



26 January 2024

Jean Roberts

[fyi-request-25073-4f8640ee@requests.fyi.org.nz](mailto:fyi-request-25073-4f8640ee@requests.fyi.org.nz)

Dear Jean

**Official Information Request**

**Our Ref: OIA 2023-0299**

I refer to your official information request received on 7 December 2023 where you have asked a number of questions in relation to personal grievances. For ease of reference, we have listed each question with our corresponding answer below.

**Our response**

- 1. The number of Personal Grievances raised in your Ministry, in the last 3 years broken down by year, and categories (for example: Bullying, Unjustifiably disadvantaged, constructive dismissal etc)***

Te Kawa Mataaho Public Service Commission's (the Commission) information release confidentiality guidelines ensure we allow as much high value information as possible to be released, while ensuring that it is not in a form that could reasonably expect to identify an individual, or at a level of aggregation where the information is still informative.

These guidelines apply to any statistical information that contains private or confidential information and prevent us releasing the exact number of personal grievances received broken down by year. Therefore, we have grouped the data together for the past three years.

Listed in the table below is the number of personal grievances received by the Commission in the last three years. The Commission does not code its complaints, however, due to the small number, we were able to review the personal grievances received to identify whether any contained complaints of bullying, constructive dismissal and discrimination, unjustifiable disadvantage and other more general complaints.

Item	Years	Number of Personal grievances received
1	2021, 2022 and 2023	9

- 2. (in the last 3 years) The number of Mediation that took place broken down by year***
- 3. (in the last 3 years) The number of successful mediations broken down by year***

We have interpreted these questions to be mediation relating to employee personal grievances and successful mediation to mean that a successful outcome/resolution was achieved through mediation to bring the matter to a close. In the last three years there have been two mediations that have taken place, both resulting in a successful outcome / resolution.

4. *(in the last 3 years) Of the PGs raised, how many went to Employment Relations Authority broken down by year?*
5. *(in the last 3 years) How many cases were found against the Ministry broken down by year?*
6. *(in the last 3 years) How much money – in total- were paid to settle these cases / or pay the fee required by ERA broken down by year?*
7. *(in the last 3 years) How much money – in total – were paid to external Legal consultants to defend the cases filed in ERA or to prepare the responses to the case broken down by year?*
8. *(in the last 3 years) How many ERA cases resulted in reinstatement of employee broken down by year?*

None of the nine personal grievances received by the Commission in the last three years were escalated to the Employment Relations Authority.

**9. How much money was covered by the Ministry's liability insurance?**

No claims were made on the Commission's liability insurance for any employment relations matters.

**10. If a case is found against the Ministry (the Ministry lost), what are the consequences to the Manager involved in the incident?**

Any consequences in such situations would be dependent on the circumstances.

If you wish to discuss this decision with us, please feel free to contact [Ministerial.Services@publicservice.govt.nz](mailto:Ministerial.Services@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](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

Please note that we intend to publish this letter (with your personal details removed) on the Te Kawa Mataaho Public Service Commission's website.

Yours sincerely



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