



s 9(2)(a)

Tēnā koe s 9(2)(a)

Thank you for your email of 04 July 2024 requesting the following information under the Official Information Act 1982 (the Act):

Please can you review my application and point out to me in detail where my experience and qualifications did not meet the interview criteria.

At this point in time I cannot believe the recruitment process has been fair or transparent.

Please supply me with the applications from the appointees together with the written evidence of the application scoring process showing where applicants met the criteria for interview along with any correspondence, emails, documents or notes.

Te Tūāpapa Kura Kāinga – Ministry of Housing and Urban Development (the Ministry) does not have any internal policies in relation to public sector board appointments. The Ministry manages such board appointments on behalf of responsible Ministers using Te Kawa Mataaho – Public Service Commission guidance. This guidance is available at: www.publicservice.govt.nz/guidance/guide-board-appointment-and-induction-guidelines.

The specific minimum requirements for appointments to the Kāinga Ora – Homes and Communities board (Board) are set out in the Crown Entities Act 2004 (CEA) and the Kāinga Ora – Homes and Communities Act 2019 (Kāinga Ora Act).

Under section 29(2) of the CEA, the responsible Minister of a statutory entity like Kāinga Ora:

- may only appoint a person who, in the responsible Minister's opinion, has the appropriate knowledge, skills, and experience to assist the statutory entity to achieve its objectives and perform its functions; and
- in appointing or recommending an appointment, the Minister must take into account the desirability of promoting diversity in the membership of Crown entities.

Under section 10(2) of the Kāinga Ora Act, when appointing a member to the Board, responsible Ministers must also ensure the Board has among its members persons who have knowledge of, and capability in:

- (a) New Zealand's housing and urban development system, including public housing and community housing, urban planning and design, infrastructure, construction, and regeneration; and
- (b) perspectives of Māori; and
- (c) the Treaty of Waitangi (Te Tiriti o Waitangi) and its principles and Te Ture Whenua Māori Act 1993; and

- (d) perspectives of public housing tenants; and
- (e) perspectives of developers; and
- (f) perspectives of local government; and
- (g) business generally; and
- (h) public sector governance and government processes.

In addition to the criteria above, when considering appointments at any given time to a Crown entity board, Ministers consider the functioning and skills of the current board and any board capability gaps or future needs.

The recent independent review into Kāinga Ora made a number of recommendations, including taking immediate action to improve Kāinga Ora's governance. Informed by the review recommendations, Ministers have appointed board members who they consider, along with the experience of the remaining current members, will ensure the Board has what it needs to respond to the review recommendations, particularly to provide a credible plan to improve financial performance.

The Minister of Housing, Hon Chris Bishop, sought nominations from caucus and coalition parties. This is a requirement of the National, ACT, and New Zealand First Coalition Government consultation arrangements (Cabinet Office circular CO (24) 2). This circular is available online at: www.dpmc.govt.nz/publications/co-24-2-national-act-and-new-zealand-first-coalition-government-consultation-and-operating-arrangements.

Ministry officials also reviewed 84 nominations received in response to the call for nominations in May 2023, including your expression of interest.

Candidates were assessed against key selection criteria which focused on **governance** experience (not just executive level) in:

- investment/finance
- construction development
- transformation experience
- Chair experience.

We determined that there were other candidates who more closely met the Board's requirements at this time.

You requested the applications from appointees and applicants' scoring. I've outlined the scoring process above, but the personal information is withheld under section 9(2)(a) of the Act, to protect the privacy of natural persons. The Minister of Housing released biographies of the appointments on the Beehive website at: www.beehive.govt.nz/release/k%C4%81inga-ora-board-refreshed-new-letter-expectations-issued.

In terms of section 9(1) of the Act, I am satisfied that, in the circumstances, the decision to withhold information under section 9 of the Act is not outweighed by other considerations that render it desirable to make the information available in the public interest.

You have the right to seek an investigation and review of my response by the Ombudsman, in accordance with section 28(3) of the Act. The relevant details can be found on the Ombudsman's website at: www.ombudsman.parliament.nz.

As part of our ongoing commitment to openness and transparency, the Ministry proactively releases information and documents that may be of interest to the public. As such, this response, with your personal details removed, may be published on our website.

Nāku noa, nā

A handwritten signature in black ink, appearing to read 'Carla', with a stylized flourish extending to the right.

Carla Wellington

Manager, Crown Entity Monitoring and Appointments

Te Tūāpapa Kura Kāinga – Ministry of Housing and Urban Development