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OIA 28962

Tēnā koe Jean Roberts

I refer to your email of 7 December 2023 in which you submitted an information request under the Official Information Act 1982 (OIA):

- 1- The number of Personal Grievances raised in your Ministry, in the last 3 years broken down by year, and categories (for example: Bullying, Unjustifiably disadvantaged, constructive dismissal etc)*
- 2- (in the last 3 years) The number of Mediation that took place broken down by year*
- 3- (in the last 3 years) The number of successful mediation broken down by year*
- 4- (in the last 3 years) Of the PGs raised, how many went to Employment Relations Authority broken down by year?*
- 5- (in the last 3 years) How many cases were found against the Ministry broken down by year?*
- 6- (in the last 3 years) How much money – in total- were paid to settle these cases / or pay the fee required by ERA broken down by year?*
- 7- How much money was covered by the Ministry's liability insurance?*
- 8- (in the last 3 years) 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?*
- 9- (in the last 3 years) How many ERA cases resulted in reinstatement of employee broken down by year?*
- 10- If a case is found against the Ministry (the Ministry lost), what are the consequences to the Manager involved in the incident?*

A response to each part of your request is set out below.

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

There have been six alleged personal grievances of 'unjustified disadvantage' raised with the Ministry of Foreign Affairs and Trade (the Ministry) in the past three calendar years - 2 in 2021, 0 in 2022, and 4 in 2023.

2- *(in the last 3 years) The number of Mediation that took place broken down by year*

Three alleged personal grievances involved the parties attending mediation in the last 3 calendar years. Two were in 2021 and one was in 2023.

3- *(in the last 3 years) The number of successful mediation broken down by year*

Two alleged personal grievances were resolved by a mediated settlement, both related to alleged grievances raised in 2021.

4- *(in the last 3 years) Of the PGs raised, how many went to Employment Relations Authority broken down by year?*

No alleged personal grievances went to the Employment Relations Authority in the 2021, 2022, or 2023 calendar years.

5- *(in the last 3 years) How many cases were found against the Ministry broken down by year?*

No cases were found against the Ministry in the 2021, 2022, or 2023 calendar years.

6- *(in the last 3 years) How much money – in total- were paid to settle these cases / or pay the fee required by ERA broken down by year?*

\$99,463 was paid by way of agreement between the parties to settle alleged personal grievances that were raised in 2021. Nothing has been paid in relation to personal grievances alleged in 2022 or 2023.

7- *How much money was covered by the Ministry's liability insurance?*

None of the amount paid to settle the personal grievances alleged in 2021 were covered by liability insurance.

8- *(in the last 3 years) 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?*

One dispute (not related to an alleged personal grievance) was filed in the Employment Relations Authority in 2022, with \$2,284.86 including GST being paid by the Ministry to external legal consultants relating to this dispute. There were no disputes filed in in 2021 or 2023.

9- (in the last 3 years) How many ERA cases resulted in reinstatement of employee broken down by year?

The Ministry had no alleged personal grievance cases filed with the Employment Relations Authority in the 2021, 2022, or 2023 calendar years. Therefore there were no resulting reinstatements of employees.

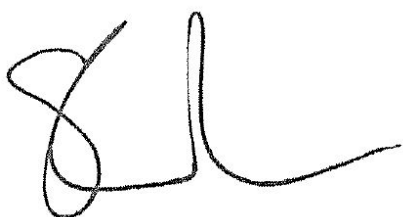
10- If a case is found against the Ministry (the Ministry lost), what are the consequences to the Manager involved in the incident?

No cases were found against the Ministry in the 2021, 2022, or 2023 calendar years.

Please note that it is our policy to proactively release our responses to official information requests where possible. Therefore, our response to your request (with your personal information removed) may be published on the Ministry website: [www.mfat.govt.nz/en/about-us/contact-us/official-information-act-responses/](http://www.mfat.govt.nz/en/about-us/contact-us/official-information-act-responses/)

If you have any questions about this decision, you can contact us by email at: [DM-ESD@mfat.govt.nz](mailto:DM-ESD@mfat.govt.nz). You have the right to seek an investigation and review by the Ombudsman of this decision by contacting [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

Nāku noa, nā

A handwritten signature in black ink, appearing to be 'SC', written in a cursive style.

Sarah Corbett  
for Secretary of Foreign Affairs and Trade