



14 November 2003

## **Waitemata DHB Submissions on:**

### **Constituency Arrangements for DHB Elections under STV**

**This is the Waitemata DHB Board's response to the Consultation Document issued by the Ministry of Health under covering letter dated 22 October 2003.**

#### **Summary**

The Waitemata DHB Board does not support an "at-large" structure for the 2004 DHB elections and strongly urges retention of the present three-constituency structure for Waitemata.

#### **Reasons for retaining present three-constituency structure.**

##### **Natural Communities of Interest**

The Waitemata DHB comprises three territorial local authority (TLA) areas (Waitakere and North Shore Cities and Rodney District) which are quite distinct both geographically and in terms of their demographics. Each district has its own community of interest and a strong sense of local identity. In terms of the people it serves, the DHB area as a whole is a quite arbitrary and artificial construct. There are no obvious community affiliations across the three (sub) districts. The current three constituencies, based on the TLA boundaries, therefore comprise a natural division that reflects the interests and community linkages of the people the DHB serves.

##### **Community Representation vs Maori and minority group representation.**

The Consultation Document places considerable weight on the potential for STV under an at-large structure to result in better representation for Maori and minority groups. The Waitemata DHB does not believe this is likely to eventuate. Even within the three constituencies in 2001 the Maori and minority group vote was split among several candidates. Given that there are no community linkages/forums/networks within the wider district to organise preferred candidates (see above) it is inevitable that the Maori and minority group vote will continue to be split across multiple candidates in an at-large structure. Even with the preference voting system of STV it is still most unlikely that any candidates from these groups will reach the threshold of votes needed to be elected.

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Nor is there any guarantee, under an at-large structure, that each of the three distinct communities of interest will be adequately represented. Because the three districts have such distinct identities, it is inevitable that voters will be strongly inclined to vote for candidates from their own district. The Waitemata DHB has grave concerns that this will distort the election towards North Shore candidates and is likely to result in Rodney struggling to achieve any representation.

The Consultation Document suggests that an imbalance in community representation could be addressed by the Minister through her additional four appointments to the Board. Currently the Minister's appointments provide an opportunity to ensure Maori and minority group representation. The Waitemata DHB Board believes this is still likely to be necessary under an at-large STV structure. The Board believes this is a good way to achieve this balance in DHBs. The Minister's appointments should also be used to address gaps in skills, expertise and experience in Boards. The at-large structure has the potential (and the Waitemata DHB Board believes is likely) to add a **further** dimension that the Minister will have to try to address. It will be very difficult for the Minister to correct imbalances across all three dimensions (local communities of interest, Maori and minority groups, and skills and expertise) which could result from an at-large structure. The constituency structure eliminates one of these dimensions by **ensuring** that community representation is addressed through the election process.

### **Environment of Collective Responsibility and Advantages of having Local Community Members**

Waitemata DHB absolutely accepts the responsibility of all members to act at all times in the wider interests of the district's entire population rather than just specific constituencies. This has never been a problem. There has not been one occasion on which the current Board (elected on a constituency basis) has had a disagreement based on members adopting a "constituency view".

What the Consultation Document fails to acknowledge are the very significant advantages of having members elected from constituency bases. It has been of great assistance to the Waitemata DHB Board to have members with a community mandate and strong linkages and connections at a local community level. This has helped to ensure that there is a good understanding of local community issues at the Board table and it has ensured that, within the Board, there are people with the necessary contacts and credibility to represent the Board and to help facilitate local initiatives in which the Board has an interest. Examples include establishment of local community networks, PHO establishment, and collaboration with TLAs and other community based organisations. The constituency voting structure is a very efficient and powerful means of ensuring these essential linkages.

### **Voter engagement and participation**

The Consultation Document makes reference, albeit rather briefly, to some practical disadvantages of an at-large structure. In particular that voters will be discouraged from participating because they will be overwhelmed with extensive candidate profile material and lengthy candidate lists. Waitemata DHB is strongly of the view that this will be a major problem. In 2001, across the three constituencies, Waitemata DHB had a total of over 100 candidates. Even if only half the number of candidates presented for the next elections (i.e., say 50) the candidate profiles and voting papers would comprise a booklet of some 25 pages

plus. It should be remembered that the DHB elections are held in conjunction with the TLA elections and elections for other regional and local boards. Making an intelligent selection of preferences for a DHB board under these circumstances is a task that would clearly be beyond even the most capable and committed of voters.

There is a major dilemma here. For the 2001 elections the Ministry of Health, and DHBs, went to considerable efforts and expense to encourage a good range of able candidates to stand for election. An at-large structure would be less confusing if there were fewer candidates. The dilemma is that the more that is done to encourage a strong field of quality candidates, the more likely it is that voters will be confused and that voter participation will be reduced. As it is, the voter turnout in 2001 (for Waitemata DHB) was only about 1 in 3.

### **Encouraging True Community Representation**

Under the constituency structure candidates have a good opportunity to stand and be elected on the strength of their community networks, and local profile and reputation. Waitemata DHB believes this is the sort of representative that is needed on DHBs. Given the Waitemata DHB configuration it is unlikely that candidates who are well known in one of the sub-districts will be as well known in the others. This will tip the balance in favour of candidates who are able to put time, effort and resources into an "at large" campaign. Alternatively it will favour candidates who are standing on a "ticket". Such candidates will have the advantage of additional resources behind them. This might make it more likely that Boards will be elected with sectional interests, and be subject to the consequential internal politicking that often results. This is not generally conducive to the most effective governance.

### **Different arrangements for different DHBs**

The Consultation Document effectively rules out the possibility of some DHBs using constituencies while others employ an at-large structure. The reason given is that "it is important to ensure that election arrangements are consistent across DHBs, so that all DHBs operate in the same governance environment. This is especially necessary with the introduction of a new voting system."

This argument is manifestly wrong. There is no reason why a requirement for consistency should be paramount. What is important is to have the most sensible arrangement that is most likely to give the best result for each DHB. Indeed, the government has already made it clear that consistency is not important. TLAs were given the choice of adopting STV and some have opted for this while others have not. This is a much more fundamental difference than the way constituencies are arranged. For the 2001 elections each DHB had its own, effectively unique, constituency structure. It was recognised that arrangements needed to be tailored to the different circumstances of each DHB.

Many of the arguments Waitemata DHB is advancing for retaining a constituency structure are directly related to the particular features of the Waitemata district. Waitemata DHB is strongly of the view that having a structure that will work best for each DHB is much more important than a requirement for consistency. Indeed Waitemata DHB believes it would be desirable to have different approaches to constituencies. To a large extent the arguments for and against an at-large structure are based on theory and supposition. Using alternative approaches will provide an opportunity for comparison and will allow some of the assumptions to be tested in practice.

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### **Order of Candidates names on Voting Documents**

The covering letter (22 October 2003) indicates that Boards need to pass a resolution, by 20 August 2004, as to how candidate's names are to appear on voting papers. The choices indicated are:

- Alphabetically by surname.
- "Pseudo-random" order (where names are drawn out of a hat and that order appears on every document).
- Random order (where every voting document effectively has a different order on it).

Given that the number of candidates is expected to be quite large (under either a constituency or an at-large system), from a purely practical point of view it seems preferable for candidates to be listed alphabetically. This is so those voters who already know about, and have a preference for, some candidates can find their names without undue effort.

However, a fourth option, which is a variation of an alphabetical listing, would be possible. This would be to group candidates by their current constituent districts (determined by their usual residential address). This would acknowledge and facilitate the reality that for most voters this will be a major, probably prime, consideration.

**Waitemata DHB asks that this option be added to the three already indicated.**

### **Waitemata DHB Contact**

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**SUBMISSION RESPONSE TO "CONSTITUENCY ARRANGEMENTS FOR DHB ELECTIONS UNDER STV"**

**Summary**

Waitakere City Council has for many years, supported and practiced decision making processes which ensure that local communities can participate in local decisions. These principles have been adopted as part of the Council's Long Term Council Community Plan 2003-2012, as expressed in the priorities the city has set around Treaty of Waitangi principles, sustainable development commitments, and the fostering of strong communities and active democratic participation. Waitakere would support Constituency arrangements for DHB elections which are consistent with these principles.

On this basis, Waitakere City Council does not support an 'at large' structure for the 2004 DHB elections and strongly urges retention of the present three – constituency structure for Waitemata.

Waitakere City Council supports the submission of the Waitemata DHB on this matter. Waitakere City Council also supports the request that candidates are grouped by their constituent districts.

Of particular concern to Waitakere City Council are:

- loss of local knowledge for both candidates and electors through the 'at large' proposal
- size of constituency under the 'at large' proposal, both geographically and culturally, and the implications for adequate knowledge and ability to represent local views

Yours sincerely

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