



Education Report: Ministerial Appointments to the Kingslea School (518) Board

To:	Hon Jan Tinetti, Associate Minister of Education (School Operations)		
Date:	4 November 2022	Priority:	High
Security Level:	In Confidence	METIS No:	1296668
Drafter:	Helen Greaney, Senior Adviser, School Governance, Te Pae Aronui	DDI:	9(2)(a) [REDACTED]
Key Contact:	Coralanne Child, Director of Education, Canterbury/Chatham Islands	DDI:	9(2)(a) [REDACTED]
Messaging seen by Communications team:	No	Round Robin:	No

Purpose of Report

The purpose of this paper is for you to consider the candidates recommended for appointment to the Kingslea School (518) Board.

Summary

1. Kingslea School is a special institution as defined by Schedule 2¹ of the Education and Training Act 2020. Kingslea School provides education to children and young people within residential and non-residential care throughout New Zealand.
2. Kingslea School has an alternative constitution approved under section 95 of the Education Act 1989 (*New Zealand Gazette* notice number 2004-go1615). The constitution states that up to two members are to be appointed by the Minister of Education.
3. As Associate Minister of Education (School Operations) with delegations for Te Mahau operational matters, you may appoint up to two members to the Kingslea School Board. We have facilitated the process of seeking and evaluating candidates for your consideration, on your behalf.
4. The panel are recommending two candidates, Emma Hunter and Ngaire Button, for appointment to the Kingslea School Board. Both have a range of skills and experience including in governance, local and non-government organisations, education, Māori

¹ Schedule 2 of the Education and Training Act 2020 replaced Schedule 5 of the Education Act 1989

health, and welfare. Letters confirming the appointments are attached for your signature if you approve the recommended appointees.

Recommended Actions

The Ministry of Education recommends you:

- a. **agree** to appoint the following candidates to the Kingslea School (518) Board:

Emma Hunter

☒ Agree ☐ Disagree

Ngaire Button

☒ Agree ☐ Disagree

And if you agree:

- b. **sign** the attached letters provided in Annex 3 and 4 to the successful candidates and Principal of Kingslea School, confirming the appointments.
- c. **note** that the Ministry of Education will thank all other unsuccessful candidates; and the current members who did not reapply for consideration, after you have confirmed the appointments,

We also recommend that you:

- d. **agree** that this Education report be proactively released. Any information that might need to be withheld, will be done so in line with the provisions of the Official Information Act 1982.

☒ Proactively release / ☐ Not release


Nancy Bell
Hautū | Deputy Secretary
Te Mahau | Te Tai Runga

4/11/22


Hon Jan Tinetti
Associate Minister of Education
(School Operations)
12/11/2022

Background

- 1 Kingslea School is a special institution as defined by Schedule 2 of the Education and Training Act 2020 (the Act).
- 2 Kingslea School delivers education to children and young people within residential and non-residential care throughout Aotearoa/New Zealand. The students are referred to the school under the Youth Justice, or Care and Protection of Children and Young Persons provision of the Oranga Tamariki Act 1989.
- 3 Students and teachers are connected within a multi-site, nationwide school. Kingslea School operates at the following locations: Korowai Manaaki and Whakatakapokai in Tāmaki Makaurau/Auckland, Te Maioha o Parekarangi in Rotorua, Te Oranga and Arahina ki Ōtautahi in Ōtautahi/Christchurch, Te Puna Wai ō Tuhinapo in Rolleston, and Puketāi in Ōtepoti/Dunedin.
- 4 The current constitution of the Kingslea School Board provides for up to two members to be appointed by the Minister of Education to the Board (*New Zealand Gazette* Notice No 2004-go1615).
- 5 The constitution also provides for up to three members to be appointed by the Department of Child, Youth and Family Services², and up to two members who may be co-opted by the Board. The Principal and an elected staff representative make up the remainder of the Board membership.
- 6 In line with clause 1 of Schedule 23 to the Education and Training Act 2020, when considering appointments to the Board, it is desirable as far as it is reasonably practicable that every board should reflect:
 - the ethnic and socio-economic diversity of the student body; and
 - the fact that approximately half the population of New Zealand is male and half female; and
 - the character of the school; and
 - the character of the community served by the institutions administered by the Board; and
 - the availability of expertise and experience in governance within the membership of the Board.
- 7 The Ministerial Appointment of board members to the Kingslea Board are conducted every three years. These appointments align with the Triennial Election of the Board, so that appointed members can take office in line with the elected staff representative.
- 8 In 2019, we intended to align the end date for both ministerial appointees with the triennial elections, however due to an oversight the letters had different end dates.
- 9 The two members appointed in the last round, have terms of office expiring on 2 October 2022 and 28 February 2023 respectively.
- 10 The Board has requested that the appointment terms are brought back into alignment and therefore we have reflected staggered start dates but the same end date (seven days after the date of the next Triennial election for the Board in 2025) for the two candidates recommended for appointment.

² Now known as Oranga Tamariki

The candidates

- 11 A summary of the advertising, evaluation criteria and processes are attached as Annex 1. We received 10 applications. Candidate summaries are attached as Annex 2.
- 12 The panel recommends Emma Hunter and Ngaire Button be appointed to the Kingslea School Board:

Emma Hunter

9(2)(a)



Ngaire Button

9(2)(a)



- 13 These recommendations are made on the basis of experience in the area of governance, education, (including special and alternative education), health (including Māori health initiatives) and cultural capability.

Risks and mitigations

- 14 Efforts were made during the advertising and assessment process, to ensure a robust and fair process was followed, and steps were taken to mitigate any obvious risks. Each candidate was required to complete an eligibility declaration as required under Clause 9, of Schedule 23 of the Education and Training Act 2020. They were also asked to declare any conflicts of interest.
- 15 All candidates who completed expressions of interest were considered by the panel. During the assessment process, the panel had the opportunity to independently evaluate each of the candidates and then collectively discuss candidate suitability. This enabled moderation and opportunity to discuss other valuable or intangible skills or knowledge identified through the candidate's application documents.
- 16 Reference checks with two nominated referees were undertaken for the candidates recommended for appointment. Following the completion of these checks, the selection panel reviewed the referees' information to confirm the final recommendations.
- 17 We can verify that the selection process was conducted in a robust, fair and transparent manner, in line with our obligations under the Human Rights Act 1993. All information was gathered from candidates in compliance with the principles of the Privacy Act 2020.
- 18 The panel is satisfied that the recommended applicants have the necessary skills and experience to meet the requirements of the role of a board member. Recommendations are made on the basis of providing a balance of skills and diversity on the Board.

Next Steps

- 19 If you approve the appointments, letters confirming the appointments are provided for your signature (see Annex 3).
- 20 We will write to all unsuccessful applicants and thank them for their interest. We will also write to the two members appointed in the last round thanking them for their contribution to the Board during their tenure. Neither reapplied for consideration.
- 21 The two newly appointed board members will take office at the respective start dates noted in the attached appointment letters and the term of office for both board members will end at the Triennial Board Elections 2025.

Proactive Release

- 22 It is recommended that this Education Report be proactively released. Any information that might need to be withheld, will be done so in line with the provisions of the Information Act 1982.

Annexes

- | | |
|----------|---|
| Annex 1: | Advertising and evaluation process of candidates. |
| Annex 2: | Applicants considered by the Panel for the Board. |
| Annex 3: | Letters to successful applicants. |
| Annex 4: | Letter to the Principal informing them of the appointments. |

Annex 1: Advertising and Evaluation process of candidates

Seeking candidates

- 1 We sought expressions of interest from people wishing to be considered for a board member position via several online platforms³. A link to the application was also sent to the Kingslea School Board and the Principal.
- 2 Applications were open during August 2022. 10 expressions of interest were received.
- 3 Applicants were required to complete a declaration stating that they were eligible to become a board member in regard to the eligibility criteria specified in clauses 9 and 10 of Schedule 23 of the Act. Applicants were also required to declare any conflicts of interest.

Evaluation of candidates

- 4 The panel assembled to consider the application comprised:

Name	Role
Jill Forgie	Education Manager, Canterbury
Tracy Rohan	Principal Advisor Learning Support, Canterbury
Nicky Hampshire	Chief Advisor Network, Learning Support,
Louise Doyle	Principal, Oaklynn Specialist School

- 5 The panel used the following criteria to evaluate the knowledge and experience of each of the candidates:
 - *Does the candidate's application demonstrate interest, experience and understanding of the school's purpose, vision, values and, or student community?*
 - *Does the candidate's application demonstrate/indicate cultural competence?*
 - *Does the candidate's application demonstrate experience in governance?*
 - *The candidate's relevant knowledge/experience.*
- 6 Panel members were provided applicant documentation – Curriculum Vitae (CV), cover letters, any accompanying attachments, and brief candidate biographies. The biographies outlined previous experience, motivation for applying, education and key skills outlined within the CV and cover letter. The panel assessed these against the above criteria.
- 7 Additional checks were undertaken to identify any potentially controversial information associated with the candidate. Any information found was communicated to the panel.
- 8 The panel convened on 7 September 2022 to discuss the assessment of the candidate information and shortlist the candidates to be referenced checked.

³ Including the Ministry's Careers Centre, the Education Gazette online, and the Māori and Pacific Job Board

- 9 During this meeting, and prior to commencing shortlisting, the panel discussed any potential conflicts of interests in assessing the applicants:

Nicky Hampshire – knew of one of the schools where a candidate was employed.

Jill Forgie - knew of one of the candidates due to their role in local government.

Tracy Rohan- knew of one of the candidates due to their role in local government.

Louise Doyle – had no conflicts to declare.

- 10 The panel decided that the limited previous knowledge they had of the applicants did not preclude them from consideration, nor require the panel member to be removed from any discussion and assessment of the candidates.
- 11 The panel considered each application individually and noted which candidates would not be considered further based on the criteria for appointment. The panel agreed not to proceed with candidates who did not have the sufficient skills or experience to contribute to the Board, or whose supplied information made it difficult to assess their knowledge, skill and experience.
- 12 The three remaining candidates were then reviewed and discussed, with consideration given to the skills and knowledge, gender and ethnic diversity, alongside the request received from the Board regarding areas of strengthening current board practice.
- 13 The panel unanimously agreed on two candidates for recommendation for appointment.
- 14 Reference checks on the recommended candidates were conducted. All references were satisfactory and did not highlight any concerns.
- 15 The panel recommended the following candidates for Ministerial Appointment:

Ngaire Button

Emma Hunter

- 16 Recommendations for the appointments were made on the basis of experience in the area of governance, education, (including special and alternative education), health (including Māori health initiatives) and cultural capabilities.

Annex 2: Applicants considered by the Panel for the Kingslea School Board

Recommended Candidates:

Ngaire Button

9(2)(a)



Emma Hunter

9(2)(a)

Candidates not being recommended this time
9(2)(a)

Proactively Released

Proactively Released

Proactively Released

Hon Jan Tinetti

Minister of Internal Affairs
Minister for Women
Associate Minister of Education



Ngaire Button
9(2)(a)

Ref: JTXXX

Tēnā koe Ngaire

I am pleased to confirm that I have appointed you to the Kingslea School Board in accordance with its constitution.

You have been appointed because of the balance of skills, experience, and attributes that you bring to the Board. I am confident with your experience, you will support sound governance practice, provide direction, and contribute to the ongoing development of the Board during your appointment term.

Your appointment is for a term of office up to three years commencing the date of this letter. Your term will end seven days after the date of the next Triennial election for the Board in 2025. Before that time, the Ministry of Education will commence the appointment process for this position in the following term, and you will be welcome to reapply for selection.

You may be aware that Kingslea School provides flexible education services throughout the country to meet the diverse learning needs of school-aged students who are in residential care.

I have also appointed Emma Hunter to the Board, effective from 1 March 2023.

I have advised the Principal of Kingslea School, Tina Lomax, of your appointment. Tina will be in contact with you in the near future to inform you of the details about the Board, including when and where Board meetings will be held.

Thank you for your willingness to accept this appointment and act in the best interests of the students attending Kingslea School. I congratulate you on your appointment and wish you a rewarding and successful term of office.

Nāku noa, nā

Hon Jan Tinetti
Associate Minister of Education – School Operations

Hon Jan Tinetti

Minister of Internal Affairs
Minister for Women
Associate Minister of Education



Emma Hunter
9(2)(a)

Ref: JTXXX

Tēnā koe Emma

I am pleased to confirm that I have appointed you to the Kingslea School Board in accordance with its constitution.

You have been appointed because of the balance of skills, experience, and attributes that you bring to the Board. I am confident with your experience, you will support sound governance practice, provide direction, and contribute to the ongoing development of the Board during your appointment term.

Your appointment is for a term of office up to three years commencing 1 March 2023. Your term will end seven days after the date of the next Triennial election for the Board in 2025. Before that time, the Ministry of Education will commence the appointment process for this position in the following term, and you will be welcome to reapply for selection.

You may be aware that Kingslea School provides flexible education services throughout the country to meet the diverse learning needs of school-aged students who are in residential care.

I have also appointed Ngaire Button to the Board.

I have advised the Principal of Kingslea School, Tina Lomax, of your appointment. Tina will be in contact with you in the near future to inform you of the details about the Board, including when and where Board meetings will be held.

Thank you for your willingness to accept this appointment and act in the best interests of the students attending Kingslea School. I congratulate you on your appointment and wish you a rewarding and successful term of office.

Nāku noa, nā

Hon Jan Tinetti
Associate Minister of Education – School Operations

Proactively Released

Hon Jan Tinetti

Minister of Internal Affairs
Minister for Women
Associate Minister of Education



Tina Lomax
Principal
Kingslea School
9(2)(a)

Ref: JTXXX

Tēnā koe Tina

I am pleased to confirm that I have appointed Ngaire Button and Emma Hunter to the Kingslea School Board in accordance with the constitution.

Ngaire's appointment will take effect on insert date of Ngaires letter 2022. Emma's appointment will take effect on 1 March 2023. Both new members' term of office will end seven days after the date set for the next Triennial election for Boards in 2025. Before that time, the Ministry of Education will commence the reappointment process for these positions in the following term and will update the Board Presiding Member on these processes at that time. Current Board Members are welcome to reapply for selection.

I have sent letters to the successful candidates to let them know of their appointments. Please contact them in the near future to discuss details of the Board, including membership and meeting dates.

Ngaire Button
9(2)(a)

9(2)(a)

I consider a number of factors when making appointments to the Board including getting the right mix of skills and, where possible, a balanced representation on the Board to reflect the diverse nature of the community the school serves.

I recommend that the Board continue to work with the Ministry's Christchurch office and the New Zealand School Trustees Association to ensure that board members are aware of their responsibilities to declare any conflicts of interest and to withdraw from relevant Board discussion and decision making. This will ensure that any potential conflicts of interest continue to be well managed, including those identified by new Board members.

I look forward to the contribution the appointees will make, building on the work already undertaken by the Board for the benefit of students in residential and non-residential care and protection facilities.

I congratulate the appointees and wish the Board a rewarding and successful term of office.

Nāku noa, nā

Hon Jan Tinetti
Associate Minister of Education – School Operations