

03 October 2022

C157557

Whistler King

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Tēnā koe Whistler

Thank you for your request of 8 September 2022 to the Department of Corrections – Ara Poutama Aotearoa, requesting information about Corrections’ policy relating to relationships between staff. Your request has been considered under the Official Information Act 1982 (OIA).

Corrections expects the utmost professionalism from our employees, and allegations of staff behaving inappropriately are taken seriously. At any one time, Corrections employs approximately 10,000 staff in prisons and the community. The overwhelming majority of our people act with integrity, honesty, and professionalism.

Our clear expectation is that staff uphold the standards of behaviour in our Code of Conduct and comply with the law. We demand a high standard of conduct and integrity from all employees. When staff do not meet the standards required of them, we take appropriate action. This may involve further development or support to bring the staff member's performance up to the standard required. More serious behaviour may result in disciplinary action, including the termination of employment

You requested:

*Does the Department of Corrections allow romantic relationships between managers and their staff?*

While Corrections does not explicitly disallow romantic relationships between managers and their staff, any such relationship would be considered a conflict of interest. These relationships must therefore be declared, closely monitored, and properly managed to ensure that they pose no reputational or operational risk to Corrections. While romantic relationships are not forbidden, Corrections does not tolerate any form of sexual harassment, including unwelcome or offensive sexual behaviour.

*Does the Department of Corrections have a policy in place to deal with office romances in the work place? If there is a policy I would like a copy of this.*

Corrections' Code of Conduct does not have a specific policy that deals with personal relationships between staff in the workplace. However, the Code of Conduct lists conflicts of interest as an example of conduct that falls below our expected standards of behaviour:

“Entering into, or failing to declare to your manager, any other employment or business involvement or personal relationships that could appear to undermine your credibility, fairness or impartiality as an employee, or the reputation of Corrections.”

The Code of Conduct makes it clear that all staff are expected to uphold the policies, procedures and standards of Corrections. Corrections has a Conflicts of Interest policy that requires all staff to declare all actual, perceived or potential conflicts of interest to their manager as soon as they arise during their employment. This policy makes it clear that an example of a personal or private conflict of interest is:

“Having supervisory or direct management responsibility for a family member, or a person with whom you have a personal relationship (e.g., sexual and/or domestic relationship).”

Corrections also adheres to the Standards of Integrity & Conduct issued by the State Services Commissioner under section 57 of the State Sector Act 1988, which states that we must ensure our actions are not affected by our personal interests or relationships. Under clause 8 of Schedule 1 of the Public Service Act 2020, this code of conduct is treated as containing minimum standards set by the Public Service Commissioner under section 17 of the Public Service Act 2020 and this continues to apply to Corrections.

If an employee's behaviour is found to be inconsistent with the Code of Conduct, they may face disciplinary action. This could include warnings or the termination of employment, the cancellation of a contract, or the removal of authority to be on Corrections' sites.

For more information, please find attached Corrections' Code of Conduct as Appendix 1, our Conflict of Interest Policy as Appendix 2, and our procedures for declaring a conflict of interest as Appendix 3.

*If there is no policy how does the Department of Corrections look after staff that are in relationships between their managers?*

As with any other actual, potential, or perceived conflict of interest that were identified, the Conflict of Interest policy would apply. Where a relationship between a manager and a staff member is declared as a potential conflict of interest, this would be discussed with the staff member and manager, and a management plan would be implemented and monitored on an ongoing basis. The management plan would be expected to ensure that the staff member would no longer report to the manager, and that the manager would have no input into any decisions about the employee such as their remuneration or any other benefits to ensure that there was no preferential treatment.

Please note that this response may be published on Corrections' website. Typically, responses are published quarterly, or as otherwise determined. Your personal information including name and contact details will be removed for publication.

I trust the information provided is of assistance. I encourage you to raise any concerns about this response with Corrections. Alternatively, you are advised of your right to also raise any concerns with the Office of the Ombudsman. Contact details are: Office of the Ombudsman, PO Box 10152, Wellington 6143.

Ngā mihi



Richard Waggott  
Deputy Chief Executive People & Capability