

Ngā miniti a Poari o Te Whatu Ora | Hauora Aotearoa

Te Whatu Ora | Health New Zealand Board Minutes

Friday July 15, 2022. 9.00 am- 1.00 pm. Online via Zoom

Online

Chair for the meeting Te Kaihautū mō te hui	Rob Campbell
Board attendees Ngā mema o te Poari	In person: Hon. Amy Adams, Tipa Mahuta, Dame Dr Karen Poutasi, Vanessa Stoddart, Dr Curtis Walker
In Attendance Ngā manuhiri	<p>Te Whatu Ora: Margie Apa (Chief Executive), Catherine Foster (Board Secretary), Susanne McKay (Board Coordinator)</p> <p>In attendance for specific items: James Allison (Chief Digital officer for Canterbury and West Coast districts and senior officer in charge of the cyber security programme), Rob Anderson (Manager, System and Agency Performance, Public Service Commission), Ashley Bloomfield (Director General, Ministry of Health), Rosemary Clements (People and Culture Lead), Thor Gudjonsson (Deputy Commissioner, System and Agency Performance, Public Service Commission), Lucy Hickman (Corporate Services Lead), Matt Lord (Interim Chief Information Security Officer and business manager for the cyber security programme), Deborah Roche (Lead, Government Relations and Partnerships), Diana Sarfati (Chief Executive, Te Aho o Te Kahu, and incoming Director General, Ministry of Health), Robyn Shearer (Deputy Director General System and Performance Monitoring, Ministry of Health), Anita West (Assistant Commissioner, Public Service Commission)</p>
Apologies Ngā tamōnga	None

Karakia and mihi

C Walker opened the meeting with karakia.

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There were no conflicts advised for this meeting.

There were no apologies received.

A discussion on the Board appointment process took place.

Update from the Chief Executive

The Chief Executive's report was noted.

M Apa provided a verbal update on several matters.

- A leadership culture shift is required to drive change and reform, and Tier 2s are encouraged to foster different thinking to solve complex and longstanding challenges in the system. It requires new behaviours including taking directives from the CE which is new for some who have operated in relatively autonomous, local structures.
- The Planned Care task force has delivered its report and recommendations to CE and will be shared with the Board in due course. The Board encouraged action to relieve delivery pressures on the system and see tangible solutions. Telehealth is a current solution being implemented to reduce pressure on hospitals.
- Reporting and escalation of adverse events: A process is being developed which guides the escalation of adverse events. The process is to formalise the current practice in the nationalised system. The Board needs oversight of events that previously were reported to DHBs and directly to the Minister. In addition to the formal process, the CE regularly speaks with the Chair and reports events of concern or high risk.
- Tier 2 appointments are progressing. The CE will update the Board on the advertising and shortlisting of specific roles.

Discussion points included:

- The Board discussed the importance of system design, focusing on the system end-to-end. Delivery and hospital focus are essential but freeing up pressure across the whole system will relieve stress on delivery. Public Health campaigns can be critical for keeping populations well during winter illness.
- Employment relations. The Board asked for an update on the paper endorsed by the People and Culture joint working group, which proposed an approach to employment relations negotiations.

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Action: CE to check with Ministry of Health and update the Board on how to progress the paper endorsed by the People and Culture joint working group (proposed approach to employment relations negotiations)

- The website is up and running. The Board encouraged management to consider how we engage with the public and provide a mechanism for feedback.
- With the Board moving to monthly meetings, it was agreed that the CE would provide out-of-cycle reporting to brief the Board on matters that may arise between meetings. The Board expressed the desire to be agile and not add reporting requirements to a busy CE.

Communications Discussion

The Board Chair led a broad discussion on communications and the culture shift required to achieve change. Te Whatu Ora is an organisation undergoing significant change and we need to build trust with our staff and Minister.

Update from Te Aka Whai Ora

T Mahuta provided an update on Te Aka Whai Ora activities, including:

- There continues to be a positive and beneficial working relationship between the two entities
- Appropriate information flow between the two Boards is important. Requested that Te Aka Whai Ora's weekly reports to the Minister will be made available to the Te Whatu Ora Board. Te Whatu Ora Board appreciated the verbal updates the Chair of Te Aka Whai Ora provided.
- Committees: Te Aka Whai Ora has not yet formalised its committees; however, members have been identified to participate in the Committees Te Whatu Ora has established. Secretariats to work together to formalise and ensure Te Aka Whai Ora members can fully participate.

ITEMS FOR ENDORSEMENT

Organisational Policies

R Clements and L Hickman joined the meeting at 10.39 am.

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The Board provided the following feedback on organisational policies:

- Health and Safety Policy to include a clause on consultation with unions, as this is included in the legislation
- The names Te Whatu Ora and Te Aka Whai Ora be written in full in policies and not abbreviated
- The policies be shared with Te Aka Whai Ora as soon as practically possible
- Code of Conduct: Include obligation to report bullying and harassment behaviour to align with required reporting of unlawful behaviour
- Expand that our people must not disclose, or access private health information except where it is lawful to do so
- Confirm with Ta Mason Durie that Te Whare Tapu Whā model has evolved to be Te Whare Tapu Rima to avoid rewriting principles without author's endorsement.

The Board stated it encouraged the process of aligning policies to be expedited and asked the team to work directly with unions and Te Aka Whai Ora, to agree a process to harmonise operational policies effectively and efficiently.

BD014- 15 July 2022: Noting the feedback provide by the Board, The Board:

- a) **noted** that on 27 May, the Board endorsed which Day 1 policies will require approval from the Board and agreed the following:
 - i) Conflict of Interest
 - ii) Code of Conduct
 - iii) Health, Safety and Wellbeing
 - iv) Delegations from the Board to CE
- b) **noted** that the first three of these policies were considered by the Board at its meeting on 10 June, and the delegations from the Board to CE has already been approved
- c) **noted** that the full suite of Day 1 policies was subsequently provided to the Public Service Association union (PSA) for their review and feedback
- d) **noted** that the Code of Conduct, Conflict of Interest Policy and Health, Safety and Wellbeing Policy were attached to Board papers and incorporate feedback from the PSA
- e) **approved** the following policies for adoption with effect from 18 July 2022:

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- i) Code of Conduct
 - ii) Conflict of Interest Policy
 - iii) Health, Safety and Wellbeing Policy
- f) noted that the full suite of draft Day 1 policies will be considered/approved by the Chief Executive or delegate at the earliest opportunity once PSA feedback has been received and incorporated into relevant Day 1 policies
- g) noted that this paper will be shared with the Te Aka Whai Ora | Māori Health Authority (MHA) Board.

ITEMS FOR NOTING

Cyber Security Update

J Allison and M Lord joined the meeting at 10.55 am.

The Board discussed

- The cyber security programme has raised the profile of Te Whatu Ora's cyber security position, enabling sector collaboration, new leadership roles and strengthened our capabilities
- Health systems are a constant target and are attractive for cyber terrorism, mostly due to completeness of health information
- A risk is increased cyber vulnerability as more data is collected. To mitigate this risk, a retainer service has been agreed with consultancy EY, for instant response in case of a significant event recovery.
- Underinvestment in infrastructure and legacy systems remain a risk and requires ongoing management
- Team will operate as a national team and national cyber security centres of excellence are planned, connected to local resource, with daily meetups, an inclusive operating model, multi-clouds, regional teams represented on technical forums and shared incident response
- s 9(2)(b)(ii)
- The Board agreed to include a quarterly cyber security update on future agendas.

J Allison and M Lord left the meeting at 11.13 am.

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The Board stopped for a short break.

Public Service Commission Introductory Session

Public Service Commission attendees R Anderson, T Gudjonsson, A West joined the meeting at 11.22 am.

D Roche joined the meeting at 11.22am.

Key discussion points included

- How to work together to get wider public sector engagement and influence change across wider government; this includes working across agencies to address social determinants of health
- Understanding how PSC will support Ministry of Health in their monitoring of Te Whatu Ora; PSC will focus on creating a positive partnership relationship to get the best out of the role
- Important to take new approaches to monitoring and partnering to get the best out of the Pae Ora Legislation and reforms
- Monitoring is one part of the relationship, it is important to have a collective view of the sector and work together to realise benefits.

T Mahuta left the meeting during this discussion and re-joined at 11.44am.

Ministry of Health Approach to Monitoring

A Bloomfield, D Sarfati and R Shearer joined the meeting at 11.53 am.

The Board discussed

- MoH role includes monitoring role of new agencies, stewardship of the sector and being an effective partner
- The MoH can assist with providing advice and guidance on areas of focus from a strategy and policy perspective
- Stewardship of the sector is a shared responsibility between all agencies
- The Board drew attention to the poor national collection of data, which must improve to provide accurate sector oversight
- Working in partnership, and setting realistic expectations of each other is vital

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- The Board wants a monitoring relationship to look different than it has before to achieve positive outcomes for all involved
- All partners need to be flexible with how they work together, shape the relationship together and present collectively to Ministers.

A Bloomfield, D Sarfati and R Shearer left the meeting at 12.29 pm.

R Roche left the meeting at 12.30 pm.

T Mahuta left the meeting during this item and re-joined at 12.34 pm.

GOVERNANCE / BOARD ADMINISTRATION

Governance

Meeting Transparency

Key discussion points included:

- Qualify the resolution with words “at this point in time” to allow for future changes
- Committees will not be subject to the “significant agenda items” or “key decisions and comments” process
- Agreed to add this information to the Te Whatu Ora website as standard practice.

BD016- 2022: The Board endorsed the following recommendation with inclusion of the amendments above.

1. Te Whatu Ora make our scheduled Board meeting times publicly available and note whenever a special meeting is called.
2. Te Whatu Ora release a “significant agenda items” list determined by CE and Chair when each set of Board papers is released to the Board.
3. Te Whatu Ora release a “key decisions and comments” note agreed by CE and Chair no later than the day following any meeting.
4. The CE and Chair release a time when both (or one, if they decide) will be available to answer any media questions.

Action: Board Secretary to arrange publication of Board meeting dates, significant agenda items and key decisions and comments on the Te Whatu Ora website.

Approval of Committees Terms of References

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BD014-1 July 2022: The Board affirmed the ToRs for the seven committees.

1. Finance and Audit
2. Capital and Infrastructure
3. Data, Digital and Innovation
4. Clinical Quality Assurance
5. Health, Safety and Wellbeing
6. People, Culture, Development and Remuneration
7. Community and Primary Care

Due to the reduced number of Board members the Board agreed to reduce the requirement for Committees to have three members to two. This will be reviewed once Board members are appointed, and the Board has eight members.

Action: Board Secretary to update the Committees Terms of Reference and reduce the requirement from three Board members to two.

Updates from Joint Working Groups and Committees

Verbal updates were provided on recent meetings as follows.

People and Culture Joint Working Group

V Stoddart, Co-convenor of the People and Culture Joint Working Group provided a briefing.

- Key performance indicators (KPIs) for the CE are being finalised and will be presented at the next Board meeting
- A quarterly CE review has been scheduled to provide regular feedback and support to CE
- Youth participation at Board: The Board supported formalising youth involvement at the Board table. The Chair of the People and Culture Committee had received a proposal from a third party on to support the Board with this. As the Board is still developing, it was agreed the proposal would be deferred and revisited in 6 months time when Board processes are more established.

Action: Board Secretary and V Stoddart to review youth participation in Board processes in January 2023.

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Capital and Infrastructure Committee

- The Board noted the Board Chair has met with committee lead Graham Smith and this committee is about to start meeting.

Committees – General

- Committee Chairs to work directly with ELT Leads and Board Secretariat to get meeting schedules and work programmes developed.

Board Administration

Register of interests: Noted. No amendments were advised.

BD017 – 15 July 2022: Minutes and actions of the 1 July 2022 meeting were accepted as a true and accurate record of that meeting, subject to the following amendment.

- The below request in the 1 July 2022 minutes is to be recorded as an Action Item for the Board Secretary:

Action: The Board requested clarification on quantifying interests, to ensure consistency with how Board Members declare interests.

Action list: Responses to questionnaires received from the DHB Boards are to be added to Diligent Board Books. **Action:** Board Secretary

Upcoming meetings:

- V Stoddard recorded an apology for the July 29th 2022 Board meeting. She will read papers and will provide comments to the Chair in advance.
- July 29 will be an online meeting
- August meetings (joint meeting August 18th, Te Whatu Ora meeting August 26th) will be face to face, but may be moved online, subject to pandemic requirements.

Actions register: Noted.

Meeting and engagements schedules: Noted.

General Business

The meeting closed at 1.03 pm with karakia.

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Actions from July 15 2022

(refer to separate Actions Register for a complete list, including status, of all Board open and closed actions)

No.	Action	Responsible owner	Due date
BD150722-01	CE Update Check with Ministry of Health and update the Board on how to progress the paper endorsed by the People and Culture joint working group (proposed approach to employment relations negotiations)	CE	
BD150722-02	Governance – meeting transparency Arrange publication of Board meeting dates, significant agenda items and key decisions and comments on the Te Whatu Ora website	Board Secretary	
BD150722-03	Governance – approval of Committees Terms of Reference Update the Committees Terms of Reference and reduce the requirement from three Board members to two	Board Secretary	
BD150722-04	Governance – People and Culture Joint Working Group Review youth participation in Board processes in January 2023	Board Secretary and V Stoddart	January 2023

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