

## Step-by-Step Guide Ministerial Board Appointment Process from Start to Finish

### TIMEFRAMES TO CONSIDER

- 1 month to plan the approach, consult internally and with the Chair, and brief the Minister. Additional time needed for Tāmaki Redevelopment Company Board appointments as members of Auckland Council need to be consulted during key steps.
- 2 weeks - 1 month to get a response to a call for nominations from government departments and industry bodies (depending on the urgency of filling a position) and through public advertising.
- 1 month for short listing, interviews and reference checking stage (depending on the number of candidates).
- 2 weeks for drafting recommendations and a draft Cabinet paper for the Minister to consider.
- Minimum 2 - 3 weeks for Ministerial consultation (including coalition partners).
- 2 - 4 weeks for Cabinet Committee and Cabinet agreement (depending on House sitting calendar)
- 2 weeks for appointment letters to be sent and candidates to confirm their appointments, before any announcement.

### IN ADVANCE: PREPARE BOARD APPOINTMENTS PROGRAMME FOR THE YEAR

0.1	<p>Prepare a <a href="#">board appointments programme</a> for a <b>full calendar year</b><sup>1</sup> to help you plan ahead. Ideally appointment/reappointment processes are commenced at least 5-6 months before the expiry of terms. If the expiry term relates to a Chairperson, then you may need to commence the process at least 9 months before the expiry of their term.</p> <p>The Cabinet Office coordinates and issues a Schedule of Upcoming Appointments to Ministers at the beginning of each year, using information gathered from departments. Ministers' Offices will email departments every December requesting an updated <a href="#">Organisation Form</a> for each Board.</p> <p>Boards should have an ongoing process (ie self-appraisals) for identifying, developing or seeking the skills they will need to meet the challenges they face in the foreseeable future.</p> <p>Staggering the terms of office of board members helps to ensure a core of experience is always available while also maintaining board stability.</p>
0.2	<p>It has been the practice for recent governments to exercise restraint in making significant<sup>2</sup> appointments in the <b>pre-election period</b> - appointments not considered to be significant proceed in the usual way.</p>
0.3	<p><b>Check and understand requirements for appointment</b> and criteria for membership in the entity/board's establishing legislation, the Crown Entities Act 2004 (if it is a <a href="#">Crown entity</a>), the</p>

<sup>1</sup> Departments should give their Ministers a periodic briefing on the overall picture of upcoming board vacancies for all the entities within the Minister's portfolio/s. This should include the objectives and functions of each entity, current board membership, fees and allowances, which members' terms are expiring, whether they are eligible for reappointment, suggestions for revised skill sets and/or succession planning for the chairs (Public Service Commission Board Appointment and Induction Guidelines, 2015).

<sup>2</sup> The term 'significant' is not defined; it is a matter of judgement. A case-by-case assessment is required, considering such factors as: the public profile of the entity, whether the entity has a strategic or decision-making role, whether the entity controls significant assets or funds, and whether the entity is an executive agency (as opposed to an advisory or technical body).

Board's Terms of Reference, or Company Constitution (if it is a [Crown company](#)) etc.

## STEP 1: DETERMINE APPROACH

1.1	<p>Start <a href="#">scoping exercise</a> to determine proposed approach and <b>engage with interested stakeholders</b>, including the board Chair and the Treasury on their views and requirements:</p> <ul style="list-style-type: none"><li>• About the performance of members whose terms are due to expire and their views on whether he/she should be considered for reappointment</li><li>• Determine whether a member would like to be considered for reappointment. If the member wishes to step down – ask them if they are willing to remain until a successor is appointed.</li><li>• If a new appointment is needed - discuss with the Chair and other interested stakeholders the <b>skills and experience needed</b> and an appropriate search process. Consider drafting a <a href="#">skills matrix</a> or board profile which will assist in determining where there are gaps.</li><li>• For joint appointments to the Tāmaki Redevelopment Company Board, consult with Auckland Council.</li></ul>
1.3	<p>Check if members receive fees through the <b>Cabinet Fees Framework</b> or under the <b>Crown Company Fees Methodology</b>. This is important as fees can be reflected in position descriptions and are normally requested by applicants.</p> <p>If under the scope of the Cabinet Fees Framework (administered by the Public Service Commission):</p> <ul style="list-style-type: none"><li>• check the current fees paid to members and cross-check against latest <a href="#">Cabinet Office Circular</a>.</li><li>• If a fee review is required, you need to commence an aligned process and may need to adjust timelines.</li></ul> <p>The Crown Company Fees Methodology is administered by the Treasury.</p>
1.4	<p><b>Determine the appropriate search process</b> and budget requirements. Prepare a timeline for whole process, which can be summarised in your briefing for the responsible Minister.</p> <p>There are generally three types of search processes:</p> <ul style="list-style-type: none"><li>• <i>Open/public search</i> – where the position is made known as widely as possible through advertising online, the Ministry's website and the entity's website.</li><li>• <i>Closed (competitive) search</i> – where the responsible Minister's preferred candidate(s) and/or the candidate(s) recommended by the entity/board are invited to submit their CVs and Disclosure Forms for consideration. Interviews and reference checks enables the Ministry to assess the candidate's suitability for appointment and provide advice to the responsible Minister.</li><li>• <i>Targeted search</i> – where specific individuals are invited to apply, and nominations/suggestions are sought from the entity/board, the responsible Minister and colleagues, government departments, and stakeholder bodies.</li></ul>
1.5	<p>Draft your initial <b>briefing to the responsible Minister(s)</b>. Include:</p> <ul style="list-style-type: none"><li>• background and legislative requirements associated with the appointment</li><li>• the role of the Minister</li><li>• names of members whose terms will expire and their expiry date</li><li>• Chair's recommendations on retention or new members required</li></ul>

<ul style="list-style-type: none"> <li>• skills and experience needed on the board</li> <li>• a tailored position description</li> <li>• advise if a fees review will be undertaken concurrently with the appointment process</li> <li>• your recommended search and appointment process and expected timeframes.</li> </ul> <p>See an <a href="#">example briefing</a> on the proposed appointment process.</p> <p>Consider drafting letters for the responsible Minister asking for nominations from caucus and coalition party colleagues, which can be attached to the briefing (see example <a href="#">letter</a>).</p> <p>Confirm with the Minister's Office how much the Minister will want to be involved in the process. For example, will they want to see the shortlist of candidates before any interviews, which will need another briefing/meeting with the Minister.</p> <p>Once the <b>Minister</b> has given their written or verbal <b>approval</b>, then you can proceed with the appointment process as proposed.</p>
--

<b>STEP 2: BEGIN THE SEARCH / ADVERTISE THE POSITION</b>	
2.1	<p><b>Finalise position description</b> in consultation with the Chair, the Treasury, and Auckland Council based on the agreed criteria. Examples of a position description for a Crown entity <a href="#">board member</a> (Kāinga Ora) and a Crown company <a href="#">board director</a> (TRC).</p> <p>Draft an <b>online vacancy notice</b> for online channels.</p> <p>We have two options for managing board vacancies:</p> <p><b>A. the Ministry's SpringBoard system</b></p> <ul style="list-style-type: none"> <li>• Fill in the <a href="#">Request to recruit</a> form and attach the position description and <a href="#">online vacancy notice</a>. This enables the advert to be added to seek.co.nz, jobs.govt.nz, the HUD careers page and LinkedIn.</li> <li>• Send a link to the entity to display on their website, if appropriate.</li> </ul>
2.2	<p>Once you have the vacancy online, you could also consider advertising:</p> <ul style="list-style-type: none"> <li>• on the Institute of Directors' website and e-newsletter (link to the IoD's online vacancy listing form <a href="https://www.iod.org.nz/Services-for-boards/Advertise-your-vacancy/Vacancy-listing-form">https://www.iod.org.nz/Services-for-boards/Advertise-your-vacancy/Vacancy-listing-form</a>)</li> <li>• in an organisation's newsletter/magazine in the relevant sector.</li> </ul> <p><b>Inform nominating agencies</b> by <a href="#">email</a>, including:</p> <ul style="list-style-type: none"> <li>• Ministry for Women (<a href="mailto:kelsi.cox@women.govt.nz">kelsi.cox@women.govt.nz</a>)</li> <li>• Te Puni Kōkiri (<a href="mailto:nominations@tpk.govt.nz">nominations@tpk.govt.nz</a>; Juscinta Grace 027 845 6192; Maira Daymond <a href="mailto:daymm@tpk.govt.nz">daymm@tpk.govt.nz</a>)</li> <li>• Office of Ethnic Communities (<a href="mailto:joanna.arnold@dia.govt.nz">joanna.arnold@dia.govt.nz</a>)</li> <li>• Ministry for Pacific Peoples (<a href="mailto:nominations@mpp.govt.nz">nominations@mpp.govt.nz</a>; <a href="mailto:kaliti.kolinisau@mpp.govt.nz">kaliti.kolinisau@mpp.govt.nz</a>; <a href="mailto:ruta.lealamanua@mpp.govt.nz">ruta.lealamanua@mpp.govt.nz</a>)</li> <li>• Office for Disability Issues (<a href="mailto:jacinda.allwood001@msd.govt.nz">jacinda.allwood001@msd.govt.nz</a>)</li> </ul>
2.3	<p><b>Acknowledge applicants</b> once applications close, thanking them for their application and informing them of the next steps. This is automatically generated through SpringBoard.</p>

### STEP 3a: ORGANISE AN INTERVIEW PANEL

#### 3.1 Select interview panel members.

- Public Service Commission guidance requires that where possible we should include the current Chair on the panel.
- For joint appointments to the Tāmaki Redevelopment Company Board, one member of the interview panel should be a Council representative.
- Make sure that there is a fair female/male mix.
- Confirm who will be the note taker attending all interviews.

#### 3.2 Contact interview panel members to see if they are available on the days and times you have estimated in your timeline.

- Be aware that some panel members may wish to be paid. You may need to arrange for flights and accommodation. If there will be expenses involved you will need sign off from your manager before proceeding.

#### 3.3 After applications close

- Prepare a **spreadsheet** listing all applicants. Include information on whether self-nominated, or industry/govt dept/minister nominated, etc and use the relevant skills and experience from the person specification to create an [assessment matrix](#).
- Determine a longlist of applicants i.e. identify a list of applicants that may be suitable and send advice to those **that are definitely not suitable** that they have not been successful etc. You may wish to involve others in this decision.
- Send a copy of the longlist of applicants and copies of all CVs and cover letters to the interview panel members. Note – give them at least a week to absorb all the material.

### STEP 3b: SHORTLIST THE APPLICANTS

#### 3.4 Arrange a time for your interview panel members to decide on a shortlist. Record the agreed shortlisted applicants. Note why applicants have not been shortlisted.

- Involve the Minister if that is an agreed part of the process. See an [example briefing](#) on a recommended shortlist.
- For joint appointments to the Tāmaki Redevelopment Company Board, members of Auckland Council will need to approve the recommended short list.

### STEP 3c: INTERVIEW SHORTLISTED APPLICANTS

- #### 3.5
- Decide on a day(s) and time(s) which is suitable for everyone to participate at the interviews.
  - If required arrange a room (large enough to be comfortable for an extended period), food/drinks if appropriate, flights and/or accommodation for interview panel members.
  - The Ministry shoulders all reasonable **costs** relating to board recruitment. Allow time for breaks and at the beginning and end of the day for panel discussion.

#### 3.6 Draft an agenda for the days and tentative times for interviews (see an [example agenda](#)).

- **Contact shortlisted applicants** by email to invite them to an interview (see [example emails](#)).
- Provide options if possible for interview days and times. You may need to consider flights

	<p>and accommodation for applicants. The Ministry shoulders all reasonable costs but you will need Manager's sign off.</p> <ul style="list-style-type: none"> <li>Send candidates a <b>Disclosure of interests form</b> (if not already done so) and request the applicant to return a completed copy before the interview. <ul style="list-style-type: none"> <li>Disclosure form for appointment to a <a href="#">Crown entity</a> (Kāinga Ora)</li> <li>Disclosure form for appointment to <a href="#">Crown company</a> (TRC)</li> </ul> </li> <li><b>Draft interview questions</b> and seek input from the current Chair. See a <a href="#">template for interview questions</a> for panel members and a <a href="#">longer list of potential questions</a>.</li> </ul>
3.7	<p><b>Conduct interviews.</b> The note taker documents the panel's views on each candidate and the highlights of each interview, capturing as much dialogue as possible.</p> <ul style="list-style-type: none"> <li>Allow time before the first interview for the panel to discuss process.</li> <li>The panel may like to use a <a href="#">scoring sheet</a> to assess candidates.</li> <li>Ensure any actual or potential interests are discussed and if so how these can be managed.</li> <li>At the end of all interviews, the panel decides on the recommended candidate(s) for the Minister, subject to outcome of reference checks, other due diligence and discussion on managing potential conflicts (if any).</li> <li>Complete interview notes and file.</li> </ul>
3.8	<p>If there are no suitable candidates then go back to the long list to decide on a new shortlist and/or talk to the Minister to decide on next steps.</p>

### STEP 3d: UNDERTAKE REFERENCE CHECKS and other DUE DILIGENCE CHECKS

3.9	<p>If not previously provided on CVs, contact the recommended candidates to obtain details of their <b>referees</b>. Ideally one referee will be a current/former board chair/manager.</p> <ul style="list-style-type: none"> <li>The manager or advisor undertakes <b>reference checks</b> and records all feedback. See <a href="#">sample guide questions</a> for reference checking.</li> </ul> <p>Also ask those candidates to complete <b>criminal and credit check request forms</b>, particularly for significant appointments involving financial responsibility.</p> <ul style="list-style-type: none"> <li>Request the relevant form from HR to have an external agency complete the criminal and credit checks. The external agency (Haines) will contact the candidate directly.</li> </ul> <p>For the Ministry of Justice form, candidates will also need to send a copy of their drivers licence or passport.</p> <p>To confirm <b>qualifications</b>, you can ask the candidate to provide copies or online links to their qualifications.</p> <p>You will also need to investigate the public profile of the applicant. See <a href="#">a guide on undertaking due diligence</a> checks and a <a href="#">template</a> for recording these checks. The Public Service Commission has also provided <a href="#">guidance</a> on conducting due diligence background checks on board candidates.</p>
-----	---

### STEP 4: GET MINISTER'S AGREEMENT TO PROPOSED CANDIDATE

4.1	<p>Write a <b>briefing to the Minister recommending the preferred candidate(s)</b> for his/her agreement. See <a href="#">example briefing</a> for recommending the preferred candidate.</p> <ul style="list-style-type: none"> <li>Attach the recommended candidates' CVs, or a summary of their background.</li> </ul>
-----	--

	<ul style="list-style-type: none"> <li>If a fees review is needed, include the relevant advice and a draft letter to the Minister for State Services, if required.</li> <li>You may like to include a draft Cabinet paper (see Step 5).</li> </ul>
4.2	If the Minister wishes to <b>meet the candidate</b> , arrange this in coordination with Minister's office and take notes of the discussion.
4.3	For joint appointments to the Tāmaki Redevelopment Company Board, members of Auckland Council will need to approve the preferred candidate.

#### STEP 5: CONSULTATION AND DRAFT CABINET PAPER

5.1	<p>Finalise the Cabinet paper for submission to the Minister's office. See <a href="#">example briefing</a> on a draft Cabinet paper.</p> <ul style="list-style-type: none"> <li>Ensure you are using the Cabinet Office's <a href="#">current templates</a> for the Cabinet paper, organisation and candidate CV forms.</li> <li>Allow for a minimum of 2-3 weeks for the Minister's consultation with colleagues and other parties, and at least 1 further week for the Minister to agree to its submission.</li> </ul>
5.2	Draft an <b>aide memoire</b> on the main points of the proposal for the Minister to talk to at the APH meeting or include as Annex to draft Cabinet paper briefing. See an <a href="#">example of talking points</a> .

#### STEP 6: CABINET PROCESS

6.1	<ul style="list-style-type: none"> <li>The Cabinet Office deadline for papers submitted for the Appointments and Honours (APH) Committee is 10am on the Thursday of the week prior to the APH meeting.</li> <li>APH usually meets weekly during sitting weeks (on Wednesdays). If the appointment is urgent, it could be discussed at a Cabinet Business Committee (CBC) meeting when the House is adjourned. You will need to discuss this option with the Minister's office.</li> <li>If approved, the Minister's office will <b>lodge</b> it using CABNet or will ask you to submit it through CABNet.</li> <li>Before submitting the Cabinet paper and attachments, contact candidate to check if they have been appointed to other roles, or if other developments have occurred since they completed the disclosure form.</li> </ul>
6.2	If asked by the Minister's office, go to the APH meeting. It is rare for officials to be asked to go inside the meeting room; however the Minister may have questions before they go inside, or issues to follow up on after the meeting.
6.3	<p>Check CABNet or with the Minister's private secretary for the APH Minute following the meeting.</p> <p>Following consideration by APH, appointment proposals are considered by Cabinet, usually on the following Monday. Responsible Ministers are not required to attend if they are outside Cabinet.</p> <p>Check CABNet or the Minister's private secretary for the Cabinet Minute following the meeting.</p>
6.4	Keep the Chair and recommended candidates informed of progress, as well as Auckland Council for joint appointments to the Tāmaki Redevelopment Company Board.
6.5	If required, start drafting a press release for the Minister and liaise with Comms (Note: confidentiality). Check any bios with candidate(s).

## STEP 7: PREPARE APPOINTMENT DOCUMENTS

### 7.1 For Ministerial appointments

Prepare for the Minister's signature ([example briefing](#)):

- [Notice of Appointment](#)
- [Letter of appointment](#) (with letter to acknowledge appointment)
- [Thank you letter](#) to outgoing member, if applicable

Note the following:

- Section 28(3)(a) of Crown Entities Act on the method of appointment. The date on which appointment takes effect must not be earlier than the date on which appointment notice is received by appointee.
- Letters to outgoing/incoming members should reflect the end date and start date of terms. Copy the letters to the Chair and CE of the entity.
- Allow at least one week from the Cabinet meeting for the Minister to sign the letter and for the candidate to accept, before any announcement.

## STEP 8a: NOTIFY UNSUCCESSFUL APPLICANTS

8.1 Contact by email all individuals who **applied but who were not interviewed**.

8.2 Contact candidates who were **interviewed but not recommended for appointment**. Ideally the manager who was on the interview panel calls them personally as a courtesy.

8.3 Contact **nominating agencies** and consider including feedback about the persons they suggested or nominated.

## STEP 8b: ANNOUNCE APPOINTMENTS

8.4 The Minister's press release can be released anytime following the appointee's acceptance of their appointment.

Any other public statement / announcement, whether printed or online, e.g. entity/body may wish to post a release on their website – should be **after** the Minister has released their statement.

8.5 Appointments to Crown entity boards must be published in the New Zealand Gazette, as soon as practicable after they have been confirmed. Draft and upload a [gazette notice](#) to the New Zealand Gazette website <https://gazette.govt.nz/>. This is required under the Crown Entities Act 2004 for all appointments to Crown entities.

Arrange payment of invoice for Gazette notice once it is received.

The action that gives effect to a Crown entity appointment is the receipt of the appointment notice by the appointee and not the publication of the appointment in the New Zealand Gazette.

## STEP 9: POST-APPOINTMENT ROUND REVIEW

9.1 Contact any outgoing members to ask if they would like to have an [exit interview](#). Arrange a time to meet with any interested staff.

9.2	Consult body/entity and policy/monitoring staff about any <a href="#">induction</a> . Assist as required.
9.3	Arrange an internal meeting to discuss lessons learned relating to the appointment process. Consider following up with the appointee on their experience after six months.
9.4	Update relevant documents in Kete with updated board information ie the entity's Organisation Form, the Board overview document including contact information, etc
<b>END OF PROCESS</b>	

<b>USEFUL REFERENCES</b>	
<ul style="list-style-type: none"> <li>• HUD Board Appointment Project Plan (<a href="#">checklist</a>)</li> <li>• Board Appointment and Induction Guidelines (updated October 2015) <a href="http://www.ssc.govt.nz/sites/all/files/board-appt-guidelines-oct15.pdf">http://www.ssc.govt.nz/sites/all/files/board-appt-guidelines-oct15.pdf</a></li> <li>• CabGuide – Writing a paper (Appointment papers) <a href="https://dpmc.govt.nz/node/1716/#collection-group-heading-3">https://dpmc.govt.nz/node/1716/#collection-group-heading-3</a></li> <li>• Cabinet Office Circular on appointment of Public Servants to Statutory Boards <a href="http://dpmc.govt.nz/cabinet/circulars/co02/5">http://dpmc.govt.nz/cabinet/circulars/co02/5</a></li> <li>• Cabinet Office Circular on increasing diversity of board membership <a href="http://dpmc.govt.nz/cabinet/circulars/co02/16">http://dpmc.govt.nz/cabinet/circulars/co02/16</a></li> <li>• Treasury guidance on appointments to companies owned by the Crown <a href="https://www.treasury.govt.nz/information-and-services/commercial-portfolio-and-advice/board-appointments">https://www.treasury.govt.nz/information-and-services/commercial-portfolio-and-advice/board-appointments</a></li> <li>• Crown Entities Act 2004 <a href="http://www.legislation.govt.nz/act/public/2004/0115/latest/DLM329631.html">http://www.legislation.govt.nz/act/public/2004/0115/latest/DLM329631.html</a></li> </ul>	

Released under the Official Information Act 1982