



Te Kawa Mataaho

Public Service Commission

11 May 2022

Chuck Schooner

fyi-request-19133-def0f52a@requests.fyi.org.nz

Dear Chuck

Official Information Request

Our Ref: OIA 2022-0056

I refer to your official information request which was transferred to Te Kawa Mataaho Public Service Commission (the Commission) from the Office of the Minister for the Public Service on 20 April 2022 where you asked the following:

“Please provide any and all correspondence, emails, directives, guidance to government agencies in relation to workers going back into their brand new offices, multi million dollar fit-outs that have all been empty whilst our public servants have had a two year holiday. Not that the productivity will change but at least get them back in the office for their glorified benefit to support the productive side of the economy that pays their wages.

Please include in the correspondence above

- *What does the guidance look like - 80, 90 or 100% of staff in office?*
- *Number of days workers are required to be in office*
- *How many agencies have pushed back if any - what emails came back pushing back*
- *Who sent the directive out?*
- *I want to see the formal directive sent to the individual agencies and their responses if any”*

Our Response

On 23 March 2020, the Government announced that New Zealand would move to Alert Level 4. Alert Level 4 was about stopping the spread of the virus and saving lives. It didn't mean everything stopped. It was essential that the Public Service kept working and delivering services for New Zealanders.

Public servants had a critical role in the Government's response to COVID-19. Our mission was to implement the Government's response effort and keep the Public Service running to deliver the services that New Zealanders rely on.

Since then, and while in the different Alert Levels or settings of the COVID-19 Protection Framework (the traffic lights), the Commission issued workforce guidance to assist agencies with workforce matters. These [guidelines](#) were updated as decisions about alert levels were being made. The guidelines now operate under the COVID-19 Protection Framework and are publicly available on our website: [Public Service workforce guidance for the COVID-19 Protection Framework | Te Kawa Mataaho Public Service Commission.](#)

Under the Alert Level 2 Guidelines, agencies were asked to make a progressive and careful return to their usual place of work. It was for chief executives to manage this in the context of their own workforce. Each workplace and workforce are different.

The guidelines did not ask or instruct public servants to work from home, but physical distancing would have been more of a challenge in some workplaces than others and chief executives would have configured their workforces accordingly. Chief executives managed the return of public servants to the office without compromising health and safety.

The latest guidance includes information regarding operating services under the COVID-19 protection framework and outlines working practices under the different settings of the traffic light system. The guidance recommends that workplaces are open and alternative working practices are used as the exception rather than the standard. Working from home may be appropriate for some people i.e if their particular individual circumstances warrant it.

It is also important to note that public servants have been working to deliver services throughout the COVID-19 pandemic, and more recently with the Omicron surge under the Covid Protection Framework, regardless of their place of work. Many public servants, especially those in frontline roles such as at the border, in prisons, courts and Oranga Tamariki Residential Care homes, have been working in their usual workplaces throughout the Omicron outbreak.

As part of the Commission updating Public Service workforce guidance as New Zealand moved phase settings, the Public Service Commissioner sent emails to the Public Service Leadership Team (PSLT) advising that the guidance had been published and referring to guidance in relation to employees working from home.

At specific points in time the Commission has tested the progress of agencies with return to usual working arrangements and has supported their preparations for staff to return to the office by facilitating meetings with Heads of HR and agency chief executives.

Please find enclosed and outlined in the table below emails from the Public Service Commissioner to the PSLT:

Item	Date	Document Description	Decision
1	23 January 2022	Email from the Public Service Commissioner titled operating under the red setting	Released in part
2	15 February 2022	Email from the Public Service Commissioner titled Move to Phase Two: Slowing the Spread	Released in part
3	25 February 2022	Email from the Public Service Commissioner titled Moving to Phase three....!	Released in part

You may also find the information regarding [flexible work by default guidance and resources](#) which is publicly available on our website useful.

The Commission has not issued a formal directive to agencies, nor have we received any push back from agencies in relation to the guidance. We are therefore refusing this part of your request under section 18(e) of the Official Information Act 1982 on the grounds that the information does not exist.

If you wish to discuss this decision with us, please feel free to contact Ministerial.Services@publicservice.govt.nz.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Please note that we intend to publish this letter (with your personal details removed) and enclosed documents on the Te Kawa Mataaho Public Service Commission's website

Yours sincerely



Nicky Dirks

Manager – Ministerial and Executive Services
Te Kawa Mataaho Public Service Commission