

Reference: 20210189

13 July 2021

George Dewar
fyi-request-15433-178abbb0@requests.fyi.org.nz

Dear George

Thank you for your Official Information Act request, received on 11 May 2021. You requested:

The advice, if any, provided to the government regarding the May 2021 public sector pay guidance (referred to by some as the "pay freeze").

The Treasury wrote to you on 2 July 2021 to inform you of our decision under section 18(d) of the Official Information Act to refuse your request as the information requested is or soon will be publicly available.

We also committed to getting in contact to inform you of where and when you could access the information. This letter fulfils that commitment.

Information publicly available

The following information was covered by your request and has already been made publicly available on the Public Service Commission website – <https://www.publicservice.govt.nz/our-work/information-releases/advice-seen-by-our-minister/>

Item	Date	Document Description	Decision
1.	28 September 2020	Joint Report T2020/3199: Te Kawa Mataaho/Treasury Report - Update on the Public Service Employment Relations Environment - September 2020	Release in part

The following information was covered by your request and will be made publicly available on the Treasury website – <https://www.treasury.govt.nz/publications/information-release/treasury-advice-public-service-pay-guidance> – on 14 July 2021:

Item	Date	Document Description	Decision
2.	9 December 2020	Email: FW: MOGSSER meeting Thursday 4pm	Release in part
3.	9 December 2020	Email attachment: Meeting briefing - Key messages for Central Agency CEs	Release in part
4.	10 February 2021	T2021/242: Finance Portfolio Meeting (11 February) - Managing public sector wage pressures	Release in part
5.	5 March 2021	T2021/527: Cabinet briefing, 8 March 2021	Extract included
6.	11 March 2021	T2021/599: Upcoming Issues Briefing to the Minister of Finance Report - 11 March 2021	Extract included
7.	18 March 2021	Email: Advice on pay restraint	Release in part
8.	18 March 2021	T2021/675: Upcoming Issues Briefing to the Minister of Finance Report - 18 March 2021	Extract included
9.	25 March 2021	T2021/732: Upcoming Issues Briefing to the Minister of Finance Report - 25 March	Extract included
10.	26 March 2021	Email: FYI - Joint TSY/PSC briefing on pay restraint for middle-earners (\$60-100k) to be sent Monday EOM	Release in part
11.	29 March 2021	Email: RE: Ministerial Consultation on Cabinet Paper	Release in part
12.	31 March 2021	T2021/806: Upcoming Issues Briefing to the Minister of Finance Report - 31 March 2021	Extract included
13.	31 March 2021	Email: FYI - pay restraint - update on joint report and Cabinet paper	Release in part

The public release includes the relevant parts of the documents listed above, subject to information being withheld under one or more of the following sections of the Official Information act, as applicable:

- personal contact details of officials, under section 9(2)(a) – to protect the privacy of natural persons, including that of deceased natural persons,

- names and contact details of officials, under section 9(2)(g)(ii) – to maintain the effective conduct of public affairs through protecting ministers, members of government organisations, officers and employees from improper pressure or harassment,
- certain sensitive advice, under section 9(2)(g)(i) – to maintain the effective conduct of public affairs through the free and frank expression of opinions,
- other sensitive advice relating to Public Sector employment relations and bargaining issues, under section 9(2)(k) – to prevent the disclosure of information for improper gain or improper advantage,
- other sensitive advice relating to Public Sector employment relations and bargaining issues, under section 9(2)(j) – to enable a Minister of the Crown or any public service agency or organisation holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations),
- direct dial phone numbers of officials, under section 9(2)(k) – to prevent the disclosure of information for improper gain or improper advantage.

We have redacted the direct dial phone numbers of officials under section 9(2)(k) in order to reduce the possibility of staff being exposed to phishing and other scams. This is because information released under the OIA may end up in the public domain.

Some information has been redacted because it is not covered by the scope of your request. This is because the documents include matters outside your specific request.

Information withheld in full

In the process of preparing for the proactive release, we have identified the following information that also comes within the scope of your request that we have decided to withhold in full under section 9(2)(j) of the Official Information Act – to enable a Minister of the Crown or any public service agency or organisation holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).

Item	Date	Document Description
14.	10 December 2020	T2020/3685: Papers for the Ministerial Oversight Group on State Sector Employment Relations (MOGSSER) December 2020
15.	17 February 2021	T2021/290: Papers for the Ministerial Oversight Group on State Sector Employment Relations (MOGSSER) February 2021
16.	29 March 2021	Joint Report T2021/743: Te Kawa Mataaho/Treasury Report - Context for potential inclusion of “middle earners” within expectations of public sector pay restraint
17.	14 April 2021	T2021/824: Papers for the Ministerial Oversight Group on State Sector Employment Relations (MOGSSER) April 2021

Please note that, as with our earlier correspondence, this letter (with your personal details removed) may be published on the Treasury website.

This reply addresses the information you requested and our commitment to confirm the location and timing of the proactive release of this information. You have the right to ask the Ombudsman to investigate and review our decisions.

Yours sincerely

A handwritten signature in black ink, appearing to read "Nick Carroll". The signature is fluid and cursive, with the first name "Nick" being more prominent than the last name "Carroll".

Nick Carroll
Manager, Communities, Learning and Work