



OIA23-0658

25 March 2024

Jean Roberts

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Dear Jean Roberts

Thank you for your email of 20 October 2023, requesting information relating to Personal Grievances raised at the Ministry for Primary Industries (MPI). Your request has been considered under the Official Information Act 1982 (OIA).

On 20 November 2023, you were advised of an extension of the timeframe for the request, to enable additional time for a search through a large amount of information to take place.

On the 18 December 2023, you were advised that the information had not yet been finalised for final release. Please accept my apologies for the delay in getting this information to you.

MPI employs more than 3,600 staff and the vast majority act with integrity and professionalism, and in accordance with our Code of Conduct. We set high standards of behaviour for our staff and it is always disappointing when these standards are not met. Although Personal Grievances do not solely comprise of bullying or harassment complaints, we encourage all employees to come forward if they have concerns relating to bullying or harassment towards themselves or their colleagues.

MPI established the Professional Standards Unit (PSU) in 2019 to reinforce the professional standards upheld in MPI's code of conduct, as well as to undertake monitoring and regulation of these standards to ensure they are being met.

The 'Speak Up' programme was established in March 2020 as an additional channel for MPI staff to report breaches of professional standards or the code of conduct. 'Speak Up' provides a variety of avenues for MPI staff to raise concerns about wrongdoing in a manner that is comfortable and supported. MPI is committed to supporting employees, contractors, and volunteers who Speak Up in good faith about wrongdoing. All complaints made through the 'Speak Up' programme are referred to the PSU for assessment.

When a personal grievance is raised, MPI will consider it in line with our policies to consider whether it's appropriate to attend mediation. The mediation process often assists the parties to come to a mutually agreed resolution.

Please note that some of your questions have been re-ordered for ease of response. We have interpreted the date range of your request as being from 1 January 2021 to 20 October 2023 (date of your request).

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

Please find the table below that provides you with the number of Personal Grievances that were substantiated, broken down by year and category.

Year	Personal Grievances Received	Unjustified Dismissal	Unjustifiably disadvantaged	Bullying/ Harassment
2021	11	1	5	5
2022	12	2	10	0
2023	14	4	9	1

In some cases, there are no material breaches to warrant a personal grievance progressing.

- *The number of Mediation(s) that took place broken down by year?*
- *The number of successful Mediation(s) broken down by year?*

There have been eleven mediations between 2021-2023. These can be broken down into four in 2021, four in 2022 and three in 2023. Of these eleven mediations, there were eight where the employee and MPI reached an agreement on the outcome between 2021-2023. These can be broken down into four in 2021, two in 2022 and two in 2023. There were three cases where an agreement was reached outside of mediation.

- *Of the PGs raised, how many went to Employment Relations Authority (ERA) broken down by year?*
- *How many cases were found against the Ministry broken down by year?*
- *How many ERA cases resulted in reinstatement of employee broken down by year?*

Of the Personal Grievances raised none proceeded to the Employment Relations Authority (ERA). No cases were found against MPI and as a result, no employees have been reinstated.

- *How much money – in total- were paid to settle these cases / or pay the fee required by ERA broken down by year?*

As no personal grievances proceeded to the ERA, there has been no money paid to settle nor fees to be paid.

- *How much money was covered by the Ministry's liability insurance?*
- *How much money – in total – were paid to external Legal consultants to defend the cases filed in ERA or to prepare the responses to the case broken down by year?*

No money has been paid, in the last three years, to external Legal consultants or from the Ministry's liability insurance to cover costs from cases filed in the ERA. Therefore, your request is declined pursuant to section 18(e) of the OIA as the information does not exist.

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

We have interpreted your request as, disciplinary action brought against a manager if the employee's case is successful in the ERA. As there are no cases that have proceeded to the ERA there have been no further follow-up action brought against their direct Manager.

Should you have any concerns with this response, I would encourage you to raise these with the Ministry for Primary Industries at [Official.InformationAct@mpi.govt.nz](mailto:Official.InformationAct@mpi.govt.nz). 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 or at [info@ombudsman.parliament.nz](mailto:info@ombudsman.parliament.nz).

Yours sincerely



Kaye Ryan  
**Director, People and Capability**