



Kevin Jenkins

Ref: ESC3433

Out of scope

Tēnā koe Kevin

NOTICE OF APPOINTMENT AS CHAIR OF THE NEW ZEALAND QUALIFICATIONS AUTHORITY

I am pleased to inform you that I have appointed you as Board Chair of the New Zealand Qualifications Authority | Mana Tohu Mātauranga o Aotearoa (NZQA). Shortly a notice will be placed in the *New Zealand Gazette* confirming your appointment. I have set out the terms of the appointment below.

Term

Your appointment to the Board is for a term of three years, commencing 26 July 2024 and ending 25 July 2027.

Expectations

NZQA is facing significant financial and business sustainability challenges. It is important, as the incoming Chair, that you get on top of risks early on. I want your views on the maturity of the organisation, its risk profile and which levers you would like to apply as Chair. This should include an indication of any reviews you want undertaken. I also want assurance that the Board has appropriate sub committees in place and that meetings are occurring on a regular basis, and at a frequency, which reflects the current risk profile of the organisation.

NZQA is required to provide me with its financial sustainability plan in early to mid-August. The plan was initially due in July, and I have agreed to an extension to ensure you have the opportunity to feed into its completion. I am expecting NZQA to provide evidence of how it will ensure its business model is sustainable moving forward.

I would also appreciate your input into the next phase of NZQA Board appointments. The Ministry of Education's Monitoring and Appointments team will work with you and the Deputy Chair to identify priority skills and expertise for the upcoming appointment processes. Your views on which members should remain or recommendations for new candidates will be considered. It is important to me that an effective governance model is put in place and the Board has strong financial, business and governance expertise.

I am intending to issue a new Letter of Expectations for NZQA shortly. This will form the basis for your expectations of the Chief Executive.

Roles and duties

You will receive a position description which explains your roles and duties as Chair. You may also wish to familiarise yourself with sections 49-67 and 62-68 of the Crown Entities Act 2004. These sections set out the collective and individual duties of boards and their members and

the duties regarding disclosure of interests. For further information on the specific functions and governance arrangements for NZQA, please refer to Part 5, Subpart 2 of the Education Act and Training Act 2020. You can find both pieces of legislation online at www.legislation.govt.nz.

You have confirmed you have no disqualifications. You have also declared no conflicts of interest. If any conflicts, potential, perceived or actual, arise, you must ensure that these are declared and managed effectively for yourself and the other Board members.

Out of scope

Fees

You will be paid \$45,360 per annum (GST not applicable¹), based on an assumed 50 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*.

Given the risks NZQA is facing, your time commitment as Chair may initially be above the expected 50 hours per annum. If this is the case, please let the Ministry of Education's Monitoring and Appointments team know so that this can be addressed through a Board fees review.

If you become a public sector employee during your term, you will need to advise the NZQA Board secretariat and confirm your fees arrangement with them. Further information is provided in the attached Fees advice sheet.

Other expenses

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

Resignation and removal from office

NZQA is a Crown agent and the Crown Entities Act 2004 provides that the responsible Minister may remove a Chair or Deputy from the Board of any Crown agent at any time, after consultation with the person, at the Minister's discretion. Removal of a member is via written notice to the person and the Board.

You may at any time, resign from office by advising the Minister of Education in writing. You may also resign from the office of Chair but remain a member.

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.

Public Service principles

Boards of Crown agents are responsible for ensuring that the entities they govern uphold the Public Service principles when carrying out their functions. The principles comprise political neutrality, providing free and frank advice, making merit-based appointments and fostering a culture of open government and stewardship.²

Ethical conduct

The Public Service Commission's Code of Conduct for Crown Entity Board Members applies to the Board of NZQA.³ 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. All members must have the interest and enthusiasm needed to contribute effectively to the performance of the Board throughout their term of membership.

More information

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.

I hope you will enjoy your tenure as Chair, and I look forward to working with you.

Nāku noa, nā



Hon Erica Stanford

Minister of Education

cc Grant Klinkum, Chief Executive, NZQA
cc Andy Jackson, Hautū, Te Pou Kaupapahere, Ministry of Education
cc Iona Holsted, Chief Executive, Ministry of Education

Enclosed: Fees advice sheet

² Public Service Act 2020 s12.

³ the Code can be found online at www.publicservice.govt.nz/guidance/code-of-conduct-for-crown-entity-board-members.

Fees Advice Sheet

Cabinet has confirmed that under the Cabinet Fees Framework CO (22) 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, 73-79).

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.
- Any local authority as defined in the Local Government Act 2002 s 5.1.

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 confirm this **as early as possible** with the contact person in your letter of appointment.

Scenario 2. Where the board/advisory group work is undertaken by a teacher or teaching-principal in normal business 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 confirm this **as early as possible** with the contact person in your letter of appointment.

Scenario 3. For employees in academia and non-teaching principals, your institution or school may be able to receive your fees and add them to departmental/school funds to recognise the provision of your expertise. Please convey **as early as possible** if this might apply to you, via the contact person in your letter of appointment.

Scenario 4. If you are an academic working part-time for your institution, or, work full-time and have this option agreed in your employment contract, you can invoice for fees to be paid to you personally as secondary employment. If this might apply to you, please confirm this **as early as possible** with the contact person in your letter of appointment.

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, 82-85). 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 on daily fees, additional work that was not foreseen, or extra responsibilities you may be asked to perform for the board/advisory group, must be agreed to and minuted **beforehand** in order for you to receive fees for these reasons. Retrospective fee payments are not allowed under the CFF for those receiving daily fees (CFF Section C, 52).

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, 132-155).



Bill Moran

Ref: ESC3433

Out of scope

Tēnā koe Bill

NOTICE OF APPOINTMENT AS DEPUTY CHAIR OF THE NEW ZEALAND QUALIFICATIONS AUTHORITY

I am pleased to inform you that I have appointed you as Deputy Board Chair of the New Zealand Qualifications Authority | Mana Tohu Mātauranga o Aotearoa (NZQA). Shortly a notice will be placed in the *New Zealand Gazette* confirming your appointment. I have set out the terms of the appointment below.

Term

Your appointment to the Board is for a term of three years, commencing 26 July 2024 and ending 25 July 2027.

Expectations

NZQA is facing significant financial and business sustainability challenges. It is important as the incoming Deputy Chair, that you work with the Board Chair to get on top of risks early on. I want your shared views on the maturity of the organisation, its risk profile and which levers should be applied. This should include an indication of any reviews you believe should be undertaken. I also want assurance that the Board has appropriate sub committees in place and that meetings are occurring on a regular basis, and at a frequency, which reflects the current risk profile of the organisation.

I would also appreciate you and the new Chair's input into the next phase of NZQA Board appointments. The Ministry of Education's Monitoring and Appointments team will work with you both to identify priority skills and expertise for the upcoming appointment processes. It is important to me that an effective governance model is put in place and the Board has strong financial, business and governance expertise.

Roles and duties

You will receive a position description which explains your roles and duties as a Board member. You may also wish to familiarise yourself with sections 49-67 and 62-68 of the Crown Entities Act 2004. These sections set out the collective and individual duties of boards and their members, and the duties regarding disclosure of interests. For further information on the specific functions and governance arrangements for the NZQA, please refer to Part 5, Subpart 2 of the Education Act and Training Act 2020. You can find both pieces of legislation online at www.legislation.govt.nz.

You have confirmed you have no disqualifications. You have also declared no conflicts of interest. If any conflicts, potential, perceived or actual, arise, you must ensure that these are declared and managed effectively.

Fees

You will be paid \$28,350 per annum (GST not applicable¹), based on an assumed 37.5 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*.

If you become a public sector employee during your term, you will need to advise the NZQA Board secretariat and confirm your fees arrangement with them. Further information is provided in the attached Fees advice sheet.

Other expenses

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

Resignation and removal from office

NZQA is a Crown agent and the Crown Entities Act 2004 provides that the responsible Minister may remove a Chair or Deputy from the Board of any Crown agent at any time, after consultation with the person, entirely at their discretion. Removal of a member is via written notice to the person and the Board.

You may at any time, resign from office by advising the Minister of Education in writing. You may also resign from the office of Deputy Chair but remain a member.

Public Service principles

Boards of Crown agents are responsible for ensuring that the entities they govern uphold the Public Service principles when carrying out their functions. The principles comprise political neutrality, providing free and frank advice, making merit-based appointments and fostering a culture of open government and stewardship.²

Ethical conduct

The Public Service Commission's Code of Conduct for Crown Entity Board Members applies to the Board of NZQA.³ 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. All members must have the interest and enthusiasm

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.

² Public Service Act 2020 s12.

³ The Code can be found online at www.publicservice.govt.nz/guidance/code-of-conduct-for-crown-entity-board-members.

needed to contribute effectively to the performance of the Board throughout their term of membership.

More information

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.

I hope you will enjoy your tenure, and I look forward to working with you.

Nāku noa, nā



Hon Erica Stanford

Minister of Education

cc Grant Klinkum, Chief Executive NZQA
cc Andy Jackson, Hautū, Te Pou Kaupapahere, Ministry of Education
cc Iona Holsted, Chief Executive, Ministry of Education
cc Kevin Jenkins, incoming Board Chair, NZQA

Enclosed: Fees advice sheet

Released under the Official Information Act 1982

Fees advice sheet

Cabinet has confirmed that under the Cabinet Fees Framework CO (22) 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, 73-79).

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.
- Any local authority as defined in the Local Government Act 2002 s 5.1.

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 confirm this **as early as possible** with the contact person in your letter of appointment.

Scenario 2. Where the board/advisory group work is undertaken by a teacher or teaching-principal in normal business 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 confirm this **as early as possible** with the contact person in your letter of appointment.

Scenario 3. For employees in academia and non-teaching principals, your institution or school may be able to receive your fees and add them to departmental/school funds to recognise the provision of your expertise. Please convey **as early as possible** if this might apply to you, via the contact person in your letter of appointment.

Scenario 4. If you are an academic working part-time for your institution, or, work full-time and have this option agreed in your employment contract, you can invoice for fees to be paid to you personally as secondary employment. If this might apply to you, please confirm this **as early as possible** with the contact person in your letter of appointment.

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, 82-85). 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 on daily fees, additional work that was not foreseen, or extra responsibilities you may be asked to perform for the board/advisory group, must be agreed to and minuted **beforehand** in order for you to receive fees for these reasons. Retrospective fee payments are not allowed under the CFF for those receiving daily fees (CFF Section C, 52).

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, 132-155).



Andrée Atkinson

Ref: ESC3433

Out of scope

Tēnā koe Andrée

NOTICE OF APPOINTMENT AS A MEMBER OF THE NEW ZEALAND QUALIFICATIONS AUTHORITY

I am pleased to inform you that I have appointed you as a member of the New Zealand Qualifications Authority | Mana Tohu Mātauranga o Aotearoa (NZQA). Shortly a notice will be placed in the *New Zealand Gazette* confirming your appointment. I have set out the terms of the appointment below.

Term

Your appointment to the Board is for a term of three years, commencing 26 July 2024 and ending 25 July 2027.

Expectations

NZQA is facing significant financial and business sustainability challenges. As the Chartered Accountant on the Board, you will have a key role in supporting the Board's financial capability. It is important that there is a strong focus on ensuring NZQA's financial information is sound and that the rationale and assumptions behind its financial sustainability plan are robust. I expect you to work alongside the Chair and Deputy Chair to identify relevant risks and areas where capability needs to be strengthened so this can be addressed through any further appointments or reviews.

Roles and duties

You will receive a position description which explains your roles and duties as a Board member. You may also wish to familiarise yourself with sections 49-67 and 62-68 of the Crown Entities Act 2004. These sections set out the collective and individual duties of boards and their members, and the duties regarding disclosure of interests. For further information on the specific functions and governance arrangements for NZQA, please refer to Part 5, Subpart 2 of the Education Act and Training Act 2020. You can find both pieces of legislation online at www.legislation.govt.nz.

You have confirmed you have no disqualifications. You have also declared no conflicts of interest. If any conflicts, potential, perceived or actual, arise, you must ensure that these are declared and managed effectively.

Out of scope

Fees

You will be paid \$22,680 per annum (GST not applicable¹), 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*.

If you become a public sector employee during your term, you will need to advise the NZQA Board secretariat and confirm your fees arrangement with them. Further information is provided in the attached Fees advice sheet.

Other expenses

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

If you become a public sector employee during your term, you will need to advise the NZQA Board secretariat and confirm your fees arrangement with them. Further information is provided in the attached information sheet.

Resignation and removal from office

NZQA is a Crown agent and the Crown Entities Act 2004 provides that the responsible Minister may remove a member from the Board of any Crown agent at any time, entirely at their discretion. Removal of a member is via written notice to the person and the Board.

You may at any time, resign from office by advising the Minister of Education in writing.

Public service principles

Boards of Crown agents are responsible for ensuring that the entities they govern uphold the public service principles when carrying out their functions. The principles comprise political neutrality, providing free and frank advice, making merit-based appointments and fostering a culture of open government and stewardship.²

Ethical conduct

The Public Service Commission's Code of Conduct for Crown Entity Board Members applies to the Board of NZQA.³ 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. All members must have the interest and enthusiasm

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² [Public Service Act 2020 s12](#).

³ The Code can be found online at www.publicservice.govt.nz/guidance/code-of-conduct-for-crown-entity-board-members.

needed to contribute effectively to the performance of the Board throughout their term of membership.

More information

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.

I hope you will enjoy your tenure, and I look forward to working with you.

Nāku noa, nā



Hon Erica Stanford

Minister of Education

Out of scope

- cc Grant Klinkum, Chief Executive NZQA
- cc Andy Jackson, Hautū, Te Pou Kaupapahere, Ministry of Education
- cc Iona Holsted, Chief Executive, Ministry of Education
- cc Kevin Jenkins, incoming Board Chair, NZQA

Enclosed: Fees advice sheet

Released under the Official Information Act 1982

Fees Advice Sheet

Cabinet has confirmed that under the Cabinet Fees Framework CO (22) 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, 73-79).

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.
- Any local authority as defined in the Local Government Act 2002 s 5.1.

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 confirm this **as early as possible** with the contact person in your letter of appointment.

Scenario 2. Where the board/advisory group work is undertaken by a teacher or teaching-principal in normal business 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 confirm this **as early as possible** with the contact person in your letter of appointment.

Scenario 3. For employees in academia and non-teaching principals, your institution or school may be able to receive your fees and add them to departmental/school funds to recognise the provision of your expertise. Please convey **as early as possible** if this might apply to you, via the contact person in your letter of appointment.

Scenario 4. If you are an academic working part-time for your institution, or, work full-time and have this option agreed in your employment contract, you can invoice for fees to be paid to you personally as secondary employment. If this might apply to you, please confirm this **as early as possible** with the contact person in your letter of appointment.

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, 82-85). 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 on daily fees, additional work that was not foreseen, or extra responsibilities you may be asked to perform for the board/advisory group, must be agreed to and minuted **beforehand** in order for you to receive fees for these reasons. Retrospective fee payments are not allowed under the CFF for those receiving daily fees (CFF Section C, 52).

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, 132-155).

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



29 OCT 2024

Jeremy Baker
Out of scope

Ref: ESC5260

Tēnā koe Jeremy

NOTICE OF REAPPOINTMENT AS A MEMBER OF THE BOARD OF THE NEW ZEALAND QUALIFICATIONS AUTHORITY

I am pleased to inform you that I have reappointed you as a member of the Board of the New Zealand Qualifications Authority | Mana Tohu Mātauranga o Aotearoa (the Board). I have set out the terms of your reappointment below and will shortly place a notice in the New Zealand Gazette confirming your reappointment.

Term

Your reappointment is for an 18-month term commencing from the date of this letter.

Roles and duties

You will have received a position description which explains your roles and duties as a member of the Board. You may also wish to familiarise yourself with sections 49-67 and 62-68 of the [Crown Entities Act 2004](#). These sections set out the collective and individual duties of boards and their members and the duties regarding disclosure of interests. For further information on the functions and governance arrangements for the New Zealand Qualifications Authority refer to sections 431 and 433 of the [Education Act and Training Act 2020](#).

Conflicts of interest

Out of scope

If any additional potential, perceived or actual conflicts arise, you must ensure that these are also declared to the Chair and that they are managed effectively.

Fees

You will continue be paid \$22,680 per annum (GST not applicable¹), 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 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.

If you become a public sector employee during your term, you will need to advise the Board 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 the entity's funds, for reasonable and actual allowances for travelling and other expenses relating to the performance of their duties and responsibilities as Board members. The New Zealand Qualifications Authority will administer the payment of any expenses you incur during your tenure.

Ethical conduct

The Public Service Commission's (PSC) [Code of Conduct for Crown Entity Board Members](#) applies to the Board. 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 the New Zealand Qualifications Authority upholds the Public Service principles when carrying out its functions (see [Principles 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

You will continue to receive confidential information and be a party to confidential discussions. You will also continue to 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

The New Zealand Qualifications Authority is a Crown agent and the Crown Entities Act 2004 provides that the responsible Minister may remove a member from the Board of any Crown agent at any time, entirely at the Minister's discretion. Removal of a member is via written notice to the person and the Board. You may at any time resign by advising the responsible Minister and the Board Chair in writing.

More information

The PSC [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 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.

I hope you will enjoy your continuing service on the Board, and I look forward to continuing to work with you.

Nāku noa, nā

A handwritten signature in blue ink, appearing to read 'E. Stanford'.

Hon Erica Stanford
Minister of Education

CC Kevin Jenkins, Chair, New Zealand Qualifications Authority
CC Dr Grant Klinkum, Chief Executive New Zealand Qualifications Authority
CC Andy Jackson, Deputy Chief Executive, Policy, 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 (22) 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, 73-79).

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.
- Any local authority as defined in the Local Government Act 2002 s 5.1.

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, 82-85). 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, 132-155).

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



29 OCT 2024

David Ferguson
Out of scope

Ref: ESC5261

Tēnā koe David

NOTICE OF APPOINTMENT AS A MEMBER OF THE BOARD OF THE NEW ZEALAND QUALIFICATIONS AUTHORITY

I am pleased to inform you that I have appointed you as a member of the Board of the New Zealand Qualifications Authority | Mana Tohu Mātauranga o Aotearoa (the Board). I have set out the terms of your appointment below and will shortly place a notice in the New Zealand Gazette confirming your appointment.

Term

Your appointment is for a term of three years commencing from the date of this letter.

Roles and duties

You will have received a position description which explains your roles and duties as a member of the Board. You may also wish to familiarise yourself with sections 49-67 and 62-68 of the [Crown Entities Act 2004](#). These sections set out the collective and individual duties of boards and their members and the duties regarding disclosure of interests. For further information on the functions and governance arrangements for the New Zealand Qualifications Authority refer to sections 431 and 433 of the [Education Act and Training Act 2020](#).

Conflicts of interest

Out of scope

If any additional potential, perceived or actual conflicts arise, you must ensure that there are also declared to the Chair and that they are managed effectively.

Fees

You will be paid \$22,680 per annum (GST not applicable¹), 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 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.

Out of scope

Further information is provided in the enclosed Fees Advice Sheet.

Other expenses

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

Ethical conduct

The Public Service Commission's (PSC) [Code of Conduct for Crown Entity Board Members](#) applies to the Board. 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 the New Zealand Qualifications Authority upholds the Public Service principles when carrying out its functions (see [Principles 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

You will receive confidential information and will 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

The New Zealand Qualifications Authority is a Crown agent and the Crown Entities Act 2004 provides that the responsible Minister may remove a member from the Board of any Crown agent at any time, entirely at the Minister's discretion. Removal of a member is via written notice to the person and the Board. You may at any time resign by advising the responsible Minister and the Board Chair in writing.

More information

The PSC [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 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.

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

Nāku noa, nā

A handwritten signature in blue ink, appearing to read 'E. Stanford', written in a cursive style.

Hon Erica Stanford
Minister of Education

CC Kevin Jenkins, Chair, New Zealand Qualifications Authority
CC Dr Grant Klinkum, Chief Executive New Zealand Qualifications Authority
CC Andy Jackson, Deputy Chief Executive, Policy, 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 (22) 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, 73-79).

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.
- Any local authority as defined in the Local Government Act 2002 s 5.1.

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.

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