



29 January 2024

Jean Roberts
fyi-request-25089-fcf949cf@requests.fyi.org.nz

Dear Jean Roberts,

Thank you for your request made under the Official Information Act 1982 (OIA), received on 8 December 2023. You requested the following (numbered for ease of answering):

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?*

Question 1

Inland Revenue does not categorise personal grievance data. Therefore, your request for the number of personal grievances by category is refused under section 18(g) of the OIA, as the information is not held by Inland Revenue, and we do not believe it is held by another agency.

However, the table on the following page details the numbers of personal grievances raised in each of the last three financial years. Please note that a personal grievance may be raised but not progressed by the employee. The 20/21 year has a higher number of personal grievances than normal, the claims were largely related to a change management process which occurred that financial year.

Financial year	Number of personal grievances raised
2022/23 (as at 31 March 2023)	7
2021/22	4
2020/21	34

Question 2

Inland Revenue does not collect data on the number of mediations that we attend each year. Mediations may be attended for a variety of reasons and are not always as a result of an employee raising a personal grievance. Mediations are a tool to assist employees and employers to work through issues and may be requested by Inland Revenue in some cases.

Question 3

As above, Inland Revenue does not collect data on mediations. However, I have interpreted your question to refer to the number of disputes or personal grievances that have been settled with employees. Those numbers are detailed in the table below. Please note that not all personal grievances are raised and settled in the same year and not all settlements mean that a personal grievance has been raised.

Financial year	Number of settlements
2022/23 (as at 31 March 2023)	5
2021/22	10
2020/21	10

Question 4

The number of personal grievances heard in the Employment Relations Authority in the last three financial years is set out in the table below. Please note that personal grievances are not necessarily heard in the same year they are raised.

Financial year	Number of Hearings in the ERA
2022/23 (as at 31 March 2023)	1
2021/22	-
2020/21	-

Question 5

The number of cases found against Inland Revenue in the last three financial years is detailed in the table on the following page.

Financial year	Number of cases found against Inland Revenue
2022/23 (as at 31 March 2023)	1
2021/22	-
2020/21	-

Question 6

I have interpreted your question to refer to how much was paid to settle personal grievances/other disputes and how much was awarded to employees by the Employment Relations Authority. These amounts are detailed in the table below for the last three financial years. Please note that a personal grievance is not necessarily settled in the same year it was raised nor heard in the Authority in the same year it was filed.

Financial year	Settlements (\$)	Amount awarded by ERA (\$)
2022/23 (as at 31 March 2023)	33,468.95	20,000.00
2021/22	54,500.00	-
2020/21	39,000.00	-

Question 7

I have interpreted your question to mean how much of the settlement monies paid or the awards made by the Employment Relations Authority were covered by liability insurance. The answer is zero. Inland Revenue does not have an insurance policy covering such matters.

Question 8

The amount of money paid to external Legal Consultants on employment related matters in the last three financial years is detailed in the table below.

Financial year	Money paid to external Legal Consultants (\$)
2022/23 (as at 31 March 2023)	14,894.00
2021/22	45,825.00
2020/21	294.00

Question 9

There were no Employment Relations Authority ordered reinstatements in the last three years.

Question 10

If it is found that a manager has somehow acted improperly, it would be dealt with in accordance with Inland Revenue's disciplinary procedures. This would be dependent on the circumstances of the case.

Right of review

If you disagree with my decision on your OIA request, you can ask an Inland Revenue review officer to review my decision. To ask for an internal review, please email the Commissioner of Inland Revenue at: CommissionersCorrespondence@ird.govt.nz.

Alternatively, under section 28(3) of the OIA, you have the right to ask the Ombudsman to investigate and review my decision. You can contact the office of the Ombudsman by email at: info@ombudsman.parliament.nz.

If you choose to have an internal review, you can still ask the Ombudsman for a review.

Publishing of OIA response

We intend to publish our response to your request on Inland Revenue's website (www.ird.govt.nz) as this information may be of interest to other members of the public. This letter, with your personal details removed, will be published in its entirety. Publishing responses increases the availability of information to the public and is consistent with the OIA's purpose of enabling more effective participation in the making and administration of laws and policies and promoting the accountability of officials.

Thank you for your request.

Yours sincerely



Sophie Logie
Corporate Solicitor (L2), Corporate Legal