

Hon Penny Simmonds

Minister for the Environment
Minister for Tertiary Education and Skills
Associate Minister for Social Development and Employment



16 September 2024

Tony Gray, **MNZM, JP**
Out of scope

Ref: PS0437

Dear Tony

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 | Manapou ki te Ao (ENZ). I have set out the terms of the appointment below and will shortly publish a notice in the *New Zealand Gazette* confirming your appointment.

Term

Your appointment to the ENZ Board is for a three-year term commencing on 1 November 2024 until 31 October 2027.

Roles and duties

I have enclosed a position description which explains your roles and duties as a member. You may also wish to familiarise yourself with sections 49-68 of the Crown Entities Act 2004. These sections set out the collective and individual duties of boards and their members, including the disclosure of interests. For further information on the specific functions and governance arrangements for ENZ, please refer to Part 5, Subpart 5 of the Education Act and Training Act 2020. You can find this statute, and other relevant legislation, at www.legislation.govt.nz.

Out of scope

I also expect you to declare any conflicts that may arise during your term, to the Chair and to the Director of Monitoring and Appointments at the Ministry of Education (see address below), and to identify an agreed way for any such conflicts to be appropriately managed.

Fees

You will be paid \$16,800 per annum (GST not applicable), based on an assumed 30 days' commitment per annum. This is in accordance with Cabinet Office Circular CO (22) 2: *Revised Fees Framework for members appointed to bodies in which the Crown has an interest*.¹ If you

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. The member must return GST on fees they charge for services as a director.

become a public sector employee during your term, you will need to advise the ENZ Board secretariat and discuss if you will remain eligible to receive fees.²

Other expenses

All Board members are entitled to be paid, out of ENZ's funds, reasonable and actual allowances for travelling and other expenses relating to the performance of their duties and responsibilities as Board members. ENZ will administer the payment of any expenses you incur during your tenure.

Ethical conduct

The Public Service Commission's Code of Conduct for Crown Entity Board Members applies to the members of the ENZ Board. You can find this document at www.publicservice.govt.nz/guidance/code-of-conduct-for-crown-entity-board-members. All members of the ENZ 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 also need to maintain the interest and enthusiasm required to contribute effectively to the performance of the Board throughout their term.

Public Service Principles

Boards of Crown agents are also responsible for ensuring that the entities they govern uphold the public service principles when carrying out their functions. The principles include political neutrality, free and frank advice, and fostering a culture of open government and stewardship.³

Resignation and removal from office

ENZ is a Crown agent and the Crown Entities Act 2004 provides that the responsible Minister may remove a member from the Board of a Crown agent at any time, entirely at their discretion. Removal of a member is via written notice to the person and the Board. Any member of the ENZ Board may at any time, resign from office by notifying the Minister for Tertiary Education and Skills in writing, with a copy to the Board Chair.

More information

The Public Service Commission website provides a range of useful information and tools for you as a board member, including an overview of relevant legislation for Crown entities and induction material for board members including at www.publicservice.govt.nz/guidance/guide-board-appointment-and-induction-guidelines/inducting-appointees.

If you have any questions or concerns about your appointment, please contact Fiona O'Leary, Director, Monitoring and Appointments, at the Ministry of Education. Her phone number is 04 463 0910, or you can email her at Fiona.Oleary@education.govt.nz.

² See paragraphs 74-79 of the Cabinet Fees Framework CO(22)(2).

³ [Public Service Act 2020](#) s12.

I hope that you will enjoy your time on the ENZ Board, and I look forward to working with you.

Kind regards



Hon Penny Simmonds
Minister for Tertiary Education and Skills

cc Dr Linda Sissons, Acting Chief Executive ENZ
cc Tracey Bridges, ENZ Board Chair
cc Andy Jackson, Hautū, Te Pou Kaupapahere, Ministry of Education

Enclosed: position description

Released under the Official Information Act 1982



Education New Zealand | Manapou ki te Ao Board Member Position Description

Appointed by	Minister for Tertiary Education and Skills
Term	Up to 3 years with potential for reappointment
Remuneration	\$16,800 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 for Tertiary Education and Skills (the Minister). Members of the board are also accountable to the Minister in respect of their collective and individual duties and responsibilities. ENZ is monitored by the Ministry of Education, which provides an independent view of ENZ's performance to the Minister.

The operating environment

ENZ's strategic direction is driven by the [International Education Strategy 2022-2030 \(the Strategy\)](#). 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. It also sets two focus areas: building back onshore offerings, and building a diversified, high-value future for international education.

ENZ has a key role fostering the shift from volume to value envisaged in the Strategy. This involves a strong focus on the broad benefits to New Zealand including educational value, international relations value, and socio-cultural value.

Other key elements are the board's oversight of how ENZ gives practical effect to the Crown's Te Tiriti o Waitangi (Te Tiriti) responsibilities and of the Manaaki New Zealand Scholarship Programme, which ENZ manages on behalf of the Ministry of Foreign Affairs and Trade.

Role of the board and its members

The Board's governance role involves setting the strategic direction for ENZ to ensure it is aligned with the Government's aims for international education and that the entity performs its functions in a way which upholds Te Tiriti.

In setting this direction, the Board needs to consider any expectations from the Government in the Minister's Letter of Expectations and other communication, as well as ensuring the entity can give effect to government policy as directed by the Minister where it relates to ENZ's legislated functions and objectives.

The Board is responsible for assurance over ENZ's performance against its strategic direction and government direction. With support from ENZ, the Board is responsible for issuing a Statement of Intent and Statement of Performance Expectations and report against these in its quarterly and annual reports.

The Chair of the Board retains the primary accountability for the performance of the entity and the board. As a board member, you are expected to support the work of the Board as directed by the Chair by:

- contributing your specific areas of expertise as they relate to the governance of ENZ,
- supporting other board members and working in a collective and collaborative manner,

- 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

The Education and Training Act 2020 sets out the functions of ENZ in *Section 511* which is included as *Appendix 1* and can be found at the following link:

<https://www.legislation.govt.nz/act/public/2020/0038/latest/LMS172420.html>

The Board also has a key role in leading ENZ as an organisation that honours and gives practical effect to the Crown's Te Tiriti responsibilities. All board members are required to understand Te Tiriti and make decisions, which allows the organisation to give practicable effect to the Crown's Te Tiriti obligations.

The Public Service Act 2020

The Board is responsible for ensuring ENZ upholds the public service principles of:

- political neutrality,
- providing free and frank advice,
- making merit-based appointments,
- fostering a culture of open government, and
- proactively promoting stewardship of the public service.

It must preserve, protect, and nurture the spirit of service to the community.

The Crown Entities Act 2004

The Board is responsible for ensuring sound fiscal decision making and practices of the organisation. These are reported quarterly and annually to the Minister.

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, strategic outlook and ability to lead through change,
- ability to facilitate effective working relationships with key stakeholders,
- a detailed understanding of the machinery of government including the role of Crown Agents,
- strong financial capability,
- business development and commercial experience,
- an understanding of international education and its place in the wider education system,
- an understanding of overseas markets and international relations,
- an understanding of the diversity of learners seeking a global learning experience, particularly indigenous people (including Māori seeking overseas opportunities), the Pacific realm nations and local Pacific communities, and
- knowledge of te reo Māori, tikanga Māori and Mātauranga Māori, and Te Tiriti o Waitangi.

Workload, remuneration and term of appointment

The expected workload for board members is approximately 30 days per year to attend meetings and other board business. ENZ's board meets around ten times a year. Board members receive a fee of \$16,800 per annum. This is set and reviewed in accordance with the Cabinet Fees Framework, which can be found here:

<https://www.dpmmc.govt.nz/sites/default/files/2022-10/co-22-2-revised-fees-framework.pdf>

All board members 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 resign from office by notifying the Minister and the Chair in writing, and any member may be removed by the Minister by written notice.

New Zealand Government

Released under the Official Information Act 1982

Appendix 1 - The functions of Education New Zealand

Section 511 of the Education and Training Act 2020 specifies that the functions of ENZ are to:

- deliver strategies, programmes, and activities for promoting, together with providers and other government agencies, New Zealand education overseas;
- promote New Zealand as an educational destination for international students;
- promote the provision of New Zealand education and training services overseas;
- manage, in collaboration with other government agencies, activities undertaken by representatives appointed to act on behalf of the New Zealand Government in relation to international education;
- carry out research on international education markets and marketing strategies;
- administer any international programmes or activities that are consistent with the Government's policy on international education;
- provide information, advice, and assistance to providers on strategies to promote industry co-ordination and professional development;
- provide information to international students about living and studying in New Zealand;
- work with other agencies to ensure that international students are adequately supported while living and studying in New Zealand;
- foster collaborative networks with former international students; and
- perform any other function directed by the Minister under subsection (3) of section 511.