

12 FEB 2020



Tēnā koe 

Thank you for your email of 10 January 2020 to Oranga Tamariki—Ministry for Children (Oranga Tamariki), requesting the following information under the Official Information Act 1982 (the Act):

- *Can you please provide the below information, ideally in table format, for each of the past five years 2015-2019:*
- *the number of sexual harassment allegations received*
- *the number of sexual harassment allegations which were laid as formal complaints*
- *the number of internal investigations into sexual harassment allegations*
- *the number of external investigations into sexual harassment allegations (in some cases, a single allegation will have both internal and external investigation - it might be helpful to note somewhere if this was the case to avoid double counting)*
- *the number of sexual harassment allegations which were upheld / substantiated / proved / found likely to be true*
- *the number of mediated settlements resulting from sexual harassment allegations*
- *the number of other types of settlements or resolutions resulting from sexual harassment allegations*
- *the amount of financial compensation included in those settlements*
- *whether those settlements included a confidentiality agreement or non disclosure agreement (note: the standard MBIE mediation under section 149 of the Employment Relations Act includes a confidentiality clause, please state if the settlement was the MBIE settlement)*

Please note Child, Youth and Family (CYF) was a business unit of the Ministry of Social Development (MSD). Aside from inheriting the social work aspect from CYF, Oranga Tamariki was established on 1 April 2017 as a brand new government department with its own structure, operating and funding models. CYF did not directly transform into Oranga Tamariki and Oranga Tamariki includes a range of functions that were not previously part of the CYF group within MSD.

Our response to your request covers the time period 1 April 2017 to 31 December 2019. The Ministry of Social Development will be providing information relating to CYF staff employed by them prior to 1 April 2017.

Oranga Tamariki is committed to being a good employer and providing a safe working environment for over 4,000 staff, where these staff are treated fairly and with respect. It is the responsibility of all staff members to promote and maintain a work environment free of inappropriate behaviour and to behave in a manner that is respectful of others. All complaints and instances of harassment are treated promptly, fairly and confidentially in accordance with our Workplace Harassment Policy.

**Table One: Number of sexual harassment allegations received, laid as formal complaints, internal investigations, external investigations and allegations that were upheld, broken down by calendar year.**

	2017*	2018	2019
<b>Number of sexual harassment allegations received</b>	0	4	5
<b>Number of sexual harassment allegations which were laid as formal complaints</b>	0	1	2
<b>Number of internal investigations into sexual harassment allegations</b>	0	3	4
<b>Number of external investigations into sexual harassment allegations</b>	0	0	0
<b>Number of sexual harassment allegations which were upheld / substantiated / proved / found likely to be true</b>	0	2	3

\*from 1 April 2017 to 31 December 2017

With regards to your four final questions, if a mediation settlement was completed it would be considered confidential. Accordingly, I am refusing your request for information relating to settlements under section 9(2)(a) of the Act in order to protect the privacy of natural persons. The need to protect the privacy of these individuals outweighs any public interest in this information.

Oranga Tamariki intends to make the information contained in this letter available to the wider public shortly. We will do this by publishing this letter on our website. Your personal details will be deleted and we will not publish any information that would identify you as the person who requested the information.

If you wish to discuss this response with us, please feel free to contact [OIA\\_Requests@ot.govt.nz](mailto:OIA_Requests@ot.govt.nz).

If you are not satisfied with this response, you have the right to ask an Ombudsman to review this decision. Information about this is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or by contacting them on 0800 802 602.

Nāku noa, nā

A handwritten signature in black ink, appearing to read 'Steve Groom', with a long, sweeping horizontal line extending to the right.

Steve Groom

**General Manager Public, Ministerial and Executive Services**