

05 JUL 2018

[REDACTED]

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Thank you for your email of 8 May 2018 in which you ask a number of questions concerning bullying and harassment.

Housing New Zealand is committed to providing a safe, engaging and caring place to work, and to the wellbeing of our staff. This includes having in place appropriate policies and procedures to manage, and wherever possible to prevent, harassment, unlawful discrimination and/or bullying in the workplace. We have a long running Employee Assistance Programme, providing confidential counselling support, and have recently developed a Values Charter and established a confidential phone line, which is available to provide staff with a clear path to report workplace concerns.

Housing New Zealand appropriately investigates all formal complaints of bullying, harassment or unlawful discrimination made by our staff, and where these are substantiated we will take appropriate action, including disciplinary action.

Answers to your questions are provided below. Please note that the data available is limited.

**How many formal complaints of either bullying or harassment has Housing New Zealand received in the past ten years?**

Housing New Zealand has records regarding bullying and/or harassment complaints going back to December 2014.

We do not hold a central register of records for the six years prior to this. To gather this information would require us to work through several thousand individual paper files of all previous and current employees of Housing New Zealand, many of which contain hundreds of documents each. As this information cannot be made available without substantial collation or research, I am declining your request under section 18(f) of the Official Information Act 1982.

In respect of the information that is available, over the last four years, Housing New Zealand's records show 19 instances where complaints were raised for bullying and/or harassment by Housing New Zealand employees in relation to their employment.

**How many investigations/inquiries into individual cases of bullying and harassment has Housing New Zealand undertaken in the last ten years?**

For the reasons noted above, Housing New Zealand is only able to provide information in relation to the period dating back to December 2014. Housing New Zealand investigated or made inquiries into the circumstances of all 19 complaints identified in the period after December 2014.



**How many of those were done by outside experts such as lawyers?**

Three investigations were undertaken by external lawyers in the period after December 2014.

**In how many of the cases were the complaints substantiated?**

Of the 19 complaints within the period available, three were substantiated as involving bullying or harassment.

**What was the total cost of outside lawyers for such cases in ten years?**

The total legal costs of external lawyers for the three investigations identified above, and for the period from December 2014 onwards, was \$109,083.

**Where possible for all of the above, please provide a regional breakdown.**

The regional breakdown of the 19 complaints in the period from December 2014 is as follows:

Auckland/Northland:	10
Central region, including Taranaki, Hawkes Bay, Manawatu:	3
Wellington Region and South Island:	6

**How many personal grievance cases have been taken against Housing New Zealand in the last ten years?**

Housing New Zealand is aware of 39 personal grievances that have been formally raised and either referred to mediation and/or resolved internally between the parties over the last 10 years.

**How many of those were explicitly for bullying and harassment reasons?**

Housing New Zealand's records do not contain this level of detail. Names and settlement details are not recorded centrally. A large number of physical archived files would need to be reviewed to identify the 39 personal grievances referred to above, and to determine if any of these involved bullying or harassment. As this information cannot be made available without substantial collation or research, I am declining your request under section 18(f) of the Official Information Act 1982.

**How many cases were settled at mediation?**

We are aware of 22 personal grievances that were settled at mediation with the Ministry of Business, Innovation and Employment (or its predecessor, the Department of Labour). A breakdown by financial year is set out below.

<b>Year</b>	<b>Number of personal grievances settled at mediation</b>
2010/11	2
2011/12	2
2012/13	2
2013/14	2
2014/15	1
2015/16	6
2016/17	3
2017/18	4
<b>Total</b>	<b>22</b>

**How much was paid out by Housing New Zealand to employees/ former employees for personal grievance cases in the last ten years?**

Housing New Zealand's records do not contain this level of detail, and this information cannot be made available without substantial collation and research. Therefore, I am declining your request under section 18(f) of the Official Information Act 1982.

**How much did Housing NZ spend on lawyers for such cases?**

Housing New Zealand is unable to determine the total cost of outside lawyers in respect of bullying or harassment cases. Housing New Zealand only records total annual costs of lawyers engaged by the Human Resources team. These costs relate to advice received in respect of all employment issues, including (but not limited to) advice and representation in respect of all types of complaints and personal grievances, mediation support, legal opinions on points of law, payroll compliance advice, Employment Relations Authority and Employment Court litigation, legal training, employment agreement advice and drafting, collective bargaining advice, policy drafting and review.

Therefore, I am unable to provide you with the requested information because with reference to section 18(g) of the Act "*the information requested is not held.*"

You have the right to seek an investigation and review by the Ombudsman of Housing New Zealand's decision to release information. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

Yours sincerely

A handwritten signature in black ink, appearing to read 'A.J. McKenzie', with a long, sweeping horizontal line extending to the right.

**Andrew McKenzie**  
**Chief Executive**