

Terms of Reference

Review of Sport New Zealand and High-Performance Sport New Zealand Governance and Organisational Structure



1. Purpose

- 1.1 The purpose of the review of Sport New Zealand (SNZ) and High-Performance Sport New Zealand (HPSNZ) is to recommend a fit-for-purpose governance and organisational structure and operating model that can most effectively deliver the strategic visions of both organisations whilst also being the most efficient engagement and support structure for the sector.

2. Background

- 2.1 The Sport NZ Group comprises the parent entity, Sport and Recreation New Zealand, referred to as Sport NZ, and its wholly owned subsidiary High Performance Sport New Zealand, referred to as HPSNZ.
- 2.2 The Sport NZ Group are committed to upholding the mana of Te Tiriti o Waitangi and the principles of Partnership, Protection and Participation.
- 2.3 Sport NZ is the Crown agency responsible for oversight and leadership of the play, active recreation and sport system. Sport NZ is the kaitiaki of the play, active recreation and sport system in Aotearoa New Zealand. As a Crown agency, Sport NZ promotes and supports quality experiences in play, active recreation and sport (including elite sport), to increase levels of physical activity and, through this, ensure the greatest impact on wellbeing for all those living within New Zealand.
- 2.4 HPSNZ was established as a Crown entity subsidiary by the board of Sport NZ in August 2011 with a mandate to lead the high-performance system. HPSNZ work in partnership with the targeted National Sports Organisations (NSO) to deliver a high-performance system that enables athletes to excel on the world stage.
- 2.5 Together, Sport NZ and HPSNZ have a shared purpose – to contribute to the wellbeing of everybody in Aotearoa New Zealand by leading an enriching and inspiring play, active recreation and sport system.
- 2.6 The goal of Every body Active cannot be achieved by the Sport NZ Group alone and there are many organisations with their own strategies and vision who contribute. It is Sport NZ and HPSNZ's strategic relationships, investment and understanding of shared outcomes that enable New Zealand's elite athletes to compete on the world stage and improve the wellbeing of communities.

Sport NZ

- 2.7 Sport NZ was established as a Crown entity on 1 January 2003 under the Sport and Recreation New Zealand Act 2002. Under the Act, Sport NZ's purpose is to "promote, encourage and support physical recreation and sport in New Zealand".
- 2.8 Sport NZ's statutory functions are set out in section 8 of the Act. These cover investment, promotion of participation, support for capability development and provision of policy advice.

High-Performance Sport NZ

- 2.9 HPSNZ was established as a Crown entity subsidiary by the board of Sport NZ in August 2011 with a mandate to lead the high-performance system. Its key objective is “making New Zealand the most successful sporting nation in the world by developing high performance sport”.
- 2.10 HPSNZ was established as a wholly owned subsidiary to enable it to dedicate its entire operational focus to high performance sport, in particular on ensuring more New Zealand athletes win on the world stage.

Governance

- 2.11 The Sport NZ Board is responsible to the Minister for Sport and Recreation. The Sport NZ Board has accountability for the functions of the entire Sport NZ Group and oversight of the whole sporting pathway and ministerial engagement. To ensure Group alignment, four Sport NZ Board members also serve on the HPSNZ Board. The Chair of Sport NZ is also the Chair of HPSNZ, the CEO of Sport NZ is an ex-officio Board member of HPSNZ, and the CEO of HPSNZ is an ex-officio Board member of Sport NZ.
- 2.12 As the ‘parent’ the Sport NZ Board has accountability for the functions of the entire Sport NZ Group (including ratifying the key decisions of the HPSNZ Board) and oversight of the whole sporting pathway – from community sport through to high performance.
- 2.13 The existing operating model was established in 2011 and is operated through a charter arrangement. The Charter serves as a key link between the Operating Principles of Sport NZ and HPSNZ, where the relationship between the two organisations is based on partnership and collaboration.
- 2.14 Broadly, Sport NZ provides two types of services to HPSNZ: Partnership Services and Shared Services.
 - a) Partnership Services capture those services which are typically sector facing. The quality and value of these services is highly dependent on both Sport NZ and HPSNZ operating in partnership and collaborating where relevant.
 - b) Shared Services capture the provision of policy and corporate services to HPSNZ. They include Policy advice, Ministerial Services, Information Technology and Human Resources.
- 2.15 Sport NZ and HPSNZ also enter into a number of joint procurement arrangements including insurance brokerage, internal audit, stationery, motor vehicles, IT services etc. They also look to take advantage of all of government procurement arrangements where appropriate.

3. Context

- 3.1 Both Sport NZ and HPSNZ have new strategies:
 - a) Sport NZ: Everybody Active 2032 and accompanying 2020-24 Strategic Plan
 - a) HPSNZ: 2032 High Performance System Strategy and accompanying 2024 Strategic Plan
- 3.2 The launch of Sport NZ’s 2020-2024 Strategic Plan and accompanying strategic direction of ‘Everybody Active’ by 2032 has provided a strong platform for Sport NZ’s work over the medium term to advance the key priority areas. The strategy is focused on encouraging more activity in play, active recreation and sport for young people and those who are currently less active, such as people with disabilities, Māori, low socio-economic groups, and women and girls.
- 3.3 The high performance sport system is continuing its focus on ensuring an integrity-based, integrated, sustainable system that enables athletes and coaches to deliver repeatable success at pinnacle events, while simultaneously motivating and inspiring the nation and its

communities. This continued evolution will be built on three key system shifts focused on performance pathways, wellbeing and engagement, and funding and investment.

3.4 There are a number of reasons why a review is timely and appropriate:

- a) New strategic directions from both Sport NZ and HPSNZ promote an opportunity to ensure the best governance and leadership model is in place to deliver against the strategic plans that is cost effective and fit for purpose
- b) Both the Boards of Sport NZ and HPSNZ are in full support of continuing to evolve the organisation model to ensure its fit for purpose for the delivery of the new strategies, particularly in the context of strengthening and adapting the system, and doing things different and better.
- c) It has been ten years since the establishment of HPSNZ as a wholly owned subsidiary.
- d) The new strategies promote innovation which may lead to new investment approaches and engagement programmes.

3.5 In addition to the above there is sustained pressure from the wider play, active recreation and sport sector to ensure that the model for the system is effective and efficient, and Sport New Zealand and HPSNZ's role within this continues to evolve. This is important to note as the Sport NZ Group cannot be successful alone. We work through and with others to achieve strategic goals and outcomes. Working in partnership enables the Sport NZ Group to deliver more than it can on its own, it also ensures the system is strong and well connected.

3.6 The partnership approach extends beyond investment partners (National Sporting Organisations, Regional Sport Trusts and Active Recreation providers) to include Sport NZ Group's strategic stakeholders (Territorial Authorities, Government, Education, Funders and Iwi).

4. Roles, Responsibilities, and deliverables

4.1 The review will be led by an Advisory Group of eight people. Considerations for appointments to the Advisory Group included:

- a) Strong Government relationships
- b) Broad knowledge base of the Sector
- c) Specialist knowledge of HP or Community Sport and Active Recreation
- d) Key Stakeholder in the sector
- e) Crown-Māori Obligations
- f) Understanding of delivery structures

4.2 The Advisory Group will meet in person at least four times over a period of six months with up to 15 days of support expected – a combination of preparatory work, in person and online meetings.

4.3 Agreed membership of the Advisory Group is:

- Chairperson: David Howman – Former Director General World Anti-doping agency
- Waimaramara Taumaunu – Former Sport NZ and HPSNZ Board member
- Simon Peterson – Outgoing CEO Rowing NZ
- Brent Eastwood – CEO Sport Northland
- Tanya Winter – CEO Otorohanga District Council
- Phillipa Muir – Employment Lawyer

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- Honey Hireme-Smiler – High Performance Athlete
 - Mark Stewart – Businessman
- 4.4 The Chair and CEO of Sport NZ will sit on this Group in an ex-officio capacity.
- 4.5 An independent agency will be appointed by Sport NZ in consultation with the Advisory Group Chairperson. The agency will complete the background research and stakeholder interviews. They will collate the data and complete any modelling under the direction of the Advisory Group.
- 4.6 The Advisory Group will direct the Independent Agency following the agreed Terms of Reference and report to the Sport NZ Board with progress updates and final recommendations. The High Performance Board will be consulted, however the final recommendations will be made to the Sport Board.
- 4.7 The independent agency will review:
- a) Legislative and other obligations
 - b) Organisational visions and funding models
 - c) Key Trends e.g. participation and drivers of change – economic, social and cultural trends
 - d) Structure – institutional and governance models for the play, sport and recreation sector, and high-performance sector, to include learnings from Australia, United Kingdom, Denmark, and Norway as well as others that may be identified as part of the scoping.
 - e) Stakeholder Engagement – the Advisory Group will agree final stakeholders
- 4.8 Key stakeholders for consultation include:
- Minister for Sport and Recreation
 - Ministry of Culture and Heritage
 - SNZ and HPSNZ boards and staff
 - NZ Olympic Committee (NZOC)
 - Paralympics NZ
 - National Sporting Organisations (NSOs)
 - Regional Sports Trusts (RSTs)
 - Active Recreation Organisations
 - Māori representation including National Sporting Organisations
 - Young People
 - Territorial Local Authorities
 - Community Funders
 - Former CEO's of Sport NZ and HPSNZ
 - Athletes and Coaches, Current and Past
 - The original authors of the 2011 model
- 4.9 The independent agency will be required to produce an options analysis taking into account best practice of government-led institutional and governance models for the play, sport and recreation sector, and high-performance sector, with particular focus on international models and the effectiveness and impact of Sport NZ and HPSNZ, including the parent-subsidiary operating model, since 2011, taking account of past reviews.
- 4.10 The deliverables for this review will include a detailed current state analysis, including an assessment of the efficiency and effectiveness of the current model and the identification of strengths and opportunities for improvement; recommendations including a proposed future state with cost estimations and implementation plan.
- 4.11 The Sport NZ Board will approve a final position, depending on the nature of change recommended further consultation may be needed.

- 4.12 The report will be delivered in several phases to provide appropriate opportunities for Advisory Group engagement and consultation. Early draft – identifies current state strengths, weaknesses and areas of improvement, draft report and final report.
- 4.13 A Sport NZ employee will be the operational internal support across Sport NZ, HPSNZ and the Advisory Group with other resource (Policy, Comms, HR, Secretariat) allocated as required.

5. Confidentiality

- 5.1 Any information provided to the agency or the Advisory Group in confidence will be kept confidential, so far as the law allows. The review will be conducted in a manner consistent with the principles of natural justice, confidentiality, security, and information protection.
- 5.2 All Advisory Group and Sport NZ documentation will be subject to the Official Information Act
- 5.3 Sections 62 to 72 of the Crown Entities Act 2004 also govern potential conflicts of interest which may arise between Advisory Group members and the Sport NZ Group's business. All existing or potential conflicts will be registered and documented through Advisory Group minutes.

6. Out of Scope

- 6.1 The following areas are out of scope for the review:
- a) Changes to the Sport and Recreation Act
 - b) Devolution of functions and funding to non-government organisations
 - c) The two existing organisational strategies:
 - Sport NZ: Everybody Active 2032 and accompanying 2020-24 Strategic Plan
 - HPSNZ: 2032 High Performance System Strategy and accompanying 2024 strategic plan

7. Resourcing

- 7.1 Sport NZ will cover all costs associated with the delivery of the review.
- 7.2 The Advisory Group will be paid in accordance with the Cabinet Fees Framework.

8. Other Matters

- 8.1 Sport NZ will sign off on all external communications relating to the Review.
- 8.2 No member of the Advisory Group will make any public comment regarding the work or discussion of the Advisory Group or their role on the Advisory without authorisation from Sport NZ.
- 8.3 These Terms of Reference may be amended from time to time by the Sport NZ Board.