



Te Pūkenga

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4 June 2024

s 9(2)(a)

By email: s 9(2)(a) s 9(2)(a)

Tēnā koe s 9(2)(a),

Request under the Official Information Act 1982

Thank you for your emailed media query of 6 May 2024, requesting information about the specialist advisors working for Te Pūkenga – New Zealand Institute of Skills and Technology (Te Pūkenga).

As advised by our media team on 10 May the following part of your query has been considered as a request for information under the Official Information Act 1982 (OIA):

Could I also please have a copy of the agenda and minutes from the Te Pūkenga council's extraordinary e-meeting of 27-29 Feb regarding special advisors.

This letter provides a formal decision on your request under the OIA.

The decision

The information you have requested is attached at **Appendix One**, as follows:

- Document 1 – Pūrongo Kaunihera a Te Pūkenga | Council Report 27 February 2024 Additional Specialist Advisor appointments
- Document 2 – Minutes for Extraordinary e-meeting 27 February 2024 re: additional Specialist Advisor appointments

Some information has been withheld from Document 1 under the following sections of the OIA:

- 9(2)(a) to protect the privacy of natural persons
- 9(2)(b)(ii) to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the Information.

We do not believe the need to withhold this information is outweighed by the public interest in its release at this time.

You have the right to make a complaint to the Ombudsman under section 28(3) of the OIA if you are not happy with this response. Information about how to do this is available at www.ombudsman.parliament.nz or by calling 0800 802 602.

We may publish our OIA responses and the information contained in our reply to you on our website. Before publishing we will remove any personal or identifiable information.

Ngā mihi

A handwritten signature in black ink, appearing to read 'Gus Gilmore', with a large circular flourish above the name.

Gus Gilmore
Tumuaki | Chief Executive



Te Pūkenga Council Meeting

1 Resolution to exclude the public

That the public be excluded from the remainder of the meeting. This resolution will be made in reliance on section 48(1) of the Local Government Official Information and Meetings Act 1987 (LGOIMA) (noting Te Pūkenga Council is specified, in Schedule 2 of LGOIMA, as a body to which LGOIMA applies) and the particular interests protected by section 9 of the Official Information Act 1982 (OIA) which would be prejudiced by the holding of the relevant parts of the proceedings of the meeting in public.

The general subject of each matter to be considered while the public is excluded and the reason for passing the resolution in relation to each matter are as follows:

Item	General subject of each matter to be considered	Section(s)
2.	Additional Specialist Advisor appointments	Section 9(2)(a) OIA Section 9(2)(b)(ii) OIA Section 9(2)(g)(ii) OIA Section 9(2)(i) OIA Section 9(2)(j)

Interests

Section	Interest
Section 9(2)(a) OIA	To protect the privacy of natural persons, including that of deceased natural persons.
Section 9(2)(b)(ii) OIA	To protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.
Section 9(2)(g)(ii) OIA	To maintain the effective conduct of public affairs through the protection of such Ministers, members of organisations, officers, and employees from improper pressure or harassment.
Section 9(2)(i)	To enable a Minister of the Crown or any public service agency or organisation holding the information to carry out, without prejudice or disadvantage, commercial activities.

Section	Interest
Section 9(2)(j)	To enable a Minister of the Crown or any public service agency or organisation holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).



Pūrongo Kaunihera a Te Pūkenga | Council Report

27 February 2024

Title	Additional Specialist Advisor appointments
Provided by	Gus Gilmore, Tumuaki Chief Executive and Paora Ammunson, Pourangi Hua Tiriti DCE Tiriti Outcomes
Author	Gus Gilmore, Tumuaki Chief Executive and Paora Ammunson, Pourangi Hua Tiriti DCE Tiriti Outcomes
For	Approval
Classification	Confidential
Endorsement (if any)	Legally Privileged

Te Taunaki | Recommendation(s)

It is recommended that Te Pūkenga Council:

a.	Receive the report;
b.	Appoint Dr Jim Mather CFInstD, CA (Ngāti Awa, Ngāi Tūhoe), Sharon Shea MNZM (Ngāti Ranginui, Ngāti Hako, Ngāti Haua, Ngāti Hine), and Bruce Roberston as Specialist Advisors at remuneration of \$2,000 per day or part thereof; and
c.	Authorise the Chief Executive to complete the execution of the contract, after declaration of interests and/or mitigation of conflicts, with terms in alignment with other appointed Specialist Advisors, as previously approved by the Finance, Risk, and Audit Committee.

Te Tāhuhu Kōrero | Background

It was resolved at Te Pūkenga Council on Thursday 8 February 2024 that five Specialist Advisors be appointed to assist with and give advice on the disestablishment of Te Pūkenga and assist in designing the future state of the new entities. Four advisors were subsequently contracted s 9(2)(a)

These advisers will provide advice to the newly forming Disestablishment Working Group which will then provide guidance to FRAC and Council.

These appointments were subject to finalisation of the terms of engagement by the Finance Risk and Audit Committee (FRAC), which occurred by e-meeting on 15-16 February 2024.

Council noted that further Specialist Advisors will be appointed, including work-based learning and Māori representation.

Te pūtake o tēnei pūrongo | Purpose of this report

The purpose of this report is for Council to approve the engagement of two Te Tiriti o Waitangi Specialist Advisors, and one work-based learning Specialist Advisor.

Ngā Kōwhiringa me Te Tātaritanga | Options and analysis

Tiriti o Waitangi Specialist Advisors

The Tiriti o Waitangi Specialist Advisors will work with the wider group but bring specific expertise to the following responsibilities (these responsibilities apply to all advisers, however the Tiriti specialist will bring experience and technical insight as required):

- Ensure that any advice, guidance, proposals or recommendations are not inconsistent with relevant Tiriti o Waitangi legislation provisions and requirements (especially the Education-Vocational Education and Training Reform- Amendment Act 2020 and Charter as they apply to transition activities and the relevant Tiriti provisions of any potential future amended legislation)
- Ensure any proposals reflect strong Māori-Crown partnerships in order to— (i) ensure that governance, management, and operations give effect to Te Tiriti o Waitangi; and (ii) recognise that Māori are key actors in regional social, environmental, and economic development; and (iii) respond to the needs of and improve outcomes for Māori learners, whānau, hapū and iwi, and employers.

A list of potential candidates considered for this role is provided as Appendix 1 and includes an overview of¹:

- Iwi and hapū affiliations.
- Te Tiriti o Waitangi experience - including application within education.
- Education experience – with a focus on vocational education.
- Business experience – including governance and leadership.

Dr Jim Mather CFInstD, CA (Ngāti Awa, Ngāi Tūhoe) has been selected from the full list of potential candidates provided in Appendix 1. The rationale for this recommendation is:

- Strong vocational educational leadership and technical experience
- Strong governance and change experience.
- Pan-Māori, pan-iwi profile.
- Strong financial expertise.
- Has confirmed interest and availability.

Sharon Shea MNZM (Ngāti Ranginui, Ngāti Hako, Ngāti Haua, Ngāti Hine) has also been selected. The rationale for this recommendation is:

¹ Information gathered from author's own knowledge and LinkedIn and membership profiles available online



- Strong health sector background.
- Strong governance agency experience.
- Pan-Māori profile.
- Strong Tiriti critique to the organisation design work.
- Strong background in project management, change management and systems design.

Work based Learning Specialist Advisor

The Work based Learning Specialist Advisor position will bring specific expertise and technical insight relevant to the work-based learning branch of the business.

A range of potential candidates were considered, and Bruce Robertson has been selected as the nominated candidate. The rationale for this recommendation is based on his extensive experience in the sector, including:

- Director of Te Pūkenga Work Based Learning Ltd - March 2022 to December 2022.
- Former Board Member of Industry Training Federation.
- Former Independent Board Member/Chair at Service IQ.
- Former Chief Executive of Hospitality NZ. Led the restructuring and repositioning of the Hotel Association to Hospitality NZ.

Te Uiuinga Whānui | Engagement/consultation

No external consultation is recommended. These are contracted specialist advisers working directly to support Te Pūkenga. They are not permanent senior leadership roles, and they are not expected or required to represent Te Pūkenga in our management of Te Tiriti or Industry relationships.

Ngā tino raru ka heipū mai | Key risks

Risk Title	Description	Potential Consequences	Current Mitigation
Short timeframes	Is there a need to consult more widely with Te Tiriti and Industry partners and appoint within a short timeframe	Potential lack of endorsement from some key Māori and Industry stakeholders (relationship damage)	These are contracted specialist advisers working directly to support Te Pūkenga. The Chair of Council’s Māori Advisory Committee is a member of FRAC
Availability of candidates	Candidates may not be available at short notice	Most experienced and capable candidates may not be appointed	Check potential candidate availability before continuing



Te tirohanga taha pūtea | Financial considerations

s 9(2)(b)(ii)

Te Ahunga Ki Mua | Next steps

Following Council approval of this appointment, Management will proceed to engage the named Specialist Advisors. The advisors will join Specialist Advisory engagements and work with the group to progress the work plan, reporting, and risk management. Appointments will be communicated internally and externally only once Advisors are fully engaged.

Ngā Tāpiritanga | Appendices

Appendix 1 - Ngā tāngata e kohukitia ana | Potential Tiriti o Waitangi Specialist Advisor candidates



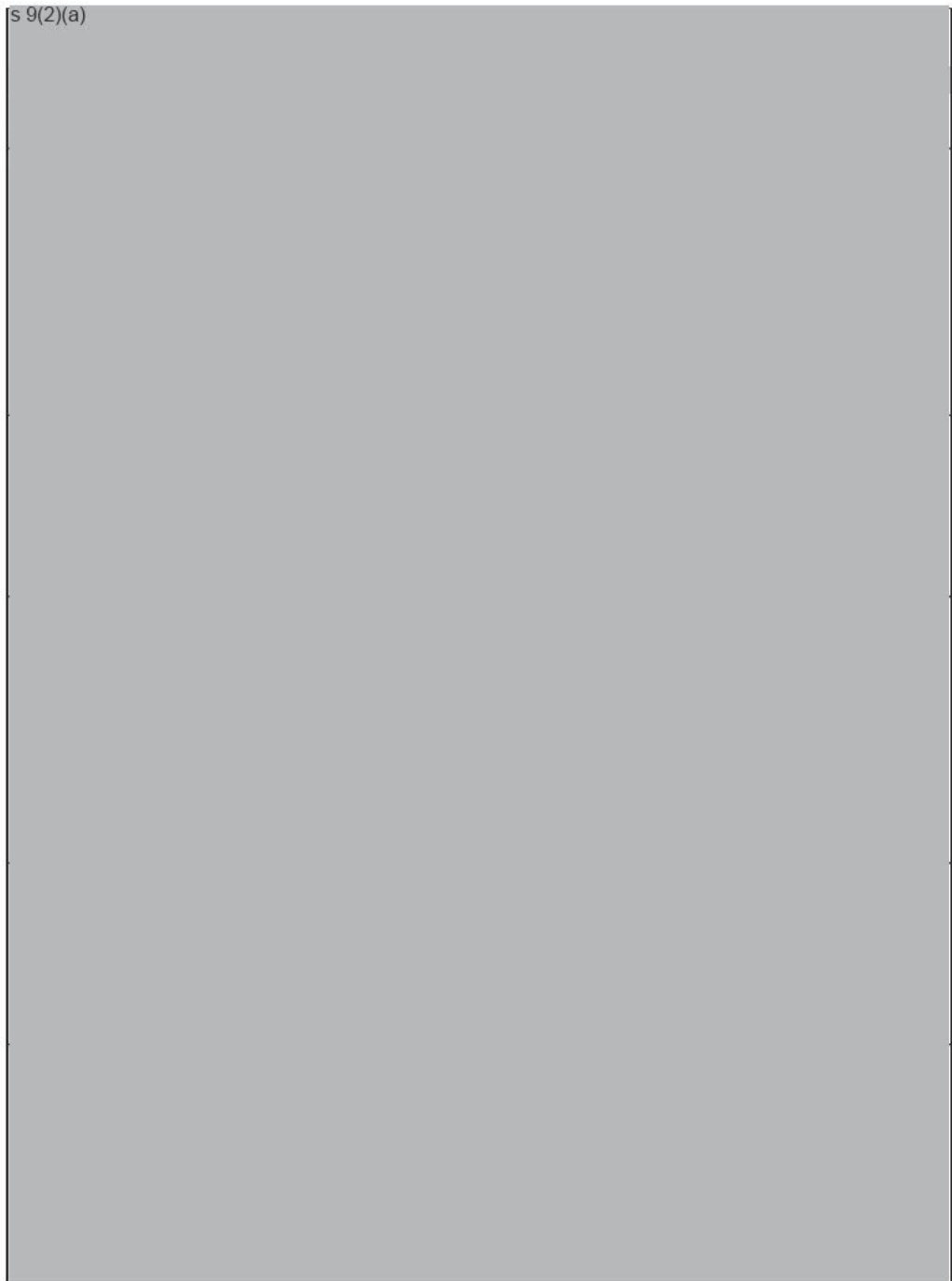
Appendix 1 - Ngā tāngata e kohukitia ana | Potential candidates

s 9(2)(a)





s 9(2)(a)



Dr Jim Mather CFInstD, CA (Ngāti Awa, Ngāi Tūhoe)

Chartered Accountant and a Chartered Fellow of the Institute of Directors, Chair of Ngāti Awa Group Holdings Limited, Chair of Radio New Zealand, Chair of InZone Education Foundation, Director of Southbase Construction Limited, Independent Director of Tonkin + Taylor, Member of Te Puni Kōkiri Audit & Risk Management Committee, National Council Member of the Institute of Directors, Auckland Branch Committee Member of the Institute of Directors, Member of the OCS New Zealand Advisory Group,



Member of the Hauora Māori Advisory Committee, Chair of Lakes District Health Board, Chair of Ako Mātātupu / Teach First NZ, Director of Auckland Transport, Member of the Oranga Tamariki External Advisory Group, Member of MBIE Risk & Advisory Committee. Director of NZ Health Partnerships, Chair of Wānanga Sector Collective (Te Taihū o Ngā Wānanga), Inaugural Chair of the World Indigenous Television Broadcasters Network, Deputy Chair of Freeview New Zealand, Trustee of Enterprising Manukau (community-related)

Strengths: Wide spanning business knowledge and financial experience. Currently advising on Te Aka Whai Ora disestablishment

s 9(2)(a)

Sharon Shea MNZM (Ngāti Ranginui, Ngāti Hako, Ngāti Haua, Ngāti Hine)

CEO of Manawaroa Ltd, Director and principal consultant Shea Pita and Associates Ltd, Trustee of the MAS Foundation, internationally recognised as a leader in Results Based Accountability, strategy manager for the Northern Regional Health Authority, co-chairperson of the establishment board of the Māori Health Authority.

Minutes for Extraordinary e-meeting 27 February 2024 re: additional Specialist Advisor appointments

27/02/2024 | 12:45 PM - Auckland, Wellington New Zealand Standard Time

Diligent

Attendees (9)

John Brockies; Jeremy Morley; Tagaloatele Peggy Fairbairn-Dunlop; Jordan Gush; Teorongonui Josie Keelan; Heath Sawyer; William Moran; Kim Ngarimu; Sam Huggard

1. Resolution to exclude the public

RESOLVED (T.J. Keelan/S. Huggard)

That the public be excluded from the remainder of the meeting. This resolution is made in reliance on section 48(1) of the Local Government Official Information and Meetings Act 1987 (LGOIMA) (noting Te Pūkenga Council is specified, in Schedule 2 of LGOIMA, as a body to which LGOIMA applies) and the particular interests protected by section 9 of the Official Information Act 1982 (OIA) which would be prejudiced by the holding of the relevant parts of the proceedings of the meeting in public.

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CARRIED

2. Specialist Advisor appointments

The Council noted that it expects that mitigation of risks will be discussed with candidates to form a suitable conclusion.

RESOLVED (T.J. Keelan/S. Huggard)

That Te Pūkenga Council:

- *appoint Dr Jim Mather CFinstD, CA (Ngāti Awa, Ngāi Tūhoe), Sharon Shea MNZM (Ngāti Ranginui, Ngāti Hako, Ngāti Haua, Ngāti Hine), and Bruce Roberston as Specialist Advisors at remuneration of \$2,000 per day or part thereof; and*
- *authorise the Chief Executive to complete the execution of the contracts, after declaration of interests and/or mitigation of conflicts, with terms in alignment with other appointed Specialist Advisors, as previously approved by the Finance, Risk, and Audit Committee.*

CARRIED

Dated: 14 March 2024

Signed as a correct record.

A handwritten signature in black ink, appearing to read "Sue McCormack", written over a horizontal line.

Sue McCormack

Acting Chair