

Ref: 200984

Thursday, 27 February 2020

A Robinson

By email to fyi-request-12085-fe61381a@requests.fyi.org.nz

Tēnā koe,

Response to your request for Official Information

On 27 January 2020, you requested from the Human Rights Commission (“the Commission”) the following information per year for the period 2014 - 2019 (five years):

1. The number of discrimination complaints made about primary and secondary schools.
2. The number of schools that refuse to participate in HRC mediation when it is offered.
3. The number of schools that participate in mediation but an outcome is not reached.
4. The number of schools that participate in mediation when an outcome is reached.

Discrimination complaints made about primary and secondary schools

From 1 January 2014 – 31 December 2019 the Commission received 235 complaints alleging unlawful discrimination by primary and/or secondary schools. Of these 235 complaints, 30 (13%) progressed to mediation and 205 (87%) did not.

The following table provides a breakdown of those complaints:

Year	Mediated		Total
	No	Yes	
2014	26	4	30
2015	21	3	24
2016	29	2	31
2017	51	4	55
2018	33	10	43
2019	45	7	52
Grand Total	205	30	235

Schools refusing to participate in mediation

The Commission does not routinely record why a complaint has not progressed to mediation. The reasons why a complaint may not progress to mediation are varied and often specific to the particular complaint. Some examples of why a complaint does not proceed to a mediation may include:

- The parties resolved the complaint independently of our mediation process;
- The complainant decided to no longer pursue mediation;
- The respondent (the party being complained about) chose not to engage in the mediation process.

Mediation participation and outcomes reached

Of the 30 complaints mentioned above which the Commission mediated; 27 individual schools were involved.

Twenty of those complaints (66%) which involved 17 individual schools reached a resolution through mediation.

The remaining 10 complaints (33%) which involved 10 individual schools did not reach a resolution through mediation.

Alternative avenues

If you are unhappy with this response, under the Official Information Act you are entitled to complain to the Ombudsman's Office. Information about how to make a complaint is available at www.ombudsman.parliament.nz or on freephone 0800 802 602.

If you have any further queries about this response, please feel free to contact me directly.

Nāku noa, nā

Jaimee Paenga
Legal Officer