

21 August 2025



Our ref: OIA 2526-0155

Tēnā koe s9(2)(a)

### Response to your Official Information Act request


Thank you for your email of 7 August 2025 to the Ministry for Ethnic Communities (the Ministry) for the following information under the Official Information Act 1982 (the Act):

1. *What data does your organisation collect about incidents or concerns related to workplace bullying, harassment or sexual harm?*  
- For clarity, this includes requests for advice, assistance, informal notifications or formal complaints relating to these types of behaviour.
2. *Please provide a list or schema of all data fields used to record or track information about workplace bullying, harassment or sexual harm, at any stage of the process your organisation follows (from initial contact to case closure).*  
- Please include an explanation of the classifications used in each data field and any specific terminology, so it can be easily understood by someone from outside your organisation.
3. *Please provide a list of all reports produced by your organisation that relate to workplace bullying, harassment or sexual harm?*  
- Please include a brief explanation for each report of:
  - who is responsible for its creation (i.e. the job title/role, not individual names)
  - how often they are produced
  - the purpose of the report, and
  - the information and any data fields contained in each report.
  - to whom they are distributed (job titles/roles)
  - whether the reports are shared externally (e.g. with ministerial offices, other agencies, Public Service Commission, unions and associations, the general public)

*Please provide responses to Q4-7 for the period 2020-2025 (inclusive), broken down by calendar year and listed under the headings of*

- (a) workplace bullying*
- (b) harassment*
- (c) sexual harm*

4. *The total number of incidents recorded. Please also break these down according to any sub-categorisations you use internally to differentiate types of bullying, harassment or sexual harm incidents.*
5. *The number of incidents that involved a formal investigation, broken down to show:*

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- i. *internal investigations (i.e. those conducted by people employed by your organisation)*
    - ii. *independent external investigations (i.e. external lawyers, investigators or other 3rd parties engaged for the purpose of conducting the investigation)*
  6. *The outcomes of the investigations completed in Q5 (using whatever categorisations your organisation records internally against cases).*
  7. *The number of people who have left your organisation who were:*
    - a. *complainants (i.e. people who raised any inquiry or complaint)*
    - b. *respondents (i.e. people who were the subject of any inquiry or complaint allegations)*

*Please provide responses to Q8-9 for the period 2020-2025 (inclusive), broken down by calendar year:*

8. *The number of settlement agreements (or other legal agreements containing any form of non-disclosure requirement) signed by people leaving your organisation who were:*
  - a. *complainants who raised any inquiry or complaint about workplace bullying, harassment or sexual harm.*
  - b. *respondents who were the subject of any inquiry or complaint about workplace bullying, harassment or sexual harm.*
9. *The amount spent by your organisation on external legal advice for:*
  - a. *legal services or advice provided in conducting independent investigations in Q5 (ii)*
  - b. *other advice provided about any other matters involving workplace bullying, harassment or sexual harm*

## **Questions 1 and 2**

The Ministry records details of any alleged incidents related to workplace bullying, harassment and sexual harm. The data fields recorded are provided in the list below:

- Case commencement date;
- Financial year in which the case commenced;
- Whether it relates to another case;
- Staff member involved – their job title, business unit, team name and responsible manager;
- What the issue was;
- How the issue was discovered;
- Whether it is protected disclosure;
- Level of risk;
- Stakeholders; and
- Primary human resources contact.

If a formal investigation is required, the Ministry records the following details:

- Name of the investigator;
- Purchase order number for administrative records if necessary (this is to record how much is spent on engagements);
- Outcome of the investigation;
- Date of any mediation;

- Date lodged with Employment Relations Authority (ERA);
- Date of ERA hearing;
- The employee's representative;
- The Ministry's legal counsel;
- Status of the case;
- Status notes;
- Date of outcome (whether it is closed or settled);
- Whether s149 or s123 of the Employment Relations Act was used; and
- Total cost and breakdown.

### **Question 3**

The Ministry produces a monthly Human Resources (HR) report which references any employment relations cases (including workplace bullying, harassment or sexual harm). The purpose of this report is to inform the Executive Leadership Team of general HR trends which includes details of staff demographics, gender, full time equivalent numbers, ethnicity, recruitment activities, leave, turnover, employment relations cases, employee assistance programme usage trends, tenure and exit data, wellbeing, health and safety. Note that specific details about staff members' employment cases are not shared in the reports due to privacy reasons.

The report is prepared under the responsibility of the Director of Corporate Services and is distributed to the Chief Executive, Deputy Chief Executives and the Senior Leadership team within the Ministry. This report is not shared externally.

### **Question 4, 5 and 6**

The Ministry recorded one incident in the 2022/2023 financial year which relates to a discrimination issue. This incident was externally investigated, and the matter was closed as a result.

### **Question 7**

There was one complainant (people who raised any inquiry or complaint) and one respondent (people who were the subject of any inquiry or complaint allegations) that left the Ministry.

### **Question 8**

The Ministry had no complainants who raised any inquiries or complaints about workplace bullying, harassment or sexual harm that signed a settlement agreement for the period 2020-2025 (inclusive).

The Ministry had one respondent who was the subject of any inquiry or complaint about workplace bullying, harassment or sexual harm that signed a settlement agreement for the period 2020-2025 (inclusive).

### **Question 9**

The cost of legal advice and the independent investigator for the one incident referenced in question five was \$67,755.08 excluding GST. The Ministry has not incurred any costs for other advice provided about any other matters involving workplace bullying, harassment or sexual harm.

Under section 28 of the OIA, you have the right to seek an investigation and review by the Office of the Ombudsman of my response relating to this request. The relevant details can be found on their website at: [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz).

Please note, due to the public interest in our work, the Ministry may publish responses to requests for official information on our website, shortly after the response has been sent. If you have any queries about this, please feel free to contact our Ministerial Services team:  
[Ministerial@ethniccommunities.govt.nz](mailto:Ministerial@ethniccommunities.govt.nz).

Ngā mihi



Edward Firth  
**Director of Ministerial Services**

Proactively released by the Ministry for Ethnic Communities