

1 March 2024

Jean Roberts

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Dear Ms Roberts

Thank you for your request of 5 December 2024 to Kāinga Ora – Homes and Communities, for information about personal grievances under the Official Information Act 1982 (the Act).

On 24 January 2024 we wrote to you to advise that the timeframe for responding to your request was extended by 20 working days under section 15A(1)(b) of the Act as “consultations necessary to make a decision on the request are such that a proper response to the request cannot reasonably be made within the original time limit.” I apologise for the delay in my reply.

I have responded to your individual questions below.

**1- The number of Personal Grievances raised in your Ministry, in the last 3 years broken down by year, and categories (for example: Bullying, Unjustifiably disadvantaged, constructive dismissal etc)**

The below table shows the number of personal grievances raised over the past three financial years.

Category	2020/21	2021/22	2022/23
Unjustified disadvantage	5 (alleged)	9 (alleged)	8 (alleged)
Constructive dismissal	0	1 (alleged)	1 (alleged)
Bullying	2 (alleged)	2 (alleged)	0

**2- (in the last 3 years) The number of Mediation that took place broken down by year**

**3- (in the last 3 years) The number of successful mediation broken down by year**

The below table shows the number of mediations that took place through the Ministry of Business Innovation and Employment (MBIE) over the past three financial years. All but one of the MBIE mediations were resolved.

Year	Mediations
2020/21	2 resolved 1 unresolved
2021/22	6 resolved
2022/23	6 resolved

**4- (in the last 3 years) Of the PGs raised, how many went to Employment Relations Authority broken down by year?**

**5- (in the last 3 years) How many cases were found against the Ministry broken down by year?**

**6- (in the last 3 years) How much money – in total- were paid to settle these cases / or pay the fee required by ERA broken down by year?**

**7- How much money was covered by the Ministry's liability insurance?**

No personal grievances went to the Employment Relations Authority over the past three financial years.

**8- (in the last 3 years) How much money – in total – were paid to external Legal consultants to defend the cases filed in ERA or to prepare the responses to the case broken down by year?**

Legal consultants were engaged for preparation of two cases filed with the Employment Relations Authority, at a cost of approximately \$9,000 (approximately \$4,500 per case). These took place in 2021/22 and 2022/23. However, both cases were withdrawn and resolved through mediation.

**9- (in the last 3 years) How many ERA cases resulted in reinstatement of employee broken down by year?**

No cases went to the Employment Relations Authority over the past three financial years.

**10- If a case is found against the Ministry (the Ministry lost), what are the consequences to the Manager involved in the incident?**

This would be considered on a case-by-case basis and would be subject to a review of the individual circumstances.

You have the right to seek an investigation and review by the Ombudsman of this response. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or Freephone 0800 802 602.

Please note that Kāinga Ora proactively releases our responses to official information requests where possible. Our response to your request may be published at <https://kaingaora.govt.nz/publications/official-information-requests/> with your personal information removed.

Yours sincerely



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Rachel Kelly  
**Manager Government Relations**