



133 Molesworth
Street
PO Box 5013
Wellington 6140
New Zealand
T+64 4 496 2000

31 March 2023

John Luke

By email: fyi-request-21992-4310b1eb@requests.fyi.org.nz
Ref: H2023021288

Tēnā koe John

Response to your request for official information

Thank you for your request under the Official Information Act 1982 (the Act) to Manatū Hauora on 4 March 2023 for information regarding appointments to the End of Life Choice Review Committee. Each part of your request is responded to below.

How did you call for public nomination and on what platform you have call for public nominations, e.g. jobs website.

Manatū Hauora publicly advertised these vacancies on its careers website (<https://careers.health.govt.nz>) and the NZ Government Jobs website (<https://jobs.govt.nz>) from 14 February 2023 to 5 March 2023.

Also, how many applications you have received from the public and how many you have received from other nominating agencies such as TPK or Ministry of women etc. further, how many you have shortlisted.

Twelve applications were received from the public. No nominations were sought from nominating agencies given the explicit skill set required.

Please supply the pay rate and term of reference/job description of this role

Members of the Review Committee are entitled to be paid fees for attendance at meetings. The fees are set in accordance with Cabinet Office Circular 'CO (22) 2 - Revised Fees Framework for members appointed to bodies in which the Crown has an interest'. All members receive \$885 per day of work related to the Review Committee (plus half a day's preparation fee) and an allowance of 2 extra days per month to cover additional work undertaken by the Review Committee. Please find attached a copy of the terms of reference for the positions.

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. The Ombudsman may be contacted by email at: info@ombudsman.parliament.nz or by calling 0800 802 602.

Please note that this response, with your personal details removed, may be published on the Manatū Hauora website at: www.health.govt.nz/about-ministry/information-releases/responses-official-information-act-requests.

Nāku noa, nā

A handwritten signature in blue ink, appearing to read 'S. Turner', is positioned above the typed name.

Sarah Turner
Deputy Director-General
Government and Executive Services | Te Pou Whakatore Kāwanatanga

End of Life Choice Review Committee - Terms of Reference

Approved by

Name	Role	Date	Signature
Hon Andrew Little	Minister of Health		

Membership: Review Committee members will be appointed by the Minister of Health.
The Review Committee must consist of:

- a medical ethicist
- two health practitioners, one of whom must be a medical practitioner who practises in the area of end-of-life care.

Functions: Review Committee statutory functions are:

- to consider reports sent to it under section 21(3) of the Act (assisted death reports)
- to report to the Registrar whether it considers that the information contained in an assisted death report shows satisfactory compliance with the requirements of this Act
- to direct the Registrar to follow up on any information contained in an assisted death report that the Review Committee considers does not show satisfactory compliance with the requirements of this Act.

Te Tiriti o Waitangi: The Review Committee will ensure their advice is provided within the context of honoring Te Tiriti o Waitangi.
The principles of Te Tiriti o Waitangi as articulated by the Courts and the Waitangi Tribunal provide the framework for how the Ministry will meet its obligations under Te Tiriti o Waitangi.
The Review Committee must apply and adhere to these principles when providing advice or direction.

Reporting: The secretariat function within the Ministry will provide reporting as required for all Review Committee meetings.
The Review Committee will keep minutes of all meetings which outline the reports discussed and include a clear record of any decisions or recommendations made.
The Review Committee will report and make recommendations to the Registrar as directed under the Act.

Working arrangements:

In carrying out its Terms of Reference, the Review Committee must:

- provide the Minister of Health with advance notice of any media statements, documents or reports to be published
- ensure that any advice and recommendations comply with the laws of New Zealand.

The budget for the Review Committee will be administered by the Manager, Regulatory Assurance.

Meetings:

The Ministry will schedule meetings as necessary to meet the requirements of the statutory functions. The Review Committee may meet face to face and/or virtually. All meetings will require all three members to be present.

All meetings will have an agenda prepared and disseminated prior to the meeting. Meeting notes will be circulated for approval prior to the next meeting taking place.

The secretariat will maintain a register of interests, relevant to the Review Committee's business, and dedicated analytical, policy and administrative support to the Review Committee.

Duties and Responsibilities of a Member:

This section sets out the Minister's expectations on the duties and responsibilities of a person appointed as a member of the Review Committee. This is intended to aid members by providing them with a common set of principles for appropriate conduct and behaviour and serves to protect the Review Committee and its members and aligns with the Public Service Commission Code of Conduct.

The Review Committee conducts its activities in an open and ethical manner and operates in an effective and efficient way within the parameters of its functions.

Members should have a commitment to work in the best interests of the Review Committee.

Members will:

- be diligent, prepared and participate
- be respectful, loyal and supportive
- not denigrate or harm the image of the Committee.

The Review Committee will:

- ensure that the independent views of members are given due weight and consideration
 - ensure fair and full participation of members
 - regularly review its own performance
 - act in accordance with the principles of the Te Tiriti o Waitangi.
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Disclosure of interests:	<p>Members should perform their functions in good faith, honestly and impartially and avoid situations that might compromise their integrity or otherwise lead to conflicts of interest.</p> <p>Declaration and discussion of conflicts of interest will be a standing item on each meeting's agenda. All interests will be recorded in a register and maintained by the secretariat.</p> <p>When members believe they have a conflict which will prevent them from being able to participate in discussions and/or ongoing work, they must advise the Manager, Regulatory Assurance, who will determine a way forward.</p>
Media	<p>Members should not provide statements or advice to the media in their capacity as a Review Committee member, unless agreed by the Minister in advance.</p>
Official Information Act Requests	<p>All agendas, minutes, emails and other written communications are subject to release under the Official Information Act unless otherwise excluded for release under the provisions of that Act.</p>
Confidentiality:	<p>The public has a right to be informed about the issues being considered by the Review Committee. Individual members must observe the following duties in relation to Review Committee information.</p> <p><i>General meeting discussions</i></p> <p>Key discussion points in meetings are recorded in the meeting minutes. Upon request, a member's dissenting views may be recorded in the meeting minutes.</p> <p>Meetings of the Review Committee, including agenda material and draft minutes, are confidential. Members must ensure that documents are kept secure to ensure that the confidentiality of case reports is maintained.</p> <p>Members are free to express their own views within the context of Review Committee meetings, or as part of the general business of the Review Committee.</p> <p>At no time should members individually divulge details of matters or decisions of the Review Committee to persons who are not group members or the Registrar.</p> <p>Members must ensure that the confidentiality of Review Committee business is maintained. Members must be clear about what matters are permitted to be discussed with people that are not members and, in doing so, should be familiar with the information that is publicly available about the Review Committee's work.</p>
Term:	<p>Members of the Review Committee are appointed by the Minister of Health for an initial term of two years.</p>

No member may be appointed for more than six consecutive years unless an additional period of up to twelve months is confirmed to allow for continuity of projects.

Unless a person sooner vacates their office, every appointed member of the Review Committee will continue in office until their successor comes into office. Any member may at any time resign as a member by advising the Minister of Health in writing.

Any member may at any time be removed from office by the Minister of Health for inability to perform the functions of office, neglect of duty, or misconduct, proved to the satisfaction of the Minister.

Remuneration and expenses:

Members of the Review Committee are entitled to be paid fees for attendance at meetings. The fees are set in accordance with Cabinet Office Circular CO (12) 6, *Fees framework for members appointed to bodies in which the Crown has an interest*.

All members will receive \$885 per day (plus half a day's preparation fee) and an allowance of two extra days per month to cover additional work undertaken by the Review Committee.

Members who are employees of the wider State sector are not entitled to be paid fees for committee business if this is conducted during regular paid work time (i.e., members cannot be paid twice by the Crown for the same hours).

Members who are employed by district health boards (DHBs) or universities should invoice the Ministry when fees are due.

The Ministry will organise and meet the cost of travel for members where a face-to-face meeting is required.

Members are entitled to be reimbursed for actual and reasonable other expenses incurred in association with this work. The expectation is that the standards of accommodation, meals and other expenses are modest and appropriate to reflect public sector norms.

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982