



30 May 2025

s 9(2)(a)

Official information request

Our ref: R00923

Tēnā koe ^{s 9(2)}
(a)

Thank you for your Official Information Act 1982 (OIA) request received on 16 April 2025. You requested:

All reports, submissions, aide memoires, briefings, reports, analysis, and sent, held, or received by your organisation in relation to updates to Diversity and Inclusion, or Diversity, Equity, and Inclusion (DEI), or Belonging and Inclusion, regulation policies, plans, and strategies including but not limited to:

1. *The development, implementation, or evaluation of diversity, equity and inclusion policies, strategies, plans, and regulations.*
2. *The Public Service (Repeal of Diversity and Inclusiveness Requirements) Amendment Bill.*
3. *Communications with New Zealand First and other coalition partners concerning Diversity and inclusion policies (or similar policies/regulations) and the proposed repeal.*
4. *Assessments or analysis of the effects of removing DEI or similar regulations from public service legislation.*

Timeframe: From January 1, 2024, to the date of this request

Item 1

The information you requested is attached as Appendix A. This includes correspondence and consultation about the Ministry for Regulation's (the Ministry) implementation of its Diversity, Equity, and Inclusion (DEI) strategy, Government DEI guidance received, reports, and our internal Ministry policies which have reference to DEI.

Some information has been withheld under section 9(2)(a) of the OIA to protect the privacy of natural persons.

Information that is outside the scope of your request has not been considered for release and has been withheld as 'out of scope'.

Items 2 and 3

The Ministry does not hold any information in relation to parts 2 and 3 of your request. I have therefore refused these parts of your request under section 18(e) of the OIA as the documents alleged to contain the information requested does not exist or, despite reasonable efforts to locate it, cannot be found.

Item 4

The Ministry has identified analysis provided in two documents which were prepared as part of the process of confirming how the Regulatory Impact Analysis (RIA) requirements applied to the Public Service Act amendments. We have consulted with the Public Service Commission (PSC) who confirmed that this advice is still under active consideration but advised that they are planning to publicly release this information soon.

The public release will not include the documents we have identified to be in scope. I have therefore decided to provide you with the information we hold after the PSC has completed their public release and without undue delay. Some information will be withheld under the following sections of the OIA:

- 9(2)(f)(iv) – to maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Minister of the Crown and officials.
- 9(2)(g)(i) – to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers of the Crown or members of an organisation or officers and employees of any department or organisation in the course of their duty.

In making my decision, I have considered the public interest considerations in section 9(1) of the OIA and concluded that the public interest in disclosure does not outweigh the need to withhold the information.

Right of review

If you wish to discuss this decision with us, please contact hello@regulation.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 may publish this response (with your details removed) on the Ministry for Regulation website.

Ngā mihi
s 9(2)(a)

Nikki Bidlake

Head of Ministerial Services (Acting)

Ministry for Regulation

From: [Lucy Andreetti](#)
To: [Abbey Macalister](#)
Cc: [DEI Plans](#)
Subject: DEI action plans
Date: Friday, 18 October 2024 3:29:52 pm
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[Guidance_DEI_Plans.pdf](#)

Kia ora Abbey,

Lovely to meet with you earlier.

Just to confirm there is no requirement for agencies to publish a plan in their first year of establishment. As we discussed this year is a great opportunity to build strong foundations in DEI for your organisation!

Here are the pieces of guidance I think will be most useful to you as you build your remuneration and recruitment processes:

[Guidance: Ensuring bias does not influence starting salaries \(PDF, 1 MB\)](#)

[Guidance: Ensuring bias does not influence salaries for the same or similar roles \(PDF, 1.6 MB\)](#)

And also, these may be useful (trying to make it less overwhelming!)

[Guidance: Eliminating all forms of bias and discrimination in recruitment processes \(PDF, 2.8 MB\)](#)

[Guidance-Implementing-Kia-Toipoto-in-small-organisations.pdf](#)

Attached is the PDF version of our latest guidance on how to build a DEI integrated plan, I suggest you use this as your base as we are moving all agencies to create integrated plans from next year.

Some examples of small/newer agencies plan for you:

Social Wellbeing agency <https://www.swa.govt.nz/publications/Diversity-equity-and-inclusion-plan>

Te Kawa Mataaho: [Diversity, equity, and inclusion plan 2024 and 2025 \(2-year\) - Te Kawa Mataaho Public Service Commission](#)

Don't hesitate to reach out to me or the team (DEIPPlans@publicservice.govt.nz) for support.

Have a great weekend!

Ngā mihi nui,

Lucy Andreetti (She/Her, ia)

Kaitohutohu Matua| Senior Advisor – Equity, Diversity and Inclusion
waea pūkoro: s 9(2)(a) | īmēra: lucy.andreettipublicservice.govt.nz



Guidance for public service agencies:

Developing DEI plans



Te Kāwanatanga o Aotearoa
New Zealand Government

Note: to make this document more accessible, links to all relevant resources are in Appendix 2.

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1. Purpose of this Guidance

This guidance supports agencies to develop Diversity Equity and Inclusion (DEI) plans that meet the reporting requirements of Papa Pounamu and Kia Toipoto in a single integrated plan, reflecting the shared outcomes and strong connections between them. Publishing annual plans also drives progress and provides accountability for agency and system DEI commitments and goals.

This guidance responds to requests by agencies for the Public Service Commission to simplify and reduce agency reporting on DEI. In 2023, as a first step, we invited you to combine your Papa Pounamu Diversity and Inclusion (D&I) and Kia Toipoto plans. Going forward, creating a more integrated plan is intended to be even easier and more efficient. Agencies can still choose to develop and publish separate plans (and reference Papa Pounamu priority areas and Kia Toipoto drivers) if they choose to.

2. Diversity Equity and Inclusion: Integrating Papa Pounamu and Kia Toipoto

Together Papa Pounamu and Kia Toipoto set out a comprehensive DEI programme that supports your agency to:

- increase diversity at all levels, to reflect and deliver for the communities we serve
- make substantial progress toward closing gender, Māori, Pacific, and ethnic pay gaps
- accelerate progress for wāhine Māori, Pacific women, and women from ethnic communities
- create fairer workplaces, including for disabled people and members of Rainbow communities
- strengthen inclusion so that everyone feels respected, valued and able to achieve their potential.

There is more detail on how Papa Pounamu and Kia Toipoto relate to DEI, and to agencies' statutory obligations in Appendix 1.

Many groups experience discrimination, inequities, bias, pay gaps and exclusion. Pacific women have the lowest average pay in the Public Service. Disabled public servants and members of Rainbow communities report lower inclusion than non-disabled and non-Rainbow.

Public Service Workforce Data shows progress for women and Māori in representation in leadership and narrowing pay gaps. This shows it is possible to make significant gains with targeted, comprehensive and coordinated actions. We now need to make similar gains for Pacific, ethnic, disabled and Rainbow communities while maintaining momentum for Māori, and for all wāhine.

Papa Pounamu and Kia Toipoto recognise that many people are members of more than one group, and multiple forms of bias and discrimination compound to result in poorer employment and inclusion outcomes. These intersectional impacts are experienced across gender, ethnicity, disability, Rainbow communities and other identities.

3. Using this guidance

Throughout this guidance, the content your plan should include is marked in **blue**.

There are no new requirements. Although, if your agency has not published its D&I plan before, the requirement to publish your integrated plan (or D&I plan, should you choose to keep separate plans) is new.

Where the different elements of Papa Pounamu and Kia Toipoto fit under DEI

We've suggested where the elements of Papa Pounamu and Kia Toipoto will correspond most closely to diversity, equity and inclusion. You can choose where in your plans to include the different elements. For example, your work on 'Effective career and leadership development' could easily sit under diversity or equity.

How much detail to include

There is flexibility about the amount of detail in your plan, while providing a comprehensive picture of your DEI progress and plans. Agencies' plans should reflect the size and the complexity of their workforces.

You may wish to refer to related work, such as Whāinga Amorangi, or recognition and awards.

It's important to include requested information

Your DEI plans are a key source of information for the Public Service Commission to understand progress and report to stakeholders including Ministers. Therefore, please cover every section marked in blue, or note why you are unable to. For example, there may be data constraints, especially for small agencies.

Your published plan(s) support the high-level data and information you provide in your annual reports. From 2024, you will be asked for a link to your published DEI plan (OR to your published Kia Toipoto and D&I plans) in your annual reports.

Reflect your greatest challenges and include as many groups as possible

Throughout your plan, include how you will improve workplace outcomes for those most affected by inequity, bias and discrimination in your agency, noting that across the Public Service:

- Pacific women have the lowest average pay of any ethnic gender combination
- disabled public servants and members of Rainbow communities reported lower inclusion than non-disabled and non-Rainbow public servants in Te Tauanki (the Public Service Census) 2021
- Pacific, Asian and MELAA public servants have the lowest proportional representation in leadership

and that across agencies there are gaps in:

- career progression initiatives for members of ethnic communities
- wider cultural competence initiatives.

Where there are small numbers of employees in different groups, use qualitative information and aggregated data to talk about challenges and solutions.

Including disabled people and members of Rainbow communities

You may not have data on your disabled employees and members of Rainbow communities. Progress can still be made. In each section of your plan include your progress and plans to improve DEI for these groups, and include any related data you have.

For support

For queries or support please contact DEIPlans@publicservice.govt.nz.

4. Publishing your plan

1. Publish your DEI plan on your agency website and your intranet by 15 November 2024.

OR

Publish your Kia Toipoto plan AND your D&I plan on your agency website and your intranet by 15 November 2024.

2. Send a link(s) to your published plan(s) to DEIPlans@publicservice.govt.nz.

Note: Public Service agencies have signed up to the Accessibility Charter which requires all information intended for the public to be accessible.¹

¹For more information, see <https://www.msd.govt.nz/about-msd-and-our-work/work-programmes/accessibility/accessibility-guide/index.html>. As a starting point, agencies should provide all base information in Word, in Plain Language, and follow Clear Print Guidelines, see <https://www.msd.govt.nz/about-msd-and-our-work/work-programmes/accessibility/quick-reference-guides/checklist-for-plain-language.html>

5. Contents of your plan

Ngā kōrero o roto | Content overview

This is the main content that DEI plans should include:

- organisation overview, context and commitment. What DEI means for how you deliver for New Zealanders
- data - representation, pay gaps and average pay, with trends over time
- narrative - what your data and employee and union feedback and input are telling you about progress, challenges and priorities
- progress to date and planned actions in DEI.

Tā te whakahaere matawhānui, manawanui hoki | Organisation overview, context and commitment

This section could include:

- your vision for DEI outcomes and connections with your kaupapa or the communities you serve
- your commitment to implementing and maintaining Papa Pounamu and Kia Toipoto
- your organisation's context and workforce, relevant to DEI
- a broad overview of your key DEI progress to date and priorities
- connections between your DEI programme and delivering services which meet the needs of all New Zealanders.

Include in your plan the stakeholders you engaged with to develop your plan (including unions, women, Māori, Pacific and ethnic employees and tāngata whaikaha Māori, disabled people, and members of Rainbow communities). Note the Kia Toipoto commitment to Māori: Māori participate in action and monitoring.

Te raraunga | Data

For those agencies that submit payroll data to the Public Service Commission as part of the Workforce Data collection, the majority of gender and ethnicity metrics (on representation, pay gaps, and average salaries) will be available in the 'sense check' document that is produced as part of your agency's submission.

From June 2024, the Public Service Commission is adding an extra sheet into the 'sense check' to provide these figures already calculated and made confidential, ready for inclusion in DEI reporting, annual reports or other public documents.

We encourage you to use these figures. This both reduces the load on your agency and ensures that reporting on these metrics is consistent across the Public Service.

For a full list of figures to be included within the 'sense check', please see Appendix 2.

Some figures may not be included in the 'sense check' because of confidentiality rules. This indicates that they should not be included in your reporting either.

For agencies who do not submit payroll data, or those who wish to include other variables or breakdowns not included on the list in Appendix 2, please see the following guidance:

- Organisational gender pay gaps: Measurement and analysis guidelines
- Guidance: Collecting, measuring and reporting pay, pay gaps, and representation

Note also the Kia Toipoto commitment to Māori: include data and actions to achieve equitable outcomes for Māori.

Representation data

Include in your plan the proportion of women, Māori and tāngata whaikaha Māori, Pacific, ethnic and disabled employees and members of Rainbow communities in your workforce and leadership, to the extent that you have the data.

Te Taunaki 2021 results for your agency may provide data on religion, languages and indicative mental health. If you refer to this data, note that it is indicative. Many responses will have changed, especially in small agencies.

Pay and pay gaps

Include in your plan, if you have at least 20 people in each comparison group:

- mean and median, agency-wide, gender, Māori, Pacific and ethnic pay gaps and for disabled people and members of Rainbow communities to the extent that you have the data
- other and more detailed pay gaps if possible, and where they are relevant to your analysis and narrative, e.g. by leadership level, within roles or occupational groups.

Average salary by gender and ethnicity

Include in your plan for each group with at least 20 employees, the average pay of each ethnic/gender group in a graph, such as this one published annually by the Public Service Commission:

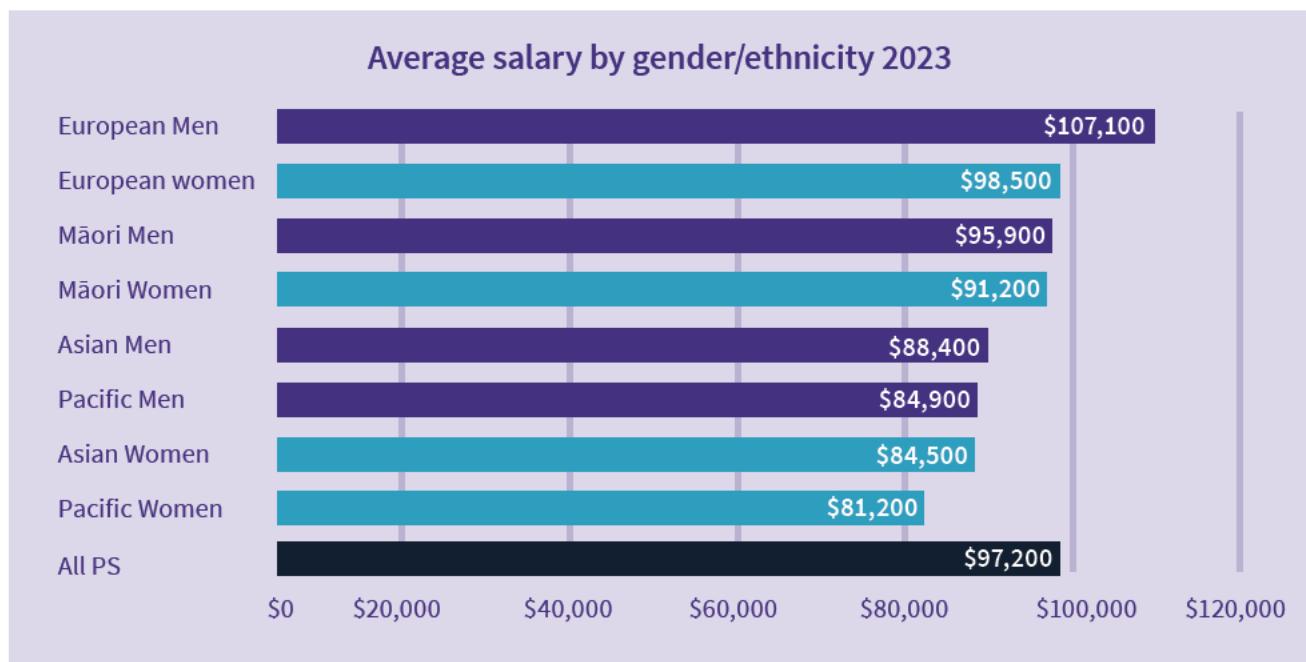


Figure 1: Table of average pay by gender and ethnicity

You can include other groups to the extent that you have the data. For groups of fewer than 20 employees consider including aggregated pay information, e.g. European/non-European pay gaps and average pay by gender.

Also include:

- data definitions e.g. for employee, leader, pay
- the total number of employees in your organisation
- the date on which you measured your data
- the disclosure rate (ie the proportion of employees who shared) for different data sets.

Te roanga o te kōrero | Narrative

Include in your plan a narrative that connects your data, analysis, overall progress and future priorities.

Include:

- differences in pay gaps, representation, occupations, and experiences of inclusion, for different groups. Include relevant insights from data you may have reviewed but not published, and intersectional analyses where possible
- trends over time
- qualitative information, feedback or input you have from unions and employees.
- your analysis of what is driving your pay gaps, any under-representation in your workforce and leadership, inequities or experiences of exclusion
- the links between your analyses and your priorities and planned actions.

Pae tata, pae tawhiti | Progress to date and future plans

Diversity. Representation in workforce, leadership, and occupations, especially for under-represented groups.

These elements of Kia Toipoto and Papa Pounamu are especially relevant to increasing diversity:

- Fostering diverse leadership
- Employee-led networks
- Cultural competence
- Workforce and leadership representation
- Eliminating bias and discrimination from recruitment policies and practices
- Effective career and leadership development
- Māori are influential at all levels of the workplace
- Māori have career paths that empower them to achieve their career aspirations
- Flexible work by default.

Include in your plan:

A summary of your plan to improve gender and ethnic representation, and any under-representation including for disabled and Rainbow communities in your workforce (if the size of your workforce allows), and a link to this plan. Your representation plan should include:

- targets associated with your main representation challenge(s)
- progress to date and plans to address barriers in recruitment and career progression to support your representation targets
- progress to date and plans to address barriers, and provide support for, emerging leaders.

Also include in your plan: progress to date and plans to embed and maintain flexible work by default.

Equity. Pay gaps and average pay for different groups, equitable pay (starting salaries and pay in the same or similar roles).

These elements of Kia Toipoto are especially relevant to closing pay gaps and achieve equitable pay outcomes:

- Equitable pay outcomes
- Agencies work purposefully and with good intentions to achieve equitable pay for Māori
- Eliminating bias and discrimination from remuneration policies and practices.

Note: many agencies are working on pay equity claims but you do not have to include this in your plan.

Include in your plan progress to date and plans to:

- ensure that starting salaries and salaries for the same or similar roles are not influenced by bias
- monitor starting salaries and salaries for the same or similar roles to ensure gender and ethnic pay gaps do not reopen
- identify and address bias in remuneration policies and practices.

Inclusion. The extent to which all employees feel respected and valued and able to achieve their potential.

These elements of Kia Toipoto and Papa Pounamu are especially relevant to strengthening inclusion:

- Cultural competence
- Employee-led networks
- Addressing bias
- Inclusive leadership
- Māori participation in action and monitoring
- Agencies enhance workplace practices and the mana of Māori and others
- Agencies celebrate tikanga, kawa and matāuranga Māori, and taonga such as te reo Māori.

Include in your plan progress to date and plans to:

- build a positive working environment
- strengthen cultural competence
- encourage and support employee-led networks
- address bias and discrimination.

Also include a list of employee-led networks in your agency and who they represent.

Note on measuring inclusion

Measuring progress on inclusion requires consistent use of the same indicator over time. Some possible indicators are influenced by factors beyond inclusion. For example, retention can also reflect labour market conditions, and engagement surveys can reflect the wider context, such as a restructuring.

Staff surveys using the same questions over time are the most effective way to measure inclusion, provided respondents feel safe to express their true feelings and experiences. Anonymous surveys that report for large groups/agencies rather than teams/managers are more likely to yield accurate results.

The Public Service Census (Te Taunaki) uses this methodology and is the best measure of inclusion in agencies. We will advise agencies of the timing for the next Te Taunaki when it is confirmed.

In the meantime, we recommend agencies build a picture of progress on inclusion using the information they have. Agencies should consider:

- the views and experiences of employees, eg feedback from staff focus groups
- differences in indicators of inclusion for different groups, eg feedback from employee-led networks
- information on complaints, bullying and harassment (but you do not need to publish this).

6. Format

We recommend a table format for reporting progress to date and planned actions. Figure 2 (below) is an example of how this could look. To ensure your table is as accessible as possible, do not use bullets or merge cells.

Equity

Action area	Progress to date	Planned priority actions 2025	Success indicators
Starting salaries	Introduced starting salaries calculator in 2021	We will update the starting salaries calculator to include ethnic groups	No gaps in starting salaries for similarly skilled and experienced employees in the same or similar roles
	Salary for the role has been included in job ads since 2022		No gaps between groups in average position in range for starting salaries
	Gender gaps in starting salaries have fallen each year since 2021	BAU: We monitor position in range (PIR) by gender and ethnicity in our regular quarterly data review.	There is no significant unexplained difference in the average starting PIR by gender or ethnicity.

Figure 2: Table of progress to date and planned action

Appendix 1: How Papa Pounamu and Kia Toipoto relate to statutory obligations and to DEI

Papa Pounamu and Kia Toipoto help agencies meet the requirements of the Public Service Act 2020 (especially sections 73 and 75), the Human Rights Act 1993, the Equal Pay Act 1972. They also help agencies to work with Māori, and to achieve equitable outcomes for Māori, as intended by Te Tiriti o Waitangi.

The different elements of Papa Pounamu and Kia Toipoto relate to and reinforce each other, and together set out a comprehensive DEI programme.

Transparency and employee and union engagement underpin DEI.

Diversity, equity and inclusion are interconnected, and the different elements of Kia Toipoto and Papa Pounamu often contribute to more than one aspect of DEI. For example, fostering diverse leadership has a clear relationship to diversity. It is also important to equity, since it helps to close pay gaps.

Agencies can choose where in your plans to refer to different elements of Kia Toipoto and Papa Pounamu. Some elements, such as addressing bias or flexible work, might sit apart, rather than under diversity, equity or inclusion, given how widely these apply.

There are many ways to think about the relationships between DEI, Papa Pounamu and Kia Toipoto. The following groupings are one suggestion.

Diversity. Representation in workforce, leadership, and occupations, especially for under-represented groups.

These elements of Papa Pounamu and Kia Toipoto are especially relevant to increasing diversity:

- Fostering diverse leadership
- Cultural competence
- Workforce and leadership representation
- Eliminating bias and discrimination from recruitment policies and practices
- Effective career and leadership development
- Māori are influential at all levels of the workplace
- Māori have career paths that empower them to achieve their career aspirations
- Flexible work by default.

Equity. Pay gaps and average pay for different groups, equitable pay (starting salaries and pay in the same or similar roles).

These elements of Kia Toipoto are especially relevant to closing pay gaps and achieve equitable pay outcomes:

- Equitable pay outcomes
- Eliminating bias and discrimination from remuneration policies and practices
- Agencies work purposefully and with good intentions to achieve equitable pay for Māori.

Inclusion. The extent to which all employees feel respected and valued and able to achieve their potential.

These elements of Papa Pounamu and Kia Toipoto are especially relevant to strengthening inclusion:

- Cultural competence
- Employee-led networks
- Addressing bias
- Inclusive leadership
- Māori participate in action and monitoring
- Agencies enhance workplace practices and the mana of Māori and others
- Agencies celebrate tikanga, kawa and matāuranga Māori, and taonga such as te reo Māori.

Appendix 2: Key resources

General

[Progress in promoting diversity, equity and inclusion across the Public Service in 2023](#)

[Papa Pounamu Public Service work programme](#)

[An introduction to Pay Gaps and Kia Toipoto](#)

[Kia Toipoto – Public Service Pay Gaps Action Plan 2021-24](#)

[Guidance – Kia Toipoto Closing Gender, Māori, Pacific and Ethnic Pay Gaps](#)

[Joint Kia Toipoto and Pou Mātāwaka - Māori, Pacific and ethnic work plan](#)

[Agency and Crown entity Pay gap action plans](#)

[Guidance: Crown Entities' Pay Gaps Action Plan](#)

[Guide: Implementing Kia Toipoto in small organisations](#)

Data

[Organisational gender pay gaps: Measurement and analysis guidelines](#)

[Guidance: Collecting, measuring and reporting pay, pay gaps and representation in the Public Service](#)

[Workforce Data – Wage trends](#)

[Workforce Data](#)

[Data drilldown](#)

Figures to be included in ‘sense check’ document:

Representation

1. % female
2. % male
3. % another gender
4. % European
5. % Māori
6. % Pacific
7. % Asian
8. % MELAA
9. % disclosed ethnicity

Pay gaps

10. Mean GPG
11. Median GPG
12. Mean Māori pay gap
13. Mean Pacific pay gap
14. Mean Asian pay gap
15. Mean MELAA pay gap
16. Median Māori pay gap
17. Median Pacific pay gap
18. Median Asian pay gap
19. Median MELAA pay gap

Average salaries

20. Average salary male European
21. Average salary male Māori
22. Average salary male Pacific
23. Average salary male Asian
24. Average salary male MELAA
25. Average salary female European
26. Average salary female Māori
27. Average salary female Pacific
28. Average salary female Asian
29. Average salary female MELAA

Diversity

[Guidance: Eliminating all forms of bias and discrimination in recruitment processes](#)

[Guidance: Improving workforce and leadership representation](#)

[Guidance: Career progression, pathways, breaks and leave](#)

[Guidance: Flexible-Work-by-Default](#)

[Lead Toolkit - For employing disabled people](#)

Equity

[Guidance: Ensuring bias does not influence starting salaries](#)

[Guidance: Ensuring bias does not influence salaries for the same or similar roles](#)

[Guidance: Remuneration](#)

Inclusion

[Rainbow inclusive language guide](#)

[Inclusive language](#)

[Accessible information and communications](#)

[Employee-Led Networks Maturity Framework](#)

[Employee Led Networks - Te Puna Huihuinga Kaimahi](#)

[The value of Employee-Led Networks](#)

[Positive and safe workplaces model standards](#)

[Positive Workplace Cultures](#)

Supporting information DEI plans guidance

Background - why was this guidance developed?

The attached guidance supports Public Service agencies to develop integrated DEI plans. It responds to requests by agencies for the Public Service Commission to simplify and reduce agency reporting on DEI. In 2023, as a first step, we invited you to combine your Kia Toipoto and D&I plans. Creating a more integrated plan is intended to be even easier and more efficient.

This guidance has also been developed to recognise and reflect the shared outcomes and strong connections between Papa Pounamu and Kia Toipoto, and that many agencies approach these initiatives as one interconnected work programme.

This guidance replaces previous guidance: Kia Toipoto Guidance Public Service Agency Pay Gaps Action Plans 2022. It is less detailed, reflecting the increasing maturity of agencies in implementing Kia Toipoto, and because detailed advice is provided in the suite of supporting resources. It also replaces the Guidance: Combining Diversity and Inclusion and Kia Toipoto Plans.

What this means for agency reporting

Agencies need to:

Publish your DEI plan on your agency website and your intranet by 15 November 2024.

OR

Publish your Kia Toipoto plan AND your D&I plan on your agency website and your intranet by 15 November 2024

From 2024, Treasury guidance on annual reporting will ask for less detail about DEI in your annual report. Instead, it will ask for high-level information and data, and will ask agencies to link to your relevant published plan(s).

Connection with Joint Kia Toipoto and Pou Mātāwaka Māori, Pacific and ethnic work plan

Work is underway on developing the Joint Kia Toipoto and Pou Mātāwaka Māori, Pacific and ethnic work plan from the [Māori Pacific and Ethnic Pay Gaps Work Plan](#). The joint plan will progressively provide guidance and resources to help strengthen your existing work in these areas, and address any gaps for these groups.

Connection with the Public Service disability and Rainbow 4 point plans

In 2023, as a result of the deep dive reports from Te Taunaki on disabled people and rainbow communities, a focused approach was developed to improve inclusion and representation for disabled and Rainbow people in the Public Service workforce. The Public Service disability and Rainbow 4 point plans aim to drive change at the system level. They reflect where the greatest impact can be made for disabled people and members of Rainbow communities across the Public Service. Work is well underway on the 4 point plans. The working groups for the plans will progressively provide guidance and resources to help strengthen your existing work in these focus areas, and address any gaps.

Agencies are not required to report on the focus areas of the 4 point plans. Most agencies have some work already underway on diversity, equity and inclusion for disabled employees and members of Rainbow communities. You should continue this, and include work to date and plans to strengthen DEI for disabled people and members of Rainbow communities under diversity, equity and inclusion in your DEI plans.

Note on disability and Rainbow data

Agencies should follow existing measurement guidance and standards for the Public Service for advice on collecting and measuring disability and Rainbow data. However, under the disability and Rainbow 4 point plans, Stats NZ, the Public Service Commission and stakeholders are developing further guidance to be released later in 2024 or into 2025. Agencies should refrain from any new data collection until guidance is released or contact SIT team (add contact) for advice.

Support and any queries

Please contact DEIPlans@publicservice.govt.nz

Q&As

These are the most common questions agencies have asked about developing DEI plans.

Q: We published a combined plan Kia Toipoto and D&I plan last year and that works for us, can we continue to do this?

A: Yes, you can publish a combined Kia Toipoto and D&I plan instead of an integrated DEI plan.

Q: Can we continue to publish separate D&I and Kia Toipoto plans?

A: Yes, you can continue to develop and publish separate plans. Noting that these will need to be updated with progress annually.

Q: Do we have to create a new plan each year or can we publish an update on an existing plan?

A: You do not need to create a new plan or plans each year. You may publish a progress update on your existing plan/s. However, the data in your plan/s needs to be updated annually.

Q: How do we include the Public Service disability and Rainbow 4 point plans in our reporting and planning?

A: Agencies are not required to report on the focus areas of the 4 point plans at this stage. But if they wish, agencies can include progress to date and plans to strengthen DEI for disabled people and members of Rainbow communities under diversity, equity and inclusion in their plans.

Q: We have a multi-year strategy, not a plan. How does this align with annual planning and reporting?

A: If you publish a multi-year strategy instead of a plan, you will need to publish annual updates to the strategy providing updated data, progress to date and planned actions.

Q: The Treasury guidance asks for a link to our published D&I plan in our annual report, but it's not published.

A: Note in your annual report that your D&I plan or your DEI plan will be published by 15 November 2024.

Q: What if we don't have a D&I plan?

A: You can develop and publish an integrated DEI plan by 15 November 2024, OR you can develop and publish separate D&I and Kia Toipoto plans by 15 November 2024.

From: [Abbey Macalister](#)
To: [Peter Clark](#); [Ditaa Chand](#); [Krystal Bradnock](#); [Isabelle Sin](#); [Elvira Nazareth](#); [Jade Lock](#); [Cuwan van der Watt](#)
Subject: DE&I Reference group
Date: Tuesday, 17 September 2024 10:09:00 am
Attachments: [image001.jpg](#)

Kia ora tīma

Thanks so much for volunteering to be part of our DE&I reference group!

Over the next month I will start developing our DE&I action plan which we are required to have approved and published by mid-November ([more info here](#)). I'm keen to use this group as a check in as we start pulling this together, and to make sure what we are proposing to have in here resonates with our wider team.

If you feel comfortable sharing, it would be great to know if there is a particular area/s of DE&I that you are particularly passionate about – we will share the names of our reference group members (and these areas of interest or lived experience) in a reg wrap and on our intranet so where people want to raise ideas or questions about our work in this space, they have other channels that are not 'HR'. Hopefully you are all okay with this approach.

In the meantime, if you have any questions please let me know.

Ngā mihi

Abbey

Abbey Macalister (she/her)
Head of People and Operations
Ministry for Regulation

īmēra: abbey.macalister@regulation.govt.nz | waea pukoro: s 9(2)(a)



From: DEI Plans
To: [Abbey Macalister](#)
Subject: RE: Support for plan
Date: Tuesday, 15 October 2024 4:29:46 pm
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.jpg](#)

Kia ora Abbey,

You will see a meeting in the diary for Friday.

If you have any specific questions, it would be useful for me if you could flick those through beforehand.

If not, I will see you Friday!

Ngā mihi,

Lucy Andreetti (She/Her, ia)
Kaitohutohu Matua| Senior Advisor – Equity, Diversity and Inclusion
waea pūkoro: [s 9\(2\)\(a\)](#) | īmēra: [lucy.andreettipublicservice.govt.nz](#)



Te Kawa Mataaho Public Service Commission
[www.publicservice.govt.nz](#) | [www.govt.nz](#)



From: Abbey Macalister <Abbey.Macalister@regulation.govt.nz>
Sent: Tuesday, 15 October 2024 1:35 pm
To: DEI Plans <DEIPlans@publicservice.govt.nz>
Subject: RE: Support for plan

This email was sent from someone outside of Te Kawa Mataaho. Please take extra care.

Any

Abbey Macalister (she/her)
Head of People and Operations
Ministry for Regulation
īmēra: [abbey.macalister@regulation.govt.nz](#) | waea pukoro: [s 9\(2\)\(a\)](#)

From: DEI Plans <[DEIPlans@publicservice.govt.nz](#)>
Sent: Tuesday, October 15, 2024 1:35 PM
To: Abbey Macalister <[Abbey.Macalister@regulation.govt.nz](#)>; DEI Plans <[DEIPlans@publicservice.govt.nz](#)>

Subject: RE: Support for plan

I can look for a room – what time works for you?

Lucy Andreetti (She/Her, ia)

Kaitohutohu Matua | Senior Advisor – Equity, Diversity and Inclusion
waea pūkoro: s 9(2)(a) **īmēra:** lucy.andreettipublicservice.govt.nz



Te Kawa Mataaho Public Service Commission
www.publicservice.govt.nz | www.govt.nz



From: Abbey Macalister <Abbey.Macalister@regulation.govt.nz>

Sent: Tuesday, 15 October 2024 1:32 pm

To: DEI Plans <DEIPlans@publicservice.govt.nz>

Subject: RE: Support for plan

This email was sent from someone outside of Te Kawa Mataaho. Please take extra care.

Kia ora Lucy

Friday would be great! Thanks so much. I can meet you on level 10 or see if there is a room free to book?

Abbey

Abbey Macalister (she/her)

Head of People and Operations

Ministry for Regulation

īmēra: abbey.macalister@regulation.govt.nz | **waea pukoro:** s 9(2)(a)

From: DEI Plans <DEIPlans@publicservice.govt.nz>

Sent: Tuesday, October 15, 2024 1:30 PM

To: Abbey Macalister <Abbey.Macalister@regulation.govt.nz>; DEI Plans

<DEIPlans@publicservice.govt.nz>

Subject: RE: Support for plan

Kia ora Abbey,

Thanks for reaching out.

Of course, we would be happy to meet and discuss this with you.

How does this Friday work? I am free anytime in the afternoon.

Ngā mihi,

Lucy Andreetti (She/Her, ia)

Kaitohutohu Matua| Senior Advisor – Equity, Diversity and Inclusion
waea pūkoro: s 9(2)(a) | īmēra: lucy.andreettipublicservice.govt.nz



Te Kawa Mataaho Public Service Commission

www.publicservice.govt.nz | www.govt.nz



From: Abbey Macalister <Abbey.Macalister@regulation.govt.nz>

Sent: Tuesday, 15 October 2024 12:22 pm

To: DEI Plans <DEIPlans@publicservice.govt.nz>

Subject: Support for plan

This email was sent from someone outside of Te Kawa Mataaho. Please take extra care.

Kia ora tīma

Could I please meet with someone from the team to discuss our DE&I Action Plan? As a brand new agency, there is a lot of information we don't yet have, and I'd like to chat through what we can practically achieve by the deadline.

Ngā mihi

Abbey

Abbey Macalister (she/her)

Head of People and Operations

Ministry for Regulation

īmēra: abbey.macalister@regulation.govt.nz | **waea pukoro:** s 9(2)(a)

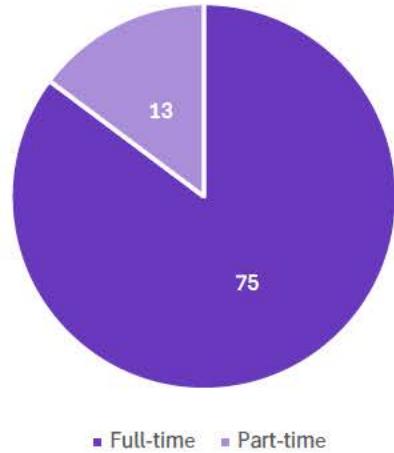


Confidentiality notice: This email may be confidential or legally privileged. If you have received it by mistake, please tell the sender immediately by reply, remove this email and the reply from your system, and don't act on it in any other way. Ngā mihi.

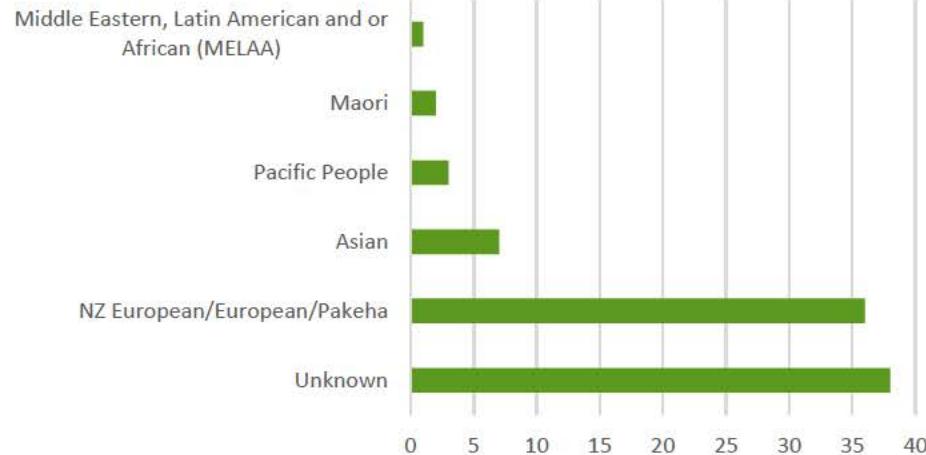
Workforce Dashboard

February 2025

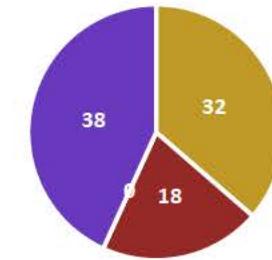
Working Arrangement



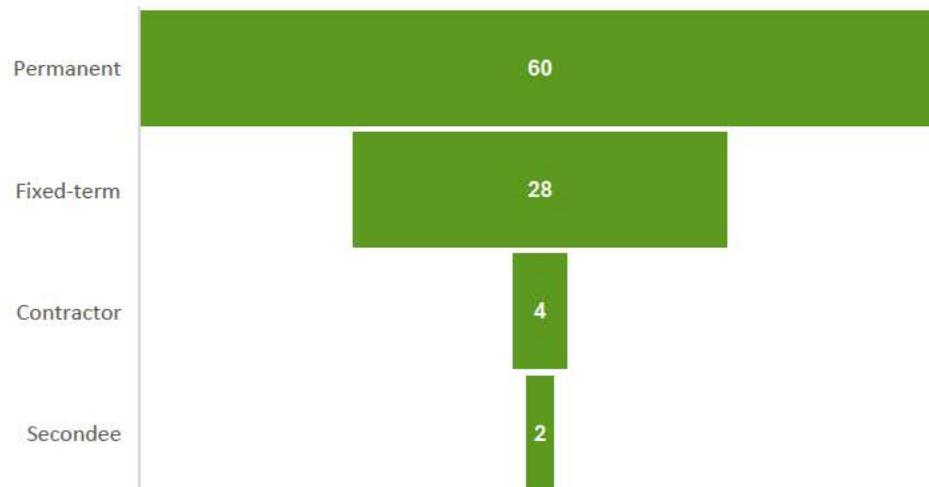
Ethnicity



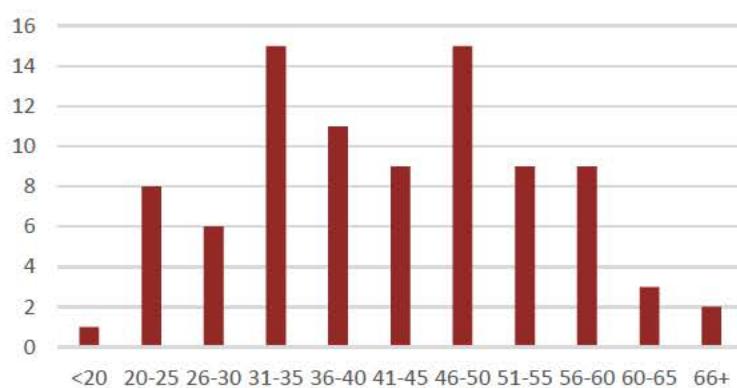
Gender



Employment Type



Employee Age Bracket



Ministry for Regulation
Te Manatū Waeture

From: Elle Haring
Sent: Friday, 12 July 2024 3:15 pm
To: All Staff
Subject: Weekly update 12 July 2024

Weekly update 12 July 2024



Kia ora koutou,

Outside of Scope

Outside of Scope

I'm pleased we are now rolling out our Principles and Values. Thank you to everyone who engaged in that work and helped bring these to where they are now – check these out below.

Outside of Scope

Outside of Scope

Outside of Scope

Diversity, Equity and Inclusion

Te Kawa Mataaho Public Service Commission (PSC) have a DE&I work programme which focuses on:

- Closing pay gaps
- Diversity and Inclusion
- Employee-led Networks

The PSC team have pulled together a useful visual of some of the key achievements in 2023.

[Diversity Equity and Inclusion across the public sector July 2024.pdf](#)

What is the Ministry for Regulation doing?

At the moment (while we're small) we don't have any of our own employee-led networks. Instead, you can find information on the public service cross-agency networks on our intranet and on the website. These are a great opportunity to connect with people from across the public service.

[Employee Led Networks - Te Puna Huihuinga Kaimahi](#)

Keep an eye out for a brand-new cross-agency network launching later this year – INDIGO (Including Neurodiversity in Government Organisations). You can register with them now to learn more – contact details are on the site listed above.

Once we have a permanent people team in place, one of their responsibilities will be to develop a DEI Action Plan. You'll hear more about this later in the year.

Outside of Scope

Outside of Scope

Got thoughts about our intranet?

Soon we will be making some enhancements to the intranet. This is to streamline the look and feel of the pages and add a couple of extra things. Later on, there will be more detailed changes as we incorporate our brand. In the meantime, if you have any suggestions or feedback then please pass this on to Jade.Lock@regulation.govt.nz in the Engagement Team.

Our Principles and Values

Our Principles

How we work

We pursue enduring improvement

We constantly work to make things better for New Zealand.

We work in collaboration

We work collaboratively with the communities we engage with.



We think big picture

We monitor and actively steward fit for purpose regulation in New Zealand.

We bring a fresh perspective

We have the mandate to be bold and innovative.

Our Values

How we behave

We make a difference | Ka whakaaweawe tātou

We strive to make a positive impact on the communities we serve.

Ka nanaiore tātou kia pai tā tātou whakaaweawe i ngā hapori e manaaki nei tātou.



We empower | Ka whakamana tātou

We ensure our actions, words and engagements empower the people we are working with and for.

Ka mātua whakarite tātou kia whakamanahia te tangata e mahi ana ki tō tātou taha ki ā tātou mahi, ki ā tātou kupu, ki roto hoki i ā tātou huihuinga.



We are courageous | Ka whaka manawanui tātou

We aren't afraid to take risks to get results.

Kāore tātou e wehi ana ki te mahi whakawhara mēnā ka hua mai ko tētahi putanga pai.



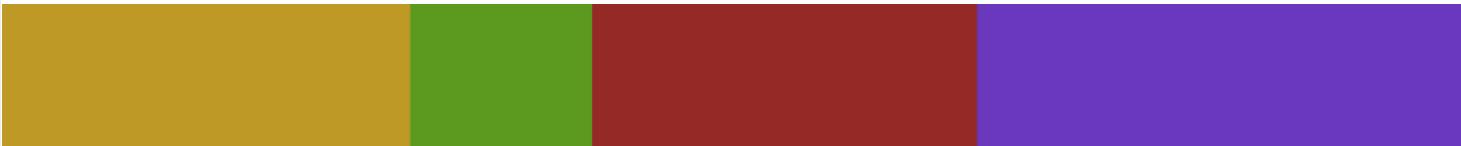
We put people at the centre | Ka manaaki tātou

We are considerate and treat everyone with respect.

Ka whaiwhakaaro tātou, ka ngākau whakaute hoki tātou ki ngā tāngata katoa.

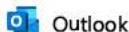


Our Principles and Values



[View in SharePoint](#)

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Update on DE&I

From Abbey Macalister <Abbey.Macalister@regulation.govt.nz>

Date Thu 12/12/2024 11:48 AM

To Peter Clark <Peter.Clark@regulation.govt.nz>; Dita Chand <dita.chand@regulation.govt.nz>; Krystal Bradnock <Krystal.Bradnock@regulation.govt.nz>; Isabelle Sin <Isabelle.Sin@regulation.govt.nz>; Elvira Nazareth <Elvira.Nazareth@regulation.govt.nz>; Jade Lock <Jade.Lock@regulation.govt.nz>; Cuwan van der Wat <cuwan.vanderwat@regulation.govt.nz>

Kia ora koutou

Sharing a pre-Christmas update on the DE&I work.

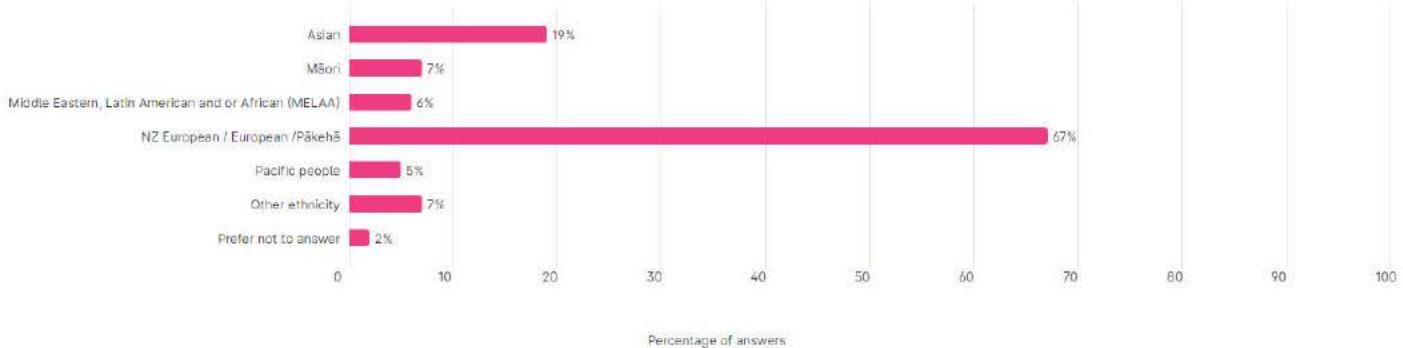
Before we make any clear goals/commitments etc, I'm keen to get some really good data to inform that work. You may have seen we are doing a bit of a drive to get gender and ethnicity loaded into TechOne. We have definitely seen an increase. Unfortunately we still don't have access to good reporting, and we're hoping to have this sorted in January. This should give us a really good baseline to work from and help inform some of those next steps and priority areas.

In the meantime, I thought you might be interested to see some of the D&I data we get through our recruitment system. We have an optional survey that applicants can fill out when they apply for a job. Our response rate is currently 60%.

See some of these metrics below. I will be in touch in the new year with a bit more of a solid plan. In the meantime, please let me know if you have any questions.

1. Your ethnicity:

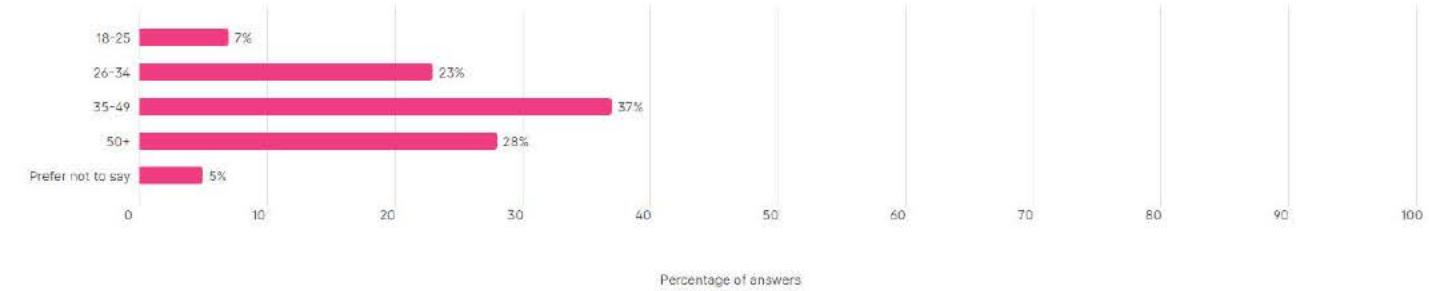
616 Responses



Percentage of answers

2. Your age:

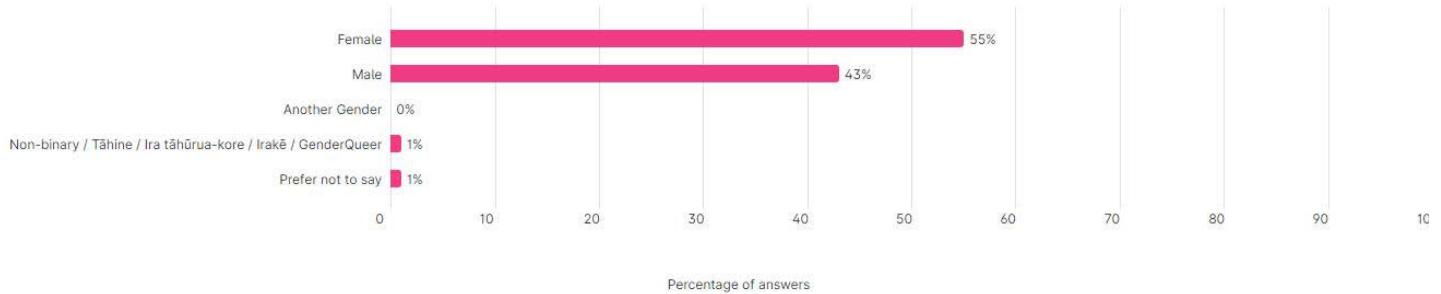
666 Responses



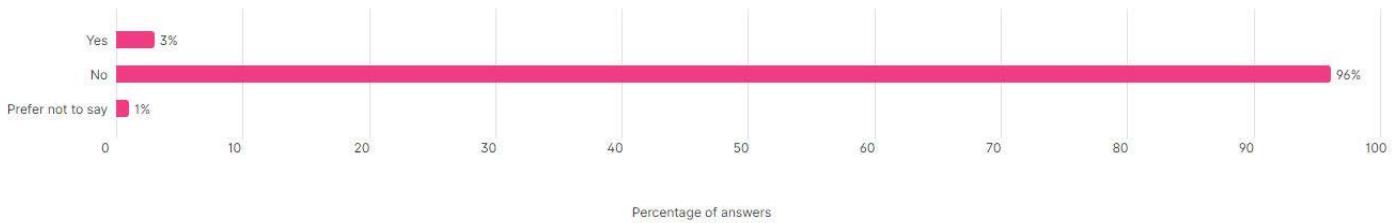
Percentage of answers

3. Your gender and gender identity:

664 Responses

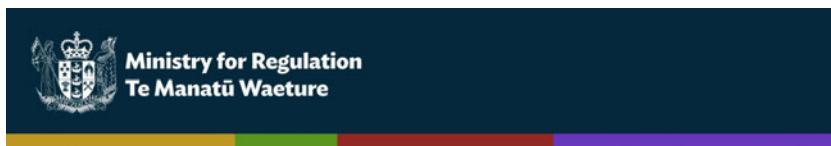
**4. Are you a disabled person?**

665 Responses



Abbey Macalister (she/her)
Head of People and Operations

Ministry for Regulation

īmēra: abbey.macalister@regulation.govt.nz | waea pukoro:**s 9(2)(a)**



Internal policy | Flexible working

Version	1.0	Contact	People Team
Policy Owner	Head of Corporate	Approved	23 September 2024
SharePoint	<u>Internal policies</u>	Due for Revision	March 2025

On 23 September 2024, the Government communicated expectations regarding working from home arrangements and has asked the Public Service Commissioner to issue revised guidance. The Ministry is awaiting this guidance. This policy will be reviewed in light of the guidance and is subject to change.

Scope

This flexible working policy applies to permanent employees and fixed term employees (**employees**) and secondees at the Ministry for Regulation (**the Ministry** or **we/our**).

This policy does not apply directly to consultants and contractors who conduct in-house Ministry core work as it is expected that flexible working may be explicitly provided for in contracts for services via our procurement policy [Internal policy | Procurement](#). This policy may, however, provide guidance on the expectations of the Ministry when interpreting any agreed flexible working arrangements in such contracts for services.

This policy reflects the expectations of the public service 'flexible by default' approach [Summary of flexible by default key messages Te Kawa Mataaho Public Service Commission](#). Flexible working is one of the ways that the Ministry supports a high performing culture and enable individuals and teams to balance their professional and personal lives.

Flexible working for employees and secondees is something that may be considered at the recruitment stage [Internal policy | Recruitment](#) and then reviewed at any stage, in accordance with this policy.

Principles

Context

Our key stakeholders include Ministers, other public agencies and New Zealanders affected by regulation. We commit to being readily available and responsive, which at times requires us to act in a very short timeframe and on very hot topics. Conversely, we sometimes need the time and space to do deep thinking about hard stuff. We tailor our delivery to our actions.

The Ministry wants a work environment and culture that is vibrant with conversation and collaboration and that takes part in workshops and brainstorming. We envisage a work environment that actively connects formally and informally and operates as a unified team including to celebrate events, share information and acknowledge achievements.

Work flexibility is an enabler of diversity and inclusion in the work environment and supports increased diversity in leadership. It enables us to attract and retain talent and increase employee engagement.

Principles

- Flexibility is available for all roles and agreed arrangements will differ according to the requirements of the role. Hybrid working (ie flexibility for employees and secondees who can, and want to, work some of their time in the office and some of their time at home) is available as a specific Ministry-wide approach.
- Flexible arrangements must appropriately balance the needs of the Ministry, teams, individuals, and stakeholders. It may be appropriate to build in review periods.
- We expect our managers to support, champion and role model flexible working for their teams and themselves, and to act in good faith and in accordance with applicable legislation when considering requests.

- We expect our employees and secondees to be flexible with their flexible arrangements including making themselves available when working to be physically present in the workplace as requested or to meet a stakeholder need.

Implementing this policy

Teams are responsible for making flexibility work for everyone in their team remembering that we are all part of multiple teams within the Ministry as a whole.

An overview of common types of flexible working options available are provided in Appendix A ([Appendix A](#)) and will need careful consideration and calibration in accordance with the above flexible working policy principles.

The following **protocols**, to be applied across the Ministry, should be used as a basis for team discussions on flexible working arrangements so that the protocols can be applied in context:

- Team members:
 - take shared responsibility for good communication, irrespective of individual flexible working arrangements.
 - demonstrate collective and individual accountability for deliverables – “we do what we say we will, when we say we will”.
 - maintain the Ministry’s rhythm and levels of participation in key activities such as team meetings, leadership meetings, and events.
 - foster a culture of inclusion that enables everyone to contribute and collaborate effectively.
 - commit to attending days that the team agrees to spend together in the office.
 - discuss and work through any issues related to flexibility of working early and take a problem solving approach.
 - determine the types of work that benefit from being performed kanohi ki te kanohi | face to face to best enable connection, collaboration, communication and learning.

Each team’s flexible working arrangements are, as far as possible, to be planned, visible and reviewable where appropriate. This may include establishing team agreements which will clarify how flexible working will be managed, covering, for example, communication and staying connected, visibility of work arrangements, coverage and allocation of work.

Flexible working arrangements may be formal or informal:

- **Formal** – has an impact on an individual's pay, leave or employment terms and conditions. These arrangements are governed by the Employment Relations Act 2000, either Part 6AA or Part 6AB (for employees dealing with the effects of family violence). For secondees, any such flexible working arrangements will be dealt with under their home agency's employment agreement and any conditions in their secondment agreement between the Ministry and the secondee's home agency;
- **Informal** – does not affect an individual's pay, leave or employment terms and conditions. Can be regular or ad hoc.

The People Team will assist managers with guidance on the legislative requirements in respect of formal flexible working requests.

All formal arrangements for flexible working for employees will require approval in accordance with the delegations policy [Internal policy | Delegations](#). Some arrangements (formal or informal) will require additional consideration and may be calibrated for Ministry alignment with advice from the People team. The approval summary for common flexible option arrangements is provided in Appendix B ([Appendix B](#)).

The roles and responsibilities for this flexible working policy are:

ELT	Managers	Teams	Employees Secondees	Peo
<ul style="list-style-type: none"> • Champion and promote the benefits of flexible working • Model and support flexible working across the Ministry • Maintain oversight of arrangements in their group • Ensure consistent application of policy and process across the Ministry • Monitor performance 	<ul style="list-style-type: none"> • Build a high performing team culture that is based on collaboration, trust and empowerment • Apply good performance management practices such as defining what outcomes/outputs are expected, along with time and quality expectations • Invite open, honest conversations within the team on flexible working 	<ul style="list-style-type: none"> • Develop team agreements outlining the norms for flexible working in line with the Ministry's protocols • Develop ways of collaborating and supporting each other when working apart • Be responsive and available to deal with urgent and unplanned 	<ul style="list-style-type: none"> • Be open about your needs • When making a request consider what your role requires and how flexible work can support you to balance your professional and personal life • Deliver on your work commitments • Support your team members in their flexible 	<ul style="list-style-type: none"> • D p p a g fl w • P a i tc fl • P a su as m ai ir re a o ai • E re

ELT	Managers	Teams	Employees Secondees	Peo
against agreed indicators to ensure productivity is maintained or improved	<ul style="list-style-type: none"> Respectfully consider all flexible working arrangement requests Balance the needs of individuals, team, the Ministry and stakeholders when considering requests Respond to all requests promptly and at least within one month If declining a request, consult with the People Team before a decision is made and communicated to the individual 	<ul style="list-style-type: none"> work in short timeframes Regularly review arrangements to ensure they are working for all parties 	<ul style="list-style-type: none"> working arrangements Agree to be flexible with your arrangements when emergencies and unforeseen deadlines occur or when planned work requires a change to arrangements Discuss one off ad hoc requests with your manager within 24 hours' notice where possible 	ai m le re

Related policies and more information

[Guidance: Flexible-Work-by-Default - Te Kawa Mataaho Public Service Commission](#)

[Flexible work » Employment New Zealand](#)

[Advice on flexible working arrangements — business.govt.nz](#)

Health, safety and wellbeing policy [Internal policy | Health Safety and Wellbeing](#)

Maintaining a positive work environment policy [Internal policy | Maintaining a positive work environment](#)

Recruitment policy [Internal policy | Recruitment](#)

Procurement policy in respect of flexible working for consultants and contractors (excluding service contractors) [Internal policy | Procurement](#)

Relevant legislation

- Public Service Act 2020
- Health and Safety at Work Act 2015
- Employment Relations Act 2000

APPENDIX A - Flexible options available

This is an overview of some of the more common types of flexible working that may be appropriate to discuss in line with the principles of this policy, role and business requirements. Most of these can be combined, e.g., an individual working part time may also vary the hours they work on any given day or work some days remotely.

Flexi Time

Options that allow individuals to vary their work hours or days either on a regular basis or from time to time:

- Flexible start and finish times
- Part time
- Substituting days/hours
- Compressed week or fortnight

Flexi Place

Options that allow individuals to work from locations other than their designated workplace:

- Activity-based working
- Remote working – regularly or from time to time
- Hybrid working – working some of the time in the office and some of the time at home

Flexi Leave

Options that allow individuals to vary their leave patterns to create more flexibility:

- Leave as per policy (leave without pay, study, special)

Flexi Career

Options that allow individuals to manage their roles and careers more flexibly:

- Job sharing
- Phased retirement
- Career breaks

APPENDIX B – Approval summary on flexible options

This is an overview of some of the more common types of flexible working that may be appropriate to discuss in line with the principles of this policy, role and

business requirements:

Type of arrangement	Approver
<ul style="list-style-type: none">• Ad hoc requests to work from home.• Regular working from home 2 days per week or less.• Flexible start and finish times.• Substituting days/hours.	Manager
<ul style="list-style-type: none">• All formal arrangements (including compressed week or fortnight).• Regular working from home 3 days per week or more (whether informal or formal).• Remote working outside of Wellington regularly or full time (whether informal or formal).• Working overseas.	In accordance with the delegations policy Internal policy Delegations and in consultation with the People team



Internal policy | Maintaining a positive work environment

Version	1.0	Contact	People Team
Policy Owner	Head of Corporate	Approved	17 October 2024
SharePoint	<u>Internal policies</u>	Due for Revision	March 2025

Scope

This policy about maintaining a positive work environment applies to all **staff** (permanent employees, fixed term employees, secondees, and consultants and contractors who conduct in-house Ministry core work) at the Ministry for Regulation (**the Ministry or we/our**) to enable the Ministry's commitment to a positive, inclusive and safe work environment.

Some of the benefits or processes in this policy apply only to **employees** (permanent and fixed term employees).

This policy does not set out to cover all situations but provides guidance on the range of behaviours that are considered positive or not, and sets out some responses when the work environment is not positive for staff personally or because of the unacceptable behaviour of others.

Maintaining a positive work environment for the Ministry for Regulation is a broad concept and accordingly overlaps with, and relies on, other policies.

Each of the following policies link to each other where they overlap, but each concentrates on dealing with particular aspects:

- This maintaining a positive work environment policy encompasses enhancing positive behaviours, inclusive work environment and culture, holistic wellbeing (beyond just physical hazards which are more specifically dealt with in the health, safety and wellbeing policy [Internal policy | Health Safety and Wellbeing](#)) and responding to unacceptable behaviours and personal concerns;
- The recruitment policy [Internal policy | Recruitment](#) for recruitment that will enable the establishment of a collaborative work environment that supports diversity and inclusion;
- The speaking up policy [Internal policy | Speaking up](#) so that all staff are aware of and empowered to use safe channels to speak up about anything from minor concerns to serious wrongdoing committed in or by the Ministry and that impact on a positive work environment;
- The flexible working policy [Internal policy | Flexible working](#) which is one of the ways that the Ministry seeks to support a high performing culture and enable individuals and teams to balance their professional and personal lives;
- The health, safety and wellbeing policy [Internal policy | Health Safety and Wellbeing](#) which sets out the Ministry's approach to health, safety and wellbeing generally and specific workplace systems so that the Ministry meets its obligations under the Health and Safety at Work Act 2015 and particularly encompasses physical hazards; and
- The leave policy [Internal policy | Leave](#) to support employees' wellbeing by meeting the demands of their work and life through providing access to leave.

Principles

- Staff are to be aware of and to respect and value differences within our work environment;
- Staff are to take personal responsibility for their own behaviours and wellbeing;
- The Ministry takes a holistic approach to wellbeing that recognises diversity and the importance of balancing multiple dimensions of wellbeing;
- Leaders within the Ministry are to provide clear expectations around what is, and what is not, positive behaviour in the work environment and role model positive behaviours;
- Work is to be prioritised, planned, resourced and delivered in a way that is healthy and safe for staff, and conducive to a positive work environment;
- We monitor and regularly review our work environment to enable continuous learning about encouraging positive behaviours;
- We encourage early "speaking up" by staff and will protect their confidentiality as far as reasonably possible as set out in the speaking up

policy [Internal policy](#) | [Speaking up](#):

- Those considering and responding to situations will remain impartial and fair, and act in good faith;
- Staff responding to situations will be trained and supported to enable them to appropriately respond and in a timely way;
- We will comply with the principles of natural justice as far as reasonably possible.

Specific principles regarding alleged unacceptable behaviour

The Ministry's response to concerns raised about alleged unacceptable behaviour (claim) against a respondent by a claimant must comply with the above principles, and specifically the Ministry should:

- take steps (in conjunction with claimant) or encourage steps to be taken (in conjunction with claimant) to make the claimant feel safe and communicated with and supported throughout a response;
- acknowledge the respondent is innocent until the claim is substantiated.

Implementing this policy

Appendix A ([Appendix A](#)) contains certain definitions used within this policy.

Personal responsibility

Everyone has a role to play in setting the culture of our work environment including looking after their own health, wellbeing and safety, and that of others.

This may include taking personal responsibility in respect of taking breaks or leave entitlements, such as annual leave for employees or sick leave [Internal policy](#) | [Leave](#). This also means considering health common sense principles, such as healthy hygiene practises and, if sick, staying at home until symptoms have resolved.

We can promote and enrich each other's wellbeing through wellbeing models such as Te Whare Tapa Whā [Māori health models – Te Whare Tapa Whā](#) | [Ministry of Health NZ](#) and The Five Ways to Wellbeing [Five Ways to Wellbeing](#) | [Mental Health Foundation](#).

At any time, employees and secondees may contact the confidential employee assistance programme, Umbrella bookings@eapumbrella.org.nz or by calling 0800 643 002.

All staff may receive the benefit of a positive work environment or be affected by unacceptable behaviour but the Ministry's responses may depend in some circumstances on the relationship:

- Secondees: any responses that impact on the secondees' home agency's employment agreement or any conditions in their secondment agreement, will not be dealt with by this policy but between the Ministry, the secondee's home agency, and the secondee;
- Consultants and contractors who conduct in-house Ministry core work: any responses that impact their contract for services, will not be dealt with by this policy but via the procurement policy [Internal policy | Procurement](#).

Roles and responsibilities

The Executive Leadership Team is to set the tone from the top by role modelling positive behaviours and championing health, safety and wellbeing.

The roles and responsibilities under this policy are:

Staff	Managers	People Team	Chief People Officer
<ul style="list-style-type: none"> • Adhere to the Code of Conduct • Take personal responsibility for own behaviour and wellbeing • Be aware of unacceptable behaviour including as a bystander • Raise concerns Internal policy Speaking up and as relevant incidents/hazards under the health, safety and wellbeing policy Internal policy 	<ul style="list-style-type: none"> • Role model positive behaviours • Ensure team members are aware of what is positive behaviour and what is unacceptable behaviour • Hold open team conversations about the work environment, wellbeing, inclusion and workload pressures • Encourage concerns to be raised and 	<ul style="list-style-type: none"> • Provide advice, tools and overview of the processes in this policy • Develop and review policies in a collaborative way with employees • Be a designated contact person for concerns • Provide development for managers and employees to develop skills to support positive behaviours in 	<ul style="list-style-type: none"> • Responsible for this policy • Be a designated contact person for concerns • Monitor the responses to concerns and assess whether the Ministry has the skills required to respond appropriately or whether it is necessary to seek external specialist support • Report on concerns to the Executive

Staff	Managers	People Team	Chief People Officer
<u>Health Safety and Wellbeing</u>	respond appropriately	the work environment, and support at induction <ul style="list-style-type: none"> • Monitor and evaluate culture of work environment 	Leadership Team

Encouraging positive behaviours

Managers are to lead and/or to encourage open conversations about behaviour in the work environment, wellbeing, inclusion and work pressures.

Staff are encouraged to bring their whole selves to the work environment.

Ideas about how to create an inclusive work environment should be shared with each other and with the People team so that such ideas can be considered and implemented Ministry wide, where appropriate, including those which, for example:

- recognise different cultures in the work environment; or
- aid communication within the Ministry; or
- aid productivity; or
- boost morale.

To assist with promoting a positive work environment, the People team will lead induction of this aspect, monitor the work environment, design tools and processes, and provide opportunities for managers and employees to develop skills in promoting a positive work environment.

Responding to personal concerns

A member of staff may raise a concern either formally or informally under the speaking up policy [Internal policy | Speaking up](#), or their manager might otherwise become aware, about that individual's personal concern(s) such as harmful stress, workload pressure or other personal wellbeing issues.

The nature of the response should take into account, where appropriate, the views of the member of staff raising the personal concern, for example, their preference might be a low key approach such as assisting with their own self help, or support with an informal solution or proceeding through a formal process.

The manager and the member of staff may have an open conversation about the concern, and explore and consult on any options, including policies and processes, that may be available to that member of staff. Employees may also be reminded about any employee wellbeing benefits that may apply.

All such conversations should maintain confidentiality as far as reasonably possible – any disclosure should be on a need to know basis only, and reports or records (including the risk register/incidents register for incidents of harm) should be electronically stored securely in accordance with the protective security policy [Internal policy | Protective Security](#) and/or anonymised. We may also need to share information where we believe that an individual is at risk of harming themselves or others.

The manager may contact the People team for advice and guidance.

Responding to unacceptable behaviour

A member of staff may raise a concern either formally or informally under the speaking up policy [Internal policy | Speaking up](#), or their manager might otherwise become aware, about that member of staff (**claimant**) being affected by another member of staff's (**respondent**) alleged unacceptable behaviour in the work environment.

The nature of the response should take into account, where appropriate, the views of the claimant, for example, supporting an informal solution or proceeding through a formal process.

Where:

- the claimant and respondent are both employees; or
- the respondent is an employee, but the claimant is not,
the manager shall immediately contact the People team.

Where the respondent is not an employee, the manager shall:

- where a secondee is respondent: contact the People team before the manager raises the concern to be dealt with between the Ministry, the secondee's home agency, and the secondee in accordance with the secondees' home agency's employment agreement or any conditions in their secondment agreement;
- where a consultant or contractor is respondent: contact the Legal team before the manager raises the concern to be dealt with under their contract for services via the procurement policy [Internal policy | Procurement](#).

Where either the claimant or the respondent are not staff, but are external to the Ministry, such as Minister's staff or other agency staff, the manager shall raise the concern with the People team and, for example, Ministerial services where the claim relates to Minister's staff, or the relevant member of the Executive Leadership Team with involvement with that other agency.

Related policies and more information

[Five Ways to Wellbeing](#) | [Mental Health Foundation](#)

[Māori health models – Te Whare Tapa Whā](#) | [Ministry of Health NZ](#)

Speaking up policy [Internal policy](#) | [Speaking up](#)

Health, safety and wellbeing policy [Internal policy](#) | [Health Safety and Wellbeing](#)

Protective security policy [Internal policy](#) | [Protective Security](#)

Flexible working policy [Internal policy](#) | [Flexible working](#)

Leave policy [Internal policy](#) | [Leave](#)

Performance policy [Internal policy](#) | [Performance](#)

APPENDIX A – Definitions

bullying	<p>Bullying (in the work environment) is repeated, and unreasonable behaviour directed towards a member of staff or group of staff that can lead to physical or psychological harm. The repeated behaviour is persistent (occurs more than once) and can involve a range of actions over time. Unreasonable behaviour means actions that a reasonable individual in the same circumstances would see as unreasonable. It includes victimising, humiliating or threatening an individual.</p> <p>A single incident of unreasonable behaviour is not usually considered bullying (in the work environment), but it could escalate and should not be ignored.</p>
discrimination	<p>Discrimination occurs when an individual is treated unfairly or less favourably than another individual in the same or substantially similar circumstances.</p> <p>As outlined in the Human Rights Act 1993, this discrimination can occur on the basis of:</p> <ul style="list-style-type: none">• sex or gender (includes pregnancy and childbirth, gender identity and sex characteristics)• marital or family status• religious or ethical belief• colour, race, or ethnic or national origins• disability• age• political opinion• employment status• sexual orientation• family violence experience <p>In addition, the Employment Relations Act 2000 prohibits discrimination based on an employee's union membership status.</p>

misconduct	Misconduct is when an employee does something wrong through their actions or inaction, or their general behaviour, including some form of wrongdoing (as defined below), and which may be intentional, reckless, negligent, or careless.
racial harassment	<p>Racial harassment is the use of language or visual material, or physical behaviour that either directly or indirectly expresses hostility against, or contempt or ridicule of an individual because of their race, colour, or ethnic or national origins.</p> <p>If this behaviour is hurtful or offensive to the individual and it is either repeated, or of such significant nature, that it has a detrimental effect on their employment, job performance or job satisfaction, it is racial harassment regardless of whether the perpetrator intended it to be.</p>
serious wrongdoing	<p>Serious wrongdoing has the meaning in the Protected Disclosures (Protection of Whistleblowers) Act 2022 being an act, omission or course of conduct that is:</p> <ul style="list-style-type: none"> • an offence; or • a serious risk to public health, or public safety, or the health or safety of any individual, or to the environment; or • a serious risk to the maintenance of the law including the prevention, investigation and detection of offences or the right to a fair trial; or • an unlawful, corrupt or irregular use of public funds or public resources; or • oppressive, unlawfully discriminatory, or grossly negligent or that is gross mismanagement by a public sector employee or an individual performing a function or duty or exercising a power on behalf of a public sector organisation or the Government.
serious misconduct	<p>Serious misconduct is misconduct that is intentional, reckless, or grossly negligent, and undermines the trust and confidence that the employer has in the employee (eg theft, fraud, sexual or other assault, or the use, or being under the influence, of illegal drugs at work). If it is established that an employee's behaviour amounts to serious misconduct, the Ministry may terminate the employee's employment without notice.</p>
sexual harassment	<p>Sexual harassment is unwelcome or offensive sexual behaviour that is repeated or significant enough to have a harmful effect on an individual. The Human Rights Act 1993 defines sexual harassment as any unwelcome or offensive sexual behaviour that is repeated, or is serious enough to have a harmful effect, or which contains an implied or overt promise of preferential treatment or an implied or overt threat of detrimental treatment.</p> <p>Sexual harassment occurs when:</p> <ul style="list-style-type: none"> • an individual is asked for sex, sexual contact or other sexual activity that promises better treatment or a threat of worse treatment • subjects (directly or indirectly) an individual to behaviour that is not wanted or is offensive to them which is either so significant or repeated that it has a negative effect on their employment, job performance or job satisfaction; • using sexual language or sexual visual material or through sexual physical behaviour.

	<p>Sexual harassment can happen to and by someone of any gender. It can be subtle or more obvious.</p> <p>If this behaviour is unwelcome or offensive to the individual and is either repeated, or of such significant nature, that it has a detrimental effect on their employment, job performance or job satisfaction, it is sexual harassment regardless of whether the respondent intended it to be.</p>
unacceptable behaviour	<p>Some types of behaviour are unacceptable at the Ministry. These include a range of different behaviours eg harassment (racial or sexual), bullying, victimisation, discrimination, offensive language or behaviour, and intimidation.</p> <p>Unacceptable behaviour may constitute misconduct or serious misconduct for an employee or have consequences under secondment agreements or contracts for services.</p>
wrongdoing	<p>The umbrella term 'wrongdoing' covers serious wrongdoing or unacceptable behaviour (both as defined above). It also includes conduct that is similar in nature but less serious.</p>



Internal policy | Performance

Version	1.0	Contact	People Team
Policy Owner	Head of Corporate	Approved	23 September 2024
SharePoint	<u>Internal policies</u>	Due for Revision	March 2025

Scope

This performance and development policy applies to all **employees** (permanent employees and fixed term employees) at the Ministry for Regulation (**the Ministry** or **we/our**).

This policy does not apply to secondees as performance and development matters will be dealt with by their home agency.

The Ministry's policy regarding maintaining a positive workplace [Internal policy | Maintaining a positive work environment](#) provides some context to aspects of this policy.

Transitional

As the Ministry is a new agency, aspects of this performance policy and its implementation is transitional pending the development of an on-going performance framework.

Principles

The Ministry wants to help employees succeed in their current role, and to develop a career in government. The Ministry aims to build a more diverse workforce and leadership that is representative of New Zealand.

The Ministry:

- recognises, values, and wishes to develop, the skills and experiences of a diverse workforce (eg gender, ethnicity, disability, rainbow, neurodiversity and age);
- commits to eliminating bias and discrimination in performance assessments and development opportunities;
- has high expectations of employees and expects high standards of performance;
- recognises employees who role model positive behaviour in the work environment in performance assessments and development opportunities [Internal policy | Maintaining a positive work environment](#);
- recognises employees' wider Ministry contributions in performance assessments and development opportunities;
- provides support for learning and development, regular conversations and real-time feedback;
- encourages employees to have an individual development plan that supports their career;
- wishes to extend and build new skills and broaden the experience for employees;
- advertises or promotes roles internally where appropriate so employees have visibility of new or vacant roles.

Implementing this policy

Open conversations

Employees are encouraged to regularly reflect on their own performance and set career and development goals that correspond to their individual work and life aspirations.

Managers should regularly and proactively organise open conversations with each employee in their team about:

- specific instances of positive performance or positive behaviours by that individual, and any opportunities for wider acknowledgement of them;
- specific instances of where the individual's performance is not meeting the manager's expectations and any steps recommended for performance focus and improvement or following further discussion with the individual, preparation of a performance improvement plan;
- specific instances of where the individual's behaviour needs improvement, and any steps recommended for behaviour focus;

- the individual's career and development goals and offering to brainstorm with them about options for development.

As the Ministry does not have a formal annual performance review process:

- managers should keep regular notes about each relevant open conversation with an employee in their team and share the notes where practicable with that employee, and lodge such records in a secure electronic folder in that individual's name;
- managers should lodge any other email or document that evidences that employee's performance and behaviour in a secure electronic folder in that individual's name;
- employees should keep regular notes and records of instances of their performance and behaviour that demonstrate meeting or exceeding the Ministry's standards.

The People team will provide support and advice to managers.

Formal processes for unacceptable behaviour or on-going under-performance

In respect of unacceptable behaviour, the response in the maintaining a positive work environment policy [Internal policy | Maintaining a positive work environment](#) and/or the discipline policy [Internal policy | Discipline](#) will apply. On-going under-performance may lead to disciplinary outcome under the discipline policy [Internal policy | Discipline](#).

Development opportunities

The Ministry encourages the use of the 70:20:10 model for development with:

- 70% of learning coming from experience, experimentation and reflection;
- 20% of learning derived from working with others;
- 10% of learning coming from formal interventions such as courses conference and study.

Managers can suggest, and employees may request, development opportunities such as rotations, transfer, secondments, job swaps and acting assignments to enable employees potential access to roles that provide experience, breadth and opportunities to stretch.

Decisions on development opportunities will be made in accordance with the delegations policy [Internal policy | Delegations](#).

The learning & development page on the intranet [Learning & Development](#) contains training and other resources in respect of working in the public sector. The People team shall update this page from time to time in respect of training and other resources which are available including in respect of Ministry policies at onboarding and induction or when a refresher is needed to be completed by staff or specifically by managers.

The people team shall record, analyse and report on the demand for other individual and Ministry wide development activity and source such development activity where appropriate.

Related policies and more information

Delegations policy [Internal policy | Delegations](#)

Maintaining a positive work environment policy [Internal policy | Maintaining a positive work environment](#)

Discipline policy [Internal policy | Discipline](#)



Internal policy | Recruitment

Version	1.0	Contact	People Team
Policy Owner	Head of Corporate	Approved	26 July 2024
SharePoint	<u>Internal policies</u>	Due for Revision	March 2025

Scope

This recruitment policy applies to the appointment of employees to a position with the Ministry for Regulation (the **Ministry** or **we/our**), whether permanent or fixed-term or secondment.

This policy also does not apply to the engagement of contractors and consultants, and service contractors. These engagements are to occur under the Ministry's procurement policy [Internal policy | Procurement](#).

Principles

The Ministry wants a collaborative and inclusive work environment with talented people motivated by a spirit of service who thrive on complex issues, can see the big picture and inspire others.

Our recruitment and selection processes for a position therefore must:

- meet all legislative requirements;

- be merit based, giving preference to the candidate best suited to the position considering their relevant skills and experience (including cultural expertise and experience gained from voluntary and community work);
- support diversity and inclusion;
- include an expectation on a candidate to bring or be open to developing Māori Crown relations capability (including te ao Māori, tikanga and kawa, Aotearoa New Zealand history and Te Tiriti o Waitangi | Treaty of Waitangi);
- encourage and value workforce agility and the transfer, development and promotion of internal talent within the Ministry when considering recruitment to a position;
- follow a fair and impartial process including minimising unconscious bias and protecting confidentiality and which enables all candidates to be able to demonstrate their 'best self'.

Implementing this policy

All staff will be able to view vacancies in the [Ministry's careers hub](#).

Applicable appointments (being appointments except for appointments of acting or temporary or casual employees, or to ministerial staff) of successful candidates will be accessible via the appointments intranet page [Vacancies and appointments](#). Existing employees may raise a complaint about any applicable appointment for review by the Ministry [Internal procedure | Complaints about appointments](#) as per Schedule 8 of the Public Service Act 2020. To do so, an employee can email people@regulation.govt.nz within 5 working days from the date of the appointment stated on the appointments intranet page, for Ministry review of their complaint [Internal procedure | Complaints about appointments](#). The employee's email should include:

- the appointment to which the complaint relates;
- the nature and/or grounds for the complaint, and any supporting written material; and
- whether the employee wishes to be heard on the matter.

A manager who is hiring (and the successful candidate) will need to be aware that applicable appointments under this policy are provisional pending the outcome of the Ministry review (as one outcome of a review could be cancellation of the applicable appointment). The employee will be informed promptly of the outcome of that review.

A manager who is hiring to a position is responsible for leading a rigorous recruitment and selection process and must own the outcome. This includes

complying with the Ministry's delegations policy [Internal policy | Delegations](#), ensuring the processes' compliance with the above principles and:

- finalising a job description or job brief (for temporary roles) that captures a realistic view of the position and the work it entails;
- notifying any vacancy which is permanent or with a duration of longer than 6 months using one or more means that will enable suitably qualified people to apply for the position;
- proactively involving other teams within the Ministry on selection panels, where appropriate, and ensuring that the selection panel composition is diverse, where practicable;
- using multiple sources of information when making recruitment decisions so that decisions are not based on only one source which may end up being unreliable;
- communicating with candidates clearly, respectfully and in a timely manner, and prioritising the recruitment process once commenced;
- completing pre employment checks, including as required under the protective security policy [Internal policy | Protective Security](#).

To begin the process, the manager contacts the People Team to assist the manager with guidance on the life-cycle of the recruitment and selection process. Head of Corporate will approve any policy exemptions and the People Team will ensure a central record is kept of all recruitment processes undertaken and the resulting outcomes.

The Ministry monitors starting salaries to ensure a fair and equitable salary compared with others in similar roles, given the successful candidate's level of skills and experience. The Ministry's remuneration policy is also available here [Internal policy | Remuneration](#).

Managers may need to consider the application of our flexible working policy in respect of an appointment [Internal policy | Flexible working](#).

Once an appointment is finalised, managers should access the onboarding and induction information from the People Team.

Related policies and more information

Delegations policy [Internal policy | Delegations](#)

Remuneration policy [Internal policy | Remuneration](#)

Flexible working policy [Internal policy | Flexible working](#)

Relevant legislation:

- Public Service Act 2020
- Employment Relations Act 2000
- Privacy Act 2020
- Human Rights Act 1993
- Equal Pay Act 1972



Internal policy | Remuneration

Version	1.0	Contact	People Team
Policy Owner	Head of Corporate	Approved	23 September 2024
SharePoint	<u>Internal policies</u>	Due for Revision	March 2025

Scope

This remuneration policy applies to all **employees** (permanent employees and fixed term employees) at the Ministry for Regulation (**the Ministry or we/our**).

This policy does not apply to secondees as remuneration matters will be dealt with by their home agency.

Transitional

As the Ministry is a new agency, aspects of this remuneration policy and its implementation is transitional pending the development of an on-going remuneration framework.

Principles

The Ministry is committed to remunerating employees fairly, based on their level of experience and capability.

The Ministry in its remuneration approach:

- will ensure transparency (so long as the privacy of an individual is not at risk of being breached);
- will consider external market information;
- may consider performance, particularly when an employee is on a Performance Improvement Plan;
- will consider available budget and strategic priorities;
- will ensure that any regular remuneration review is moderated by the Executive Leadership Team;
- will take into account pay relativities including gender and ethnicities.

Implementing this policy

Remuneration at recruitment of employees is determined by taking into account the accountabilities and responsibilities demanded of the employee and the level of experience and capability they bring. A transitional approach based on Hay job sizing methodology and pay grades (commonly used across the public sector) as well as market data is currently being used.

Our permanent remuneration framework will be designed, consulted on and implemented in due course. This framework may include criteria for job sizing or slotting, remuneration reviews and will also give effect to the Government Workforce Policy Statement.

The Ministry via the People team will regularly review the effectiveness of this policy. The success of this policy over time will be evidenced by:

- a common understanding from all employees of how remuneration works at the Ministry and what they can expect each year;
- managers being able to recruit and retain high performing employees with diverse experiences and perspectives that will help lift the collective performance of the Ministry.

Related policies and more information

Recruitment policy [Internal policy | Recruitment](#)

Relevant legislation:

- Employment Relations Act 2000