacement of the Waikato DHB board with a Commissioner and Deputy Commissioners. This will support improved governance and ensure that DHBs are striving to deliver sustainable services to patients while achieving financial sustainability.
11. The appointment of the proposed new members will further support these measures by bringing together strengthened governance, stronger financial acumen and enhanced representation of tikanga Māori on DHB boards.
12. It is important to ensure the fundamentals of good governance are in place, which can be supported by a strong programme of ongoing DHB board training and development. Following the Chair induction days, regional induction meetings will be held early next year to ensure that all Board members (both current and new), understand their roles and the expectations of the Crown and the board Chairs.
13. I expect that all Board members be highly engaged and hold Chief Executives tightly accountable for improved performance within each DHB. Ongoing board and individual member development is critical to ensuring that these expectations can be met, and the Ministry is currently developing tools and resources to support this.

Representativeness of appointments

14. Full consideration has been given to achieving appropriate gender, age, geographic and ethnic balance on all DHB boards. In particular, I have endeavoured to ensure an appropriate level of Māori representation on the DHB boards, in accordance with section 29(4) of the NZPHD Act (i.e. proportional to the number of Māori in the DHB's resident population, with at least two Māori members on each DHB board).
15. Of the 76 people I propose to appoint to the 19 DHBs (excluding the appointment of elected members), 46% are female and 54% are Māori. This compares to 45% female and 45% Māori in 2016. Chairs and Deputies are 34% female (up from 32% in 2016) and 21% Māori (up from 11% in 2016). There are four Māori Chairs compared to none in 2016. For the first time the number of Māori Chairs and Deputies reflects the proportion of the Māori population.
16. Of the 75 people who were appointed in 2016, 12 people (16%) are proposed to be reappointed. This includes the proposed reappointment of 5 of the 19 Chairs under consideration, noting a small number were not eligible or seeking reappointment.

Remuneration

17. Fees consistent with the Cabinet-approved Fees Framework (Cabinet Office Circular CO (12) 6, *Fees Framework for members appointed to bodies in which the Crown has an interest*) are payable to appointees. Fees are met from within existing funding received by DHBs. Members also receive fees for serving on the DHB board's three statutory advisory committees and the board's audit committee (should they be members of these committees). Committee fees are \$2,500 for a committee member or \$3,125 for a committee Chair, pro-rated for attendance at fewer than 10 meetings per annum.
18. In accordance with the Fees Framework, each board has been classified as a Group 3a body. The level of each DHB and the fees to be paid are outlined in the table below.

DHB Name	Level	Chair	Deputy	Member
Auckland	2	\$63,522	\$39,698	\$31,759
Bay of Plenty	3	\$46,403	\$28,963	\$23,171
Canterbury	2	\$63,522	\$39,698	\$31,759
Capital & Coast	3	\$46,403	\$28,963	\$23,171
Counties Manukau	2	\$63,522	\$39,698	\$31,759
Hawkes Bay	3	\$46,403	\$28,963	\$23,171
Hutt Valley	3	\$46,403	\$28,963	\$23,171
Lakes	3	\$46,403	\$28,963	\$23,171
Mid Central	3	\$46,403	\$28,963	\$23,171
Nelson-Marlborough	3	\$46,403	\$28,963	\$23,171
Northland	3	\$46,403	\$28,963	\$23,171
South Canterbury	4	\$34,647	\$21,862	\$17,490
Southern	3	\$46,403	\$28,963	\$23,171
Tairāwhiti	4	\$34,647	\$21,862	\$17,490
Taranaki	3	\$46,403	\$28,963	\$23,171
Wairarapa	4	\$34,647	\$21,862	\$17,490
Waitemata	2	\$63,522	\$39,698	\$31,759
West Coast	4	\$34,647	\$21,862	\$17,490
Whanganui	4	\$34,647	\$21,862	\$17,490

19. Appointees who are in full-time employment in the state sector will be advised that under the Fees Framework, public servants/state servants/employees of a Crown body are not to retain both the fee payable to board members and their ordinary pay (where duties of the DHB board are undertaken during ordinary department or Crown body working hours [paragraph 59 of the Fees Framework refers]). I will ask appointees to make the necessary arrangements to give full effect to this provision.

Appointment process and consultation

20. I can confirm that an appropriate process has been followed in considering the proposed (re)appointees in accordance with State Services Commission (SSC) Board Appointment and Induction Guidelines. This has included receiving conflict of interest declarations and appropriate due diligence as required.
21. In addition to the wide range of existing and known candidates, candidate nominations were sought from nominating agencies (e.g. the Ministry for Women, Te Puni Kōkiri, the Office of Ethnic Communities), from the Treasury, leaders in the health sector and from my ministerial colleagues. Nominations and expressions of interest from organisations and members of the public were also received.

Conflicts of interest

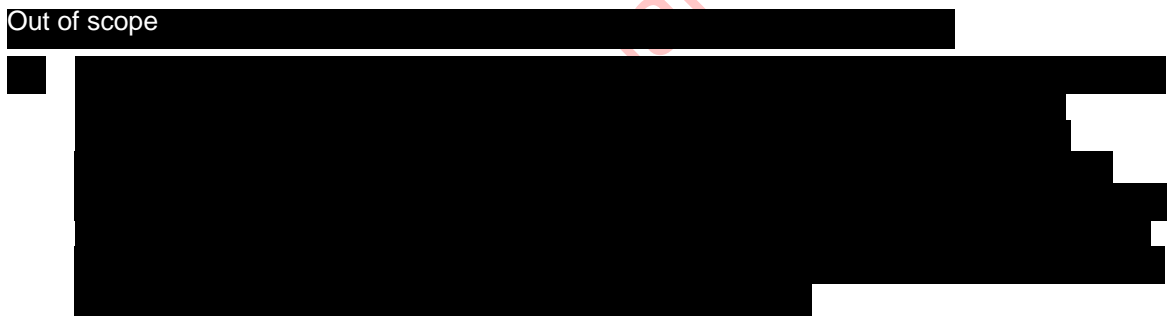
22. I can confirm that appropriate enquiries concerning conflicts of interest have been carried out, in accordance with the SSC appointment guidelines, to identify any conflicts of interest that could reasonably be identified.
23. Potential conflicts of interest that have been identified, and how they will be managed, are outlined in the Candidate CV forms in the appendices.

24. The NZPHD Act contains clear provisions for the management of conflicts of interest, which were drafted in the expectation that many of the most able contributors to DHB boards would have existing interests in the health sector. The key statutory provisions for managing conflicts of interest are as follows.
- 24.1 All interests of which the member is aware that may result in conflict must be disclosed at the time of appointment or election.
- 24.2 New interests arising after appointment or election must be disclosed to the DHB board 'as soon as practicable after the relevant facts have come to the member's knowledge' (boards typically have conflict of interest disclosures as a standing item on the meeting agendas).
- 24.3 A member with a conflict of interest may not take part in the board's decision on an affected matter.
- 24.4 A member with a conflict of interest may participate in related board deliberations on the matter only if specifically permitted to do so by majority resolution of the other board members. The board's minutes must then record any such permission, the board's reasons for giving it, and what the member says in the deliberations.
25. The management of any conflicts of interest will also be a key focus of the Ministry of Health's DHB Board Induction work programme.

Timing and publicity

26. Once the appointments or reappointments have been finalised, I will release a media statement announcing these. Notice of these (re)appointments will also be published in the *New Zealand Gazette*.

Out of scope



Recommendations

28. I recommend that the Committee notes my intention to appoint or reappoint the following individuals for the term noted. (E) indicates an elected member being appointed.

AUCKLAND				
Appoint/ Reappoint	Position	Name of (re)appointee	Term start	Term end
Reappoint	Chair	Patrick (Pat) Snedden	9 December 2019	5 December 2022
s 9(2)(a)				
Appoint	Member	Lana Perese*	9 December 2019	5 December 2022
s 9(2)(a)				
BAY OF PLENTY				
Appoint/ Reappoint	Position	Name of (re)appointee	Term start	Term end
Appoint	Chair	Sir Michael Cullen	9 December 2019	5 December 2022
Appoint	Deputy Chair	Sharon Shea	9 December 2019	5 December 2022
Appoint	Member	Leonie Simpson	9 December 2019	5 December 2022
Appoint	Member	Arihia Tuoro	9 December 2019	5 December 2022
CANTERBURY				
Appoint/ Reappoint	Position	Name of (re)appointee	Term start	Term end
Appoint	Chair	Sir John Hansen	9 December 2019	5 December 2022
Appoint	Deputy Chair	Gabrielle Huria	9 December 2019	5 December 2022
Reappoint	Member	Barry Bragg	9 December 2019	5 December 2022
Appoint	Member	Ingrid Taylor	9 December 2019	5 December 2022
CAPITAL & COAST				
Appoint/ Reappoint	Position	Name of (re)appointee	Term start	Term end
Appoint	Chair	David Smol	9 December 2019	5 December 2022
Appoint	Deputy Chair	Ayesha Verrall (E)	9 December 2019	5 December 2022
Appoint	Member	Tristram Ingham	9 December 2019	5 December 2022
Reappoint	Member	Kimbal von Lanthén	9 December 2019	5 December 2022
s 9(2)(a)				

* Dr Lana Perese appointed to Counties Manukau DHB

COUNTIES MANUKAU				
Appoint/ Reappoint	Position	Name of (re)appointee	Term start	Term end
Reappoint	Chair	Vui Mark Gosche	9 December 2019	5 December 2022
s 9(2)(a)				
Appoint	Member	Pierre Tohe	9 December 2019	5 December 2022
Appoint	Member	Tipa Mahuta	9 December 2019	5 December 2022
HAWKE'S BAY				
Appoint/ Reappoint	Position	Name of (re)appointee	Term start	Term end
Appoint	Chair	Shayne Walker	9 December 2019	5 December 2022
Appoint	Deputy Chair	Evan Davies	9 December 2019	5 December 2022
Appoint	Member	Joanne Edwards	9 December 2019	5 December 2022
Appoint	Member	Charles Lambert	9 December 2019	5 December 2022
HUTT VALLEY				
Appoint/ Reappoint	Position	Name of (re)appointee	Term start	Term end
Appoint	Chair	David Smol	9 December 2019	5 December 2022
Reappoint	Deputy Chair	Wayne Guppy (E)	9 December 2019	5 December 2022
Reappoint	Member	Kimbal von Lanthén	9 December 2019	5 December 2022
Reappoint	Member	Yvette Grace	9 December 2019	5 December 2022
Appoint	Member	John Ryall	9 December 2019	5 December 2022
LAKES				
Appoint/ Reappoint	Position	Name of (re)appointee	Term start	Term end
Appoint	Chair	Jim Mather	9 December 2019	5 December 2022
Reappoint	Deputy Chair	Johan Morreau (E)	9 December 2019	5 December 2022
Appoint	Member	Sir Michael Cullen	9 December 2019	5 December 2022
Appoint	Member	Lana Ngawhika	9 December 2019	5 December 2022
Appoint	Member	Rees Tapsell	9 December 2019	5 December 2022
MIDCENTRAL				
Appoint/ Reappoint	Position	Name of (re)appointee	Term start	Term end
Reappoint	Chair	Brendan Duffy	9 December 2019	5 December 2022
Reappoint	Deputy Chair	Oriana Paewai	9 December 2019	5 December 2022
Appoint	Member	Materoa Mar	9 December 2019	5 December 2022
Appoint	Member	Norman Gray	9 December 2019	5 December 2022

NELSON MARLBOROUGH				
Appoint/ Reappoint	Position	Name of (re)appointee	Term start	Term end
Reappoint	Chair	Jenny Black (E)	9 December 2019	5 December 2022
Reappoint	Deputy Chair	Craig Dennis	9 December 2019	5 December 2022
Reappoint	Member	Dawn McConnell	9 December 2019	5 December 2022
Appoint	Member	Olivia Hall	9 December 2019	5 December 2022
Appoint	Member	Jill Kersey	9 December 2019	5 December 2022
NORTHLAND				
Appoint/ Reappoint	Position	Name of (re)appointee	Term start	Term end
Appoint	Chair	Harry Burkhardt	9 December 2019	5 December 2022
Appoint	Deputy Chair	Ngaire Rae	9 December 2019	5 December 2022
Appoint	Member	Nicole Anderson	9 December 2019	5 December 2022
Appoint	Member	Mataroria Lyndon	9 December 2019	5 December 2022
SOUTH CANTERBURY				
Appoint/ Reappoint	Position	Name of (re)appointee	Term start	Term end
Reappoint	Chair	Ron Luxton (E)	9 December 2019	5 December 2022
Appoint	Deputy Chair	Phil Hope	9 December 2019	5 December 2022
Appoint	Member	Karl Te Raki	9 December 2019	5 December 2022
Appoint	Member	Suran Dickson	9 December 2019	5 December 2022
Reappoint	Member	Mark Rogers	9 December 2019	5 December 2022
SOUTHERN				
Appoint/ Reappoint	Position	Name of (re)appointee	Term start	Term end
Appoint	Chair	David Cull (E)	9 December 2019	5 December 2022
Appoint	Deputy Chair	David Perez	9 December 2019	5 December 2022
Appoint	Member	Jean O'Callaghan	9 December 2019	5 December 2022
Appoint	Member	Tuari Potiki	9 December 2019	5 December 2022
Appoint	Member	Moana Theodore	9 December 2019	5 December 2022
TAIRAWHITI				
Appoint/ Reappoint	Position	Name of (re)appointee	Term start	Term end
Appoint	Chair	Kim Ngarimu	9 December 2019	5 December 2022
Reappoint	Deputy Chair	Gavin Murphy	9 December 2019	5 December 2022
Appoint	Member	Robyn Rauna	9 December 2019	5 December 2022
Appoint	Member	Amy Wray	9 December 2019	5 December 2022

TARANAKI				
Appoint/ Reappoint	Position	Name of (re)appointee	Term start	Term end
Appoint	Chair	Cassandra Crowley	9 December 2019	5 December 2022
Appoint	Deputy Chair	Bridget Sullivan	9 December 2019	5 December 2022
Appoint	Member	Carla White	9 December 2019	5 December 2022
Appoint	Member	Patsy Bodger	9 December 2019	5 December 2022
WAIRARAPA				
Appoint/ Reappoint	Position	Name of (re)appointee	Term start	Term end
Reappoint	Chair	Sir Paul Collins	9 December 2019	5 December 2022
Appoint	Deputy Chair	Tony Becker (E)	9 December 2019	5 December 2022
Appoint	Member	Yvette Grace	9 December 2019	5 December 2022
Reappoint	Member	Ronald Karaitiana	9 December 2019	5 December 2022

s 9(2)(a)

WAITEMATA				
Appoint/ Reappoint	Position	Name of (re)appointee	Term start	Term end
Reappoint	Chair	Judy McGregor	9 December 2019	5 December 2022
Reappoint	Deputy Chair	Kylie Clegg	9 December 2019	5 December 2022
Appoint	Member	Renata Watene	9 December 2019	5 December 2022
Appoint	Member	Arena Williams	9 December 2019	5 December 2022
WEST COAST				
Appoint/ Reappoint	Position	Name of (re)appointee	Term start	Term end
Appoint	Chair	Hon Rick Barker	9 December 2019	5 December 2022
Appoint	Deputy Chair	Tony Kokshoorn	9 December 2019	5 December 2022
Reappoint	Member	Edie Moke	9 December 2019	5 December 2022
Reappoint	Member	Francois Tumahai	9 December 2019	5 December 2022

WHANGANUI				
Appoint/ Reappoint	Position	Name of (re)appointee	Term start	Term end
Appoint	Chair	Ken Whelan	9 December 2019	5 December 2022
Appoint	Deputy Chair	Annette Main (E)	9 December 2019	5 December 2022
Appoint	Member	Materoa Mar	9 December 2019	5 December 2022
Appoint	Member	Soraya Peke-Mason	9 December 2019	5 December 2022
Appoint	Member	Talia Anderson-Town	9 December 2019	5 December 2022

Authorised for lodgement.

Hon Dr David Clark
Minister of Health

APPENDIX 3: CANTERBURY DISTRICT HEALTH BOARD: BOARD APPOINTMENTS OR REAPPOINTMENTS 2019

1. The proposed appointees or reappointees are set out below.

Appoint/ Reappoint	Position	Name of (re)appointee	Term start	Term end
Appoint	Chair	Sir John Hansen	9 December 2019	5 December 2022
Appoint	Deputy Chair	Gabrielle Huria	9 December 2019	5 December 2022
Reappoint	Member	Barry Bragg	9 December 2019	5 December 2022
Appoint	Member	Ingrid Taylor	9 December 2019	5 December 2022

Sir John Hansen, Chair

Sir John is a Judge of the High Court of New Zealand and an experienced governor. Sir John was made Distinguished Companion of the New Zealand Order of Merit for services to the judiciary. In 2009, Sir John was appointed to the Court of Appeal of the Solomon Islands and the Court of Appeal of Samoa. His previous roles include: Chair of the Red Cross Canterbury Earthquake Appeal Commission and of the Legal Services Agency Board, Chair of the Board of Inquiry for the MacKays Crossing to Peka Peka Expressway Proposal in 2012, and Convenor of the Canterbury Earthquake Review Panel. His current governance roles include chairing the Independent Hearing Panel responsible for the new Christchurch District Plan, Chair of the Press Council, and Chair of the Rulings Panel for the Gas Industry. He is also a member of the New Zealand Rugby Appeals Council. Sir John holds a Bachelor of Laws from Otago University.

Gabrielle Huria, Deputy Chair

Ms Huria is Chair of Emerge Aotearoa a Māori and Pacific mental health provider. She holds senior governance role at Ngai Tahu Tribal Authority, managing its communications strategy during its negotiation and post-settlement periods. Ms Huria has held several director positions and was Chair of Tahu Communications and Whanau Ora Te Waipounamu Regional Leadership Team. Ms Huria has previous experience in both central and local government. She was also involved in the Ngai Tahu response to the March 2019 attack on Christchurch mosques.

Barry Bragg, Member

Mr Bragg is of Ngai Tahu descent and joined the Ngai Tahu Property Board in 2009; he has been Chair since 2012. His other directorship roles include Deputy Chair of the Stevenson Group Limited, Director of CRL Energy Limited and Deputy Chair of the Canterbury West Coast Air Rescue Trust. Mr Bragg also Chairs CDHB Quality, Audit and Risk Committee. He is currently Managing Director of Nuenz Limited, which is an advanced materials start-up company. Mr Bragg is also a Chartered Accountant Fellow and a member of the New Zealand Institute of Directors. He completed the INSEAD International Executive Programme in France and Singapore in 2002.

Ingrid Taylor, Member

Ms Taylor has over 25 years' experience in the legal field, having been the principal legal advisor of Taylor Shaw, Commercial and Property Law, since 1995. She has advised a wide range of clients across many industries, including providing advice in all areas of commercial law. Ms Taylor also has a strong background in contributing to various boards, and she currently sits on the Board of the Independent Schools of New Zealand. Ms Taylor is also a member of the Institute of Directors and acts as a Trustee for a number of charitable societies, organisations and individuals. She holds an L.L.B from Canterbury University.

Conflicts of interest

2. I can confirm that appropriate enquiries concerning conflicts of interest have been carried out, in accordance with the SSC appointment guidelines, to identify any conflicts of interest that could reasonably be identified.

s 9(2)(a), s 9(2)(g)(i)



7. Potential conflicts of interest that have been identified, and how they will be managed, are outlined in the attached Candidate CV forms.

Note: Appendices 4 to 19 have been deemed out of scope of your request

Health Report

District Health Board (DHB) Board Appointments or Reappointments 2019

Date due to MO: 15 November 2019 **Action required by:** 20 November 2019

Security level: IN CONFIDENCE **Health Report number:** 20192238

To: Hon Dr David Clark, Minister of Health

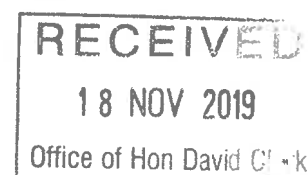
Contact for telephone discussion

Name	Position	Telephone
Lisa McPhail	Chief Advisor, Office of Director-General	s 9(2)(a)
Sarah Turner	Deputy Director-General, Office of Director-General	s 9(2)(a)

Action for Private Secretaries

Return the signed report to the Ministry of Health.

Date dispatched to MO:



District Health Board (DHB) Board Appointments or Reappointments 2019

Purpose of report

This report provides you with the papers required for the Cabinet Appointments and Honours Committee (APH) to consider the appointment or reappointment of a Chair, Deputy Chair and members you are proposing to 19 DHB boards.

Attached to this report as Appendix One is the APH paper. The appendices to the APH paper including candidate CV forms, potential conflicts of interest and a full list of appointed and elected members for each DHB's board will be provided to your office on 19 November.

Key points

- Appropriate processes have been followed in considering the proposed (re)appointees in accordance with State Services Commission (SSC) Board Appointment and Induction Guidelines.
- The (re)appointment of the proposed board members will support strengthened governance, stronger financial acumen and enhanced representation of Māori on DHB boards.
- Your approval is required to reappoint several board members who will be serving more than six consecutive years on a DHB board.
- The proposed (re)appointments will be considered by APH on 20 November 2019 and, if approved, by Cabinet on 25 November 2019.
- It is intended that (re)appointees take office alongside their elected colleagues on 9 December 2019 for three-year terms ending on 5 December 2022.

Recommendations

The Ministry recommends that you:

- a) **Sign** the APH paper attached as Appendix One.

Yes/No

- b) **Agree** to the reappointment of **Out of scope** and **Out of scope** who will be serving more than six consecutive years on a DHB board, pursuant to clause 2(1)(b) of Schedule 3 to the NZPHD Act, by signing this report.

Yes/No



Sarah Turner

Deputy Director-General

Officer of the Director-General



Hon Dr David Clark

Minister of Health

Date: 19/11/19

District Health Board (DHB) Board Appointments or Reappointments 2019

Background

1. As per section 29(1) of the New Zealand Public Health and Disability Act 2000 (the NZPHD Act), DHBs are governed by boards comprising seven members elected triennially at the time of local government elections, and four members appointed by the Minister of Health.
2. Final results for the 2019 DHB board elections have been declared, and elected members will come into office on 9 December 2019. It is intended that (re)appointees take office alongside their elected colleagues on 9 December 2019 for three-year terms ending on 5 December 2022.
3. (Re)appointments to DHB boards are made pursuant to section 29(1)(b) of the NZPHD Act and section 28(1)(a) of the Crown Entities Act 2004 (the CE Act). Appointed members are appointed for terms of three years or less (section 32(1)(a), CE Act) and can serve up to a maximum of nine consecutive years on a DHB board (clause 2(1)(b), Schedule 3, NZPHD Act). There is no limit to the number of times an elected member may be re-elected. The Minister must also appoint a Chair and Deputy Chair from among each board's elected and appointed members (clause 10, Schedule 3, NZPHD Act).

Appointment process and consultation

4. Appropriate processes have been followed in considering the proposed (re)appointees in accordance with State Services Commission (SSC) Board Appointment and Induction Guidelines. This has included receiving conflict of interest declarations, criminal record checks and other due diligence, as required.
5. As you will be aware, candidate nominations were sought from nominating agencies (e.g. the Ministry for Women, Te Puni Kōkiri, the Office of Ethnic Communities etc), and from your ministerial colleagues. Nominations and expressions of interest from organisations and members of the public were also received.
6. Your office has conducted cross party consultation and any feedback received has been considered and incorporated.

Approval of extended terms for particular board members

7. Clause 2(1)(b) of Schedule 3 to the NZPHD Act requires the Minister to consent in writing before reappointing a member for more than six consecutive years on a DHB board, but not exceeding nine. In addition, the SSC appointment guidelines suggest that Ministers can reappoint individuals for more than two terms if they agree there are sound reasons for doing so.
8. **Out of scope** will be serving over six consecutive years on Waitemata, MidCentral, and Wairarapa DHBs' boards. Given the desire for continuity of experience and the continuing valued contributions these members make, there is cause to support these reappointments. You can confirm these reappointments by signing this report.

Crown Monitors

9. Out of scope

10.

Representativeness of appointments

11. A wide range of candidate nominations were received, and full consideration has been given to achieving appropriate gender, age, geographic and ethnic balance on all DHB boards. It is important to note that members have been appointed to support an appropriate level of Māori representation on DHB boards, in accordance with section 29(4) of the NZPHD Act (i.e. proportional to the number of Māori in the DHB's resident population, with at least two Māori members on each DHB board).
12. (Re)appointed members were also selected based on their relevant skills (e.g. financial, legal, business etc), including work, governance or leadership experience. A mix of new appointments and reappointments are being proposed to ensure that there is continuity of experience, as well as a chance to bring new skills and ideas into governance decisions.
13. The (re)appointment of the proposed members will enhance board governance and ensure board membership is well balanced, representative and that members have a wide range of skills and experiences.

Conflicts of interest

14. Appropriate enquiries concerning conflicts of interest have been carried out, in accordance with the SSC appointment guidelines, to identify any conflicts of interest that could reasonably be identified. Potential conflicts of interest, and how they will be mitigated, are outlined in the candidate CV forms that will be attached to each APH paper (to be provided to your office on 19 November 2019).
15. The management of any conflicts of interest will also be a key focus of the Ministry of Health's DHB Board Induction work programme.

Remuneration

16. Fees consistent with the Cabinet-approved Fees Framework (Cabinet Office Circular CO (12) 6, *Fees Framework for members appointed to bodies in which the Crown has an interest*) are payable to board appointees. Fees are met from within existing funding received by DHBs. Members also receive fees for serving on the DHB board's three statutory advisory committees and the board's audit committee (should they be members of these committees). You received advice on the appropriate fees for board

Chairs, Deputy Chairs and members for the 2019 election cycle in October 2019 (HR20191402 refers).

17. Appointees that are in full-time employment in the state sector will be advised that, under the Fees Framework, they are not to retain both the fee payable to board members and their ordinary pay (where duties of the DHB board are undertaken during ordinary department or Crown body working hours [paragraph 59 of the Fees Framework refers]). Appointees will be asked to make the necessary arrangements to give full effect to this provision.

Next steps

18. Following APH approval, the (re)appointments will be considered by Cabinet on 25 November 2019.
19. Following Cabinet approval, a media statement will be drafted for you to release announcing the (re)appointed board members. In addition, notice of these (re)appointments will be published in the *New Zealand Gazette* as soon as practicable.
20. The Ministry is drafting letters to send to (re)appointed members to confirm their appointments. Letters will be provided to your office for your signature in the week beginning 25 November 2019.
21. Talking points to support your attendance at APH and Cabinet will be provided to your office in the week beginning 18 November 2019.

ENDS.