Ministerial Appointees for the Barrytown School (3290) Board of Trustees

To: Hon Chris Hipkins, Minister of Education

Date: 25 June 2018

Security Level: In Confidence

Drafter: Deborah Tennet

Key Contact: Derek Lucic, Director of Education for Nelson-Marlborough - West Coast

Messaging seen by Communications team: No

Priority: High

METIS No: 1126156

DDI: $ 9(2)(a) OIA

Purpose of Report

The purpose of this paper is for you to:

- **Agree** to appoint Murray Roberts and Terry Donaldson to the Barrytown School Board of Trustees, in accordance with the school's alternative constitution under section 98A of the Education Act 1989.
- **Agree** that this Education Report is proactively released as part of the next publication.
- **Sign** the attached letters of appointment and letter notifying the Barrytown School Principal of your decision.

Summary

1. Barrytown School is a decile 4, small, rural, Year 1-8 state primary school on the West Coast of the South Island. The roll at 1 July 2018 was 28. Until 7 June 2018 the school was governed by a Commissioner.

2. You approved an amendment to the Board's alternative constitution in February 2018 which increased the number of parent elected trustees and decreased the number of people appointed by the Minister of Education. On your behalf the Ministry's Nelson office has: advertised to fill the Ministerial appointments, convened an assessment panel and completed the shortlisting and selection process. Applications were received from three people. The calibre of applicants was high. The panel unanimously agreed on two candidates to recommend to you. The third candidate has subsequently been elected to the Board as a parent representative.
The appointment of a trustee may be for a term not exceeding three years. The term of office for Ministerial appointees is set out in their letter of appointment and is reviewed in line with school Board of Trustees triennial elections. The next triennial elections are to be held in 2019, accordingly your appointments will be for a period of approximately 12 months.

**Recommended Actions**

The Ministry of Education recommends you:

a. **agree** to appoint Murray Roberts and Terry Donaldson to the Barrytown School Board of Trustees;

b. **sign** the attached appointment letters, and letter notifying the Barrytown School Principal of your decision; and

c. **proactively release** this Education Report as part of the next publication.

[Signatures]

Katrina Casey  
Deputy Secretary  
Sector Enablement and Support

Hon Chris Hipkins  
Minister of Education

25/6/2018  
9/7/18
Background

1 Barrytown School is a decile 4, small, rural, Year 1-8 state primary school on the West Coast of the South Island. The roll at 1 March 2018 was 28 students. The 2018 demographic information is not yet available. At 1 July 2017 the roll was 26 students comprised of 53.8% (14) students who identified as European/Pakeha, 34.6% (9) as Māori, 7.7% (2) as Pacific people, and 3.8% (1) as Asian. The school is part of the Mawherā Community of Learning | Kāhui Ako. Until very recently, the school was governed by a Commissioner.

2 The membership of the Board is set out in an alternative constitution under section 98A of the Education Act 1989 (Act). On 23 February 2018, as part of an exit strategy from the intervention, you approved the Commissioner’s request for an amendment to the alternative constitution under section 98A of the Education Act 1989 (the Act) (METIS 1095482, refers). The amendment was published in the New Zealand Gazette and took effect on 28 February 2018.

3 Under the alternative constitution the Board membership comprises:
   • at least one and up to three parent elected trustees;
   • the Principal of the school;
   • up to two trustees appointed by the Minister of Education;
   • up to two co-opted trustees.

4 The constitution also states that all trustees for the first Board under the amended constitution will take office when the current Commissioner’s appointment ends. An election for parent representatives took place on 31 May 2018. The three newly elected Board members took office on 7 June 2018, when the Commissioner’s appointment ended.

5 As the election took place after 30 April in the year before a Board of Trustees election year, section 104(5)(b) of the Act stipulates that the Board may not hold an election in the election year, i.e. 2019. Consequently, the term of office for the recently elected parent representatives will end at the time of the 2022 triennial elections.

6 The Act specifies that the term of office for appointed trustees must not exceed three years. The Board’s amended constitution stipulates that the first term of office for trustees appointed under the amended constitution will end at the next triennial election for Boards of Trustees in 2019. Accordingly your appointments will be for one year.

7 Ministerial appointees are paid at the same rate as other trustees. Each board pays travel costs and meeting fees to its trustees using funds from the school’s operations grant. Each board of trustees can set the level of payments for its trustees. Most boards follow the advice provided by New Zealand School Trustees Association with trustees paid $55 per meeting and the chair $75 per meeting. Inland Revenue has provided for these payments to be tax-free to a level of $605 per annum for trustees and $825 per annum for the chairperson.

Selection Process

8 On your behalf, the Ministry’s Nelson office sought Expressions of Interest from people who wished to serve on the Barrytown School Board of Trustees. Advertisements were placed into the Greymouth Star on the 28 March 2018 and 4 April 2018 and the West Coast Messenger on the 4 April 2018. The advertisements described the Board of
Trustees' governance role as the employer of all school staff and having responsibility to set the school's overall direction. The skills and experiences necessary for trustees to have in order to ensure the quality of education that each of the school's students receives were listed as:

- the ability to work well in a team,
- be able to put strategies in place for the school's future,
- ask challenging questions,
- have good communication skills, and
- represent the diversity of the school's students.

The advertisement also explained that it would be highly desirable for candidates to have an understanding of financial matters, the education sector and experience in managing people as well as knowledge of developing and maintaining relationships with Māori parents, whānau and community. The Ministry received three requests for application and information packages.

Three applicants submitted applications and completed a declaration stating that they are eligible to become a trustee with regard to the ineligibility criteria specified in section 103 of the Act. The three candidates being considered for the Ministerial appointment position are:

- Murray Roberts
- Terry Donaldson
- Rodger Hallberg.

A panel was set up to review all applications against the skills and experiences and recommend applicants for your consideration. Panel members comprised a statutory provider with governance experience as a limited statutory manager and Commissioner, and two Ministry of Education staff from the Nelson office. The panel reviewed all documentation submitted by applicants and assessed the candidates curriculum vitae and stated experience for suitability against the required skills and attributes described in the advertisement. The panel also interviewed all 3 applicants.

The following is a brief statement outlining all the candidates' skills and attributes:

**Murray Roberts**
Murray has more than 20 years' experience of leadership and management in a senior management role working for the Ministry of Education. This involved managing a substantial budget and a large number of professional staff. Murray also brings with him an excellent understanding of Governance and Human Resources through his role at the Ministry of Education. He has had to manage a large group of staff and can describe situations where he has had to work very closely in a team managing the Christchurch earthquake and its impact on the schooling system in the region. Murray left the Ministry's employment over 12 months ago. Murray lives in Christchurch but is originally from the West Coast and he has whānau living there.

**Terry Donaldson**
Terry currently works in a local mining company as a Mechanical Superintendent. He lives locally and knows the West Coast community well having worked in a number of roles locally. He has had a great deal of experience on Boards of Trustees at Ngahere School and Greymouth High School. He also has a very good understanding of Governance, management and finances through his current and past roles. He applied for this role as he feels he has a great deal of governance, management and Human
Resources skills to share and would like to give back to the West Coast community.

Rodger Hallberg
Rodger is a Branch Manager of a local agricultural automotive business. He lives in Greymouth and has helped out at the school on a number of occasions. He has management and financial experience but has not served on a Board of Trustees before. He applied for this role as a means of increasing his understanding of the Governance role.

Ministry Comment

13 The calibre of applicants was high but the panel agrees that two of the candidates more closely meet the skills and experience required for a Ministerial appointment following an intervention from a Commissioner. The panel is satisfied that the recommended applicants have a balance of the necessary skills and experience to meet the requirements of the role, and are unanimous in recommending Murray Roberts and Terry Donaldson for appointment as Ministerial trustees to the Barrytown School Board of Trustees.

14 The panel considers that although Rodger Hallberg is seeking to increase his governance experience, he does not currently have the same depth of relevant experience as the other candidates for this appointed role. The Ministry has subsequently been advised that Mr Hallberg has been elected as a parent representative to the Board. We will write to Mr Hallberg thanking him for his interest in serving as a Ministerial trustee and congratulate him on his election to the Board.

15 You may choose to appoint one, two, or none of the candidates to the Board.

Risks

16 Section 101(5)(b) of the Act will prevent the new Board from holding parent elections in the 2019 triennial school Board of Trustee elections meaning the term of office for first elected representatives will extend until 2022. The alternative constitution, however, requires that the first term of office for appointed trustees will end at the 2019 triennial elections, a period of about 12 months. There is a very small risk that the appointed trustees may feel the shortened term of office is insufficient for them to make a useful contribution to the school community. This will be mitigated by the Ministerial appointments being reviewed in 2019, in-line with school Board of Trustees triennial elections, and all appointees will be able to reapply for appointment as a Ministerial trustee.

17 Although the first appointments will be for a period of less than three years from the date of appointment, successive appointments will be for three years to align the appointment process with future triennial Board elections.

Proactive Release

18 It is intended that this Education Report is proactively released as per your expectation that information be released as soon as possible. Any information which may need to be withheld will be done so in line with the provisions of the Official Information Act 1982.
Murray Roberts  
P O Box 31145  
Ilam  
CHRISTCHURCH 8444  

Dear Murray,

I am pleased to advise I have appointed you to the Barrytown School Board of Trustees.

Your appointment is made in accordance with the alternative constitution for Barrytown School Board of Trustees as approved under section 86A of the Education Act 1989.

Your term of office will end seven days after the next triennial election for Boards of Trustees in 2019 and commences from the date of this letter. Before that time all Ministerial appointments will be reviewed and you will be welcome to reapply for selection.

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

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

Yours sincerely,

Chris Hipkins  
Minister of Education
Terry Donaldson  
1 Byron Street,  
GREYMOUTH 7805

Dear Terry,

I am pleased to advise I have appointed you to the Barrytown School Board of Trustees.

Your appointment is made in accordance with the alternative constitution for Barrytown School Board of Trustees as approved under section 98A of the Education Act 1989.

Your term of office will end seven days after the next triennial election for Boards of Trustees in 2019 and commences from the date of this letter. Before that time all Ministerial appointments will be reviewed and you will be welcome to reapply for selection.

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

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

Yours sincerely,

Chris Hipkins  
Minister of Education
Dear Rachael,

I am pleased to advise I have appointed Murray Roberts and Terry Donaldson to the Barrytown School Board of Trustees.

Their appointment is made in accordance with the alternative constitution for Barrytown School Board of Trustees as approved under section 98A of the Education Act 1989.

I have appointed Murray and Terry because of the balance of skills, experience and attributes they will bring to the Board. I am confident their experience will support sound governance practice, provide direction and contribute to the ongoing development of the Board.

I have sent a letter to Murray and Terry to let them know of their appointment and I would appreciate it if you would let them know the date of your next Board meeting.

I thank you and your Board for your involvement in supporting the achievements at Barrytown School.

Yours sincerely,

Chris Hipkins
Minister of Education