

Office of Hon Erica Stanford

Minister of Education
Minister of Immigration
Lead Coordination Minister for the Government's Response
to the Royal Commission's Report into Historical Abuse in
State Care and in the Care of Faith-based Institutions



Piers Bebbington

9(2)(a)

Tēnā koe Piers

Notice of appointment as a member of the Board of Education New Zealand

I am pleased to inform you that I have appointed you as a member of the Board of Education New Zealand (the Board). I have set out the terms of your appointment below and will shortly publish a notice in the *New Zealand Gazette* confirming your appointment.

Term

I have appointed you to a three-year term beginning from the date you receive this letter.

Roles and duties

I understand that officials have previously supplied you with a position description which explains the role and duties of an ENZ Board member. You may also wish to familiarise yourself with sections 49-61, and 62-68 of the Crown Entities Act 2004. These sections set out the collective and individual duties of Crown entity boards and their members, including the disclosure of interests. For further information on the functions and governance arrangements for Education New Zealand please refer to [s511](#) of the Education and Training Act 2020. You can find this and other legislation at www.legislation.govt.nz.

Conflicts of interest

You have declared your interests as a Tourism New Zealand Board member, and as General Manager Customer Digital with the Bendon Group. I consider that any conflict(s) arising from these interests can be successfully managed. You will need to declare these interests to the Chair and in line with the Board's operating procedures, and to abide by all agreed approaches for mitigating these conflicts. This may include stepping out of discussions and voting as required. I also expect you to declare and document any new conflicts (actual, potential or perceived) as they arise, and to agree and document suitable mitigations.

Fees

You will be paid \$16,800 per annum (GST not applicable), based on an assumed 30 days' commitment per annum.¹ This is in accordance with Cabinet Office Circular CO (25) 2 *Cabinet Fees Framework for members appointed to bodies in which the Crown has an interest*. I am considering the results of a review of fees, and all members will be advised of any changes

¹ A payment of fees to a member is not subject to GST. However, if a person is carrying on a taxable activity, such as a consulting company, and accepts office as part of their taxable activity, any service supplied by that person as holder of that office is deemed to be supplied in the course or furtherance of that taxable activity. Accordingly, the member must return GST on fees they charge for services as a director.

once I have completed my consideration of the review findings. Further information on fees is provided in the attached Fees Advice Sheet.

If you become a public sector employee during your term

Appointments of public servants and public sector employees to Crown boards should only be made in exceptional circumstances where it is clear the Board will directly benefit, following an open process to seek candidates from the private and community sectors. This means that if you are considering employment in the public sector, it may have implications for continuing on the Board. Please contact the Director, Monitoring and Appointments at the Ministry of Education for advice. Her contact details are provided below. If you are continuing on the Board, you will also need to advise the Board's secretariat and discuss whether you will remain eligible to receive fees. Further information is provided in the enclosed Fees Advice Sheet.

Other expenses

All Board members are entitled to be paid out of Education New Zealand funds, reasonable and actual allowances for travelling and other expenses relating to the performance of their duties and responsibilities as board members. Education New Zealand will administer the payment of any such expenses during your time on the Board.

Ethical conduct

The Public Service Commission's (PSC) [Code of Conduct for Crown Entity Board Members](#) applies to the Board of Education New Zealand. All members of the Board must be aware of the importance of acting ethically and with personal integrity, conducting themselves professionally, using information properly and being politically impartial. They must also maintain the interest and enthusiasm needed to contribute effectively to the performance of the Board throughout their term.

Public Service principles

The Board is responsible for ensuring that Education New Zealand upholds the Public Service principles when carrying out its functions (see the PSC's related [Guidance](#)). The principles comprise political neutrality, providing free and frank advice, making merit-based appointments and fostering a culture of open government and stewardship.

Confidentiality and public comment

As a board member, you will receive confidential information and be a party to confidential discussions. You will be responsible for taking all reasonable steps to maintain the security of the information provided to you and maintaining confidentiality.

Resignation and removal from office

Education New Zealand is a Crown agent, and the Crown Entities Act 2004 provides that the responsible Minister may remove a member of a Crown agent board at any time, at the Minister's discretion. Removal of a member is by written notice to the person. You may at any time, resign by advising the responsible Minister in writing.

More information

The PSC's [Crown Entity Resource Centre](#) provides relevant guidance and standards for board members. There is also a resource about the [all of government requirements and legal expectations](#) for Crown entities.

If you have any questions or concerns about your appointment, please contact Jennifer Heersping, Director – Monitoring and Appointments, at the Ministry of Education. Her phone number is 04 463 7734, or you can email her at Jennifer.Heersping@education.govt.nz.

I hope you will enjoy your time on the Board.

Nāku noa, nā



Hon Erica Stanford
Minister of Education

CC Tony Gray, Chair of Education New Zealand
CC Dr Linda Sissons, Acting Chief Executive, Education New Zealand
CC Jennifer Heersping, Director Monitoring and Appointments, Ministry of Education

Enclosed: Fees Advice Sheet

Released under the Official Information Act 1982

Fees Advice Sheet

Cabinet has confirmed that under the [Cabinet Fees Framework CO \(25\) 2](#) (CFF) any public sector employee who is appointed **in their own right** to a board or advisory group, cannot claim both the fee and their ordinary pay if they work on their board or advisory group duties during ordinary working hours (CFF Section C, 74-78).

Questions and Answers

Q.1 Does this apply to me?

Yes, if you are, or become, an employee of any of **these organisations**:

- A department, ministry or Crown entity (including schools);
- An agency in the wider public sector, a tertiary education institution or wānanga;
- A statutory entity in a Ministerial portfolio, e.g., Teaching Council of Aotearoa New Zealand; or
- Any local authority as defined in section 5(1) of the Local Government Act 2002.

Q 2. In what circumstances could I receive fees if I am employed in one of the above entities?

Consider these four scenarios to see which applies best to your situation. If none apply, you would not be able to claim board/advisory group fees.

Scenario 1: You agree with your employer that you will take annual or special unpaid leave to do the board/advisory group work. You can be paid the daily fee personally because you do the role outside of your ordinary working hours as secondary employment. If this might apply to you, please discuss this **as early as possible** with the Board secretariat.

Scenario 2. Where the board/advisory group work is undertaken by a teacher or teaching-principal in ordinary working hours, they can be offered, or can ask for, 'Teacher Release days' to be paid to their school. This recompenses the school for having less of the teacher/teaching-principal's time and funds relievers. If this might apply to you, please discuss this **as early as possible** with the Board secretariat.

Scenario 3. For non-teaching principals, your school may be able to receive your fees and add them to school funds to recognise the provision of your expertise. If this might apply to you, please discuss this **as early as possible** with the Board secretariat.

Scenario 4. If you are working as a full-time academic, you may be eligible to be paid fees as secondary employment. This depends on your contract conditions, and you will need to discuss this with your employer. Once you have clarification, please discuss this **as early as possible** with the Board secretariat. Part-time academics should confirm to the Board secretariat that they will undertake board/advisory group work outside of their ordinary working hours.

Q 3. Are any other payments allowed? (applies to any board/advisory group member)

Travel

Fee payment for *time* spent travelling to and from board/advisory meetings is only claimable if you are receiving a daily fee *and* travelling longer than 3 hours in a normal business day *and* if the relevant agency agrees to pay a pro-rata fee (CFF Section C, 83-85). The direct travel expenses you incur are reimbursed by the relevant agency as stated in your letter of appointment.

Additional work or responsibilities

For those paid annual fees, Ministerial approval is needed for payments regarding extra responsibilities. Cabinet approval may be required if payment is deemed significant enough (CFF Section C, 131-148).

Office of Hon Erica Stanford

Minister of Education
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to the Royal Commission's Report into Historical Abuse in
State Care and in the Care of Faith-based Institutions



Dr Thérèse Arseneau

9(2)(a)

Tēnā koe Thérèse

Reappointment to the Board of Education New Zealand and elevation to Deputy Chair

I am pleased to inform you that I have reappointed you as a member of the Board of Education New Zealand (the Board) and have elevated you to Deputy Chair. I have set out the terms of your reappointment below and will shortly publish a notice in the *New Zealand Gazette* confirming your reappointment and elevation to Deputy Chair.

Term

Your reappointment to the role of Deputy Chair, is for a three-year term beginning from the date you receive this letter.

Roles and duties

A position profile for Deputy Chair is enclosed with this letter. You may also wish to refamiliarise yourself with sections 49-61, and 62-68 of the Crown Entities Act 2004. These sections set out the collective and individual duties of Crown entity boards and their members, including the disclosure of interests. For further information on the functions and governance arrangements for Education New Zealand please refer to [s511](#) of the Education and Training Act 2020. You can find this and other legislation at www.legislation.govt.nz.

Conflicts of interest

You have declared your interest as an adjunct senior fellow at the University of Canterbury, as independent chair for Lane Neave Lawyers, and as a board member for House of Travel Holdings Limited. I consider that any conflict(s) arising from these interests can be successfully managed. You will need to continue to declare these interests to the Chair and in line with the Board's operating procedures, and to abide by all agreed approaches for mitigating these conflicts. This may include stepping out of discussions and voting as required. I also expect you to declare any new conflicts (actual, potential or perceived) as they arise, and to agree and document suitable mitigation strategies.

Fees

You will be paid \$21,000 per annum (GST not applicable), based on an assumed 30 days' commitment per annum.¹ This is in accordance with Cabinet Office Circular CO (25) 2: *Cabinet Fees Framework for members appointed to bodies in which the Crown has an interest*. I am

¹ A payment of fees to a member is not subject to GST. However, if a person is carrying on a taxable activity, such as a consulting company, and accepts office as part of their taxable activity, any service supplied by that person as holder of that office is deemed to be supplied in the course or furtherance of that taxable activity. Accordingly, the member must return GST on fees they charge for services as a director.

currently considering the results of a review of fees, and all members will be advised of any changes once I have completed my consideration of the review findings. Further information on fees is provided in the attached Fees Advice Sheet.

If you become a public sector employee during your term

Appointments of public servants and public sector employees to Crown boards should only be made in exceptional circumstances where it is clear the Board will directly benefit, following an open process to seek candidates from the private and community sectors. This means that if you are considering employment in the public sector, it may have implications for continuing on the Board. Please contact the Director, Monitoring and Appointments at the Ministry of Education for advice. Her contact details are provided below. If you are continuing the Board, you will also need to advise the Board's secretariat and discuss whether you will remain eligible to receive fees. Further information is provided in the enclosed Fees Advice Sheet.

Other expenses

All Board members are entitled to be paid out of Education New Zealand funds, reasonable and actual allowances for travelling and other expenses relating to the performance of their duties and responsibilities as board members. Education New Zealand will administer the payment of any such expenses during your time on the Board.

Ethical conduct

The Public Service Commission's (PSC) [Code of Conduct for Crown Entity Board Members](#) applies to the Board of Education New Zealand. All members of the Board must be aware of the importance of acting ethically and with personal integrity, conducting themselves professionally, using information properly and being politically impartial. They must also maintain the interest and enthusiasm needed to contribute effectively to the performance of the Board throughout their term.

Public Service principles

The Board is responsible for ensuring that Education New Zealand upholds the Public Service principles when carrying out its functions (see the PSC's related [Guidance](#)). The principles comprise political neutrality, providing free and frank advice, making merit-based appointments and fostering a culture of open government and stewardship.

Confidentiality and public comment

As a member of the Board, you will receive confidential information and be a party to confidential discussions. You will be responsible for taking all reasonable steps to maintain the security of the information provided to you and maintaining confidentiality.

Resignation and removal from office

Education New Zealand is a Crown agent, and the Crown Entities Act 2004 provides that the responsible Minister may remove a Chair from the Board of a Crown agent at any time, after consultation with the person, at the Minister's discretion. Removal of a member is by written notice to the person and the Board. You may at any time, resign by advising the responsible Minister in writing. You may also resign from the office of Deputy Chair but remain a member.

More information

The PSC's [Crown Entity Resource Centre](#) provides relevant guidance and standards for board members. There is also a resource about the [all of government requirements and legal expectations](#) for Crown entities.

If you have any questions or concerns about your reappointment, please contact Jennifer Heersping, Director – Monitoring and Appointments, at the Ministry of Education. Her phone number is 04 463 7734, or you can email her at Jennifer.Heersping@education.govt.nz.

I hope you will enjoy continuing to serve on the Board in your new role as Deputy Chair.

Nāku noa, nā



Hon Erica Stanford
Minister of Education

CC Tony Gray, Chair, Education New Zealand
CC Dr Linda Sissons, Acting Chief Executive, Education New Zealand
CC Jennifer Heersping, Director Monitoring and Appointments, Ministry of Education

Enclosed: Fees Advice Sheet and Deputy Chair position profile

Released under the Official Information Act 1982

Fees Advice Sheet

Cabinet has confirmed that under the [Cabinet Fees Framework CO \(25\) 2](#) (CFF) any public sector employee who is appointed **in their own right** to a board or advisory group, cannot claim both the fee and their ordinary pay if they work on their board or advisory group duties during ordinary working hours (CFF Section C, 74-78).

Questions and Answers

Q.1 Does this apply to me?

Yes, if you are, or become, an employee of any of **these organisations**:

- A department, ministry or Crown entity (including schools);
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Scenario 4. If you are working as a full-time academic, you may be eligible to be paid fees as secondary employment. This depends on your contract conditions, and you will need to discuss this with your employer. Once you have clarification, please discuss this **as early as possible** with the Board secretariat. Part-time academics should confirm to the Board secretariat that they will undertake board/advisory group work outside of their ordinary working hours.

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Additional work or responsibilities

For those paid annual fees, Ministerial approval is needed for payments regarding extra responsibilities. Cabinet approval may be required if payment is deemed significant enough (CFF Section C, 131-148).



Education New Zealand | Manapou ki te Ao Deputy Chair Position Description

Appointed by	Minister of Education
Term	Up to 3 years with potential for reappointment
Remuneration	\$21,0000 per annum

About Education New Zealand | Manapou ki te Ao (ENZ)

ENZ is the New Zealand government agency responsible for helping realise the social, cultural and economic benefits of international education. It is a Crown Agent under the Crown Entities Act 2004 and is governed by a board which is accountable for the performance of the entity to the Minister of Education (the Minister). ENZ is monitored by the Ministry of Education which provides an independent view of the performance of the entity to the Minister.

The operating environment

The Government has ambitious growth plans for international education which are a priority for the Board, and which are reflected in key planning and strategy documents including the [International Education Going for Growth Plan](#).

ENZ's strategic direction is also driven by the [International Education Strategy 2022-2030](#). This sets the goals of delivering an excellent education and student experience, ensuring that international education is sustainable and resilient, and that students are provided with relevant skills and connections as global citizens.

Role of the board and its members

The Board's governance role involves setting the strategic direction for ENZ to ensure that the entity performs its functions in line with the Government's policies and priorities, and that ENZ makes sound fiscal decisions. In setting this direction the Board needs to consider the priorities in the Minister's Letter of Expectations, the Enduring Letter of Expectations for Crown Entities, and other communication from Ministers.

The Board is responsible for assurance over ENZ's performance against its strategic direction and for issuing a three-yearly Statement of Intent and an annual Statement of Performance Expectations. ENZ must report on its performance against these in quarterly reports to the Minister and in its annual report which is tabled in Parliament.

Members of the Board are accountable to the Minister in respect to their collective and individual duties and responsibilities. The Board's governance role involves setting the strategic direction for ENZ to ensure it is aligned. The Deputy Chair is expected to carry out the functions and roles of a member and to support the Chair who may delegate additional roles and responsibilities. This may include:

- contributing your specific areas of expertise as they relate to the governance of ENZ
- supporting a collective and collaborative board environment
- supporting the Chair in developing Board members' capabilities
- chairing meetings and acting for the Chair in their absence
- participating in or leading subcommittees or projects
- taking on other leadership roles in discussion with the Chair
- participating in or leading sub-committees or projects
- maintaining current knowledge of the sectors ENZ operates in, environmental factors, emerging risks and challenges and government direction, and
- maintaining political neutrality and the confidence of the Minister.

Relevant legislation

The Education and Training Act 2020 s511 sets out the functions of ENZ at the following link: <https://www.legislation.govt.nz/act/public/2020/0038/latest/LMS280895.html>

As set out in the [Public Service Act 2020](#) the Board must preserve, protect, and nurture the spirit of service to the community (s13), and is responsible for ensuring ENZ upholds Public Service principles (s12), which are:

- political neutrality
- providing free and frank advice
- making merit-based appointments
- fostering a culture of open government, and
- promoting stewardship of the public service – the long-term capability of its people, institutional knowledge, systems and processes, assets, and the legislation agencies administer.

The rules for governance, operation, and accountability of Crown entities are set out in the [Crown Entities Act 2004](#).

Skills, experience, and attributes of the Board

To help the Board succeed in its roles and functions, it should collectively have:

- strong governance experience
- executive leadership experience, a strategic outlook, and the ability to lead through change
- strong financial capability and acumen, and commercial experience
- a detailed understanding of the machinery of government including the role of Crown Agents
- an understanding of the operating context for education in New Zealand
- an understanding of overseas markets and international relations.
- knowledge of te reo Māori, tikanga Māori, Mātauranga Māori, and Te Tiriti o Waitangi, and
- an ability to build robust, collaborative relationships in complex environments.

Workload, remuneration and term of appointment

The expected workload for the Deputy Chair is approximately 30 days per year to attend meetings and other board business. The Board meets around ten times a year. The Deputy Chair fee is \$21,000 per annum which is calculated at 125 percent of the member fee of \$16,800 per annum. This is set and reviewed in accordance with [CO \(25\) 2: Cabinet Fees Framework for members appointed to bodies in which the Crown has an interest | Department of the Prime Minister and Cabinet \(DPMC\)](#).

All members (including the Deputy Chair) are paid out of ENZ's funds for reasonable and actual allowances for travelling and other expenses relating to performing their duties and responsibilities as board members. Appointments are for up to three years and all members may be considered for reappointment when their term expires.

Resignation or removal from office

A member may, at any time, resign from office by notifying the Minister and the Chair in writing. Any member, including the Deputy Chair, may be removed by the Minister by written notice. The Deputy Chair may also resign from the office of Deputy Chair but remain a member.

New Zealand Government