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5 February 2025

John Luke

By email: fyi-request-29720-b6905e8b@requests.fyi.org.nz
Ref: H2025059191

Tēnā koe John Luke

Response to your request for official information

Thank you for your request under the Official Information Act 1982 (the Act) to the Ministry of Health – Manatū Hauora (the Ministry) on 12 January 2025 for information regarding appointments to the Optometrists and Dispensing Opticians Board – Te Poari o ngā Kaimātai Whatu me ngā Kaiwahakarato Mōhiti. You requested:

I noted, you have recently call for nomination for your Optometrists and Dispensing Opticians Board

<https://aus01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fgazette.govt.nz%2Fnotice%2Ffid%2F2025-go210&data=05%7C02%7Coiagr%40health.govt.nz%7C7a19d94d308f4ad3860c08dd32ecbad6%7C23cec7246d204bd19fe9dc4447edd1fa%7C0%7C0%7C638722714552518765%7CUnknown%7CTWFpbGZsb3d8eyJFbXB0eU1hcGkiOnRydWUsIiYiOilwLjAuMDAwMCIslIAiOiJXaW4zMiiSlkFOljoiTWFpbClslldUljoyfQ%3D%3D%7C40000%7C%7C%7C&sd ata=Jb2rFHTVKG39qhbIzDs6Hqgfs3YPTW0C4NipKofQ80k%3D&reserved=0>

May I ask how you called for public nomination and on what platform you have call for public nominations e.g. govt.jobs website. 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 for your role. How many you have shortlisted and how many you have interviewed in this recruitment round. May I also seek a copy of the ad went out to public and the appointment letter sent to the appointee, feel free to redact any personal information.

The roles on the board were publicly advertised on the Ministry's Careers webpage and the New Zealand Government Jobs website from 7 May 2024 to 28 May 2024. A copy of the advertisement is attached as Document 1.

The Ministry received eight applications from the public. Nominations were also sought from a variety of nominating agencies and caucus and coalition party leaders. No nominations were received in response to these requests.

Five candidates were shortlisted. Of these, two were interviewed and appointed.

Two appointment letters were sent out, along with a memorandum and the Terms of Reference of appointment. As the two appointment letters sent are substantively the same, only one copy had been included for reference. Further information on the release of the documents is noted in Appendix 1.

Further details about the appointees can be found in the publicly available notice on the New Zealand Gazette: <https://gazette.govt.nz/notice/id/2025-go210>.

I trust this information fulfils your request. If you wish to discuss any aspect of your request with us, including this decision, please feel free to contact the OIA Services Team on: oiagr@health.govt.nz.

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



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

Appendix 1: List of documents for release

#	Date	Document details	Decision on release
1	May 2024	Copy of advertisement: Vacancies on the Optometrists and Dispensing Opticians Board Te Poari o ngā Kaimātai Whatu me ngā Kaiwahakarato Mōhiti	Released in full
2	May 2024	Copy of appointment letter and memorandum	Released with some information withheld under section 9(2)(a) of the Act, to protect personal privacy
3	May 2024	Copy of Candidate Information on the Terms and Conditions of Appointment to the Optometrists and Dispensing Opticians Board Health Practitioners Competence Assurance Act 2003	Released in full

Vacancies on the Optometrists and Dispensing Opticians Board | Te Poari o ngā Kaimātai Whatu me ngā Kaiwahakarato Mōhiti

The Ministry of Health | Manatū Hauora (the Ministry) is seeking candidates who wish to be considered for appointment as **health practitioner** members of the [Optometrists and Dispensing Opticians Board | e Poari o ngā Kaimātai Whatu me ngā Kaiwahakarato Mōhiti](#) (the Board). The Board is a Responsible Authority under the Health Practitioners Competence Assurance Act 2003 (the Act). The purpose of the Board is to protect the health and safety of members of the public by ensuring that practitioners are fit and competent to practise.

Kōrero mō te tūranga | About the role

Being a member of the Board is rewarding and challenging. You will be committed to improving the health of New Zealanders, through contribution to the governance of the Board's legislative requirements.

The functions of responsible authorities are set out under [section 118 of the HPCA Act](#), and more information about the Board is available on the Board's [website](#).

Appointments to the Board are made by the Associate Minister of Health, Hon Casey Costello, typically for terms of three years. Members can be reappointed for up to nine consecutive years.

The Ministry recognises that diversity enables our boards and councils to be high-performing and is committed to ensuring they represent the diversity in New Zealand's population, including gender, ethnicity, disability, age and geographic location. The Ministry encourages people from all backgrounds, especially those who can reflect the needs, values, and beliefs of Māori, who understand and are committed to meeting the obligations under the Treaty of Waitangi, to apply for these roles.

Kōrero mōu | About you

For all applicants, governance and/or regulatory experience is a plus but not required. It is beneficial if you can lead strategically, and balance competing demands. In this instance, we are particularly looking to receive applications from experienced optometrists or dispensing opticians, and candidates that can represent the perspectives of Māori, Pacific people, and people with lived experience of a disability.

Preferred skills and attributes for health practitioner roles include:

- experienced senior optometrists with full prescribing rights
- experienced senior dispensing opticians
- optometrists with an endorsement in independent glaucoma prescribing would be preferred
- preference for those with experience in communications, education and training, strategic planning, or regulation
- preference for those with financial services or accounting experience
- experience and knowledge of te ao Māori and tikanga Māori.

Health practitioner applicants must be registered optometrists or dispensing opticians and have a good understanding of the scope of practice, competencies and code of ethics or conduct.

Members of a Responsible Authority board cannot simultaneously be a member of the Health Practitioners Disciplinary Tribunal (the Tribunal) given the disciplinary function of the Tribunal over health practitioners.

Me pēhea te tono | How to apply

Applications must be made using the Ministry of Health online [Career Centre](#) by close of business **28 May 2024** and include:

- a completed declaration form (attached), and
- a covering letter, and
- a current CV.

Due diligence checks will be undertaken for shortlisted applicants. Your personal information will be handled in accordance with the [Privacy Act 2020](#). The Ministry of Health may also request that the New Zealand Security Intelligence Service conduct national security screening of you as part of the appointment process.

The appointment process can be lengthy, taking between 6 to 12 months. Your patience and professionalism as we work through the next steps is appreciated. The outcome of the recruitment process for the Board will be confirmed after it has been considered by the [Cabinet Appointments and Honours Committee](#)

Ko wai mātou | Who we are

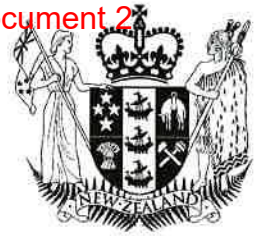
See the [Ministry of Health Board appointments webpage](#) for more information.

If you would like to obtain further information or clarification, or if your circumstances change or should you wish to withdraw your application, please contact the Statutory Appointments team by emailing: appointments@health.govt.nz

RELEASED UNDER THE
OFFICIAL INFORMATION ACT 1982

Hon Casey Costello

Document 2



Minister of Customs
Minister for Seniors
Associate Minister of Health
Associate Minister of Immigration
Associate Minister of Police

19 DEC 2024

Angela Mitchell

s 9(2)(a)

Dear Angela

Appointment as a health practitioner member of the Optometrists and Dispensing Opticians Board – Te Poari o ngā Kaimātai Whatu me ngā Kaiwahakarato Mōhiti

Thank you for your willingness to serve on the Optometrists and Dispensing Opticians Board – Te Poari o ngā Kaimātai Whatu me ngā Kaiwahakarato Mōhiti (the Board).

In accordance with section 120 of the Health Practitioners Competence Assurance Act 2003, I hereby appoint you as a health practitioner member of the Board for a three-year term of office commencing on 20 January 2025 and ending on 19 January 2028.

Attached to this letter are the terms and conditions of your appointment. Any necessary further information will be provided by the Board's Chief Executive and Registrar, Suzanne Halpin.

Please formally acknowledge your appointment by signing the attached memorandum and emailing it to appointments@health.govt.nz.

Thank you again and congratulations on your appointment.

Yours sincerely

A blue ink signature of Hon Casey Costello, written in a cursive style.

Hon Casey Costello
For **Minister of Health**

Encl: Terms and Conditions
Appointment Memorandum

cc Suzanne Halpin, Chief Executive and Registrar, Optometrists and Dispensing Opticians Board,
suzanne.halpin@odob.health.nz
Statutory Appointments and Integrity Services, Ministry of Health,
appointments@health.govt.nz

MEMORANDUM

To: Stasha Mason
Manager
Statutory Appointments and Integrity Services
Ministry of Health

Email: appointments@health.govt.nz

Subject: **Appointment as a health practitioner member of the Optometrists and Dispensing Opticians Board – Te Poari o ngā Kaimātai Whatu me ngā Kaiwahakarato Mōhiti**

From: Angela Mitchell

1. I acknowledge my appointment as a health practitioner member of the Optometrists and Dispensing Opticians Board – Te Poari o ngā Kaimātai Whatu me ngā Kaiwahakarato Mōhiti pursuant to section 120 of the Health Practitioners Competence Assurance Act 2003, for a three-year term of office commencing on 20 January 2025 and ending on 19 January 2028.
2. I have read, understand, and accept the terms and conditions of my appointment.

Signed

Date

Candidate Information on the Terms and Conditions of Appointment to the Optometrists and Dispensing Opticians Board

Health Practitioners Competence Assurance Act 2003

Introduction

This document provides information for prospective candidates for membership of the Optometrists and Dispensing Opticians Board (the Board). It sets out the:

- role and functions of the Board
- composition of the Board
- terms and conditions of appointment
- duties and responsibilities of a member.

The Role of Registration Bodies in Regulating Occupations

Consumers do not always have enough knowledge to make an informed decision whether optometrists and dispensing opticians are competent to carry out their occupations. This can be a matter of concern when the actions of an incompetent practitioner may impact on the health and safety of consumers. Occupational regulation is one way of providing consumers with information on a practitioner's competence. It ensures that only practitioners who have demonstrated that they meet the minimum standards for entry to an occupation can practise or use protected titles.

The Health Practitioners Competence Assurance Act 2003 (the Act) establishes responsible authorities to protect consumers of health services. The Act requires responsible authorities to establish the competencies required for the registration of practitioners who demonstrate they possess the competence to practise safely. The Board is one such registration authority.

Individuals appointed to the Board have a range of experience, from first-time appointees with little or no experience as a member of such authorities to members with extensive experience. The Board draws considerable benefits from having a diverse membership with a range of skills, attributes, and experience.

Functions of the Board

The Board is a body corporate established under section 114 (1) of the Act. The purpose of the Act is to protect the health and safety of members of the public by providing mechanisms to ensure that health practitioners are competent and fit to practise their professions.

The functions of the Board are set out under section 118 of the Act. As they relate to the Board, these functions are:

- (a) to prescribe the qualification required for scopes of practice within the profession, and, for that purpose, to accredit and monitor educational institutions and degrees, courses of studies, or programmes
- (b) to authorise the registration of optometrists and dispensing opticians under this Act, and to maintain registers
- (c) to consider applications for annual practising certificates
- (d) to review and promote the competence of optometrists and dispensing opticians

- (e) to recognise, accredit, and set programmes to ensure the ongoing competence of optometrists and dispensing opticians
- (f) to receive information from any person about the practice, conduct or competence of optometrists and dispensing opticians and, if it is appropriate to do so, act on that information
- (g) to notify employers, the Accident Compensation Corporation, the Director-General of Health, and the Health and Disability Commissioner that the practice of an optometrist or dispensing optician may pose a risk of harm to the public
- (h) to consider the case of optometrists and dispensing opticians who may be unable to perform the functions required for the practice of the profession
- (i) to set standards of clinical competence, cultural competence (including competencies that will enable effective and respectful interaction with Māori) and ethical conduct to be observed by optometrists and dispensing opticians
- (j) to liaise with other authorities appointed under this Act about matters of common interest
- (j) to promote and facilitate inter-disciplinary collaboration and co-operation in the delivery of health services
- (k) to promote education and training in the profession
- (l) to promote public awareness of the responsibilities of the Board
- (m) to exercise and perform any other functions, powers, and duties that are conferred or imposed on it by or under the Act or any other enactment.

Composition of the Board

Under section 120 of the Act, the Board may consist of up to 14 members, a majority of whom are health practitioners. The Board's membership must include two laypersons if the authority has eight or fewer members, or three laypersons if the authority has nine or more members.

Consumer Constituency

The consumer constituency of the Board includes those who use optometry and optical dispensing services, as well as those with an interest in the eye care of themselves and other New Zealanders. Those who use or may use these services are a cross-section of New Zealanders in terms of ethnicity, age, gender, and geography.

Appointment as a Member of the Board

In making yourself available to be considered for appointment, please ensure that:

- there is no conflict of interest which would preclude your appointment; and
- you are available to serve for a term of office of up to three years.

The Board provides an induction package to all new members.

Board members are expected to follow the terms and conditions set out below.

Terms and Conditions of Appointment

The Minister of Health appoints members to the Board for a term of up to three years by notice published in the *Gazette*. Members may be reappointed from time to time, but no

person is eligible to be a member for more than nine consecutive years. Any member of the Board may at any time resign by giving notice to that effect to the Minister.

The Act states that appointed members are considered to have vacated their office if they die or are adjudged bankrupt under the Insolvency Act 1967. The Minister of Health may at any time remove members from office, on the grounds of:

- inability to perform the duties of the office
- neglect of duty
- misconduct, proved to the satisfaction of the Minister
- with the concurrence of the Board, by notice given to the member, on the ground that the member's performance on the Board is inadequate.

Duties and Responsibilities of a Member

This section sets out the Minister of Health's expectations regarding the duties and responsibilities of a person appointed as a member of the Board. This is intended to aid members of the Board by providing them with a common set of principles for appropriate conduct and behaviour and serves to protect the Board and its members from being exposed to legal challenges.

As an independent statutory body, the Board has an obligation to conduct its activities in an open and ethical manner. The Board has a duty to operate in an effective manner within the parameters of its functions as set out in section 118 of the Act.

General

Board members have a commitment to protect the public and work for the greater good of the Board. Members are accountable to the Minister of Health (and through the Minister to the public of New Zealand).

Board members attend meetings, and undertake Board activities, as independent persons responsible to the Board as a whole. Members are not appointed as representatives of professional organisations, their respective profession, or communities. This issue is particularly important when Board members may, at times, be required to be party to decisions which conflict with the views of other organisations with which they are involved.

There is an expectation that Board members will make every effort to attend all Board meetings and devote sufficient time to become familiar with the affairs of the Board and the wider environment within which it operates.

Board members will also be required to serve on one or more Board committee or working group.

Legislation and Conflicts of Interest

It is important that Board members have a common understanding of their role, in order that decisions can be reached within the spirit of the governing legislation - namely, for the purpose of protecting the public interest through the regulation of optometrists and dispensing opticians.

Board members will be expected to become familiar with, and operate according to, the Act.

In addition, members of the Board are expected to be familiar with, and operate according to, the:

- principles of natural justice and administrative law
- Health and Disability Commissioner Act 1994

- Code of Health and Disability Services Consumers' Rights
- Health and Disability Services Act 2001
- Trans-Tasman Mutual Recognition Act 1997
- Privacy Act 2020
 - Health Information Privacy Code 2020
- Human Rights Act 1993
- Treaty of Waitangi.

Board 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. Proper observation of these principles will protect the Board and its members and will enable public confidence to be maintained.

When Board members believe they have a conflict of interest on a subject that will prevent them from reaching an impartial decision or undertaking an activity consistent with the Board's functions, then they must declare the conflict of interest and withdraw themselves from the discussion or activity.

Confidentiality

Meetings, including agenda material and minutes, of the Board are confidential. Board members must ensure that the confidentiality of Board business is maintained.

Members are free to express their own views within the context of Board meetings, or the general business of the Board.

Board members must publicly support a course of action decided by the Board, or if unable to do that, must not publicly comment on decisions.

At no time shall Board members individually divulge details of Board matters or decisions of the Board to persons who are not Board members. Disclosure of Board business to anyone outside the Board must be the decision of the Board, or between meetings, at the discretion of the Chairperson of the Board, or in the case of committees, the Chairperson of the Committee (if they have the delegated authority of the Board).

Board members must ensure that Board documents are kept secure to ensure the confidentiality of Board work is maintained. Release of Board correspondence or papers can only be made with the approval of the Board.

Meetings of the Board

The Board meets formally four times a year, but this can be reviewed depending on requirements. Teleconferences or video conferences for urgent business are held during the year as well.

A member should expect to spend an average of two to four hours per week on Board matters. Much of this work will be conducted through email or phone.

In addition, members may be required to participate on sub-committees established to address specific issues, for example, continuing education, professional standards, registration, legislation, and administration. Board committees do not generally meet, instead relying on phone and email contact.

The conduct of meetings and quorum necessary for the Board to transact business is set out in Schedule 3 of the Act.

When carrying out its functions the Board must follow the principles of natural justice and administrative law. The Board must act lawfully, that is, the Board can only act within the limits of its powers as set out in the Act. The Board must also act fairly when carrying out its functions. Decisions of the Board are reviewable by the Courts, and it is also possible for persons to take civil action against the Board or its individual members.

Fees and Allowances

Members of the Board, and of any sub-committees appointed by the Board, are paid a monthly honorarium. This is currently set at \$958.33 but may change from time to time. Additionally, the Board pays for actual and reasonable travel and accommodation expenses.

More detailed information can be obtained from the Registrar of the Board:

Suzanne Halpin
Registrar
Optometrists and Dispensing Opticians Board
PO Box 9644
WELLINGTON 6141

Ph: (04) 474 0705

E-mail s 9(2)(a)

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OFFICIAL INFORMATION ACT 1982