

Anna Chin  
[fyi-request-24471-445dd5b2@requests.fyi.org.nz](mailto:fyi-request-24471-445dd5b2@requests.fyi.org.nz)

Dear Anna Chin

Thank you for your email of 19 October 2023 to the Ministry for the Environment (the Ministry) requesting the following under the Official Information Act 1982 (the Act):

1. *What level of funding over the last 12 months is going towards activities and resources that are based on people's identity. Rainbow tick procurement, paid staff time off learning Te Reo, time spent singing karakia, cultural sensitivity classes, unconscious bias training etc.*
2. *What level of funding is going towards jobs that are based on a person's ethnicity, e.g. Maori directorate etc. Are there any special advisory or cultural groups or boards that have been established by the Ministry of its own volition and how much do these cost each year.*
3. *How much has or is being spent on co-governance type policies or arrangements.*
4. *How many additional staff have been hired by MfE since 2017 (net). How many FTEs would need to go to get it back to the last government's level of staffing.*
5. *In the draft BIM and October baseline update, and fiscal sustainability request from the Minister of finance what savings have been identified to date.*
6. *Politically impartial, can the current leadership and staff actually work with the incoming government and it's policy work or is MfE's culture of hiring political activists mean that current leadership is incapable of following new policy direction.*

On 8 November 2023, the Ministry contacted you to clarify three elements in points 2 and 3 of your request. On 13 November 2023, you replied to our request for clarification regarding two out of the three elements, as outlined below.

Regarding the first half of point 2 of your request – *What level of funding is going towards jobs that are based on a person's ethnicity, e.g. Maori directorate etc* – you responded that you are seeking funding for business groups within the Ministry that deal with matters related to specific cultural relationships, ethnicities, or cultural groups, including initiatives like Māori Crown Relations but excluding explicit legislative Te Tiriti o Waitangi settlements. You also indicated your request excludes actual stated settlements and your focus is on initiatives where the Ministry has interpreted scope or value independently.

Regarding the second half of point 2 of your request – *Are there any special advisory or cultural groups or boards that have been established by the Ministry of its own volition and how much do these cost each year* – you were informed about publicly available information on Ministry working groups provided in the *2023/34 Vote Environment - Supplementary Estimates submission*, available at: [budget.govt.nz/budget/2023/by/vote/envir.htm](https://budget.govt.nz/budget/2023/by/vote/envir.htm).

You did not provide us with further information about the types of groups you are interested in and the subject matter they consider.

Regarding the third point of your request, you responded by specifying that you are interested in the spending on co-governance arrangements *“...where the other party/group/board/advisory group is not democratically elected and the group/board/advisory has limitations for membership based on ones heritage or what ethnic group the a member professes to be.”*

I have sectioned out your request and my responses below.

**1. What level of funding over the last 12 months is going towards activities and resources that are based on people's identity. Rainbow tick procurement, paid staff time off learning Te Reo, time spent singing karakia, cultural sensitivity classes, unconscious bias training etc.**

Please refer to the attached table titled Cultural & Diversity Training Costs (12 Months) for a breakdown of the costs associated with cultural and diversity training programmes and resources over the past 12 months.

The Ministry also holds staff-led waiata sessions. No budget has been allocated for waiata sessions, nor any costs incurred by the Ministry for the running these sessions or for any resources associated with the Ministry's kapa waiata.

**2. What level of funding is going towards jobs that are based on a person's ethnicity, e.g. Maori directorate etc. Are there any special advisory or cultural groups or boards that have been established by the Ministry of its own volition and how much do these cost each year.**

As mentioned above, you clarified that you are seeking funding for business groups within the Ministry that deal with matters related to specific cultural relationships, ethnicities, or cultural groups, including initiatives like Māori Crown Relations but excluding explicit legislative Te Tiriti o Waitangi settlements and your focus is on initiatives where the Ministry has interpreted scope or value independently.

The Public Service Act 2020 (the Act) section 14 explicitly recognises the role of the Public Service to support the Crown in its relationships with Māori under Te Tiriti o Waitangi/the Treaty of Waitangi.

To this end, the new Act includes provisions that put explicit responsibilities on Public Service leaders for developing and maintaining the capability of the Public Service to engage with Māori and to understand Māori perspectives.

The new Act also carries over the current requirements on Public Service employers to operate an employment policy that recognises the aims, aspirations and employment requirements of Māori, and the need for greater involvement of Māori in the Public Service.

Chief executives are accountable to their Minister for upholding their responsibilities to support the Crown's relationships with Māori.

In upholding these responsibilities, the Ministry's Tūmatakōkiri business group provides advice and support to help staff strengthen the Ministry's reputation and improve our relationships with our treaty partners, with a focus on strengthening in-house capability and capacity to nurture Māori-Crown relations. This business group also undertakes work to meet legislative Te Tiriti o Waitangi settlement commitments and support the Ministry in responding to Waitangi Tribunal inquiries.

The Ministry has prepared a breakdown of the funding allocated to Tūmatakōkiri over the past 12 months. This information is enclosed in the below table, which is being released to you in full. While costs relating to work to meet legislative Te Tiriti o Waitangi settlement commitments and support the Ministry in responding to Waitangi Tribunal inquiries is out of scope of your request, the data is not easily disaggregated. The full costs have been supplied in the interests of transparency.

Please note that your request for information on *special advisory or cultural groups or boards that have been established by the Ministry under its own volition* has been refused under section 18(f) of the Act, as the information requested cannot be made available without substantial collation or research.

Despite attempts to refine this part of your request, the Ministry is unable to provide information in scope in a reasonable timeframe. The effort required to identify groups across the Ministry that may be in scope of your request, assess information relating to their establishment and purpose, aggregate annual costs consider material for release is substantial.

### **3. How much has or is being spent on co-governance type policies or arrangements.**

The Ministry is refusing this point of your request under section 18(f) of the Act, as the information requested cannot be made available without substantial collation or research.

Even with clarification of your request, the Ministry has been unable to identify information on groups that may be in scope of your request, as well as assess relevant information for release, in a reasonable timeframe.

You are welcome to make a new request with refined parameters, including a more specific definition of co-governance, which may help the Ministry to identify information you are interested in. For example:

- Regarding the definition of co-governance, are you interested in governance entities where part of the membership is selected by groups other than the Minister?

- Are you interested in governance entities where half (or more) of the membership is selected by external groups? Or entities with any number of external members?
- Are you only interested in groups where members are appointed by the Minister?
- Are you also interested in information on appointments by entities monitored by the Ministry, such as the Environmental Protection Agency?

**4. How many additional staff have been hired by MfE since 2017 (net). How many FTEs would need to go to get it back to the last government's level of staffing.**

This point of your request has been refused under section 18(d) of the Act as the information you have requested is publicly available.

You may be interested to know that the Public Service Commission (PSC) offers Workforce Data tables and visualizations that provide demographic summaries and workforce metrics from human resources records as at 26 October 2023, available at: [www.publicservice.govt.nz/research-and-data/guidance-data-drilldown-and-technical-guidance/](http://www.publicservice.govt.nz/research-and-data/guidance-data-drilldown-and-technical-guidance/)

**5. In the draft BIM and October baseline update, and fiscal sustainability request from the Minister of finance what savings have been identified to date.**

I am refusing this point of your request under section 9(2)(f)(iv) of the Act in order to maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials. The information you have requested is still under active consideration, and releasing this information would prejudice future decision-making processes.

In terms of section 9(1) of the Act, I am satisfied that, in the circumstances, the withholding of this information is not outweighed by other considerations that render it desirable to make the information available in the public interest.

**6. Politically impartial, can the current leadership and staff actually work with the incoming government and it's policy work or is MfE's culture of hiring political activists mean that current leadership is incapable of following new policy direction.**

Regarding this point of your request, you may be interested to know that Section 11 of the Public Service Act 2020 states:

*“The public service supports constitutional and democratic government, enables both the current Government and successive governments to develop and implement their policies, delivers high-quality and efficient public services, supports the Government to pursue the long-term public interest, facilitates active citizenship, and acts in accordance with the law.”*

Furthermore, section 12(1)(a) of the Public Service Act 2020 enshrines the requirement that ‘public servants act in a politically neutral manner.’

There are two different sets of conduct and integrity standards which bind Ministry staff. One is the Ministry's internal standards which staff agree at the commencement of employment with the Ministry and the other is He Aratohu, authored by the Public Service Commission, which sets out the minimum expectations for integrity and conduct in the Public Service. You can access He Aratohu here: [www.publicservice.govt.nz/guidance/guide-he-aratohu/](http://www.publicservice.govt.nz/guidance/guide-he-aratohu/)

You have the right to seek an investigation and review by the Office of the Ombudsman of my decision to withhold information relating to this request, in accordance with section 28(3) of the Act. The relevant details can be found on their website at: [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz).

Please note that due to the public interest in our work the Ministry for the Environment publishes responses to requests for official information on our [OIA responses page](#) shortly after the response has been sent. If you have any queries about this, please feel free to contact our Ministerial Services team: [ministerials@mfe.govt.nz](mailto:ministerials@mfe.govt.nz).

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Jonathan Ryan', is positioned below the text 'Yours sincerely'.

Jonathan Ryan  
**Director – Quality of Policy Advice and Ministerial Services**

### Cultural & Diversity Training Costs (12 Months)

Activity	Delivered by internal team or external provider	Total Cost over last 12 months
Māori Language Allowance	Certified by Te Taura Whiri i te Reo Maori	The Ministry paid a total of \$13,614.37 in te reo Māori allowance to 19 employees.
Rainbow Tick – accreditation and educational materials	External provider – Rainbow Tick, Kāhui Tū Kaha	The contract value is \$11,000.
Mitigating Unconscious Bias workshop (28 September 2022)	Diversity Works	The contract value is \$2,250 excl. GST.
Tōnui	Awariki Ltd.: design and delivery  Education Perfect: online modules	The total cost to the Ministry is \$268,960 excl. GST.
Staff events and celebrations acknowledging diversity and cultural occasions	Facilitated internally by Ministry staff and employee-led networks	\$1500: Speaker fee for the Women's Network guest speaker. \$500: Table reservation for the Tagata Moana event. \$81.57: Funding for prizes at the Pride event in September 2022.
Gender Tick assessment	Gender at Work Community	The total cost to the Ministry is \$9000 excl. GST.

## Tūmatakōkiri

Period: 1 Oct 22 - 30 Sept 23

	FY 22/23										FY 23/24		Total
	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23	
Permanent & Fixed Term & Secondees In	223,819	252,953	258,037	239,351	346,917	370,984	268,256	327,553	309,565	323,500	393,252	368,610	3,682,797
Contractors	36,312	20,120	26,655	9,219	18,413	(2,625)	9,600	-	(48,991)	-	41,959	42,725	153,386
Travel Costs: carbon drivers	4,362	4,628	237	1,715	6,678	7,879	5,456	1,298	2,310	7,505	8,548	3,008	53,625
Travel Costs: non drivers	2,621	461	987	965	732	1,950	3,530	7,708	738	1,117	1,301	4,315	26,424
Professional Consultancy	8,026	-	750	14,750	(1,000)	(4,737)	7,790	11,640	106,428	2,300	13,500	35,460	194,907
Data & Science	(299)	(3,958)	3,360	2,800	3,920	-	(17,781)	560	(35,684)	-	-	1,594	(45,488)
IT Costs	-	-	-	-	-	-	-	-	-	-	-	-	-
Accomm. Costs	-	-	1,400	-	-	-	66	24	2,874	-	175	35	4,574
Contribution	-	-	-	-	-	-	-	-	120,000	172,391	-	-	292,391
Other Costs	12,061	10,256	6,750	3,834	2,284	926	3,007	752	51,642	-	2,335	5,752	99,600
<b>Total</b>	<b>286,902</b>	<b>284,460</b>	<b>298,176</b>	<b>272,633</b>	<b>377,944</b>	<b>374,376</b>	<b>279,925</b>	<b>349,535</b>	<b>508,882</b>	<b>506,814</b>	<b>461,071</b>	<b>461,498</b>	<b>4,462,217</b>