



Briefing

ESTABLISHMENT OF A COVID-19 MINISTERIAL GROUP AND COVID-19 ADVISORY FORUM

To: Hon Chris Hipkins, Minister for COVID-19 Response

Date	18/02/2021	Priority	High
Deadline	22/02/2021	Briefing Number	DPMC-2020/21-521

Purpose

This paper:

- Provides a draft Terms of Reference (ToR) for a proposed COVID-19 Ministerial Group to oversee the implementation and delivery of the Elimination Strategy and associated work programme, and seeks your intentions for the membership of the group (section 1)
- Responds to your request to establish a COVID-19 Advisory Forum (as a Ministerial advisory group). The information provided outlines the proposed role, scope and form of the Group, and seeks agreement to progress with establishment, noting recommendations on parameters of the ToR and nominated members (section 2).

Recommendations

- Agree** to establishing a COVID-19 Ministerial Group to oversee the response to COVID-19 and forward work programme YES NO
- Note** that a draft Terms of Reference for the group is provided at Appendix A for your consideration and feedback YES NO
- Agree** to the scope and proposed membership of the Ministerial Group as set out in the draft Terms of Reference in Appendix A YES NO
- Note** that the draft Cabinet paper on the COVID-19 Elimination Strategy will propose that a Ministerial Group oversee the forward strategic work programme and provide regular updates to Cabinet, if you agree. YES NO
- Agree** to the establishment of a COVID-19 Advisory Forum YES NO
- Agree** that the COVID-19 Advisory Forum be established as a standard Ministerial advisory group under the *Public Finance Act 1989* YES NO


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- 7. **Agree** to the establishment of the Group on or by 11 March 2021 YES NO
- 8. **Agree** to a closed appointment process of members, and note the actions required to progress this YES NO
- 9. **Agree** the parameters of the Terms of Reference for the COVID-19 Advisory Forum as outlined in Table 1 YES NO
- 10. **Note** suggested personnel for COVID-19 Advisory Forum membership and inform Officials of any additional candidates to be considered YES NO
- 11. **Advise** preferred candidates for COVID-19 Advisory Forum membership and observers from list of suggested personnel or new nominees YES NO

Chappie Te Kani
Head of System Assurance and Continuous Improvement, COVID-19 Response

...../...../2021



Hon Chris Hipkins
Minister for COVID-19 Response

3.../03/2021

Contact for telephone discussion if required:

Name	Position	Telephone	1st contact
Chappie Te Kani	Head of Risk and Assurance and Continuous Improvement	s9(2)(a)	✓

ESTABLISHING A MINISTERIAL ADVISORY GROUP TO ENSURE CONTINUOUS IMPROVEMENT WITHIN THE COVID-19 RESPONSE	DPMC-2020/21-521
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Minister's office comments:

- Noted
- Seen
- Approved
- Needs change
- Withdrawn
- Not seen by Minister
- Overtaken by events
- Referred to

Rather than "Advisory Forum" I would prefer to call it the "COVID-19 Independent Continuous Review, Improvement and Advice Group".

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SECTION 1: COVID-19 MINISTERIAL GROUP

Background

1. On 26 November 2020, you discussed the COVID-19 Elimination Strategy framework with some of your colleagues.
2. Following this meeting, officials reviewed and refined the COVID-19 Elimination Strategy and compiled a forward strategic work programme to answer longer-term questions and provide advice to Ministers on areas for further improvements to current state and proposed or emerging settings.
3. A draft Cabinet paper is being prepared for you to seek Cabinet's agreement to the refined COVID-19 Elimination Strategy and the future strategic work programme in March 2021.

A COVID-19 Ministerial group could oversee the forward work programme

4. Given that the Government's response to COVID-19 goes across agencies and across Ministerial portfolios, we propose that a COVID-19 Ministerial Group be established to oversee the Elimination Strategy forward strategic work programme and provide regular updates to Cabinet, should you agree.
5. The Department of the Prime Minister and Cabinet (DPMC) COVID-19 Group will play a role in the coordination of the work programme across government, alongside other agencies, primarily the Ministry of Health and the Ministry of Business, Innovation and Employment.
6. The purpose and scope of the COVID-19 Ministerial Group would be to:
 - a. oversee the forward strategic work programme across government; and
 - b. connect in with Chief Executives (e.g. COVID-19 Chairs Board (CCB)) and Border Executive Board through discussions and progress updates.
7. Formal decision-making would continue to be via Cabinet processes (such as the Social Wellbeing Cabinet Committee (SWC)).

The COVID-19 Group will support the Ministerial Group

8. Should you agree to the COVID-19 Ministerial Group, it is expected that DPMC's COVID-19 Group will provide secretariat support.
9. A draft ToR for the group is provided at Appendix A for your consideration and feedback.

10. We suggest that the COVID-19 Ministerial Group meet fortnightly, with provision to meet more frequently or out-of-cycle as required. In the short-term, it may be on a less regular cycle, to allow for time and space for the immediate Ministerial discussions on vaccines.
11. We are specifically seeking feedback on your preference for membership of the group. The draft ToR proposes the following members:
- Hon Chris Hipkins (COVID-19 Response)
 - Hon Grant Robertson (Finance)
 - Hon Carmel Sepuloni (Social Development)
 - Hon Andrew Little (Health)
 - Hon David Parker (Attorney-General)
 - Hon Nanaia Mahuta (Foreign Affairs, Local Government)
 - Hon Poto Williams (Police)
 - Hon Stuart Nash (Tourism, Economic / Regional Development)
 - Hon Kris Faafoi (Justice, Immigration)
 - Hon Willie Jackson (Māori Development)
 - Hon Michael Wood (Workplace Relations and Safety, Transport)
 - Hon Dr Ayesha Verrall (Health (Public Health))
 - Hon Meka Whaitiri (Customs)
12. Note that the proposed membership reflects portfolios with direct responsibility for the COVID-19 response and includes the Ministers who participated in the COVID-19 Elimination Strategy discussion in 2020. We welcome your feedback on the proposed membership.

Next Steps

13. Once you have agreed to the membership and the scope of the COVID-19 Ministerial Group (as set out in the draft ToR, DPMC's COVID-19 Group will work with your Office to draft letters inviting Ministers to the group).

SECTION 2: ESTABLISHING THE COVID-19 ADVISORY FORUM

Why is a Ministerial advisory group (the COVID-19 Advisory Forum) needed?

14. Recent reviews of New Zealand's COVID-19 response have identified the need for a continued focus on how the Government's system-wide response operates and might be incrementally improved over time. To enable this and to provide a level of independent review, we recommend that you establish a Ministerial advisory group (the COVID-19 Advisory Forum) to support you and the proposed COVID-19 Ministerial Group.
15. The COVID-19 Advisory Forum provides for an independent stream of advice to be provided to you on the performance of the system, as it relates to the Government's ongoing response to COVID-19. The Group is the preferred vehicle for this advice in the COVID-19 context, because it can be adaptable to ongoing need and flexible regarding the number of members, duration, and focus. This enables rapid action and agility as the response evolves.
16. The purpose of the COVID-19 Advisory Forum would be to:
 - Consider the COVID-19 response efforts across all parts of the Government's response; and
 - Offer an ongoing independent perspective to Ministers on opportunities for continuous improvement.
17. There is significant precedent for the establishment of a Ministerial advisory group¹. In addition, we note that section 11 of the Public Health and Disability Act 2000 includes a specific provision for the establishment of independent advice to the Ministers of Health.

Appointment process for the COVID-19 Advisory Forum

18. Reflecting the specialist nature of skills required in this circumstance, we recommend that appointment of members to the COVID-19 Advisory Forum is a closed process.
19. A closed appointment process can include the following steps:
 - a. It is recommended that the focus is on wide system and sector knowledge rather than specialist technical expertise which can be specifically requested by the COVID-19 Advisory Forum. It is recommended that you agree the specific skillsets and experience required, ensuring senior representation in fields described in points 12-15.

¹ Te Uepū, Safe and Effective Justice Advisory Group, Tax Working Group, and Interim Climate Change Committee.

- b. A shortlist has been identified by Officials and a desktop evaluation conducted to identify relevant skills and expertise of potential candidates (table 2).
 - c. Once approved by you, the shortlist will be consulted on with your Ministerial colleagues with COVID-19-related portfolios.
 - d. After you and your colleagues agree on a list of preferred candidates, candidates will be contacted to elicit their interest.
 - e. Relevant information (including curriculum vitae) will be collected from candidates. Owing to the high-profile nature and previous history of potential candidates, we do not recommend undertaking standard pre-employment checks.
 - f. An Appointments and Honours paper (APH) will be drafted and lodged with the APH Group for noting.
 - g. Members will be appointed and onboarded following APH approval via a letter of appointment.
 - h. We recommend that you or other relevant Ministers publicly announce the appointment of the COVID-19 Advisory Forum.
20. Officials will discuss and confirm the final appointment process with you.

Terms of Reference (ToR)

21. A ToR will be drafted by officials and will be circulated to you for consultation with your relevant colleagues before being finalised and issued. Parameters for the draft ToR are set out below:

Table 1: Draft parameters for ToR

Terms	Description
Context	A well-informed, adaptable and a whole-of-system perspective is required to provide another line of defence to New Zealand's COVID-19 response.
Reporting	The COVID-19 Advisory Forum will report to the COVID-19 Ministerial Group, through the COVID-19 Response Minister
Accountability	The Group will provide independent advice to the COVID-19 Ministerial Group through the COVID-19 Response Minister. They will not be held accountable for any actions following receipt of this advice.

Purpose of the Group	<p>The purpose of the COVID-19 Advisory Forum will be to;</p> <ul style="list-style-type: none"> • Consider the COVID-19 response efforts across the Government's response; and • Offer an ongoing independent perspective on opportunities for continuous improvement.
Deliverables	<p>The COVID-19 Advisory Forum may have access to agreed information from an agency, meet regularly with Officials and work closely with agency chief executives. The COVID-19 Advisory Forum can seek information from any agencies in the wider public sector within the remit of the Minister's portfolio.</p> <p>It is expected that the COVID-19 Advisory Forum will deliver advice on the extent to which the Government response is efficient and effective and is based on international best practice and technical advice. For clarity it is not expected that the COVID-19 Advisory Forum will provide specific recommendations on policy or operations.</p>
Membership	<p>The COVID-19 Advisory Forum will consist of up to seven members. This includes a Chairperson (the Chair) and up to six members appointed by the responsible Minister and noted by Cabinet.</p> <p>An observer from the Prime Minister's Chief Science Advisor's forum is requested to facilitate access to technical information.</p>
Relationship with Ministers and Officials	<p>To ensure independence, the work of the COVID-19 Advisory Forum will be conducted in accordance with the ToR approved by Cabinet.</p>
Frequency of meetings and quorum	<p>It is recommended that the COVID-19 Advisory Forum meet twice monthly, or at the request of the Minister to address specific areas of interest. Members are expected to attend meetings wherever reasonably possible. A quorum of one less than total COVID-19 Advisory Forum members is required for decision-making purposes.</p>
Timeframes	<p>Group options will be presented to the responsible Minister and Cabinet by 11 March 2021. Following which, the COVID-19 Advisory Forum will be established and expected to be functional immediately following establishment.</p> <p>The COVID-19 Advisory Forum will be operational until June 2022 unless otherwise extended or disestablished, and will be reviewed in October 2021 by DPMC.</p>
Fees and reimbursements	<p>Fees for members fall within the Cabinet Fees Framework. The Group has been assessed as Group 4, Level 1 therefore the Chair fees range between \$540 - \$1,150, and members fees range between \$405 - \$865. Officials will consult to confirm the appropriate</p>

	fee arrangements.
Media	The Chair will be responsible for any public statements on behalf of the COVID-19 Advisory Forum. The Chair should inform the Minister's Office of any requests to comment prior to releasing a public statement, operating under a principle of 'no surprises'.
Declarations of conflict	All members are responsible for declaring any real or potential conflict of interest to the Chair or other members of the COVID-19 Advisory Forum, as soon as the conflict arises.

Secretariat support

22. Along with establishing a ToR and appointing members, determining the secretariat and reporting arrangements for the COVID-19 Advisory Forum is important. Although it would be expected that COVID-19 Advisory Forum members would report directly to the responsible Minister, the COVID-19 Advisory Forum will be serviced by a secretariat hosted by the COVID-19 Group within the DPMC utilising existing roles within the team. The secretariat may fluctuate in size depending on the needs of the COVID-19 Advisory Forum but we expect it to initially include:
- a. Lead official – 1 FTE. The purpose of this role is to act as a conduit between the COVID-19 Advisory Forum and the secretariat. The lead official will ensure that the secretariat is providing information in a timely manner and of an appropriate quality to enable the effective functioning of the COVID-19 Advisory Forum. The lead official may also be responsible for drafting the COVID-19 Advisory Forum's advice for their final review and approval. This role is to be held by the Head of Assurance and Continuous Improvement.
 - b. Advisors – approximately 2 FTE. The purpose of this role is to gather necessary information from agencies, as requested by or for the COVID-19 Advisory Forum. This role may also be required to support the development of the COVID-19 Advisory Forum's deliberations and final advice.
 - c. Administration – 1 FTE. The purpose of this is to undertake administrative activities for the secretariat and COVID-19 Advisory Forum including booking and arranging meetings, payment of fees and expenses, for example.
23. The size of the secretariat will be reviewed after the first two months of operations to ensure that it is functioning as intended and fit for purpose.
24. Officials seconded to the COVID-19 Advisory Forum secretariat may be required to support the development of advice that is independent from their home agency's perspective. Secretariat staff will provide impartial support and advice to the COVID-19 Advisory Forum

and will be provided with appropriate support to manage any conflicts of interest with their employing agency.

Membership considerations

25. It is proposed that the COVID-19 Advisory Forum will consist of up to seven members. This includes a Chairperson (the Chair) and up to six members appointed by the responsible Minister and noted by Cabinet.
26. Members will be appointed based on their personal skills, experience, technical capabilities and demonstrated ability to work across sectors. They will not represent the interests of, or advocate for, sectors or industry groups.
27. The nature of membership should reflect an understanding of the interactions across the complex system of the Government's response, rather than deep specialist expertise in a specific field. The perspectives outlined below are to be led by members of the COVID-19 Advisory Forum, but supported through specific requests for more detailed information:
 - Te Tiriti o Waitangi and human rights
 - medical science and health system management
 - operations and logistics
 - business and private sector
 - international development and diplomatic perspective
 - economics.
28. Membership will be sought from individuals who do not currently hold governance positions across the public sector response to COVID-19. This is to ensure a degree of independence. The COVID-19 Advisory Forum should be diverse, bringing a range of views and perspectives to its advice.
29. The table below includes a suggested pool of appointees to the COVID-19 Advisory Forum for your initial consideration. This pool will be developed further in future advice to you.
30. It is recommended that a delegate from the Prime Minister's Chief Science Advisor's forum attends meetings as an observer and to facilitate information collection and inputs for the COVID-19 Advisory Forum. This perspective is recommended to ensure that; existing technical advisory functions are utilised first where possible; to avoid duplication of efforts; to ensure that history, and knowledge of best practice and technical information is readily available; and to expedite requests for new information or analyses as required.

Table 2: Suggested membership

	Name	Area of expertise
1.	Sir Brian Roche	Public sector organisation and performance
2.	Dr Debbie Ryan	Pacific health policy, public sector
3.	s9(2)(a)	s9(2)(a)
4.	Professor Phillip Hill	Medical practitioner and epidemiologist
5.	s9(2)(a)	s9(2)(a)
s9(2)(a)	s9(2)(a)	s9(2)(a)

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APPENDIX A:

(Draft) Terms of Reference for the COVID-19 Ministerial Group

Purpose of the COVID-19 Ministerial Group

Recognising that New Zealand will need to navigate through the COVID-19 pandemic over the next two to three years, and that COVID-19 transcends traditional sector boundaries, a joined-up, all-of-Government approach to system leadership is required to achieve the Government's Elimination Strategy.

The role of the COVID-19 Ministerial Group is to provide that system leadership and overview, as New Zealand pursues an elimination strategy.

Following a recent review and refinement of New Zealand's COVID-19 Elimination Strategy, a cross-agency work programme based on the COVID-19 Elimination Strategy has been agreed. The work generated by this programme will assist Ministers to navigate decisions about improvements to the current settings and proposed changes for new or emerging settings.

The COVID-19 Ministerial Group is, therefore, established with the following purposes:

- a. To oversee, co-ordinate, drive and ensure the preparedness and responsiveness of the COVID-19 response and the wider system, including setting system priorities;
- b. To coordinate key workstreams set out in the COVID-19 Elimination Strategy work programme to support the achievement of the Government's COVID-19 Elimination Strategy objectives;
- c. To identify gaps and commission further work where required, and to agree priorities and sequencing of further work; and
- d. To maintain a future focus so that some elements of the COVID-19 Elimination Strategy short- to medium-term work programme also consider the longer-term shifts required for NZ to respond effectively to global trends and changes over time.

Scope and Membership of the COVID-19 Ministerial Group

While public health measures are central to the success of the Government's elimination strategy, the COVID-19 Ministerial Group will consider links to other related portfolios that both support the public health response and have relevant workstreams.

Formal decision-making would continue to be via the usual Cabinet processes. For instance, Cabinet papers relating to COVID-19 will continue to be considered by the Social Wellbeing Cabinet Committee (SWC), this group will have an informal role in considering these papers and their connection to the wider COVID-19 Elimination Strategy.

The Minister for COVID-19 Response will Chair the Group, with the following [proposed] membership:

TABLE: [Proposed] Membership of the COVID-19 Ministerial Group

Minister	Portfolio
Hon Chris Hipkins (Chair)	COVID-19 Response
Hon Grant Robertson	Finance
Hon Carmel Sepuloni	Social Development
Hon Andrew Little	Health
Hon David Parker	Attorney-General
Hon Nanaia Mahuta	Foreign Affairs, Local Government
Hon Poto Williams	Police
Hon Stuart Nash	Tourism, Economic and Regional Development
Hon Kris Faafoi	Immigration
Hon Willie Jackson	Māori Development
Hon Michael Wood	Workplace Relations and Safety; Transport
Hon Dr Ayesha Verrall	Health (Public Health)
Hon Meka Whaitiri	Customs

To the extent that other policy work programmes overlap with the scope of the COVID-19 Ministerial Group, other Ministers may be invited to meetings when or if these issues are to be discussed.

Membership may be amended as New Zealand's COVID-19 situation and strategy changes.

The COVID-19 Ministerial Group will complement other Ministerial groups such as:

- 1.1 Ministerial Group on Employment, Education and Training;
- 1.2 Ministerial Group on Vaccines.

Meetings and Secretariat

The COVID-19 Ministerial Group will meet fortnightly, where possible.

The COVID-19 Chief Executives Board (CCB), led by the Chief Executive of DPMC, will provide advice through the Minister for the COVID-19 Response to the COVID-19 Ministerial Group on setting system priorities. CCB will also provide advice on forward-looking issues to support the Government's COVID-19 strategy.

The COVID-19 Ministerial Group will be supported by DPMC's COVID-19 Group by:

- Developing a forward agenda of topics for discussion to be approved by the COVID-19 Ministerial Group; and
- Preparing agendas, policy papers and relevant background documentation for each meeting.

Work programme

Without limiting the work of the COVID-19 Ministerial Group, some of the immediate work will involve:

- overseeing the implementation and delivery of the initiatives in the elimination strategy to ensure effectiveness and timeliness;
- agreeing the future work programme to refine and improve the elimination strategy; and
- monitoring the health, social, and economic impacts of COVID-19.

APPENDIX B

