

11 November 2019

Lesley Harbern  
[fyi-request-11387-bbadf6a8@requests.fyi.org.nz](mailto:fyi-request-11387-bbadf6a8@requests.fyi.org.nz)

Ref: H201908795

Dear Lesley

### **Response to your request for official information**

Thank you for your request of 5 October 2019 under the Official Information Act 1982 for information regarding gender pay gap in the Ministry of Health (the Ministry) and discrimination. A copy of your full request is attached as Appendix One.

My response to each of your questions is below:

1. *Please quantify your gender paygap (if possible not just binary male-female but incorporating other gender identifications too).*

The Ministry's current pay gap is 10.1%.

2. *Please also give numbers of your employees are of which genders at each tier of your hierarchy. Please also provide the same information regarding the other following demographics (to the extent that it is held, it is understood that you may not have all of this data):*

*Marital status*

*Religious belief*

*Ethical belief*

*Ethnic origins*

*National origins*

*Disability*

*age*

*Political opinion*

*Employment status immediately prior to be employed by yourselves*

*Sexual orientation*

*Physical appearance/body type characteristics*

Please refer to the attached Appendix Two showing the breakdown of Ministry staff by gender, age, ethnicity and disability status. Where information is not provided, this is not held by the Ministry, and therefore refused under section 18(g) of the Act.

3. *Please explain what you are doing to actively address any disparities in any of these areas.*

The Ministry actively addresses disparity in the areas of gender, ethnicity and disability where staff supply information to us on an optional basis and the Ministry can report on.

Under the Gender Pay Principles and Action Plan, the Ministry is working to reduce the Gender Pay Gap across the Ministry for like for like roles, working to minimise bias and discrimination in human resource practices. Flexible working is a normal practice in the Ministry. There is a gender balance maintained at leadership levels.

The Ministry has a Diversity and Inclusion strategy and recently received the Accessibility Tick in the disability space. The Ministry is one of the foundation members within the public sector to receive the Accessibility tick. Part of the Accessibility Tick meant a review of recruitment information and the implementation of accessibility friendly wording into job advertisements and application forms.

An accessibility review of our current recruitment system was completed earlier this year with recommendations. The report will be utilised to ensure that accessibility requirements are robust for further developments in this space.

The Ministry is not able to actively address any disparities in the other demographics requested above.

4. *Please explain how you go about preventing and combating conscious discrimination and prejudice in these areas.*

The Ministry uses a variety of tools and processes in order to continuously strive to prevent and combat conscious discrimination and prejudice in these areas. This includes manager induction and training, employee orientation, training and induction, education and commitment to the Ministry's Code of Conduct and the Ministry's behaviours, specialist advice/guidance from the Ministry's People & Capability team and robust policies and processes that allow the Ministry to decisively address any concerns that are raised.

5. *Please explain how you go about preventing and combating unconscious discrimination and prejudice in these areas.*

The Ministry uses a variety of tools and processes in order to continuously strive to prevent and combat unconscious discrimination and prejudice in these areas. This starts with our recruitment processes in which hiring managers are given close guidance and specialist advice, tools and resources on how to remove, wherever possible, unconscious biases from the recruitment process, including the setting of starting salaries.

In addition, as part of the Ministry's Diversity, Inclusion and Well-Being plan, unconscious bias training is included as a key initiative. All Ministry managers and employees are given training on the Ministry's Code of Conduct, behaviours and policies, which includes the Ministry's commitment to be a diverse and inclusive workplace.

6. *Please explain how you go about preventing and combating wrongful interpersonal behaviour such as workplace bullying and harassment even if it is not specific to any of these demographics.*

All Ministry employees and managers are inducted on the Ministry's Code of Conduct, people policies and behaviours, which set clear expectations around behaviour and/or conduct.

The Ministry has a specialist operational Human Resource team that provides expert advice and/or guidance on how to address inappropriate behaviour or interpersonal issues at the earliest possible opportunity. This includes following clear and robust policies and processes that support successful resolution.

The Ministry has implemented the State Services Commission's Positive and Safe Workplaces guidelines, which includes a Speaking Up framework that enables any Ministry employee to "speak up" about wrongdoing or inappropriate behaviour in a safe and confidential way.

7. *Please provide for the last seven years how many complaints of conscious or unconscious discrimination, bullying, harassment, sexual harassment have been made.*

Please note that the Ministry did not keep a database of employment relations issues before July 2014. To collate this data would require the Ministry to manually go through all employment files and identify whether an employee has raised a personal grievance and the type of grievance. Therefore, your request for 2012 to July 2014 data is refused under section 18(f) of the Act as the information requested cannot be made available without substantial manual collation or research.

Between September 2014 – September 2019 the Ministry received 56 formal complaints of either conscious/unconscious discrimination, bullying, harassment or sexual harassment. These include instances where multiple complaints were made about the same Ministry employee.

8. *Also please provide the number of times people raised these incidents but did not lodge a formal complaint.*

The Ministry does not keep records relating to people that may have raised concerns but did not make a formal complaint. This part of your request is refused pursuant to section 18(e) of the Act, as the information requested does not exist.

9. *Please explain how many of these cases were investigated and whether they were investigated by your own people or external parties. Please explain how you decide if an internal or external person is suitably qualified and skilled and has the integrity needed for the investigation.*

Of the 56 complaints received, all of them were investigated, and 12 of the investigations were completed by an external party. The Ministry considers a variety of factors when deciding whether an external or internal investigator is appointed. This includes the type of complaint, the number of complaints, the complexity of the concerns raised and the Ministry's internal resources and capability at the time the complaint/s is received.

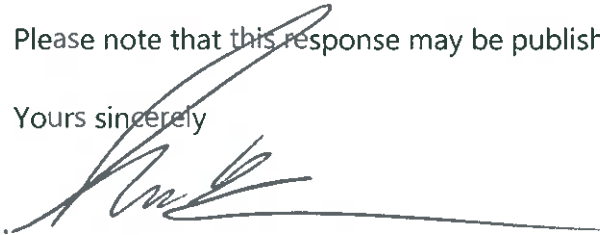
10. *Please explain what actions have been taken against the perpetrators whose actions gave rise to the complaints.*

This part of your request is refused pursuant to section 9(2)(ba)(i) of the Act, to protect information which is subject to an obligation of confidence.

I trust this information fulfils your request. You have the right, under section 28 of the Act, to ask the Ombudsman to review any decisions made under this request.

Please note that this response may be published on the Ministry website.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Sue Gordon', with a long horizontal line extending to the right.

Sue Gordon  
**Deputy Director-General**  
**Corporate Services**

## Appendix Two

Table 1: Ministry of Health gender of staff by tier as at 30 September 2019

Tier	Female	Male	Total
2	12	3	15
3	57	32	89
4	177	89	266
5	391	177	568
6	180	69	249
<b>TOTAL:</b>	<b>817</b>	<b>370</b>	<b>1187</b>

Table 2: Ministry of Health Age of staff by tier as at 30 September 2019

Tier	Under 25	25 to 34	35 to 44	45 to 54	55 to 64	65 and above	No DOB	TOTAL
2	-	-	1	8	5	-	1	15
3	-	8	25	27	23	1	5	89
4	11	45	49	59	72	15	15	266
5	15	138	117	136	112	17	33	568
6	9	58	47	62	56	9	8	249
<b>TOTAL:</b>	<b>35</b>	<b>249</b>	<b>239</b>	<b>292</b>	<b>268</b>	<b>42</b>	<b>62</b>	<b>1187</b>

Table 3: Ministry of Health Ethnicity of staff by tier as at 30 September 2019

Tier	Asian	MELAA	New Zealander	Non-NZ European	NZ European	NZ Maori	Pacific Islander	Not Stated	Total
2	-	-	1	3	9	1	-	1	15
3	3	2	1	14	54	8	1	6	89
4	16	1	6	35	161	17	10	20	266
5	83	5	9	69	291	24	22	65	568
6	44	1	9	26	116	19	12	22	249
<b>TOTAL:</b>	<b>146</b>	<b>9</b>	<b>26</b>	<b>147</b>	<b>631</b>	<b>69</b>	<b>45</b>	<b>114</b>	<b>1187</b>

**Table 4: Ministry of Health staff disability status by tier as at 30 September 2019**

<b>Tier</b>	<b>No Disability Declared</b>	<b>With Disability Declared</b>	<b>Total</b>
2	15	-	15
3	86	3	89
4	257	9	266
5	546	22	568
6	238	11	249
<b>TOTAL:</b>	<b>1142</b>	<b>45</b>	<b>1187</b>

## Appendix One

From: "Lesley Harbern" <fyi-request-11387-bbadf6a8@requests.fyi.org.nz>  
To: "OIA/LGOIMA requests at Ministry of Health" <oiagr@moh.govt.nz>,  
Date: 05/10/2019 03:35 p.m.  
Subject: Official Information request - Employment Equity

Dear Ministry of Health,

I am interested in employment equity and fairness

Please quantify your gender paygap (if possible not just binary male-female but incorporating other gender identifications too). Please also give numbers of your employees are of which genders at each tier of your hierarchy.

Please also provide the same information regarding the other following demographics (to the extent that it is held, it is understood that you may not have all of this data):

Marital status

Religious belief

Ethical belief

Ethnic origins

National origins

Disability

age

Political opinion

Employment status immediately prior to be employed by yourselves

Sexual orientation

Physical appearance/body type characteristics

Please explain what you are doing to actively address any disparities in any of these areas.

Please explain how you go about preventing and combating conscious discrimination and prejudice in these areas.

Please explain how you go about preventing and combating unconscious discrimination and prejudice in these areas.

Please be aware that providing policy documents that state these discriminations and prejudices are not acceptable does not constitute an answer to these queries. Policy documents are not action. What actual actions are you taking?

Please explain how you go about preventing and combating wrongful interpersonal behaviour such as workplace bullying and harassment even if it is not specific to any of these demographics.

Please provide for the last seven years how many complaints of conscious or unconscious discrimination, bullying, harassment, sexual harassment have been made. Also please provide the number of times people raised these incidents but did not lodge a formal complaint.

Please explain how many of these cases were investigated and whether they were investigated by your own people or external parties. Please explain how you decide if an internal or external person is suitably qualified and skilled and has the integrity needed for the investigation.

Please explain what actions have been taken against the perpetrators whose

## Appendix One

actions gave rise to the complaints.

Yours faithfully,

Lesley Harbern

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This is an Official Information request made via the FYI website.

Please use this email address for all replies to this request:  
fyi-request-11387-bbadf6a8@requests.fyi.org.nz

Is oiagr@moh.govt.nz the wrong address for Official Information requests to Ministry of Health? If so, please contact us using this form:  
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