

WAIKATO DISTRICT HEALTH BOARD
Minutes of the Special Board Meeting
held on Thursday 5 October 2017
commencing at 10.00 am at
Waikato District Health Board Offices, Level 9 KPMG Building,
Alexandra Street, Hamilton

Present: Mr B Simcock (Chair)
Ms S Webb (Deputy Chair)
Ms T Hodges
Mrs S Christie
Ms C Beavis
Ms S Mariu
Dr C Wade
Mrs P Mahood
Ms M A Gill
Mr D Macpherson
Mr M Gallagher

In attendance: Ms P Muir (Simpson Grierson)
Ms C Gardner (Corporate Solicitor Waikato DHB)
Mr J Leys (Senate Communications Ltd)
Ms L Aydon (Executive Director of Public and Organisational Affairs
Waikato DHB)

ITEM 1: APOLOGIES FOR ABSENCE

Resolved
THAT
There were no apologies for absence.

ITEM 2: INTERESTS

2.1 Register of Interests

No changes to the Register of Interests were noted.

2.2 Interest Related to Items on the Agenda

No conflicts of interest were foreshadowed in respect of items on the current agenda but there would be an opportunity at the beginning of each item for members to declare their conflicts of interest.

BOARD MINUTES OF 5 OCTOBER 2017

RESOLUTION TO EXCLUDE THE PUBLIC
NEW ZEALAND PUBLIC HEALTH AND DISABILITY ACT 2000

THAT:

- (1) The public be excluded from the following part of the proceedings of this meeting, namely:

Item 1: Urgent Employment Matter – Public Excluded

- (2) The general subject of each matter to be considered while the public is excluded, and the reason for passing this resolution in relation to each matter, are as follows:

<u>GENERAL SUBJECT OF EACH MATTER TO BE CONSIDERED</u>	<u>REASON FOR PASSING THIS RESOLUTION IN RELATION TO EACH MATTER</u>
Item 1 Urgent Employment Matter	To protect the privacy of a natural person. Negotiations will be required.

- (3) This resolution is made in reliance on Clause 33 of Schedule 3 of the NZ Public Health & Disability Act 2000 and the grounds on which the resolution is based, together with the particular interest or interests protected by the Official Information Act 1982 which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as follows:

Item 1:

Section 9(2)(a) of the Official Information Act 1982
- To protect the privacy of natural persons.

Section 9(2)(j) of the Official Information Act 1982
- To enable the Waikato DHB to carry on negotiations without prejudice or disadvantage.

Section 9(2)(ba) of the Official Information Act 1982
- To protect information that is subject to an obligation of confidence

Section 9(2)(h) of the Official Information Act 1982
- To maintain legal professional privilege

ITEM 1: URGENT EMPLOYMENT MATTER – PUBLIC EXCLUDED

The Board received a confidential update and legal advice (regarding an independent investigation into the Chief Executive's expenses and other matters) under legal professional privilege from Simpson Grierson.

Ms Gill and Mr Macpherson advised that they would not take part in Board deliberations and decision making on this issue.

Ms Gill advised that she had been employed by the Chief Executive and therefore wished to step aside from the process. Mr Macpherson advised that a perceived conflict of interest had been raised in relation to him, so he had also agreed to step aside.

Ms Gill and Mr Macpherson left the Board meeting at 10.45am.

Board discussion then followed.

Resolved

THAT

The Board

1. Unanimously approves the confidential Terms of Settlement that have been agreed with the Chief Executive Dr Nigel Murray.

RE-ADMITTANCE OF THE PUBLIC

Resolved

THAT

- 1) The Public be re-admitted;
- 2) The Executive be delegated authority after the meeting to determine which items should be made publicly available for the purposes of publicity or implementation.

Chairperson: _____

Date: _____

Meeting Closed: 11.20am