

Office of the Prime Minister

Office of the Minister of State Services

Chair, Cabinet

Contingency planning for the senior Public Service positions

Proposal

1. This paper seeks your noting of the contingency planning that has been completed for a number of Public Service senior leadership positions, including the Chair of the Officials Committee for Domestic and External Security Coordination (ODESC), the State Services Commissioner (Commissioner) and Deputy State Services Commissioner (Deputy Commissioner), and Public Service chief executives.

Contingency plan

2. Due to the COVID-19 pandemic, contingency planning has been undertaken for a number of critical senior Public Service positions. Mitigation plans are now in place including matters relating to successors to the roles in the event of incumbents being incapacitated due to illness or absence, or otherwise unavailable to perform their roles.

Alternate Chair of ODESC

3. The Chair of ODESC, Mr Brook Barrington, may determine an Alternate Chair in the instance of the Chair being incapacitated.
4. Mr Barrington has advised that his Alternate Chair is Mr Chris Seed, Secretary of Foreign Affairs and Trade. Mr Barrington considers Mr Seed has the necessary experience and capability to fulfil the position of Chair of ODESC if required.

Alternate State Services Commissioner and Deputy State Services Commissioner

5. Section 14 of the State Sector Act (the Act) provides for the Prime Minister to make a recommendation to the Governor-General in Council to appoint an Acting Commissioner or Deputy Commissioner in the event of the incapacitation due to illness or absence of the incumbent(s).
6. The State Services Commissioner has given me advice on potential Acting Commissioner and Acting Deputy Commissioner appointees, and I agree with that advice.
7. The Deputy Commissioner, Ms Helene Quilter, has all the functions, duties and powers of the Commissioner (section 12 of the Act) which means she can take over

if the Commissioner is incapacitated. In such a case, additional capacity will be put in place through delegations of functions and powers by the Deputy Commissioner.

8. In a situation where delegations of the Commissioner or Deputy Commissioner's functions and powers will not provide sufficient mitigations – such as both the Commissioner and Deputy Commissioner becoming unwell – an Acting Commissioner or Acting Deputy Commissioner may need to be appointed.
9. There is a pool of current Public Service chief executives that I consider to be viable appointees for recommendation to the Governor-General as Acting Commissioner or Acting Deputy Commissioner.
10. Pool of potential Acting Commissioner or Acting Deputy Commissioner appointees:

<i>Name</i>	<i>Current Role</i>
Andrew Bridgman	Secretary of Defence and Chief Executive, Ministry of Defence
Andrew Hampton	Director-General, Government Communications Security Bureau
Rebecca Kitteridge	Director-General, New Zealand Security Intelligence Service

11. Both Mr Bridgman and Mr Hampton have experience working at the State Services Commission, and all three are proven chief executives. I consider that all of these people have the necessary capability and experience to undertake an Acting Commissioner or Acting Deputy Commissioner position. s6(a)
12. In the instance of an Acting appointment being required, I will take an appointment paper or oral item to Cabinet where possible, and then refer my recommendation regarding an appointee(s) to the Governor-General.

Alternate Public Service chief executives
13. Section 41 of the State Sector Act provides for Public Service chief executives to delegate in writing any or all of their functions or powers as a chief executive (under the State Sector Act) to another person(s).
14. The State Services Commissioner has advised me that he has advised all Public Service chief executives to put instruments of delegation in place with at least two alternates should they be required. Those delegations will cover situations such as a substantive Chief Executive being incapacitated due to illness or absence, or being otherwise unavailable to perform their role.
15. In relation to the Director-General (D-G) of Health, the alternate for Dr Ashley Bloomfield is Stephen McKernan QSO. To ensure Mr McKernan is fully up to date with COVID-19 matters, he has been contracted by the Ministry of Health, effective 27 March 2020 to shadow Dr Bloomfield. Mr McKernan is a former D-G of Health and currently a partner at EY specialising in health and related public policy matters.

Proactive Release

16. I recommend to proactively release this Cabinet paper with the appropriate redactions at an appropriate time, when the matters are no longer under active consideration.

Recommendations

17. I recommend that the Cabinet:
- 17.1. **note** the contingency plan for the Chair of the Officials Committee for Domestic and External Security Coordination position
 - 17.2. **note** the contingency plan for the both the State Services Commissioner and Deputy State Services Commissioner positions
 - 17.3. **note** the contingency plan for the Public Service chief executive positions.

Prime Minister
Rt Hon Jacinda Arden

Minister of State Services
Hon Chris Hipkins