

29 April 2025

By email to: [REDACTED]

Dear [REDACTED]

OFFICIAL INFORMATION ACT REQUEST 2025/18

On the evening of Wednesday 26 March, you made a request under the Official Information Act 1982 (the OIA) for the following information:

Between the 2020 general election (Jan 2021) and now (Q3 2025) how many permanent or fixed term staff (excluding those temporary staff hired for elections) have

1. Participated in "without prejudice" conversations resulting in them being exited from the Commission along with a settlement agreement

2. Raised personal grievances that were processed through the ERA

Please provide a breakdown by department/business unit by quarter if available and by year otherwise, accepting that 2025 figures will be partial

What was the nature of these complaints.

A table grouped by department will likely be the best way to represent your answers.

What was the financial cost of these settlements/exits and separately what was the cost of external legal and HR related advice.

Finally what is the staff turnover rate by department by quarter (Jan 2021 to March 2025 - 2025 so far). You can provide annual rates if you do not have them quarterly.

To calculate staff turnover rate, divide the number of employees who left a department during the period by the average number of employees (excluding the temp election hires) during that period, then multiply by 100 to express it as a percentage. Your HR department will likely have an easily accessible answer to this. Please provide by department/business unit taking the equivalent department/business unit into account when a restructure impacts the figures.

We have provided answers to your questions below.

During Jan 2021 and Q3 2025, there has been one employee who has participated in a without prejudice conversation resulting in them being exited from the Commission along with a settlement agreement. There were two personal grievances from one employee resulting in one ERA case.

We have not included the settlement costs under section 149 of the Employment Relations Act. The information is withheld under sections 9(2)(a) and 9(2)(ba) of the OIA on the grounds that the withholding of the information is necessary to protect the privacy of natural persons and to protect information which is subject to an obligation of confidence where the making available of the information would be likely to prejudice the supply of similar information, or information from the

same source, and it is in the public interest that such information should continue to be supplied; or would be likely otherwise to damage the public interest. I am satisfied that the reasons for withholding of the information are not outweighed by other considerations which render it desirable, in the public interest, to make that information available.

	<i>Group</i>	<i>Year</i>	<i>Nature of complaint</i>	<i>Costs</i>
<i>Without prejudice case</i>	<i>Operations</i>	<i>2024</i>	<i>Medical</i>	<i>\$2,500 in legal costs</i>
<i>ERA Case</i>	<i>Enterprise Services</i>	<i>2025</i>	<i>Unjustifiably disadvantaged</i>	<i>\$33,417 in legal costs</i>

The permanent staff turnover rate has been provided at an organisation level only due to the small size of the Commission, rather than at a department level. That information is withheld under section 9(2)(a) of the Official Information Act on the grounds that the withholding of the information is necessary to protect the privacy of the natural person. I am satisfied that the withholding of the information is not outweighed by other considerations which render it desirable, in the public interest, to make that information available.

The financial year is between July-June. Turnover figures are reported by financial year, before July 2023 in lieu of quarterly figures and quarterly from 1 July 2023.

Quarterly figures are based on the previous 12 months' permanent staff turnover. To calculate the Quarterly turnover, we took the number of unplanned leavers over the previous 12-month period divided by average headcount in the 12-month period.

Redundancies have not been included in the calculation of any turnover figures, as they were not included in the financial year (FY) turnover figures, and it would not be a fair comparison.

Time period	Turnover
2020/21 FY (Jul 20 – Jun 21)	9.0%
2021/22 FY (Jul 21 – Jun 22)	22.0%
2022/23 FY (Jul 22 – Jun 23)	22.0%
2023	
Qtr3 (Jul-Sep)	24.9%
Qtr4 (Oct-Dec)	23.7%
2024	
Qtr1 (Jan-Mar)	15.9%
Qtr2 (Apr-Jun)	17.5%
Qtr3 (Jul-Sep)	12.9%
Qtr4 (Oct-Dec)	10.7%
2025	
Qtr1 (Jan-Mar)	11.5%

In the interests of transparency, we release responses to Official Information Act requests every 3 months. We will publish this response with your personal details redacted.

You have the right under section 28(3) of the Act to make a complaint to the Ombudsman if you are not satisfied with the response to your request. Information about how to do this is available at www.ombudsman.parliament.nz or by phoning 0800 802 602.

Yours sincerely



Lucy Hickman
Deputy Chief Executive Enterprise Services