

Tertiary Education Report: Ministerial Appointment Process update

Date:	18 December 2023	TEC priority:	Medium – <i>please see Cabinet Office deadline below</i>
Security level:	In Confidence	Report no:	B-23-00932
		Minister's office No:	

ACTION SOUGHT		
	Action sought	Deadline
Hon Penny Simmonds Minister for Tertiary Education and Skills	<p>note that up to 24 appointments are due for your consideration in 2024, and that TEC will provide you with advice on these appointments early in the new year.</p> <p>note that because of the period of restraint before the general election and during the caretaker government, some appointments will need to be progressed urgently.</p> <p>note that, where there is a present incumbent, they may remain in place until their successor is appointed.</p> <p>note the forms that accompany this briefing are supplied to the Cabinet Office by your office each year and are required for all bodies where the Cabinet Appointments and Honours Committee considers appointments.</p>	Forms to be submitted by the Minister's Office to the APH Secretary in the Cabinet Office by 22 December 2023
Enclosure: Yes Appendices A - C	Round Robin: No	

CONTACT FOR TELEPHONE DISCUSSION (IF REQUIRED)			
Name	Position	Telephone	1st contact
Gillian Dudgeon	Deputy Chief Executive, Delivery	9(2)(g)(ii)	
9(2)(a)			✓

THE FOLLOWING DEPARTMENTS/AGENCIES HAVE SEEN THIS REPORT

- | | | | | | | |
|-------------------------------|------------------------------|-------------------------------|-------------------------------|---|------------------------------|-----------------------------------|
| <input type="checkbox"/> DPMC | <input type="checkbox"/> MPI | <input type="checkbox"/> ENZ | <input type="checkbox"/> ERO | <input type="checkbox"/> MBIE | <input type="checkbox"/> MoE | <input type="checkbox"/> MFAT |
| <input type="checkbox"/> MPP | <input type="checkbox"/> MSD | <input type="checkbox"/> NZQA | <input type="checkbox"/> NZTE | <input checked="" type="checkbox"/> TEC | <input type="checkbox"/> TPK | <input type="checkbox"/> Treasury |

- Minister's Office to Complete:**
- | | |
|---|--|
| <input type="checkbox"/> Approved | <input type="checkbox"/> Declined |
| <input type="checkbox"/> Noted | <input type="checkbox"/> Needs change |
| <input type="checkbox"/> Seen | <input type="checkbox"/> Overtaken by Events |
| <input type="checkbox"/> See Minister's Notes | <input type="checkbox"/> Withdrawn |

Comments:

Recommendations

Hon Penny Simmonds, Minister for Tertiary Education and Skills

It is recommended that you:

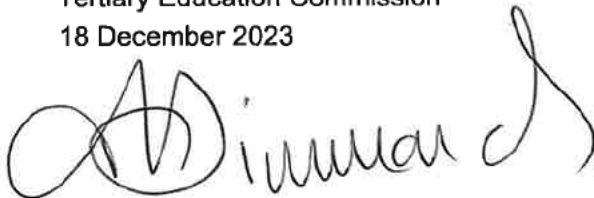
1. **note** that up to 24 appointments at TEIs and WDCs are due for your consideration in 2024, and that TEC will provide you with advice on these appointments early in the new year.
2. **note** that because of the period of restraint before the general election and during the caretaker government, some appointments will need to be progressed urgently.
3. **note** that, where there is a present incumbent, they may remain in place until their successor is appointed.
4. **note** the forms that accompany this briefing are supplied to the Cabinet Office by your office each year and are required for **all** bodies where the Cabinet Appointments and Honours Committee considers appointments.
5. **agree** this briefing is not proactively released to protect the privacy of the persons and the integrity of the appointments process.

6. **AGREED** / **NOT AGREED**



Gillian Dudgeon

Deputy Chief Executive, Delivery
Tertiary Education Commission
18 December 2023



Hon Penny Simmonds

Minister for Tertiary Education and Skills

20.12.23


Purpose

1. This briefing provides you with information about appointments due for your consideration in 2024. Appendix C includes the organisation forms for tertiary education institution (TEI) councils and two workforce development councils (WDCs) to be supplied to the Cabinet Office.

Overview of 2024 TEI council appointments

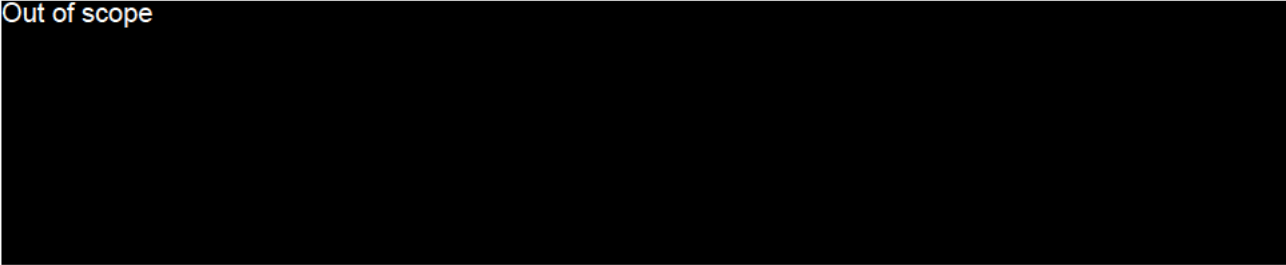
2. As the Minister of Tertiary Education and Skills, you have the statutory responsibility for appointments across all TEI councils and to two WDC governing councils:
 - between five and nine appointments to the council of New Zealand Institute of Skills and Technology (NZIST) - Te Pūkenga; and
 - either three or four appointments to the council of a university or wānanga, depending on the total number of members set out in each council's constitution; and
 - appointments to two WDC governing councils, the Services WDC - Ringa Hora and the People, Food and Fibre WDC - Muka Tangata.
3. We have highlighted in yellow on the attached organisational forms the appointments due for your consideration in 2024. Of these:

Out of scope


 - At the People, Food and Fibre WDC - Muka Tangata, two appointments expire on 10 June 2024, and three more on 10 December 2024. Two further vacancies have arisen due to resignations in 2023 that could not be progressed before the period of restraint.
 - One Services WDC - Ringa appointment falls due on 10 June 2024.
4. Please note that as 2023 was election year, restrictions applied to appointments in the three months prior to the date of the General Election and during the caretaker period. We now have a short window to start to progress these appointments before they fall due.
5. However, all appointees whose terms have expired or are due to expire remain as members of their respective Councils until they are replaced, or a successor is appointed.
6. Additional vacancies could arise in the event of any resignations or other events, and we will advise you about those as needed.

TEC manages the appointment and consultation process for you before providing advice on appointees

Out of scope



9. Consulting with your colleagues on nominees and appointments is also a convention. In a coalition government, the coalition partners agree to specific consultation procedures, which are usually approved by Cabinet and promulgated by Cabinet Office circulars. Ministers are responsible for ensuring that consultation is undertaken in accordance with any agreements entered into between political parties. These arrangements are yet to be promulgated by the Cabinet Office. However, once these arrangements are agreed, we will draft a letter for you to undertake this consultation.
10. The WDC process is different to the TEIs. WDCs are required to seek nominations from the industries they represent, to run an appointment panel, and to make recommendations to you and the Minister of Agriculture. Your power is only that of veto.
11. Out of scope
12. We will work with your Office on the timing and form of the advice we provide. Our timetable is informed by Cabinet and Appointments and Honours Committee (APH) meeting dates.

Background on the Cabinet forms

13. At the beginning of each year the Cabinet Office provides a schedule for Ministers of all government appointments, highlighting those that are likely to come through the Cabinet Appointments and Honours Committee (APH) during the year.
14. On 8 December 2023, the Cabinet Office issued its annual notice requesting that agencies send to their Ministers, for submission to the Cabinet Office, copies of the Organisational Form for all bodies where the Minister is responsible for making appointments, with appointments highlighted that are to be made in 2024 (CO Notice (23)4).
15. Information requested by the Cabinet Office includes:
 - the names and terms of all current council members at 31 December 2023, including Ministerial appointees and council appointees;
 - information where members are appointed on the recommendation of an outside organisation or elected; and
 - Ministerial appointments that have either expired or are due to expire in 2024.
16. The Cabinet Office will use the information provided to compile a schedule for Ministers that:
 - lists all bodies for which appointments are considered by APH;
 - indicates the planned vacancies arising in 2024;
 - allows Ministers to nominate, to responsible Ministers, suitable candidates for upcoming vacancies;
 - allows responsible Ministers to manage upcoming appointments, seek nominations, and consult their ministerial and parliamentary colleagues in advance of submitting papers to APH.
17. The information supplied will also contribute to the compilation of gender and ethnic representation stocktakes compiled by the Ministry for Women.

Appendices

18. Attached are:

- Appendix A, a summary of the Ministerial appointments to be considered in 2024, including the names of the incumbents and their positions.
- Appendix B, which lists the TEI and WDC councils covered by the Cabinet Office request.
- Appendix C is the organisational forms required by the Cabinet Office with Ministerial appointments due for consideration in 2024 highlighted.

Appendix A: Ministerial appointments to be considered in 2024

<i>TEI/WDC</i>	<i>No.</i>	<i>Name(s) of incumbent</i>	<i>Position</i>	<i>Date first appointed</i>	<i>Term end date</i>
Out of scope					

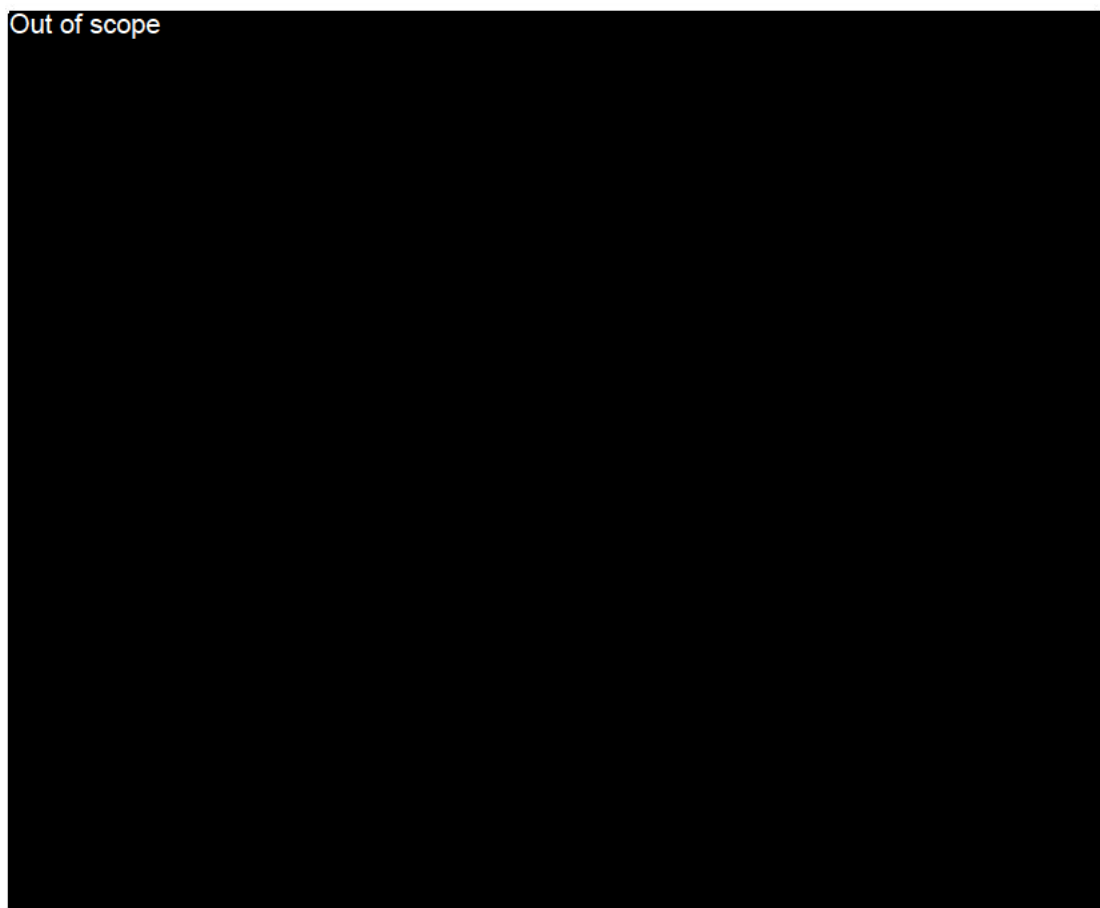
9(2)(a)



*Resigned early

Appendix B: TEI councils Organisational Form checklist

Out of scope



Workforce Development Councils	Services (Ringa Hora) Workforce Development Council
	People, Food and Fibre (Muka Tangata) Workforce Development Council

Appendix C: Organisational forms required by the Cabinet Office