

Boards and Committees

Minister Nomination Process

STANDARD OPERATING INSTRUCTIONS

INITIATING POLICY

These instructions deal with the process of nomination of members by the Portfolio Minister to strengthen the effective performance of Agency statutory and key non-statutory Boards and Committees.

The instructions are subordinate to requirements in enabling legislation, Cabinet requirements for Board and Committee appointments, and State Service policies and procedures dealing with Board and Committee appointments.

The instructions are based on Department of Treasury and Finance Guidelines for Tasmanian Government Businesses: Board Appointments.

SCOPE

The instructions apply to all statutory and key non-statutory Boards and Committees in which membership is a decision of the Portfolio Minister through a process supported by Agency staff.

The instructions do not apply to Government Business Enterprises or State Owned Companies.

Staff are reminded of the critical need to refer to enabling legislation and Cabinet instructions, neither of which are dealt with here.

PRINCIPLES

Competency – selection is based on skill sets that meet the needs of the Minister to enable the Agency business activity to function efficiently and effectively in accordance with its objectives.

Stakeholder engagement – the Agency is appropriately involved in supporting the Minister's decision to ensure that new appointees add value to the business activity.

Transparency – the process is clear and understandable.

Consistency – the selection and appointment process is applied consistently for all Board and Committee appointments.

Timeliness – appointments are made in a timely manner.

Diversity – the process recognises the importance of diversity in Board and Committee membership.

The Government has made a commitment to addressing gender equity by releasing a five year plan to reach a target of 50 per cent representation by women on Government Boards and Committees by July 2020.

INSTRUCTION

The Division Head is responsible for administering the appointment process, including assignment of administrative staff.

The Division Head must inform the Minister, through the regular weekly meeting with the Secretary, of all board or committee vacancies at least 3 months prior to starting the selection process, seeking guidance for recruitment.

The Division Head, through the relevant Deputy Secretary, must provide the Portfolio Minister with:

- first, an opportunity to assess applicants who have expressed interest, and
- secondly, formal recommendations for appointment.

Step 1: Following expressions of interest from applicants - including as appropriate development of a recruitment panel or engaging a recruitment agency, identification of skills and experience matrix, advertising and stakeholder consultation, use of the Women's Register, interviews, and background checks – the Division Head must provide in a Minute to the Portfolio Minister a list of applicants, including each applicant's:

- ✓ name
- ✓ location
- ✓ a statement indicating whether they are suitable or not suitable for appointment.

In addition, the Minute should include any commentary provided by the board, committee or the Agency.

The Division Head must also include in the Minute to the Portfolio Minister the identification of any appointment to the Board or Committee required in the enabling legislation to be selected from within the State Service, including ex-officio appointments, with a statement addressing their suitability for appointment where relevant.

The Division Head must provide an equal number of suitable male and female applicants, or a justification for why a gender balance has not been put forward. (Gender balance on a board or committee includes State Service and ex-officio members.)

The Division Head must provide the step 1 draft list of applicants to the Head of Agency to facilitate initial discussions with the Minister, and between the Minister and Cabinet colleagues, as appropriate.

Step 2: Following the Portfolio Minister's assessment, the Division Head must provide in a Minute to the Portfolio Minister:

- ✓ formally appointing members selected by the Minister
- ✓ a statement addressing gender balance requirements
- ✓ Ministerial and Cabinet documentation as required
- ✓ letters of appointment and letters to unsuccessful applicants for signature.

The Minute to the Portfolio Minister will include as appropriate:

- ✓ a summary of the appointment process

- ✓ background information detailing the nomination process
- ✓ the nominated applicant for each Board or Committee position, including State Service and ex-officio nominations, and a summary justification for the appointment
- ✓ the nomination for the chair and the key reason for the appointment, as appropriate
- ✓ an appendix listing all applicants, including unsuccessful applicants, noting whether they were suitable or not suitable for appointment.

Reappointment process

For reappointments, the Division Head must provide in a Minute to the Portfolio Minister:

- ✓ a statement establishing why the reappointment process is appropriate
- ✓ a statement of the member's willingness to continue
- ✓ a performance review undertaken by the Agency
- ✓ the gender ratio of the statutory or non-statutory body
- ✓ Ministerial and Cabinet documentation as appropriate
- ✓ letters of reappointment.

QUICK ACCESS

- [Ministerial Template: Board and Committee applicant list](#)