Public Service Commission
Te Kawa Mataaho

15 October 2026

9(2)(a) privacy

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Official Information Act Request
Our Ref: OIA 2026-0305

I refer to your Official Information Act 1982 (OIA) request received by the Public Service Commission Te Kawa Mataaho (the Commission) on 24 September 2026 for:

1. *The final appointment recommendation report relating to the appointment of David Ferguson as Chief Executive and Chief Review Officer of ERO.*
2. *If the recommendation report is withheld, any summary of the factors, criteria, and considerations relied upon in recommending the appointment.*
3. *Any final conflict-of-interest assessment completed as part of the appointment process.*
4. *If responsive information has previously been released under the Official Information Act to another requester, I request a copy of the released version.*

This request is limited to final reports and assessments.

Information publicly available – Parts one, two and four

Chief Executive appointment papers are made available by the Commission following the appointment decision announcement, to support transparency and accountability in the appointment process. The Commission has recently released appointment papers relating to the Chief Executive role for the Education Review Office (ERO), as outlined in the table below:

Item	Date	Document Description	Website Address
1	15 August 2025	MoSR 2025-0647 – **REPORT** – Lodging the Vacancy Paper for the Chief Review Officer and Chief Executive, ERO	https://www.publicservice.govt.nz/assets/DirectoryFile/Chi

2	15 August 2025	MoSR 2025-0648 – **AIDE MEMOIRE** – Vacancy Paper Chief Review Officer and Chief Executive, ERO	ef-Review-Officer-and-Chief-Executive-Education-Review-Office.pdf https://www.publicservice.govt.nz/assets/DirectoryFile/Chief-Review-Officer-and-Chief-Executive-Education-Review-Office.pdf
3	20 May 2026	MoSR 2026-0187 – **AIDE MEMOIRE** – Talking Points for APH and Cabinet - Appointment of the Chief Review Officer and Chief Executive, ERO	
4	18 May 2026	MoSR 2026-0191 – **REPORT** – Appointment - Chief Review Officer and Chief Executive, ERO	
5	-	**CABINET PAPER**: Appointment: Chief Review Officer and Chief Executive, ERO Attachments: • Recommendation • Position Description • Summarised CV • Cabinet Minute • Cabinet Summary • Warrant	
6	1 July 2026	**PREVIOUS OIA REQUEST AND RESPONSE** regarding David Ferguson's appointment as Chief Executive and Chief Review Officer of ERO	https://www.publicservice.govt.nz/assets/DirectoryFile/OIA-2026-0157-Information-request-regarding-David-Fergusons-appointment-and-related-communications.pdf

Accordingly, I have refused your request under section 18(d) of the OIA on the grounds the information requested is publicly available.

Some relevant information has been removed from documents listed in the above table and should continue to be withheld under the OIA, on the grounds described in the documents.

Information being withheld – Part three

All candidates' applications and personal information received during the application process are received and held in confidence. All candidates complete a declaration of interests as they proceed through a chief executive appointment process. Mr Ferguson undertook this step.

When applicable, all real, perceived or potential COIs are actively managed and are lodged with both the Commission and Education Review Office.

I am therefore withholding *any final conflict of interest assessment completed as part of the appointment process* under section 9(2)(a) of the OIA to protect the privacy of natural persons, including that of deceased natural persons.

In making my decision, I have considered the public interest considerations in section 9(1) of the OIA.

If you wish to discuss this decision with us, please feel free to contact Enquiries@publicservice.govt.nz.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Please note that we intend to publish this response (with your personal details removed) on the Commission's website.

Yours sincerely



Nicky Dirks
Manager – Ministerial and Executive Services
Public Service Commission Te Kawa Mataaho