

J Floyd
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6 June

Dear J Floyd

OIA 22-23-52: External Contracting Process: Storage of Contracts

Thank you for your email of 26 April 2023 to New Zealand Trade and Enterprise (NZTE), making a request under the Official Information Act 1982 (the Act). On 25 May 2023, we extended the time for response to 6 June 2023. You requested the following information:

What is the process for storing contracts with external parties?

Can the legal team at NZTE please confirm that all signed contracts for external recruiters related to the NZTE Investment team have been stored and maintained.

Please undertake a spot check and confirm if contracts exist for the following people (if external recruiters were used)

- Rangī Ririnui
- Alex Bunce
- Molly MacKenzie
- Laura Reitel

Answers to your questions are as follows:

1. Under the Fine Print (NZTE's policy document), signed contracts are filed in the Signed Contracts Register (subject to some exceptions). Exceptions include where those contracts are highly confidential or they contain personal information about individuals (for example, some recruitment contracts).
2. The Legal team is not responsible for storing or maintaining contracts. This is the responsibility of the contract owner/hiring manager. Further, as noted above, contracts for external recruiters will not necessarily be stored or maintained in the Signed Contracts Register, particularly where they contain confidential or personal information. Instead, they may be stored with NZTE's People and Korako team (HR) or with the hiring manager. It is important to note that:
 - Contracts for external recruiters may take a number of different forms (including emails or more formal signed agreements), depending on the circumstances; and
 - Some of the arrangements with recruiters are also historic such that any contract or arrangement may pre-date the current contract management system.
3. NZTE does not release information about the recruitment details of NZTE people for privacy reasons. We can confirm that NZTE uses different recruitment processes, (including a range of recruiters), depending on the needs and specialty of the role being recruited for. To answer your question would breach the privacy of the named individuals and accordingly, we are withholding this information under section 9(2)(a) of the Official Information Act.

In reference to an earlier response to one of your OIA's, 22-23-27, we noted that a relevant hiring managing will sign an agreement for each 'case' with Agency 6. To clarify, some arrangements with Agency 6 take different forms and may be agreed via email and therefore not have a physical signature.

You have the right under section 28(3) of the Act to seek an investigation and review by the Ombudsman. Information about how to make a complaint is available at: www.ombudsman.parliament.govt.nz or freephone: 0800 802 602.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Melissa Trochon', written in a cursive style.

Melissa Trochon
Director – Board & Ministerial