



2 October 2018

B M White
FYI Website
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Dear B M White

Official Information request on engagement, turnover, and bullying/harassment management or poor treatment complaints

Our Ref: SSC2018/0147

Thank you for your official information request received on 3 September 2018 for a range of information on engagement, turnover, and bullying/harassment management or poor treatment complaints for each organisation in the State sector, from 2015 to date.

You note you are information to “inform research into how well suited the key leaders and groups in public organisations are to respond to allegations of bullying, harassment and poor treatment of staff”. I thought it would be useful first to provide as context the role of State Services Commission (SSC), our overarching expectations of public servants, and some of the guidance in place.

Treating people (including colleagues and the public) fairly and with respect are fundamental requirements of public servants under the standards of integrity and conduct set by the State Services Commissioner. These are described in the State Services [Code of Conduct](#) (the Code). A [list of the agencies covered by the Code](#) is on our website.

Under the State Sector Act 1988, State Service chief executives are responsible for the operation of their agencies, including for ensuring their staff comply with the requirements of the Code. We expect agencies’ policies and processes to be consistent with all the Code’s minimum behavioural requirements.

The Code is underpinned by the expectation that chief executives must operate policies that comply with the principle of being “good employer” as defined by [section 56](#) of the State Sector Act. The general principles include expectations such as the fair and proper treatment of employees, the provision of good and safe working conditions for them, and the recognition of their aims, aspirations and employment requirements. It further requires that chief executives ensure that all employees maintain proper standards of integrity, conduct, and concern for the public interest.

In addition to these overarching Code requirements, SSC has published a range of guidance for agencies to follow relating to bullying and harassment, and its prevention.

For example, SSC co-developed [Positive Workplace Behaviours](#) Guidance with the Public Service Association (PSA) in 2016 aimed at preventing bullying and harassment, and showing agencies what good looks like in relation to workplace behaviours. The advice in this guidance is supported by a literature review from Victoria University of Wellington on research relating to behaviours.

Good policies and processes that encourage staff to speak up about possible wrongdoing are vital for maintaining the integrity of our State services. In 2017, we published [Speaking up in the State services](#), model standards to encourage staff to speak up about wrongdoing.

They comprise all the key elements for promoting a 'speak up' culture, operating good processes including timely investigations, and keeping people safe from reprisals or other detrimental impacts.

Other guidance on our website includes:

- [Suggested policies and procedures to comply with the Code](#)
- [An integrated policy guide for unwelcome behaviours for State service agencies](#)
- [Policy guidelines on creating positive workplaces free from sexual harassment.](#)

Chief executives and their employees therefore have the support of SSC to create good and safe working conditions and positive workplace behaviours.

With regard to your questions, please note with regard to category b. SSC does not have an HR department. Since 2012 SSC's HR functions have been delivered as part of a shared service with the Treasury and the Department of Prime Minister and Cabinet, based at the Treasury. SSC is not the employer of these staff members.

Also, SSC only has one legal role with line management responsibilities, so we are unable to report on that role in the interests of the privacy of staff who have held or currently hold that role.

We address your questions individually below.

1. The full engagement results (including analysis of each question and/or section, along with any free text results) and the results of any and all proxy measures of engagement including all culture assessments and other surveys of the mood and/or morale of staff for each of the following groups:

- a. The senior leaders of the organisation excluding senior leaders within the HR department and Corporate Legal department; and*
- b. The HR department of the organisation;*
- c. The Corporate Legal department*
- d. The organisation as a whole excluding, to the fullest possible extent, employees of the organisation counted in categories above.*

The SSC does not hold the full engagement results for each organisation in the State sector. As we do not know which agencies if any might hold the information in the form it has been requested, we are unable to transfer your request. We do hold and have previously published the headline engagement information we hold for core Public Sector agencies, in response to a previous official information request. That can be found here:

<http://www.ssc.govt.nz/sites/all/files/SSC2018-0023.pdf>.

Note this previous request was made via the FYI.org.nz website, so the information is also available via that platform, including the engagement information for core Public Sector agencies in Excel format:

<https://fyi.org.nz/request/7274-staff-engagement-data#incoming-24363>.

As part of that same request, we released the SSC's engagement results from 2015 (the most recent available). Note some information is withheld from our engagement results on pages 12, 16, 18, and 20 under sections 9(2)(b)(a), 9(2)(ba)(i) and 9(2)(g)(i) of the Official Information Act 1982. The success of the survey relies on the provision of free and frank expressions of opinion by staff in order that the Commission can make fully informed decisions. To provide it would inhibit the provision of such opinions in the future.

2. *The core unplanned turnover rate of staff in:*
- a. *Senior leadership roles in the organisation, excluding senior leaders within the HR department and Corporate Legal department;*
 - b. *The HR department of the organisation;*
 - c. *The Corporate Legal department;*
 - d. *The organisation as a whole excluding employees of the organisation counted in categories above.*

The total unplanned turnover rate for Public Service departments is published each year in the Human Resource Capability Survey (HRC), available on SSC's website: <http://www.ssc.govt.nz/workforce-stats>. This data goes through to 2017 which is the most recent available. 2018 data will be available later this year.

SSC's unplanned turnover rate for senior leaders and other staff is in the attached spreadsheet. For the reasons described above this information is not available for our HR function.

With the data we hold under the HRC, we have been able to produce data for you showing the unplanned turnover rates by senior leadership and function as a whole across the sector. That information is also included in the attached spreadsheet.

3. *The number of complaints or concerns, whether this was raised formally or informally, of bullying, harassment and/or poor management practice and/or poor treatment of other employees (including those who have management responsibilities) of the organisation made against:*
- a. *The senior leaders of the organisation, excluding senior leaders within the HR department and Corporate Legal department; and*
 - b. *Managers and supervisors with line management responsibilities in the HR department of the organisation;*
 - c. *Managers and supervisors with line management responsibilities in the Corporate Legal department of the organisation;*
 - d. *Managers and supervisors with line management responsibilities organisation as a whole, excluding those counted in categories above.*

SSC does not hold information on complaints or concerns raised for the State sector. As we do not know which agencies if any might hold the information in the form it has been requested, we are unable to transfer your request. This also applies for parts 4, 5, 6, 7 and 8 of your request.

At SSC, there was one formal complaint of bullying in 2015. In the interests of the privacy of both staff members no further information can be released on this matter.

4. *In relation to each of the complaints and concerns itemised in section 3, all records about and details of the actions taken to rectify and sanctions imposed on:*
- a. *Senior leaders of the organisation*
 - b. *Managers and supervisors with line management responsibilities in the HR department of the organisation;*
 - c. *Managers and supervisors with line management responsibilities in the Corporate Legal department of the organisation;*
 - d. *Managers and supervisors with line management responsibilities organisation as a whole, excluding those counted in categories above.*

As noted in the response to part 3, SSC does not hold information on complaints or concerns raised for the State sector. In case of SSC, in the interests of the privacy of both staff members no further information can be released on this matter.

5. *The number of:*

- a. *Senior leaders of the organisation*
- b. *Managers and supervisors with line management responsibilities in the HR department of the organisation;*
- c. *Managers and supervisors with line management responsibilities in the Corporate Legal department of the organisation;*
- d. *Managers and supervisors with line management responsibilities organisation as a whole, excluding those counted in categories above who have had more than one complaint or concern, whether raised formally or informally, of bullying, harassment and/or poor management practice and/or poor treatment of other employees of the organisation (including those who have management responsibilities) made against them.*

As noted in the response to part 3, SSC does not hold information on complaints or concerns raised for the State sector. No SSC staff member has had more than one complaint against them.

6. *The total number of complaints made against each of the people, by category, in section 5 and confirmation of whether or not each of these people remain in the employment of their agency, along with confirmation of whether or not each of the people who has raised a complaint or concern detailed in section 2 remains in the employment of their agency.*

As noted in the response to part 3, SSC does not hold information on complaints or concerns raised for the State sector. This question does not apply with regard to SSC, as no staff member has had more than one complaint against them.

7. *The performance ratings applied to and average pay increases and bonuses awarded to:*

- a. *Senior leaders of the organisation*
- b. *Managers and supervisors with line management responsibilities in the HR department of the organisation;*
- c. *Managers and supervisors with line management responsibilities in the Corporate Legal department of the organisation;*
- d. *Managers and supervisors with line management responsibilities organisation as a whole, excluding those counted in categories above who have had a complaint or concern, whether raised formally or informally, of bullying, harassment and/or poor management practice and/or poor treatment of other employees of the organisation (including those who have management responsibilities) made against them*

As noted in the response to part 3, SSC does not hold information on complaints or concerns raised for the State sector. In case of SSC, as this applies to only one person no further information can be released on this matter in the interests of the privacy.

8. *The average pay increases and bonuses awarded to:*

- a. *Senior leaders of the organisation*
- b. *Managers and supervisors with line management responsibilities in the HR department of the organisation;*
- c. *Managers and supervisors with line management responsibilities in the Corporate Legal department of the organisation;*
- d. *Managers and supervisors with line management responsibilities organisation as a whole, excluding those counted in categories above*

who have not had a complaint or concern, whether raised formally or informally, of bullying, harassment and/or poor management practice and/or poor treatment of other employees (including those who have management responsibilities) of the organisation made against them.

As noted in the response to part 3, SSC does not hold information on complaints or concerns raised for the State sector. In the case of SSC we can advise you that the average increase for senior leaders in SSC was 1.89% in 2015, 1.23% in 2016, 1.39% in 2017 and 1.19% in 2018.

The average increase for all other leaders was 0.67% in 2016, 1.42% in 2017 and 1.67% in 2018. No information is available for 2015 for this group.

As described earlier, SSC does not have an HR department.

As we only have one person with line management responsibilities within the legal function information relating to this role can't be released, on the grounds of privacy.

Due to the small number of bonuses paid at SSC, information can't be released, in order to protect the privacy of individuals.

If you wish to discuss this response with us, please feel free to contact Ministerial.Services@ssc.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 letter (with your personal details removed) on the State Services Commission's website.

Yours sincerely



Stephen Moore
Managing Principal
State Services Commission