PUBLICSECTOR

Rāngai Tūmatanui
Journal of the Institute of Public Administration New Zealand
Volume 46 • April 2023

THE STATE OF THE CORE STATE: FINDINGS FROM THE WORKING IN THE PUBLIC SERVICE SURVEY

THE STRUGGLE TO 50 PERCENT: THE REPRESENTATION OF WOMEN IN PARLIAMENT

Institute of Public Administration New Zealand

Institute of
Public Administration
New Zealand

PUBLISHER

The Institute of Public Administration New Zealand

PO Box 5032, Wellington, New Zealand
Phone: +64 4 463 6940
Email: admin@ipanz.org.nz
Website: www.ipanz.org.nz
ISSN 0110-5191 (Print)
ISSN 1176-9831 (Online)

EDITOR

Kathy Catton: editor@ipanz.org.nz

CONTRIBUTORS

Peter Boshier
Julia Budler
Ruby-Ann Burgess
Kate Butler
Ana Callaghan
Claire Finlayson
Derek Gill
Kevin Jenkins
Jim McAloon
Kathy Ombler
Adithi Pandit
Kirsten Rose
Liam Russell
Sam Saxena

JOURNAL ADVISORY GROUP

Peter Alsop
Maria Bargh
Kay Booth
Kathy Catton
John Larkindale
Liz MacPherson
Paula Martin
Liam Russell

ADVERTISING

Phone: +64 4 463 6940
Email: admin@ipanz.org.nz

CONTRIBUTIONS

Public Sector welcomes contributions to each issue from readers.

Please contact the editor for more information.

SUBSCRIPTIONS

IPANZ welcomes both corporate and individual membership and journal subscriptions. Please email admin@ipanz.org.nz, phone +64 4 463 6940 or visit www.ipanz.org.nz to register online.

Championing fairness for more than 60 years

Seeing change – one phone call at a time

CONTENTS

Public Sector is printed on environmentally responsible paper produced using ECF, third-party certified pulp from responsible sources and manufactured under the ISO14001 Environmental Management System.

IPANZ President
Liz MacPherson

On the importance of being politically neutral ...

Like many others, I have been reflecting on the subject of political neutrality and the role it plays in the effectiveness of the public service. Ordinarily the domain of the public-management geeks, political neutrality has recently been headlining in all forms of mainstream media. The coverage has been both fascinating and frustrating.

Political neutrality is part of a system designed to underpin democratic government. Public servants exist to serve the government of the day regardless of its political hue. We work for the minister of the day but are not employed by them. Unlike ministers, we are not elected. We choose to serve the public of New Zealand by supporting their democratically elected representatives to make well-informed decisions and by implementing their policies and programmes to the best of our ability.

One of the things I found concerning about the media debate was the association of political neutrality with "blandness", "not having a personality", or a lack of willingness to "speak up" or challenge the status quo.

But it is political neutrality that helps create the conditions for public servants, and people who work for Crown entities, to provide free and frank advice and "speak truth to power".

Political neutrality allows public servants to develop trusted professional relationships with successive ministers and the longevity to develop expertise in their field. Like all humans, it is far easier for ministers to consider evidence and options and change their minds (where this is appropriate) if the conversations take place in the context of a trusted relationship.

One has only to look across the Tasman to the Royal Commission into the Robodebt Scheme to see what can happen when a public service loses some of its political neutrality and, with it, its ability to provide free, frank, and fearless advice. In Australia, it is not uncommon for at least the top two layers of the public service to change when there is a new government. This completely changes the incentives at play and can encourage "group think" or what Andrew Podger, a former Australian Public Service Commissioner, described in his report as "excessive responsiveness".

New Zealand has the last politically neutral public service in the Westminister system. Is it perfect? No. But like the huge block of pounamu at Te Papa, Our Place, it is a taonga that we should keep polishing until we can all see ourselves in it. Tātou tātou.

Contributions Please

Public Sector journal is always happy to receive contributions from readers.

If you're working on an interesting project in the public sector or have something relevant to say about a particular issue, think about sending us a short article on the subject.

Contact the editor Kathy Catton at editor@ipanz.org.nz

Derek Gill

THE STATE OF THE CORE STATE - IS THE GLASS MAINLY FULL OR PARTLY EMPTY?

Derek Gill is an IPANZ Board member and a research fellow at Victoria University's Institute of Governance and Policy Studies. Derek is a pracademic who combines wide-ranging experience as a former public service leader in the Public Service Commission, the Treasury, and MSD / Child Youth and Family with teaching and researching public management in New Zealand. The views expressed are the author's personal take and not the views of any particular organisation.

The Working in the Public Service survey was conducted for IPANZ and survey partner BusinessDesk by research firm Perceptive in September and October 2022. This is the first of several articles that explore the findings.

New Zealanders are well-served by a world-class public service

New Zealand has been well-served over the last century by a public service that has been largely merit based, non-partisan, and free from corruption. Te Kawa Mataaho Public Service Commission's 2022 *State of the Public Service* report provides a range of evidence, including case studies and surveys. A survey of surveys conducted by Oxford University – the International Civil Service Effectiveness (InCiSE) Index 2019 – ranked New Zealand's public service second in the world (after the UK's).

Public management is a race without a finish line

But to stay at the top, the public service needs to keep improving its game – as any top athlete will say. As a result, in order to identify areas for improvement, IPANZ partnered with news agency BusinessDesk and the research company Perceptive to conduct a survey on the state of the state to get an independent picture. BusinessDesk initiated the project with a grant from the Public Interest Journalism fund. We are also grateful to Allen + Clarke consultants, who assisted with analysis and the write up of results.

Our survey focused on the principles of the Public Service Act, including being a good employer

In the survey, we focused on five principles: political neutrality, free and frank advice, merit-based appointments, open government, and stewardship, along with being a good employer. The survey focused on employees' perceptions about how these public service principles are operating in practice. We wanted to establish a benchmark to enable progress to be tracked over time and to assess, two years on from the Public Service Act, how public servants perceived the principles were working. Wherever possible, we built on previous research (so some survey questions were taken from earlier surveys) to understand changes over time.

The headline findings from the survey

This article covers the headline survey results for each of the principles and includes some personal reflections on how to interpret the results. We start with the principle that received the strongest support and end with the principle that is perceived to be the weakest. In subsequent editions of *Public Sector*, a range of experts will explore individual principles in more detail.

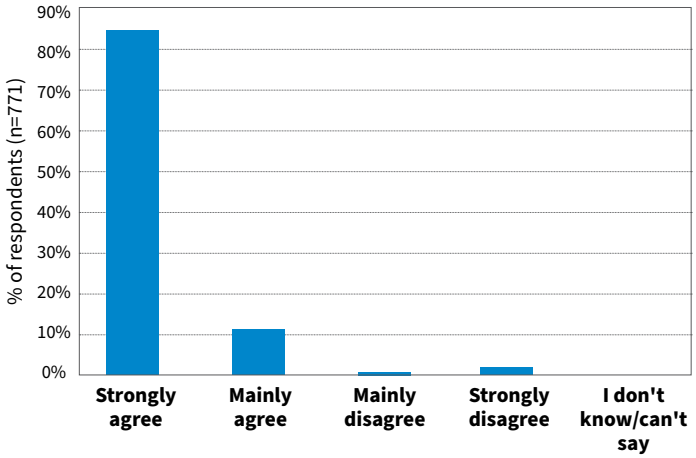
Health warning – use findings with care given the limited sample size

The survey focused on core central government agencies and the vast majority (74 percent) of responses were from people working in public service departments. Accordingly, we refer to the respondents as public servants even though strictly speaking a handful of respondents worked in offices of parliament or departments of state outside the public service. Invitations to participate in the online questionnaire were distributed on an anonymised basis in late September 2022. As a result of the sampling method, no weightings to the population of New Zealand public employees were applied, so this is not a representative sample. Given the response rate (771 people), the results should be interpreted as descriptive and indicative rather than definitive.

Principle 1: Political neutrality – being non-partisan is deeply entrenched in the public service

Political neutrality was defined in the survey as "public servants work for the Government of the day regardless of their personal or political leanings and strive to avoid any involvement in the competition between the political parties". The public service has operated under legislation since 1912 prescribing that it should be non-partisan. The graph below suggests overwhelmingly that public servants think they understand what political neutrality means for their work.

There is a strong understanding of what it means to be a politically neutral public servant.



I personally have a good understanding of what it means to be a politically neutral public servant.

In addition, most people believe their organisational leaders would act to prevent politicised advice or politically inappropriate actions by staff (86 percent agreed or strongly agreed with this statement).

Better than it was?

There was no widespread perception that political neutrality was being eroded. Only one-fifth of respondents agreed or strongly agreed that "overall, New Zealand's public service in 2022 is less politically neutral than it used to be". The most senior public servants (direct reports to a chief executive or their deputies) were more likely to agree that political neutrality had worsened over time. But the very small sample size means this finding should be viewed with caution.

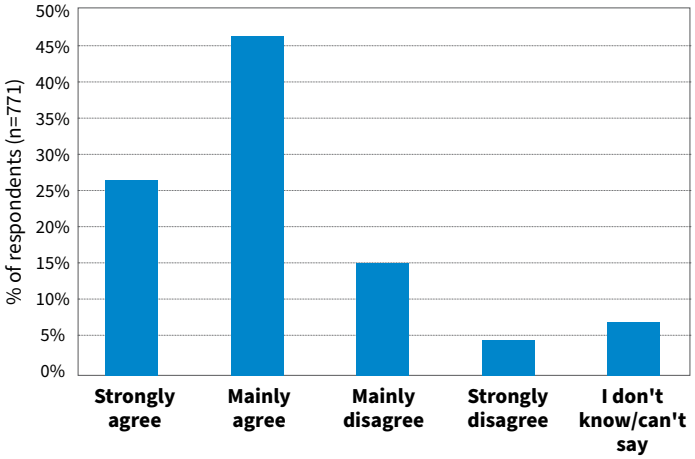
Political neutrality means more than being non-partisan

Most senior public servants operate in the ambiguous purple zone between the red zone of politics and the blue zone of the bureaucracy. There is a fine but fuzzy line between being politically aware while maintaining political neutrality. Being non-partisan is a precondition for political neutrality, but it is not the whole issue, a nuance that a survey like this can't explore in any detail. For example, public agencies often exercise political power as they have considerable discretion concerning the framing of policy options and whose voices are heard and whose are not.

Principle 2: Free and frank advice – alive and well in most parts of the public service

Free and frank advice refers to advice that a minister needs to hear even though they may not want to hear it. The following graph shows how a large majority of public servants believe that free and frank advice is modelled by leaders within their organisations (74 percent agree with this statement).

There is agreement that leadership models the practice of giving free and frank advice.



Overall, the leadership in my organisation models the practice of giving free and frank advice.

Two-thirds said they could give their best advice without having to worry whether it would be popular. Many respondents disagreed that the Official Information Act (OIA) has the effect of impeding free and frank advice (30 percent agreed, 54 percent disagreed, 16 percent didn't know).

From the comments, it appears that pressure not to give free and frank advice was highly context-dependent. Pressures on free and frank advice seem to increase with the length of time the government has been in office, but they vary depending on different preferences of individual ministers in the same administration and the interventions of political advisors in ministers' offices.

The survey included a range of questions on ministerial political advisors, building on previous research by Eichbaum and Shaw (2019). These responses will be analysed in more detail in a subsequent article in *Public Sector*. Twice as many respondents supported the proposition that political advisors do not encourage free and frank advice on the full range of policy options available to government.

Is free and frank under threat?

In Australia, free, frank, and fearless advice was widely reported as being under threat. New Zealand research by Eichbaum and Shaw suggested free and frank advice was in decline between 2005 and 2017. By contrast, respondents to this survey were evenly split about whether public servants in 2022 are less likely to provide a minister with free and frank advice than in the past (32 percent agreed, 32 percent disagreed, 36 percent didn't know).

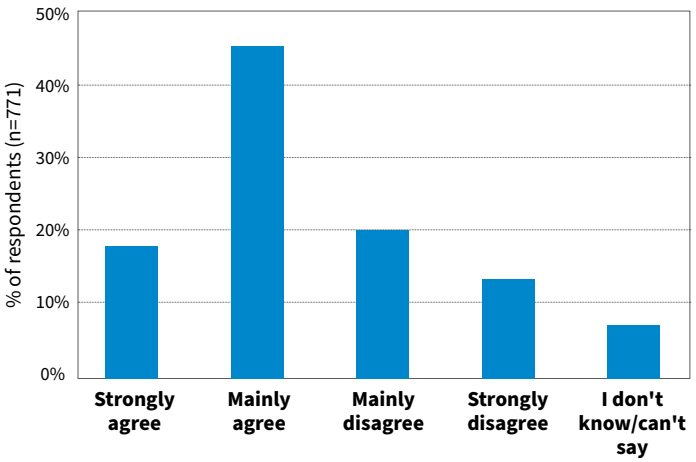
BusinessDesk interviewed the Public Service Commissioner on free and frank advice. His view was there was no "golden age of free and frank advice that we've lost". Instead "the context has shifted" to a more fast-paced environment, accelerated by factors such as digital technology, social media, and round-the-clock media cycles. "Free and frank advice – I see it happening – but it happens in different ways. It's much more real-time, much more oral these days."

Principle 3: Merit-based appointments – lacks credibility with more junior staff

Merit-based appointments was defined as "the candidate best suited to the job is appointed, untarnished by favouritism, nepotism, political considerations, bias or discrimination". The following graph shows that while most believed that people in

their organisation get jobs and promotions based on merit (62 percent agreed with this statement), 32 percent disagreed.

There is agreement that jobs and promotions are based on merit.



I am confident that in my organisation people get jobs and promotions based on their merit.

There were similar results on their confidence that appointments in central government are merit based (60 percent agreed, 29 percent disagreed, 11 percent didn't know). The majority of respondents who answered the question felt "New Zealand's public service is less likely in 2022 to make merit-based appointments than in the past". A key theme in the comments was that the public service did not generally have a strong culture of merit-based appointments. A typical quote was "Most managers already know who would be appointed before they even start an interview process".

Unsurprisingly, given the emphasis on diversity and inclusion within the public service, most respondents suggested that their organisation actively seeks diversity among the candidates for job appointments (72 percent agreed, 20 percent disagreed, 8 percent didn't know).

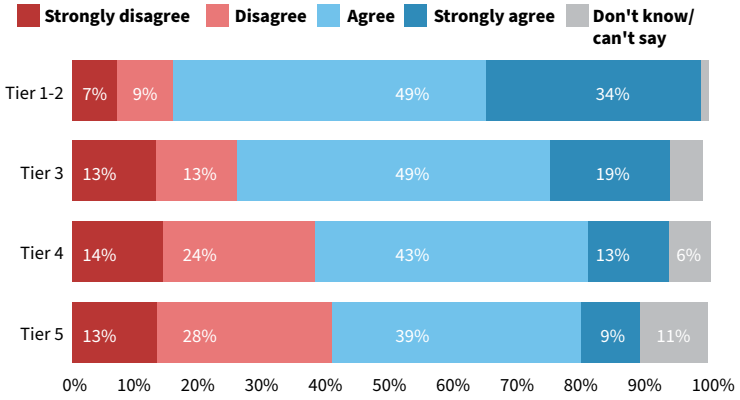
The public service moved from a patronage to a merit-based system in 1912. These responses suggest that we still have a way to go – even after more than 110 years. Unlike political neutrality, which was also introduced in 1912, perceptions that appointments are merit based are surprisingly low.

It is likely that there are multiple factors at play. The drive for a more diverse public service means that those in the over-represented groups ("male, stale, and pale") may feel discriminated against. At the same time, the under-represented groups may also feel disadvantaged. As a result, everyone may feel overlooked and left behind. Clearly this is an area for further investigation, and a follow-up article proposed for *Public Sector* later in 2023 will explore this issue more deeply.

Where you sit and who you are matters

Initial analysis of the data suggested that both seniority and ethnicity were important factors in explaining differences in perceptions of merit-based appointments. The following graph shows that 83 percent of tier 1 and tier 2 staff agree or strongly agree that they are confident that appointment and promotion processes are merit based. By contrast, only 48 percent of those with tier 5 roles agree they were confident about appointments and promotions processes in their organisations. Clearly this is an area that warrants further detailed investigation and analysis.

Confidence in merit-based appointments by seniority



I am confident that in my organisation people get jobs and promotions based on their merit.

Source: BusinessDesk/IPANZ research

Principle 4: Open government – the jury is still out

Open government was defined in the survey as "government that is transparent and accountable, and that New Zealanders can contribute to and influence what government does and how it does it". Like stewardship, open government is a complicated, multi-dimensional, and contested concept. The survey addressed this issue with questions on the OIA, consultation processes, and openness to discussing problems.

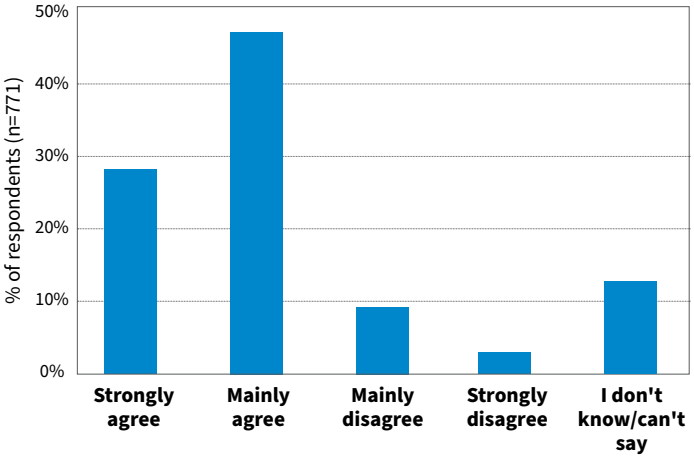
The following graph shows that most believed that their organisation practises and promotes the letter and spirit of the OIA (74 percent agreed, 13 percent disagreed, 13 percent didn't know). The accuracy of this perception – particularly relating to the practice dimension of the question – depends heavily on public servants' knowledge of the requirements and purposes of the Act. Reconciling respondents' perceptions with evidence about agency practices is difficult, as the only empirical data available from agencies relates to compliance with the time limits in the OIA, rather than the valid application of any refusals. Also, the survey did not extend to ministerial compliance with the OIA, which other research suggests is inconsistent at best.

Conformance versus performance?

It is important to distinguish the quality of agency OIA performance from simply compliance with statutory deadlines. What I observed as a senior public servant was strict conformance with the letter of the law but practices that were inconsistent with the spirit of the OIA. For example, advice given was spoken rather than written down, censored emails were sent, and "Polyfilla papers" were provided that worked back from the minister's preferred outcome to the policy advice required to support that option. In the survey, comments included "face to face and phone calls are frequently used on contentious issues to ensure there is nothing discoverable in terms of the direction given by seniors and/or the minister". Similarly, "people speak in code" when writing emails. But overall, only 30 percent of public servants thought the OIA impeded the provision of free and frank advice.

In the open government section of the survey, the vast majority of the comments related to the operation of the OIA and proactive release processes. Some respondents commented that open government was being hindered by the way that the media covers information that is released. Many respondents' comments considered that there was room for improvement in proactive release processes. Others noted "responding to OIAs is increasingly difficult due to information management systems and movement of staff with relevant knowledge", which also overlaps with performance against the stewardship principle.

There is agreement that organisations practise and promote the letter and spirit of the OIA.



My organisation practises and promotes in the workplace the letter and spirit of the OIA.

In a similar vein, most respondents felt that their organisation is genuinely open-minded when it engages or consults with the public (70 percent agreed with this statement), but one-fifth felt they were not. Again, this may come as some surprise to participants in various consultation processes that do not end well. These are areas where further analysis should explore whether public servants' perceptions differ from those of civil society.

Sweeping issues under the carpet?

There was much less consensus among public servants about how open their agency was in handling problems. People were evenly split about whether their organisation tends to hide or make a problem or failure look better than it is (45 percent agreed with this statement, 47 percent disagreed, 8 percent didn't know). Comments suggested that the lack of transparency reflected the fear of political and career repercussions, along with media "sensationalism".

Again, it is surprising that nearly half of the respondents reported that their agencies were open about problems and failures, given public agencies operate within the constraints of the "front page of the Dom Post test". There is a fundamental tension between the goal of transparency and the avoidance of blame. The authorising environment in which public agencies operate generates a risk-averse culture because of the asymmetric treatment of successes and failures. Unlike in the private sector, which generally takes a portfolio approach to average out successes and failures, in the public sector success is expected and often not rewarded while "failures" and problems attract disproportionate attention.

Proactive release of Cabinet papers

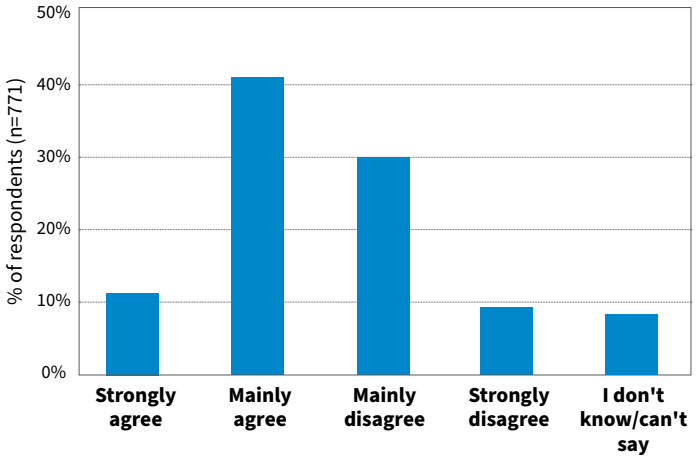
Overall, many respondents believed that central government agencies are better at practising open government in 2022 than they were in the past (43 percent agreed, 19 percent disagreed, 36 percent didn't know). This may reflect developments such as many agencies adopting proactive release policies along with a government-wide release of Cabinet papers. Since 2019, all "Cabinet papers and minutes must be proactively released within 30 business days of final decisions being taken by Cabinet, unless there is good reason not to publish all or part of the material, or to delay the release". Future work on this topic could survey organisations that seek information, try to participate in policy and service development, or hold agencies to account to see whether these results match their experiences.

Principle 5: Stewardship – unfinished business

Stewardship is a multi-dimensional concept, and its meaning is still contested. The definition used in the survey was "Stewardship is maintaining and enhancing the capability to think, plan and manage in the interests of the citizens and governments of the future. It includes knowledge, human capital, physical and financial resources, and keeping legislation up to date". While the Public Service Act uses a short description to describe the other four statutory principles, stewardship is defined using five dot points covering people, knowledge, systems, assets, and legislation. Given these complexities, the survey questions on the stewardship principle focused on the tension between short-term priorities and longer-term issues.

The ambiguity around the meaning of stewardship was reflected in the range of views among respondents. The graph below shows that slightly more respondents felt that their agency finds the right balance between short-term priorities and longer-term progress and stewardship (53 percent agreed, 39 percent disagree, 4 percent didn't know).

Respondents don't agree on whether agencies find the right balance between short-term priorities and longer-term progress and stewardship.



Generally, my agency finds the right balance between short-term priorities and long-term progress and stewardship.

By contrast, looking at their own work, more respondents disagreed than agreed with the statement that, in their job, they can usually devote enough time to longer-term matters rather than just short-term issues (52 percent disagreed, 45 percent agreed, 4 percent didn't know).

Respondents were also spilt about whether central government agencies in 2022 are better at longer-term stewardship than they were in the past (28 percent agreed, 34 percent disagreed, 38 percent didn't know).

Other research on the bias towards short-term issues

The tension between short-term pressures and longer-term imperatives is a perennial problem, and it's surprising the results aren't more negative given the survey was undertaken in the era when we were managing COVID. Other New Zealand research has highlighted the challenges posed by balancing the short against the longer term. Research by the Public Services Commission reviewed the common themes in Performance Improvement Framework reviews ("PIFs" in the jargon of Wellington). It highlighted how departments were agile and very responsive to short-term demands from ministers but struggled to stay focused and address the longer-term developments and emerging challenges. The introduction of Long-Term Insights briefings was a deliberate attempt to address the presentism bias in the public sector.

Continued over page...

It won't print money.

But with a right fit fleet it could save some.

Let Brother optimise your print solution, making sure you have everything you need and nothing you don't, helping reduce costs, so you can invest the savings into other areas of your organisation.

Get a quote today and make the change to Brother.

brother.co.nz/government

It just works.

brother
at your side

KONICA MINOLTA
Authorised Distributor

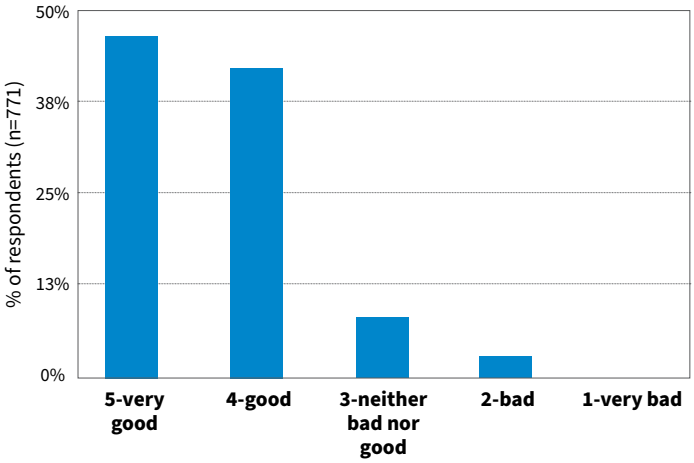
WAVE200662

Principle 6: Good Employer – a generally positive workplace marred by bullying

While not given the same prominence as the previous five principles, the Public Service Act includes the good employer principle provisions carried over from the State Sector Act. Looking at the principle of being a good employer, the survey incorporated questions on the overall workplace environment, including working relationships, bullying and harassment, satisfaction with work–life balance, working relationships, and level of workplace stress.

Working relationships were reported to be generally very positive. Most said they have a good or very good working relationship with their colleagues (90 percent) and, as shown in the graph below, with their direct manager (80 percent).

Most respondents have a good working relationship with their direct manager.



On a scale of 1 to 5, how would you describe your relationship with your direct manager?

Generally positive working relationships does not mean that there aren't problems to be addressed or areas for improvement.

Bullying and intimidating behaviour remains the main concern

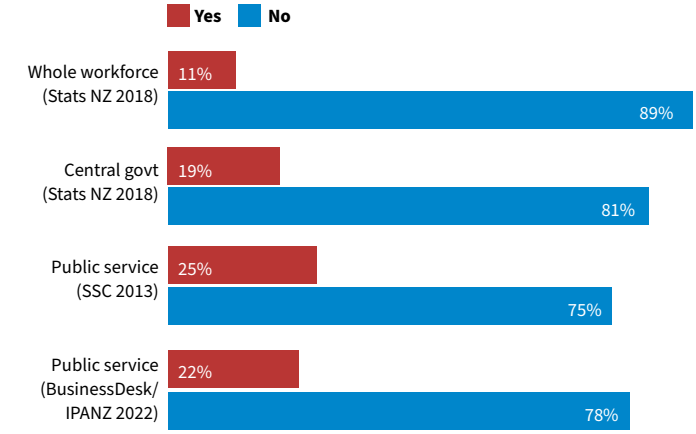
Bullying in the workplace has been identified as a key problem in previous research. In the past twelve months, 22 percent reported having been personally bullied or harassed in their workplace (comprising 17 percent "now and again" and 5 percent "more frequently than now and again"). Most people who had been bullied or harassed did not report it (63 percent). The main two reasons given for not reporting were that they did not think any constructive action would be taken and it was not worth the hassle of going through the report process.

The survey also included a question on breaches of agencies' codes of conduct – 24 percent of respondents indicated that in the past twelve months, they had personally witnessed someone working for their agency behaving in a way that they thought was a breach of the code of conduct. Bullying (51 percent) and abusive or intimidating behaviour (38 percent) were the main kinds of breaches observed.

BusinessDesk's analysis concluded that lack of seniority was the best predictor of experiencing bullying – the highest rates (43 percent) were reported by the most junior (tier 5 or below) respondents. They also found statistically significant differences in whether women were more likely to be victims of bullying than men (23 percent against 17 percent). Higher rates were reported by both Pasifika (42 percent) and Asian (31 percent) respondents, but because of the sample size, the small numbers within these groups makes this research descriptive but is not definitive. The survey data provides an evidence base to explore the issue further.

The graph below shows that the survey results were generally consistent with earlier research, with little change reported in the level of bullying in workplaces in the public service since 2013 and 2018. The graph also shows that a Statistics NZ survey suggests the public service appears to have a higher rate of reported bullying than in the workforce as a whole (note that the questions used in the Statistics NZ survey were not quite the same as those used in the public service survey).

A bigger problem in the public service



Bullying at work in the past 12 months

Source: BusinessDesk/IPANZ research
Graphic: Andy Fyers/BusinessDesk

Te Kawa Mataaho Public Service Commission is focusing on creating more positive workplace environments. A chief executive's group is leading a positive workforce behaviour initiative that has been rolled out across the public service. And the issue will stay in the headlights, as the next PSC census in 2024 will now include questions on negative workplace behaviours, which would cover bullying and harassment.

In brief, other workplace matters explored found that:

- Satisfaction with work–life balance found 59 percent satisfied, 26 percent dissatisfied, and 15 percent neither satisfied nor dissatisfied.
- Many had found their work stressful in the last twelve months – 42 percent found it sometimes stressful, 42 percent often stressful, and 7 percent always stressful – with 9 percent reporting never or hardly ever.

Raising the bar on public service – open government, stewardship, and bullying need particular attention

The Working in the Public Service survey has told a glass half-full/half-empty story. For example, the principle of a politically neutral, non-partisan public service seems well-entrenched while the principle of merit-based appointments is much less credible with more junior staff in particular – despite both principles having been in place for over 110 years. The principles of open government and stewardship, as well as results about bullying, remain work-ons where official rhetoric and enacted practice remain a long way apart.

The key lesson from the survey is that the New Zealand public service should not rest on its laurels. We need to create an ongoing dialogue about how we raise the bar on standards and performance in the public service. By undertaking the survey, IPANZ and its partners have provided a benchmark so that future surveys can explore progress made and where further improvements need to focus. Subsequent articles in this journal will take a deep dive into the principles of the public service to explore where those improvements need to focus.

Ombudsman
Tuia kia ōrite · Fairness for all

CHAMPIONING FAIRNESS FOR MORE THAN SIXTY YEARS

Peter Boshier

It's more than sixty years since the Ombudsman was set up. The current Ombudsman, Peter Boshier, reflects on how his role as "guardian of the mana of the people" has developed and has been picked up around the world.

Guardian of the mana

"Tuia kia ōrite – Fairness for all" is why the Ombudsman exists. The Ombudsman safeguards people's rights and helps ensure public sector agencies treat them fairly. As Ombudsman, I encourage agencies to be transparent and accountable to the public.

The Ombudsman isn't a public servant. The Ombudsman is an officer of parliament and is independent of the government of the day. The name comes from the Scandinavian word for "grievance person" and is gender neutral. I prefer the name that was gifted to the Ombudsman by Māori: Kaitiaki Mana Tangata – guardian of the mana of the people – as it aptly captures what the Ombudsman is all about.

The independent oversight the Ombudsman provides is fundamental to our country's constitutional framework and its system of checks and balances. It is also key to building public trust and confidence in the system. In 2020, the United Nations formally recognised the role of Ombudsmen "in the promotion and protection of human rights, good governance and the rule of law".

Last year, my office celebrated the sixtieth anniversary of the establishment of the Ombudsman in New Zealand, the first to be set up outside Scandinavia. When he was appointed in 1962, the first New Zealand Ombudsman, Sir Guy Powles, said:

> "The Ombudsman is parliament's man, put there for the protection of the individual, and if you protect the individual you protect society ... I shall look for reason, justice, sympathy, and honour, and if I don't find them, I shall report accordingly."

Sixty years on, the office holds true to those words.

I'm now entering my seventh year as Chief Ombudsman and am enormously proud to carry Sir Guy's torch forward, shining a light on unfairness and injustice and striving to put things right.

Over the years, the Ombudsman's role has expanded to give effect to key democratic and human rights measures.

A wider role

In the beginning, the office had four staff. Today, it has more than 200 staff, based in Auckland and Wellington, to keep pace with an ever-expanding mandate.

My office strives to be diverse, inclusive, and equitable. To do the best mahi for the people who need my help, I have set up a Māori panel – Pūhara Mana Tangata – to guide me on engaging and building trust with Māori. The Ombudsman is committed to te ao Māori and ensuring the Crown's obligations under Te Tiriti o Waitangi are met so that people's rights, dignity, and mana are preserved. I have also established a Disability Advisory Panel – Te Rōpū Kaiārahi Hauātanga to inform my work on disability rights. Its purpose is to make sure I have access to high-quality advice from New Zealanders with lived experience of disability, reflecting the mantra of the disability rights movement: "Nothing about us, without us".

The Ombudsman's roles

It's helpful to understand the scope of my work. The many roles of the Ombudsman are determined by specific pieces of legislation.

- **Resolving complaints about public sector agencies.** Under the Ombudsmen Act (OA) and the Official Information Act (OIA), and its sister act dealing with local authorities, LGOIMA, the Ombudsman has the authority to investigate administrative acts, decisions, omissions, and recommendations of more than 4,000 agencies (see inset box on the next page). I can investigate complaints if people are not happy with an agency's response to them. I can also investigate ministers of the Crown, in relation to official information requests, and initiate proactive investigations where I see the need.
- **Supporting whistleblowers.** Under the Protected Disclosures Act, people can seek advice and support from the Ombudsman if they want to confidentially report serious wrongdoing in their workplace.
- **Monitoring the humane treatment and conditions of detainees.** Under the United Nations (UN) Optional Protocol to the Convention against Torture, or OPCAT, the Ombudsman monitors places such as prisons, court facilities, secure mental health facilities, and immigration detention centres to make sure people's human rights are protected and respected. (See page 18 for more on OPCAT inspectors.)
- **Monitoring aged care facilities.** The Ombudsman also checks the treatment and conditions of residents in secure aged-care facilities, including privately run facilities, such as dementia and psychogeriatric units.
- **Ensuring fair treatment for disabled people.** Under the UN's Disability Convention, an international human rights agreement, the Ombudsman monitors the rights of disabled people and investigates related complaints.
- **Supporting young people.** New laws come into force this year that will give the Ombudsman enhanced oversight of the Oranga Tamariki system and greater powers to investigate and resolve complaints about tamariki and rangatahi in their care.

How investigations work

My investigations are conducted in secret, and I am entitled to see almost anything and talk to anyone while undertaking them. At the end of an investigation, I will usually form an opinion as to whether the agency complained of was unreasonable, unjust, unlawful, or simply wrong and, if necessary, make recommendations for change. Alternatively, I may agree with the steps the agency has taken.

The ultimate power of the Ombudsman is to report to parliament on what I have found and how I view the actions of agencies and the impact they have had on people. I'm pleased to say that my recommendations are largely accepted by agencies – the credibility of my office and the power of public scrutiny are both very effective in achieving change.

Past and present New Zealand Ombudsmen with Chris Hipkins at the sixtieth anniversary event, from left to right: Leo Donnelly ONZM, Sir Anand Satyanand, David McGee CNZM KC, Peter Boshier, the Prime Minister, Dame Beverley Wakem, and Sir Brian Elwood.

I regularly publish case notes on my decisions on the Ombudsman New Zealand website so other agencies can learn from them, and my office provides resources and training to agencies on best practice when applying the OIA and other relevant legislation.

Reaching beyond New Zealand

New Zealand makes a significant contribution to the international Ombudsman community. In addition to being Chief Ombudsman here, I also serve as Second Vice President of the International Ombudsman Institute (IOI), which is a global collective of Ombudsmen. The New Zealand model has been replicated all over the world, and today there are more than 200 Ombudsmen in over 100 countries.

My office has a dedicated International Development and Engagement team that provides support and learns from our Ombudsmen colleagues across the Asia–Pacific region through training, advice, and resource development. Earlier this year, I visited Tonga with both my IOI and Chief Ombudsman hats on to officially farewell Tonga Ombudsman ʻAisea Taumoepau, who retired in February. While in Tonga, I had the rare chance of addressing their legislative assembly – an opportunity to promote the importance of the Ombudsman role to protect fair, transparent, and democratic governance.

The Ombudsman New Zealand is held in high regard by the international Ombudsman community, and it is significant that New Zealand Ombudsmen have held the office of IOI president three times in the organisation's forty-four-year history – more than any other country. Past IOI presidents include Sir Brian Elwood, Dame Beverley Wakem, and Sir John Robertson.

At a special sixtieth anniversary commemorative event hosted at parliament in September, I was delighted by the strong show of support from our international Ombudsman whānau. Former New Zealand Ombudsmen Sir Anand Satyanand, Dame Beverley Wakem, Sir Brian Elwood, Leo Donnelly, and David McGee KC also attended, along with descendants of Sir Guy Powles. It was a truly memorable occasion that reinforced our common purpose.

Talking the same language

The world's Ombudsmen have consistency. We all share the same fundamental values. We talk the same language and have the same aspirations.

Looking to the future, I am confident that, as long as this office continues to hold the respect of our parliament and is seen as an effective intervener, the Ombudsman will extend the reach of its mana to everyone in New Zealand who might want to have access.

All of the legislation I operate under is influenced by many factors, and new issues are constantly arising following changes across government and in society.

As an example, during the first lockdown in 2020, it became clear to me that MIQ facilities were places of detention and came within my role to inspect health and disability facilities. I advised government and ministers of my conclusions and then announced publicly that I would be inspecting MIQs. The prime minister welcomed my role, saying that having the Ombudsman inspect MIQs would help ensure they were run well and people were treated humanely and fairly.

So the Ombudsman's role keeps evolving, and the challenge is to respond to changes and manage fresh challenges in a way that is current for the time. However, tuia kia ōrite – fairness for all – will be the constant.

To learn more about the Ombudsman please visit our website (ombudsman.parliament.nz) and watch the documentary produced to mark our sixtieth anniversary, *Our first 60 years – the Ombudsman in Aotearoa New Zealand.*

Agencies the Ombudsman can investigate

The Ombudsman has authority to investigate the following public sector agencies:

- government departments and ministries
- city, district, or regional councils
- Crown entities
- state-owned enterprises
- tertiary education institutions
- school boards
- ministers of the Crown (in relation to decisions on requests for official information).

The Ombudsman is also authorised to inspect some private sector detention facilities that are funded by, or are accountable to, the public sector.

KA MUA, KA MURI
LOOKING BACK TO MOVE FORWARD

How diverse is the public service workforce and why does it matter anyway? IPANZ New Professionals Kate Butler and Ana Callaghan investigate how the public service has changed and what that means for New Zealand's future.

Remind me, what's the public service?

The public service is a subset of the public sector. It refers specifically to the organisations responsible for serving the government of the day. These organisations are largely departments, headed by chief executives who are appointed by the Public Service Commissioner. The chief executives and their employees are what we commonly refer to when we say "public servants", though the employees of Crown agents like Waka Kotahi are also part of the public service. Central government organisations in the wider public sector operate more at arm's-length from the government. They often have their own board, have less taxpayer funding, and earn more of their own revenue and are established as separate legal entities.

Why does the difference matter?

The difference is key for identifying two main things: the number of public servants and the rules they follow. In 2021, the public sector included 400,000 employees, with 52,000 employees in the public service. Additionally, public servants are required to follow rules designed to uphold the integrity and impartiality of their work, given it involves the use of public resources and exercise of government authority. Those working in the wider public sector may not be subject to the same level of scrutiny and accountability.

Public servants through time

As Neill Atkinson noted in the December 2022 issue of *Public Sector*, a public servant from 1912 (and indeed from 1840 when New Zealand's public service was created) would barely recognise the public service of today. Neill's reflections are particularly true for the diversity of the public service.

1840–1950 – the first public servants

Only thirty-nine individuals worked for the public service immediately following New Zealand's colonisation in 1840. In the first twenty-six years of the colony's existence, this number grew to 1,600. This exponential growth continued over the next forty-eight years, so by 1914, 33,000 employees worked for forty-four departments. This expansion correlated with a growth in New Zealand's population, primarily due to European immigration.

As will be unsurprising to many, the early public service was predominately male. The few women employed were nurses, cooks, laundresses, typists, and cleaners. In fact, following the public service reforms of 1912, New Zealand's first public service commissioner, Donald Robertson, excluded women from public service examinations and ensured that the few women already in the public service were paid less than their male counterparts.

Until 1945, Māori and Asian peoples (especially Chinese and Indians) were the largest non-European groups in New Zealand. Māori did not receive equal state benefits or employment opportunities. The true extent of their unequal representation in society (and the public service) is difficult to quantify, as Māori were not included in the census until 1951.

THE EARLY PUBLIC SERVICE WAS PREDOMINATELY MALE.

As Indians were British subjects at the time, they enjoyed some immigration and citizen rights in New Zealand; however, Chinese (declared to be "race aliens") were excluded from state employment. Discrimination also occurred within the European majority on national and religious grounds, with Irish Catholics enduring employment and migration discrimination. While we know about the wider policies at the time, we don't know the ethnic make-up of the public service through this period.

1950–1999 – recognising inequality and first steps

In the second half of the twentieth century, changes in immigration and increased rights improved access to employment in the public service for those of different ethnicities.

However, the lived experience of minorities shows us that, while access to opportunities were improving, representation was not keeping pace. Dame Margaret Bazley, New Zealand's first female state services commissioner, reflects that, on joining the "male bureaucracy" of the Wellington public service, she discovered she "was not equal". In the 1980s, she was involved in implementing the Labour government's public service reforms, including the establishment of the Ministry of Women's Affairs, a review of pay for women-dominated roles, and the introduction of policies for disabled and ethnic minorities.

As part of these reforms, the State Sector Act 1988 introduced a requirement on chief executives of government departments to implement equal employment opportunities programmes. These programmes aimed to identify and eliminate "all aspects of policies, procedures, and other institutional barriers that cause or perpetuate, or tend to cause or perpetuate, inequality in respect to the employment of any persons or group of persons". The Act also expressly provided for recognition of the employment requirements of people with disabilities.

In 1997, the State Services Commission launched the *Equal Employment Opportunities Policy to 2010: Future Directions of EEO in the New Zealand Public Service*, which introduced a requirement

on departments to outline their equal employment opportunities goals and measure progress against them.

The twenty-first century – taking action to increase diversity

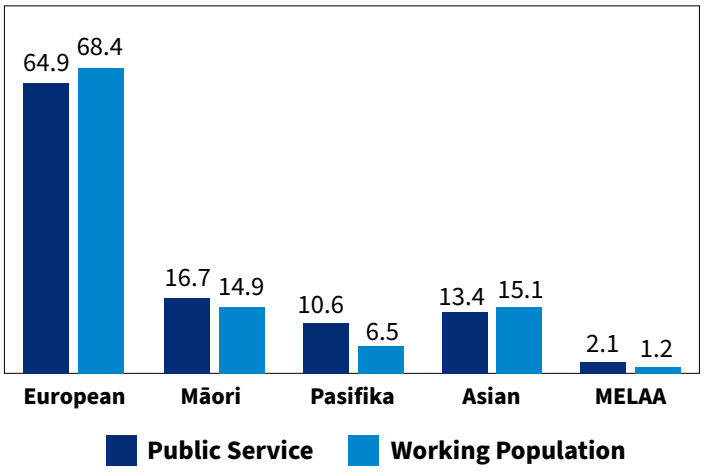
The State Sector Act was amended in 2004 to provide that, in being a "good employer", chief executives must recognise "the aims and aspirations and employment requirements, and the cultural differences, of ethnic or minority groups".

A 2006 review of the equal employment opportunities policy found areas for improvement, including giving attention to the impact that equal employment opportunities can have on departmental performance and broadening the understanding of diversity. This review brought about the expectation that diversity would form part of a government department's workforce strategy.

IN 2022, 62.1 PERCENT OF THE PUBLIC WORKFORCE WERE WOMEN.

Today, thanks to a commitment to report on and improve representation (including through the Public Service Commission's 2017 Papa Pounamu programme), we have a much better understanding of where we're at with diversity and inclusion. For example, the first full report on ethnic diversity was produced in 2021 with the *Te Taunaki Public Service Census*, which revealed that 165 ethnic groups work within our public service. The figure below shows ethnic representation in the public service, compared with the working population.

Ethnic Representation 2021/22 (%)



Source: Public Service Commission and Stats NZ

The census also showed that 9.8 percent of public servants identify with a sexual minority (bisexual, gay, lesbian, or other sexual minority). This compares with around 5 percent of the general population.

In 2022, 62.1 percent of the public workforce were women, with 55.8 percent of senior leadership roles held by women, and those of non-binary genders or multiple genders made up 0.5 percent of the public service. We can be encouraged by the upward trend and the evidence that we are broadening our view of gender identity.

What's the point of increasing diversity within the public service?

More diversity is more representation. More representation means access to a more varied pool of perspectives when implementing policy and delivering services.

Why is that helpful? If the public service is responsible for serving the public, a workforce that reflects the public should make it easier to deliver on that responsibility. As the old saying goes, you don't know what you don't know. A diverse public service can also reduce pressure on groups who are constantly being consulted.

Diversity has also been found to reduce the prevalence of certain cognitive biases that impede delivery. Biases such as confirmation bias, groupthink, and fundamental attribution error get in the way of good decision making.

Where might we be in the future?

Though we have come far in our understanding and empowerment of diversity in the public service, there is more progress to be made.

MORE REPRESENTATION MEANS ACCESS TO A MORE VARIED POOL OF PERSPECTIVES.

If one of the reasons for taking diversity and inclusion seriously is to increase the likelihood that the right people are in the room, we may need to be more deliberate about what certain lived experiences or perspectives are missing and whether our current markers of diversity enable us to address those gaps. We offer two examples of other markers that might be considered:

1. The area of qualifications or the way someone entered the workforce (for example, directly from secondary education or via tertiary education) will have shaped their worldview and their approach to problem solving. Science emphasises logic and experimentation, arts promote creativity and critical thinking, trades require practical skills and craftsmanship. Using qualification type or level as a marker may be one way of increasing diversity of thought.

2. The resources someone did or did not have access to during their life, and thus the support or assistance they required, will affect what contribution they're able to make to discussions about policies and services (for example, on how the public service delivers housing, healthcare, and education services). Using socioeconomic status as a marker of diversity may be one way of using diversity in lived experience to better understand and meet the needs of the public.

The focus on diversity within the public service has evolved, beginning with an apathy towards diversity, moving to an opportunities-based approach regardless of ethnicity or gender, and on to a focus on increasing representation. We have a far more diverse public service now, but there are opportunities for more diversity, which can only contribute to better public services for New Zealand.

IPANZ PRIZE WINNER

SEEING THE BEAUTY IN PUBLIC POLICY

Ruby-Ann Burgess (Ngāti Pākehā) is the recipient of the 2022 IPANZ Public Administration Prize for the top student in PUBL 311 Emerging Perspectives in Public Management at Victoria University of Wellington School of Government.

She was born in Oxford, in the UK, but comes from an Ōhinehou (Lyttelton) Pākehā family, and she grew up in Nelson. Ruby has a Laidlaw College Diploma in Christian studies through Bishopdale College (2018) and a Bachelor of Arts majoring in public policy from Victoria University of Wellington (2019–2021). In 2022, she worked as Parish Manager for St Michael's Anglican Church, Kelburn, and as a tutor at the School of Government. In 2023, Ruby is undertaking a Master of Philosophy, Politics and Economics.

In this article, Ruby shares how studying public policy has excited and changed her.

Finding beauty

Sometimes you discover beauty where you do not expect to find it. When I first began my undergraduate degree in 2019, I was majoring in development studies and minoring in cultural anthropology, and I thought that I was going to end up somewhere overseas doing some kind of development work for a disadvantaged group. I certainly had no notion of studying public policy.

In my first year, I took a public policy paper as an interesting side subject that might come in handy when I began working overseas. At the end of 2019, I ditched development studies and cultural anthropology entirely and switched to majoring in public policy and minoring in Māori studies – in doing this, I thoroughly focused my future plans and dreams on Aotearoa New Zealand.

Policy struck me almost immediately as something beautiful – a strange thing to think and certainly confusing to my friends, who had chosen more arty majors. Something about the methodical, analytic nature of the discipline – combined with the dynamic way it responded to the realities of the public's needs – "spoke" to me. Beautiful was the only word I felt could describe it.

Seeing injustice

My interests have always sat in the realm of social justice – an interest awakened in me by spending large (perhaps excessive) amounts of time doing community volunteer work as a teenager. Primarily, this was with vulnerable children and their families. Despite growing up in a stable and loving home, I was consistently exposed to children and guardians experiencing poverty, domestic violence, family upheaval, and the CYFS (now Oranga Tamariki) system. I remember becoming quickly and increasingly aware that the world was not fair, that life was not easy, and in many cases, it was unmanageably difficult. I remember feeling the injustice of how one mother I knew owned a pair of jandals as her only footwear, which she would wear through the approaching winter. Her youngest daughter kept losing shoes and needing new ones, so there was no money left to buy shoes for herself. I went to an op shop the next day with my mum and bought a pair of leather lace-ups – my mum assured me the brand was actually quite flash – and a pair of socks. The woman was thrilled by the gift, but I felt a deep sense of guilt. At fifteen and with no paid work (except for the pocket money I had saved from birthdays and Christmases), I could still afford to buy shoes. Meanwhile, the woman struggled to make her husband's income and government top-ups stretch to cover food for her family of five.

These were the formative experiences that carried me into adulthood and into my Christian faith.

> POLICY STRUCK ME ALMOST IMMEDIATELY AS SOMETHING BEAUTIFUL.

Exciting understandings

When I began to study public policy, my understanding of social justice suddenly expanded – I saw that things could change not just on an individual or whānau level, but on a much larger level through NGOs and the national government. I knew that the small scale, day-by-day tracking and supporting of children and their whānau was still essential, but now I could see the potential for action that had a broader impact. For people struggling, for guardians wrestling with the foster care system, or for grandparents whose benefit could barely cover their dependent grandchildren, there were policies that could address those problems as a whole – perhaps there was more to social justice than listening ears, open hearts, and free meals. What if I could be involved in changing the systems around them? These are not new ideas, but they were new to me, and they were *exciting.*

> I REMEMBER BECOMING QUICKLY AND INCREASINGLY AWARE THAT THE WORLD WAS NOT FAIR.

The barriers to justice

Obviously, the creation of public value and the enhancement of social justice, while wonderful ideals, are not so easy to achieve. You can feel overwhelmed when faced with the harsh realities of need. It seems like every student I know feels despair at the

state of our world – at climate change and capitalism, at prisons and population growth. Issues seem to become more complex the more one tries to understand them. The world is a complicated and nuanced place; many of the problems that policy must address intersect and tie together until finding even a beginning point seems impossible. The needs of the public are varied and often conflicting. The clarification of outcomes is not always straightforward – we may seek to increase wellbeing, but whose definition of wellbeing do we use? Which group's wellbeing will define how our policies are selected and formed?

IT SEEMS LIKE EVERY STUDENT I KNOW FEELS DESPAIR AT THE STATE OF OUR WORLD.

A unique tool

When it comes to the pursuit of justice, equity, and improvements in wellbeing, the government is in a unique position. No other entity has the same scale and authority. No other entity has the capacity to address so many different aspects of public need and to create public value in so many areas. No other entity has the capability to address wicked problems – made possible (though still incredibly difficult) through the collaboration of different ministries with different resources, expertise, and perspectives. This makes public policy a unique tool for social justice in Aotearoa. The opportunities seem to be limited only by our imaginations and creativity, by our willingness to try and fail, then try again.

This year, I am beginning a Master's in Philosophy, Politics and Economics. This programme uses the power of these three disciplines to inform what good governance looks like. My personal focus, though, will be more specific: using philosophy, politics, and economics to inform good policy – from process to outcomes. Once again, I find myself excited.

Years on, when I think of the harsh realities that people faced when I worked as a volunteer, I can still feel overwhelmed. But when I think of the discipline of public policy or see my tutorial students starting to click with the ideas we're discussing and imagining the future opportunities that will shape governance in Aotearoa, I feel hope that together we can implement beautiful responses.

THIS MAKES PUBLIC POLICY A UNIQUE TOOL FOR SOCIAL JUSTICE IN AOTEAROA.

Itiiti rearea, teitei kahikatea ka taea

The rearea is small, the kahikatea is tall, it accomplishes

Ruby at her graduation with her mum and dad

Richard Tait

Brent Chalmers

Tim Clarke

PUBLIC AND PRIVATE:
A TALE OF STRIFE AND SYNERGY

The private and public sectors have long been considered chalk and cheese. With one prizing profit and the other service, they seem unlikely bedfellows. But is there still a gaping ideological chasm between the two or is the divide closing in interesting and heartening ways? Claire Finlayson takes a look.

Disparaging remarks lobbed at the public sector by the private sector are nothing new. At their harshest, they sound something like those made by Newstalk ZB host Kate Hawkesby in 2021. Critical of the then Director-General of Health who had led New Zealand's COVID-19 response, Hawkesby said: "Isn't it interesting how much lower the bar is for bureaucrats than the private sector."

Referring to what she perceived as his shortcomings, she said: "If this were the private sector, we'd score KPIs, canvas high and lowlights, and grade performance. The only conclusion we could draw would result in a small chat with HR in which he would be invited to bring a support person, followed by a press release about spending more time with his family, and, if he's lucky, a small pay-out." She concluded: "In the private sector, he'd be toast."

> WHEN VIEWED FROM THE OUTSIDE, YOU HAVE LITTLE TO NO IDEA JUST HOW COMPLEX THE WORK-WORLD OF PUBLIC SERVANTS IS.

Numpties?

Hawkesby's rancorous comments caused much annoyance. Public Service Commissioner Peter Hughes smarted at her attack. "We don't do it that way in the public service," he said, referring to the employee-as-toast scenario. "When things go wrong, I expect public service chief executives to own it, fix it, and learn from it. Public service chief executives are expected to face the music, not cut and run, as Hawkesby is suggesting happens in the private sector."

Ian Harvey of Collective Intelligence (a leadership development ecosystem) was similarly vexed and penned a blog post titled "Public vs private sector: Let's co-create rather than alienate". He pondered why the private sector likes to take a smack at public servants, saying he'd long heard the argument about the private sector working harder, smarter, and longer. He also admitted that he, too, had once been guilty of thinking bureaucrats were numpties.

Harvey's a reformed man on that front now. He sings the praises of the public sector: "When viewed from the outside, you have little to no idea just how complex the work-world of public servants is. Add to that the public scrutiny they come under, and the pressure they face can be extraordinary. The other aspect is that when they do their job well, nobody notices. But when there's a cock-up, all hell breaks loose, often when the mistake is not even theirs."

Not so simple

That pesky "us and them" narrative around the two sectors still persists and obscures a whole world of nuance – one that Richard Tait has observed for the last twenty-four years. A director at public-sector-focused consulting firm MartinJenkins, Tait says it's worth noting the underlying complexity that prevents a simple definition of the two sectors.

"Talking about public and private sectors in binary terms hides a lot of similarities and differences. The private sector isn't a homogenous thing. It comprises everything from an individual with a big idea and limited business skills to a large and sophisticated publicly listed company, and everything in between. By virtue of size and complexity, Inland Revenue probably has a lot more in common with Spark than either of them has in common with a one-person tradie business."

> THAT PESKY "US AND THEM" NARRATIVE AROUND THE TWO SECTORS STILL PERSISTS.

Agility against sluggishness

Probably the most popular historical narrative around the sectors is that the private sector is agile and the public sector is lumbering. Tait says the diversity within both sectors makes it hard to generalise. "Large bureaucracies can be inefficient no matter who they are. You could argue that an inefficient company will be more likely

to go out of business than an inefficient public sector organisation, which is true. But equally, a company with a significant revenue stream (because of its market position) can be highly profitable and also inefficient, which lessens the focus on eking out efficiency gains."

While a focus on profit and growth does keep the private sector motivated towards efficiency, Tait says there's no hard and fast rule. "Sometimes agility is more a function of size and complexity than private or public – large bureaucracies tend to behave similarly irrespective of who they are, compared with a small start-up. Private sector agility is also a function of the market a business is in. A company in a highly competitive and fast-moving tech market is a lot more likely to be agile than one in a mature, stable duopoly market."

Taking the long view

These qualifications aside, the perception of public sector sluggishness owes much to the different timeframe it often works to. Although it has to deal with short electoral cycles, it doesn't always have to generate a financial return to shareholders. This allows it to take the long view and invest in complex problems that the market can't or won't deal with. The breadth and duration of these long-term projects can result in a lag between vision, execution, and results. It's this that rankles many in the private sector.

LARGE BUREAUCRACIES CAN BE INEFFICIENT NO MATTER WHO THEY ARE.

Brent Chalmers, Head of Public Sector at Westpac, acknowledges the layers of complexity that face the public sector, but he adds, "I think there can sometimes be a lack of capability in terms of executing on whatever the policy of the day is. The public sector seems to struggle at times with quality execution. If you look at some of the apparent failures, it seems like accountability gets dispersed. There's no one person who's solely accountable for execution on some of these complex policies, and they get lost."

He thinks the public sector could spend less time and money developing business cases to ensure they're investing in the right projects. "I feel there's a better approach to risk mitigation than spending such a long time analysing. By the time they get the answer, it's out of date." He'd like to see a more private-sector-ish approach to prioritising. "It's about portfolio management really – culling the things that aren't delivering sufficient value in your portfolio. I think there's opportunity for the public sector to be more agile in terms of responding to what's working and what's not."

Different cultures

Tim Clarke is well placed to comment on the chafing between sectors. He leads the Public Law and Policy team at Russell McVeagh and works at the interface between the public and private sectors. He says it often feels like he's providing a translation service between two very different cultures. "Those cultures have different drivers, which is why there can be incomprehension at the operation of the other."

THE PRIVATE SECTOR, MEANWHILE, GENERALLY EMBRACES RISK TAKING.

Pace is a big bone of contention between the two. Clarke says public sector clients may be unaware of the commercial imperatives that prompt private sector urgency. Then there's the flipside. "In the private sector, they cannot understand why decision making takes so long in the public sector," says Clarke. "That's because they don't pause to consider that decisions need to accord with a statute or a regulation, be checked for compliance with the principles of Te Tiriti o Waitangi, and be consistent with prior government decisions. They may also need input from a range of government agencies.

"The public sector is sometimes viewed as foreign territory to the private sector," says Clarke. "There's that fundamental disconnect between the purpose and the role of public sector decision making and what the private sector expects. The frustrations that the private sector experience aren't the result of incompetence or a lack of quality or rigour – rather, they're to do with the complex multi-factorial set of things that a public servant is grappling with."

Innovation and risk

One of the charges often laid against the public sector is that it's less innovative than its private counterpart. Tait says this is due to risk-aversion and has a number of causes: the high level of public scrutiny its workers are subjected to (which is often characterised as whether an action would stand up to the "Dom Post test"); the generally perceived low tolerance for failure; the fact that public money is at stake; and the reality that many highly entrepreneurial people don't tend to be attracted to a public service career.

The private sector, meanwhile, generally embraces risk taking – and its necessary occasional cousin: failure. Of the latter, Tait says, "It's somewhat expected (with the key being to fail fast and in a least costly way). Successful innovators anywhere tend to place smaller bets, fail fast, learn, and adapt. This approach helps mitigate risk and may be key to the public sector managing and operating within a wider environment that isn't particularly tolerant of risk."

Clarke sees risk aversion as the key issue for the public sector. A more risk-permissive environment would need to be created from the top down. He says ministers long to operate within a culture of safe risk taking and innovation, but as soon as anything goes wrong, they tend to blame the official. "To have that mature debate and discourse in a public domain is politically very challenging, and therefore the public sector itself becomes risk-averse – much to their own frustration."

He says that public servants aim to be more effective. "That's why they go into public service, but the system grinds them down. Innovation is possible, but it requires the right climate and political support. That for me is the single biggest factor facing the public sector. It's an institutional challenge – it's not so much a human capacity or human resources challenge."

Synergy

Now for the good news. There seems to be a growing appetite for collaboration between the two sectors – for more of an overlap on the Venn diagram. In his blog, Harvey called for public and private entities to co-create new initiatives. He pointed to the co-designed New Zealand Food Network. In conjunction with the Ministry of Social Development, it spans the private, social, and government sectors to redirect quality

surplus and donated goods from food businesses to communities in need. Harvey says, "The initiative is a total success, and neither party could have created it without the other. There was enough focus here to combine the might of the public sector with the savvy of the private."

GETTING THE PRIVATE AND PUBLIC SECTOR TO HOLD HANDS IS NOT WITHOUT ITS DIFFICULTIES.

The private sector is getting much better at countenancing public good. Tait says, "Increasingly, private organisations are considering their purpose and impact beyond the bottom line. This has emerged in various ways over several decades, through things like Corporate Social Responsibility (CSR) frameworks, sustainable business practices, and B Corp Certifications."

He says this tends to happen when a company is committed to goals beyond maximising profit (and is able to do so while meeting shareholder expectations). Or, where the focus on wider public good (like sustainability) is viewed by companies as a value-adding measure that might attract more customers.

Clarke has witnessed this within his own law firm. "It's exponential in the way our understanding of ESG [Environmental, Social, and Governance] is developing and evolving. The public sector used to be miles ahead of the private sector around cultural, gender, and diversity issues. That transformation is starting to be seen more broadly in the private sector."

Chalmers says that CSR efforts in the private sector used to be quite tokenistic but are now richer and more authentic. Like Clarke, he's clocked that change in his own workplace – with Westpac's abiding concern with financial inclusion. "For example, we now work with the Department of Corrections on helping released prisoners get bank accounts so they can better reintegrate into society. We also have policies that allow victims of domestic violence to access banking services that they otherwise couldn't."

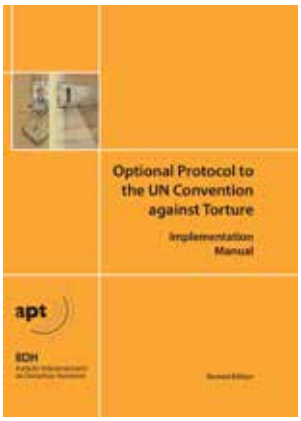
Holding hands

It's not an easy balance to strike, though. Getting the private and public sector to hold hands is not without its difficulties. Clarke explains: "It's challenging because, at one end, the public sector opens itself up to the allegation that it's been captured by the private sector. And at the other end, if there isn't that engagement, you get legislation and regulation that bears no relation to what's happening in the real world and is counterproductive to business and New Zealand interests."

THERE'S THIS GROWING ALIGNMENT IN TERMS OF WHERE THE PRIVATE SECTOR IS GOING AND WHERE THE PUBLIC SECTOR ALREADY IS.

There are plenty more column inches to be had on the purview of the two sectors. Chalmers says, "You could probably spend a lot of time comparing the two and arguing the toss about how different or not they are, but from my perspective, the point is that there's a missed opportunity. There's this growing alignment in terms of where the private sector is going and where the public sector already is in terms of thinking about a much broader stakeholder base and considering the impact on society. That brings opportunity for the public sector to reimagine how it works with the private sector and get better outcomes for everyone."

More alignment between the two sectors sounds like a hopeful, divide-conquering scenario; the sort of place where the word "toast" might only be used to describe a bureaucrat's lunch.



OPCAT INSPECTORS

Liam Russell writes about OPCAT inspectors – and their essential role in upholding Aotearoa's international commitments to minimum standards in detention facilities and to the prevention of torture and ill-treatment of those held in custody.

Liam Russell

Being kept in handcuffs for twenty-one hours a day, having to wait seventeen hours between meals, having limited access to clean drinking water – these are conditions you might expect to see in places like Guantanamo Bay, Abu Ghraib, or Manus Island – but not in New Zealand, right?

In this article, I look at a role that's critical in our society – a role that gets little attention or recognition. But there's a reason behind this. OPCAT inspectors' identities are kept secret – to ensure there is no coercion or pressure put on them as they do their inspections. This secrecy means I can't interview an actual OPCAT inspector, but I can look at what they do.

Thousands needing protection

Every day in Aotearoa, people are held in detention by government agencies and authorities in more than 500 different locations. This includes any situation where a person cannot leave at will, which covers places like mental health and addiction treatment facilities, aged-care homes, and more recently, managed isolation and quarantine (MIQ) facilities.

OPCAT inspectors are on the frontline of ensuring that all people are treated with dignity and that the human rights of some of society's most vulnerable individuals are upheld.

What is an OPCAT inspector?

OPCAT inspectors help to uphold New Zealand's international obligations for the treatment of people who are detained. They help ensure that detention facilities are safe, humane, and meet international standards.

OPCAT stands for the Optional Protocol to the Convention against Torture. This is a United Nations international human rights agreement, ratified by the New Zealand government in 2007 – and covers the ill-treatment and infringement of detainees' human rights of all kinds – it doesn't just cover torture. New Zealand is one of 105 signatories.

"OPCAT is a powerful example of a human rights tool in action. Regular monitoring of places … that are otherwise closed to the public … is crucial to achieve accountability in our places of detention."

– Paul Hunt, Chief Human Rights Commissioner

Compliance with OPCAT is overseen by four National Preventative Mechanisms (NPMs), which have been in operation for the past fifteen years. New Zealand was the first country to implement a multi-body NPM system.

OPCAT inspectors are employed by the individual NPMs – each with a different area of responsibility.

There are four NPMs:

1. The Children's Commissioner Manaakitia Ā Tātou Tamariki is responsible for inspecting twenty-six Oranga Tamariki facilities and three Mothers with Babies prison units.
2. The Independent Police Conduct Authority Mana Whanonga Pirihimana Motuhake (IPCA) is responsible for inspecting the 850 police cells housed in 150 police custodial facilities nationwide and for monitoring police custodial management processes.
3. The Ombudsman is responsible for inspecting more than 400 facilities, including all of Aotearoa prisons and remand facilities, health and disability places of detention, aged-care homes, and other facilities – such as the MIQ facilities that operated during the pandemic.
4. The Registrar of the Court Martial – who is also the Inspector of Service Penal Establishments – is responsible for monitoring military detention facilities.

The Human Rights Commission Te Kāhui Tika Tangata is the Central NPM for Aotearoa and plays a co-ordinating role.

What does an OPCAT inspector do?

Inspectors regularly visit places where people are detained. They have the authority to conduct announced and unannounced inspections and have unrestricted access to all necessary places, people, and information at any time.

Inspectors consider a range of factors related to:

- treatment
- protection systems
- material conditions
- activities and access to others
- medical services and care
- personnel.

They look at how people are treated (including the use of isolation, force, or restraint), their contact with whānau and the outside world, and their access to food, exercise, education, and leisure activities, as well as the facility's record-keeping, complaints processes, and staff training.

Inspectors speak to staff and detainees, audit agency records, and inspect cells and other rooms. They promote best-practice custodial management, and where required, make recommendations for improvements – following up on these through future inspections.

Te Puna Wai Youth Justice facility in Christchurch (Photo credit: Oranga Tamariki)

Otago Corrections facility (Photo credit: Hawkins NZ)

Otago Corrections facility (Photo credit: Hawkins NZ)

Auckland Police custodial facility (Photo credit: RDT Pacific)

They also report on systemic issues arising from complaints and incidents, such as how well detainees with mental health issues are dealt with and how detainees are transported.

They identify issues, trends, and patterns relating to conditions in places of detention (including disability rights issues) from regular environmental scanning, visits, and inspections.

A focus on prevention

Inspectors take a preventative approach, aiming to ensure that safeguards against ill-treatment are in place and that risks, poor practices, or systemic problems are identified and addressed promptly. They recognise and apply te ao Māori and disability rights principles, as well as wider cultural and human rights concepts when undertaking examination and inspection activities.

"Prevention is based on the premise that the risk of torture and cruel, inhuman, or degrading treatment or punishment can exist or develop anywhere, including in countries that are considered to be free or almost free from torture at a given time."

– The Association for the Prevention of Torture

Tāwhirimātea forensic mental health unit in Porirua (Photo credit: Tāwhirimātea)

OPCAT inspectors have a big job – with 591 separate facilities and more than 4,500 individual cells falling under their remit.

In 2020/21, during the COVID-19 pandemic, OPCAT inspectors visited 98 facilities, including police stations and court cells, youth detention facilities, MIQ facilities, and aged-care facilities. Between them, NPMs made more than 200 recommendations for improvement.

A seclusion/admission room at Haumietiketike forensic intellectual disability inpatient unit. This room was used as permanent accommodation and was subject to recommendations for improvement. (Photo credit: Ombudsman)

Why is the OPCAT inspector's role so important?

As well as ensuring that people who are deprived of their liberty are treated humanely and their rights are respected and protected, inspectors also help staff working in detention facilities to understand the conditions that need to be observed – and help agencies to build their capability to respond to the high and complex needs of people in detention.

They provide parliament and the public with independent oversight of how some of our society's most vulnerable people are treated and help to ensure New Zealand adheres to international human rights standards.

"[OPCAT visits] shine a light on the conditions and treatment experienced by people in places of detention and therefore help safeguard against human rights abuses and promote positive practices."

– Peter Boshier, Chief Ombudsman

Despite there being no documented instances of torture recorded by NPMs in Aotearoa, ill-treatment in detention can and does still occur, whether intentional or not.

The preventative approach taken by OPCAT inspectors is crucial to ensuring that any instances of ill-treatment are addressed and do not become systemic.

"Many problems stem from inadequate systems, which can easily be improved through regular monitoring. By carrying out regular visits to places of detention, the visiting experts usually establish a constructive dialogue with the authorities concerned in order to help them resolve problems observed."

– UN Special Rapporteur on Torture

A few of the problems inspectors have identified

In recent years, OPCAT inspectors have highlighted concerns such as:

- Use of force that is unnecessary and disproportionate, including use of pepper spray
- Use of unapproved control and restraint techniques
- Poor-quality physical environments, disrepair of detention facilities, and use of segregation
- Filming of prisoners while being strip searched
- Lack of access to clean drinking water
- Prisoners being held in handcuffs for extended periods of time – including one prisoner kept in a waist restraint with hands cuffed behind their back for around twenty-one hours a day for ten weeks, and only un-cuffed every two hours during the day and every four hours at night to stretch, shower, or eat
- Lengthy time between serving meals (sometimes reaching seventeen hours between dinner and breakfast)
- Lack of access to the minimum entitlement of one hour's fresh air and exercise per day
- Poor treatment of Māori prisoners
- Lack of support for disabled prisoners.

During the COVID-19 lockdowns, the NPMs observed: "The exacerbation of inequalities as a result of the pandemic presents an ongoing risk that people deprived of their liberties will face ill-treatment." Findings of OPCAT inspectors during lockdowns included concerns related to access to fresh air and exercise, access to whānau and community connection, and independent access to drinking water.

Cell at Auckland (Paremoremo) Prison (Photo credit: Ombudsman)

These findings reinforce the essential role of OPCAT inspectors, even in a country with an excellent human rights record, such as Aotearoa. OPCAT inspectors exemplify public service values and make a valuable contribution to our society. They are crucial to maintaining public trust in authorities and upholding the rule of law.

Liam Russell is the Deputy Chair and Treasurer of the IPANZ New Professionals leadership team.

The views and opinions expressed in this article are those of the author and do not necessarily reflect those of the author's employer or any other organisation, group, or individual.

THE STRUGGLE **TO 50 PERCENT**

In light of Jacinda Ardern's recent resignation, Jim McAloon, a professor of history at Victoria University of Wellington, outlines the long road to parliamentary representation for women.

Jacinda Ardern announced on 19 January that she was resigning as Prime Minister. She was the third woman to hold the position, after National's Jenny Shipley (1997–99) and Labour's Helen Clark (1999–2008). Eight weeks before Ardern's resignation, the New Zealand parliament achieved a milestone when women amounted to exactly 50 percent of members.

Not quite "universal"

Most people know that women won the right to vote in New Zealand parliamentary elections in 1893. But many probably don't know that some women were excluded: it was extraordinarily difficult for Chinese women to become citizens and therefore to have the right to vote; until the 1920s, a woman who married an "alien" lost her citizenship and her right to vote; Māori women (and men) only won the secret ballot in 1938.

The then Prime Minister, Helen Clark, 2002

Moreover, "universal" suffrage in 1893 explicitly denied women the right to be nominated for, and elected to, parliament. Some supporters of women's suffrage accepted this as the price of winning the vote. Others, including not a few women, thought that women's moral purity would be compromised by involvement in the grubby business of parliament. Only in 1919 did women win the right to be elected. (Jenny Coleman's *From Suffrage to a Seat in the House* is a detailed history of how this happened.) Three women stood in 1919: Ellen Melville for the conservative Reform Party, Rosetta Baume for the Liberal Party, and Aileen Cooke as an Independent Liberal. None of them won.

Elizabeth McCombs was the first woman elected to parliament. Born Elizabeth Henderson, she and her sisters were well known in Christchurch progressive and feminist circles. Elizabeth was involved in the Labour Party from its establishment, her husband James being the MP for Lyttelton from 1913 until his death in 1933. In the resulting by-election, Elizabeth won a handsome majority. She was in parliament for less than twenty-two months, dying in June 1935.

A house of men

The twenty-fifth parliament (1935–38) has the dubious distinction of being the last in which no women sat. When the next parliament rose, in 1943, there were four women, a number not exceeded until 1963. Even in the 1972–75 parliament, there were only four, and by then, only thirteen women had ever been elected. Two were Māori: Iriaka Ratana (1949–69) and Whetu Tirikatene-Sullivan (1967–96), who for many years after 1969 would be the sole Māori woman in parliament.

Only three women served in Cabinet before 1975. Labour's Mabel Howard was the first, being Minister of Health in the late 1940s and Minister of Social Security at the end of the 1950s. National's Hilda Ross had the non-departmental portfolio of Minister for the Welfare of Women and Children from 1949–57 and, more briefly, Minister of Child Welfare and Minister of Social Security (working across the aisle with Iriaka Ratana on many issues). Evidently, there was a perception that only certain portfolios were appropriate for women. Esme Tombleson, National MP for Gisborne (1960–72), was a strong advocate of regional development and wanted to be Minister of Fisheries – she turned Keith Holyoake down flat when he offered her Associate Minister of Social Welfare.

There were no women ministers in either the 1960–72 or the 1975–84 National governments, although to be fair to Robert Muldoon, it is widely thought that had Colleen Dewe held the marginal Lyttelton seat in 1978, he would have appointed her to Cabinet. Muldoon did, also, appoint the young feminist MP Marilyn Waring to chair the Public Expenditure Committee in 1979 – a position that usually marks one out for Cabinet. For reasons that she discusses in her absorbing memoir, *The Political Years*, Waring became estranged from most of her caucus colleagues and left parliament at the 1984 election.

A period of activism

A new wave of feminist campaigning from the early 1970s put a spotlight on women and political representation. The Women's Electoral Lobby was founded in 1975 – International Women's Year – and campaigned to increase women's

membership of parliament, local government, and statutory organisations. Male politicians, from all parties, were often highly resistant. The Values Party, formed in 1972, was a visible advocate; among its candidates in 1978 was Jeanette Fitzsimons who would later be a long-serving Greens co-leader.

THE TWENTY-FIFTH PARLIAMENT (1935–38) HAS THE DUBIOUS DISTINCTION OF BEING THE LAST IN WHICH NO WOMEN SAT.

From the mid-1970s, many feminists perceived the Labour Party as a more appropriate parliamentary vehicle than National. This was for a number of reasons, among them, the increasing prominence within Labour of educated urban liberals, as well as increasingly assertive campaigning by trade union women around issues like the Working Women's Charter. Initially, this approach paid off. The 1981 election returned a record eight women MPs – six Labour, two National. Marilyn Waring was joined by Ruth Richardson. Labour's intake included Helen Clark, as well as Fran Wilde, who in 1986 would lead the parliamentary campaign for homosexual law reform.

The fourth Labour government (1984–90) included only two women ministers in its first term: Margaret Shields, in Customs and Consumer Affairs, and Ann Hercus, in Police, Social Welfare and – notably – foundation Minister of Women's Affairs. This position attracted some resistance from social conservatives, and Hercus experienced a good deal of personal vituperation. Helen Clark joined the Cabinet after the 1987 election, and within two years, was deputy prime minister. In 1990, Ruth Richardson became the first (and so far only) woman finance minister, and in 1993, Clark became the first woman leader of a parliamentary party. The Greens, in parliament from 1996, have consistently required that one co-leader be female.

The impact of proportional representation

In the suffrage centennial year of 1993, the election returned twenty-one women to the ninety-nine-seat parliament: six National, fourteen Labour, and one from the left-wing Alliance. The switch to Mixed Member Proportional (MMP) representation from 1996 changed things. Now that almost every party vote counted, all parties had an incentive to appeal to as much of the population as possible. A larger parliament also improved women's chances – or so the theory went. After the 1996 election, there was an increase to thirty-five women, but this was in a 120-seat parliament; an increase from 21 percent to 29 percent. Only in 2017 did women make up more than a third of the parliament.

Under MMP, parties can rightly use their lists to increase the diversity of their caucuses, and this has seen women of various cultural backgrounds being elected, although never in large numbers. Labour's Luamanuvao Winnie Laban (elected in 1999) was the first woman MP of Pacific heritage. Pansy Wong (National, elected in 1996) was the first woman MP of Chinese birth or heritage; Melissa Lee (National, elected in 2008) was of Korean descent; and Parmjeet Parmar (National, elected in 2014) was of Indian heritage.

THE 1981 ELECTION RETURNED A RECORD EIGHT WOMEN MPS.

National's Jenny Shipley, who replaced Jim Bolger a year into that government's third term, was New Zealand's first woman prime minister. Shipley had been a close ally of Ruth Richardson; Richardson left parliament after Bolger removed her from her role as Minister of Finance in the wake of the party's near-defeat in 1993. Bolger and New Zealand First's Winston Peters negotiated a coalition after the 1996 election, and it is likely that some of National's more neo-liberal MPs hoped that Shipley would place less emphasis on the political centre and so backed her as prime minister. Shipley had been an able minister in a number of substantial portfolios, and it was her bad luck that she took over the leadership, aged only forty-five, when the government's time was running out.

In 1999, Helen Clark led the Labour party into what would be a three-term government. Reference is still sometimes made to Clark being the "first elected woman prime minister of New Zealand", but that misrepresents the parliamentary system. Voters do not elect the prime minister; parliament expresses confidence in a government, and the leader of that government is thus prime minister. This became clear in 2017 when the post-election negotiations resulted in Jacinda Ardern forming a government despite Labour being the second-largest party in parliament.

THE PATH TO EQUALITY IN PARLIAMENT HAS BEEN LONG AND TORTUOUS.

In the Clark governments and the National-led governments under John Key and Bill English, women accounted for around one-third of ministers. Since the 2017 election, the proportion has increased to 46 percent. In the last few decades, a number of "firsts" can be identified, among them the first woman speaker (Margaret Wilson, 2005–08); the first Māori woman deputy prime minister (Paula Bennett, 2016–17); the first woman and first Māori woman foreign minister (Nanaia Mahuta, 2020–).

A difficult reality

It is easy to emphasise milestones, but digging below these "firsts" shows that the path to equality in parliament has been long and tortuous. MMP has made a good deal of difference, but it was not a magic bullet. Political parties need to actively ensure that their caucuses are representative of the people of Aotearoa. It remains to be seen whether the present parliament's record number and proportion of women will be maintained.

Kevin Jenkins

OVERBOARD WITH DASHBOARDS?

Many in the public sector believe data-reporting methods, like dashboards, overpromise and underdeliver. Kevin Jenkins agrees but says it doesn't have to be that way, and performance dashboards and other data-driven reporting can be much more insightful and useful than they usually are.

A senior executive in a large Crown entity told me recently that their key performance monitoring tool is a set of nearly forty graphs and tables. It's a lot to wade through every month, and they have to extract the insights themselves. They are often confusing and ambiguous, particularly on the first (or sometimes any) reading: "That line chart seems to be contradicted by the bar chart on page 15" – that sort of problem.

Dashboards and other reporting tools like them give data-driven reporting a justifiably bad name. I've heard dozens of public-sector executives report similar problems. Dashboards often track metrics that aren't insightful, piecemeal metrics don't build to any cohesive whole, and the dashboards often just look backwards. On top of that, dashboards are also difficult and expensive to maintain.

Some public-sector leaders are losing faith in the value of the often substantial ongoing investment in data-driven reporting. At a minimum, these kinds of dashboard failures can waste resources – as one Crown entity CEO told me, "The board barely looks at it." In the worst cases, dashboards that don't tell clear and accurate data stories can push executives and boards into poor choices.

DASHBOARDS OFTEN TRACK METRICS THAT AREN'T INSIGHTFUL.

Data analytics has overpromised and underdelivered

In his discussion of the key traps dashboards fall into, Joel Shapiro, Associate Professor Management at Kellogg University, describes why managers love dashboards:

> "Single-screen 'snapshots' of operational processes, marketing metrics, and key performance indicators (KPIs) can be visually elegant and intuitive. They show just-in-time views of what's working and what isn't ... A quick scan of a dashboard gives frontline managers transparency and, ideally, the opportunity to make rapid adjustments."

That's the theory – but in this area, data analytics has overpromised and underdelivered. The simplicity that's supposed to be such a plus with dashboards is, in reality, often a superficiality that prevents them being a useful support for decision making.

One of the problems with dashboards involves what Shapiro calls the "importance trap", which is consistent with what I've heard from clients: many dashboards still don't relay the most important metrics and, in the worst cases, just use the software defaults.

Even where metrics do focus on an issue of genuine importance, too often they ignore underlying distributions. For example, a dashboard may tell you your staff turnover is generally stable – but, in fact, hidden behind that general stability, your agency may be steadily losing all its best people.

Dashboards are often short on context and storytelling

One of the key problems with dashboards identified by data expert Andy Krakov is that they can mislead by giving equal prominence to the metrics presented, and the hierarchy or dependencies may be opaque. Storytelling that aids true understanding is usually absent.

EVEN WHERE METRICS DO FOCUS ON AN ISSUE OF GENUINE IMPORTANCE, TOO OFTEN THEY IGNORE UNDERLYING DISTRIBUTIONS.

Heading in a similar direction, Joel Shapiro points out that dashboards are "poor at providing the nuance and context that effective data-driven decision making demands". All that empirical, quantitative data seems convincing, but we may not really understand the assumptions that have been made. (This reminds me of Jeff Bezos banning slide presentations and bullet points in favour of four to six page memos, but that's another story.)

Superficial dashboards and incomplete data stories can also collide with the human weakness for assuming causality when we see what looks like a strong correlation or simply two sequential events – what Shapiro calls the "causality trap". A simple data comparison can appear to tell a clear and convincing story, with our assumptions around causality filling in the gaps, while the real story is hidden and quite different.

The website *Spurious Correlations* has some wonderful examples of the correlation-equals-causation assumption. My favourite is the correlation between cheese consumption and people dying through getting tangled in their bedsheets (a close second would be murders by steam, hot vapours, and hot objects correlating with the age of Miss America).

Designing better dashboards: Decide your priorities first, then choose your metrics

A dashboard – or any reporting for that matter – should be designed only after the priorities have been decided. This might sound obvious, but it seems a lot of dashboards are driven by the data that's available, rather than by the decisions the dashboards are supposed to support. So make sure you include only the metrics that might lead you to make better decisions, rather than falling back on those same metrics you've always reported and can easily get your hands on.

Start with why you want metrics – presumably for performance monitoring and for making better decisions – and work through the logic from there. Over time, you'll be able to refine what's important, abetted by access to an ever-growing pool of data and ever-improving analysis and visualisation.

Don't hesitate to revisit the dashboard. A particular suite of metrics may have reflected a pillar of your strategy a year ago, but it may be that this area is now under control and your priorities have moved on – so ask whether those metrics are still valuable or are now just a distraction.

Presenting context well through more dynamic, interactive dashboards

Overwhelmingly, most dashboards are static documents that are intended to be printed. In that static form, attempts by the analyst preparing the pack to anticipate decision makers' need for context contributes further to the never-ending sprawl of numbers that make up most dashboards.

However, it doesn't have to be that way. The tools available for data visualisation and interactivity today allow for qualitatively new levels of storytelling in dashboards. They allow board members and other users to click through and interrogate the data, dropping down levels to investigate the context underlying the issue at hand.

Just as importantly, those other layers can then be hidden away again when not needed, allowing decision makers to focus on the larger picture.

Pass/fail metrics are a recipe for failure

A metric that provides a simple pass/fail result or "traffic light" can be beguiling as a way to simplify reporting. They're often tied closely to target setting, and they offer the appearance of focus and clear expectations.

In reality, pass/fail metrics often drive perverse behaviours and unexpected outcomes. For example, one client had for years reported the percentage of issues resolved within a fifty-day target timeframe. Over time, they saw that percentage get higher and higher, and they considered that a great success. Unfortunately, a closer look at the underlying data revealed the anti-climactic reality – yes, more problems were being closed within the deadline, but fewer were being closed quickly, with almost all running into the final few days.

IT'S ALWAYS IMPORTANT TO LOOK ACROSS METRICS FOR THE WIDER PICTURE.

And worse, once the deadline passed, there was no incentive to do any further work on the issue because it would not affect the reported outcome. The pass/fail metric drove a binary yes/no approach to addressing problems, so some sat stagnant for months or years once the deadline passed, even though further productive work could have been done.

Instead of a single pass/fail metric, a few metrics taken together would have provided a better overall view – for example, an average time to close, an average time of the slowest 10 percent, and a rolling count of issues to hand.

So consider carefully the incentives your reporting creates. If the message you want to send is "We expect issues to be resolved quickly", then a pass/fail metric is seldom the way to do that.

It's always important to look across metrics for the wider picture. One real public-sector example saw an encouraging decline in customer complaints in fact being a decline in reporting. So make sure your dashboard will tell you if success in one area is at the cost of poor performance in another, and ensure that it will also alert you to any imbalances across your agency that may be a harbinger of more trouble to come.

Don't delegate thinking, just the technical execution

Data science and data-driven board reporting are both emerging fields, and we should expect to see rapid improvements in reporting, insights, and projections.

You should absolutely involve data scientists from the outset in designing your board reporting, but remember that good reporting is a marriage of strategy and data. Delegate the technical execution, but only once you're confident the analysts you're delegating to genuinely understand your strategic priorities and the kinds of choices you expect to make based on the data.

By automating your data processes as far as possible you will also free up your smart data people to help you explore and interpret data rather than just producing it. In that interpretation process, prioritise exploring the "why" – and bring the board's own valuable knowledge of context.

Kevin Jenkins is a founder of MartinJenkins (www.martinjenkins.co.nz), and he writes about issues at the intersection of business, innovation, and regulation. Many of his articles can be found in the NZHerald.

SEEING CHANGE – ONE PHONE CALL AT A TIME

Kiri Marshall grew up in a forestry community that was wary of bureaucracy. Now she is proud to be working in the ACC Contact Centre, changing attitudes and making a difference. Kathy Ombler chats to her.

Kiri Marshall tears up when she talks about her team. To her, they are family. They're all on the frontline phones together, facing pain, grief, and frustration. But she knows that after yet another hard call, she can spin her chair around and that team will be there ready to support her, give her a hug, or fetch a cuppa.

Kiri (Ngāti Whakaue and Tūhourangi-Ngāti Wāhiao) is a Senior Customer Experience Representative, working out of the ACC Contact Centre in Te Rapa, Hamilton. It's the largest of three call centres in the country.

"We get thousands of calls a day from across New Zealand. Communications also come in through webchats and emails. We can be dealing with anyone from medical providers who treat our clients to business owners who want to discuss their levies to people with injuries who need to discuss their claim.

"We are the first people they speak to, and that is a responsibility I take seriously. We take them through the things they need to know and ask them the things we need to know so that they can be directed to the correct person.

"We can genuinely make a difference in somebody's life, and that is a real privilege."

Kiri has worked for the government agency since 2021. "I have a Diploma in Tourism and a Batchelor in Broadcasting Communications (Radio) and was working in the Rotorua i-SITE when I took maternity leave. Then COVID happened, and when I was looking to return to the workforce, there was nothing in my field of tourism."

However, there was a job at ACC. "Reading about the values and purpose of the agency made me really interested. The job description stated that they wanted to change the perception of how people see ACC and that people were valued before process. To me, that stood out. If people need support, we can react to their needs. If a person calls and needs urgent transport to surgery, we can help. It meant being able to do things that could change people's lives.

WE CAN GENUINELY MAKE A DIFFERENCE IN SOMEBODY'S LIFE.

"Also, I come from a rural community near Rotorua, and my dad was in the bush. Everyone in our street worked in the bush. There were often injuries and then problems with ACC, along with general mistrust around it being a government agency."

A new perspective.

"Now I understand and can explain to my people what is covered by ACC, and if something isn't covered, I can tell them which

agencies they can go to for help. Otherwise, if they don't get that information, they'd have a negative experience and go away feeling bitter. This has been a wonderful opportunity – to be able to take that understanding home to help my community."

Kiri started her new role with a six-week training course, but says most learning is on the job. "There's only so much you can learn by modules. A lot of my learning was by buddying up with someone more senior and listening in. The rest is just being on the phones. There's no textbook for every single call; you never know what's going to happen. Even after two years, I'll think, wow I've never heard that before."

Some tough calls

"We get calls from whānau when a family member has died in an accident. They have to call us to file an accidental death form. Sometimes it's very soon after the passing. It is really emotional; you can hear the pain in their voice, and everyone around them is also grieving. All you can do is be someone neutral they can talk to, and all you can say is, 'I'm sorry for your loss'. It's really hard."

On many calls, Kiri says it is just listening to people and hearing their stories that's important.

"People get frustrated. Money is a big emotional pull. It's how people feed their families and pay their rent, so if their ACC payment stops for any reason, these calls can be tough. People can say mean things when they are emotional and not feeling heard or respected.

I HAVE TAKEN SOME TOUGH CALLS AND OWE A LOT OF CREDIT TO MY TEAM FOR THEIR SUPPORT.

"So you give them that opportunity, to explain their frustration and talk through the problem, and sometimes that's all it takes for us to be able to help them. There can be confusion over what is an injury and what is a sickness, and we can explain this. We can also make suggestions, such as getting an advocate or doing a review. We always try to help, and when you do find a solution, that is really satisfying."

Offering access to rongoā Māori health, recently introduced by ACC, is a huge thing for Kiri.

"Sometimes Western medicines don't work for our people, or they are not aligned to our spiritual beliefs. Rongoā Māori is something that I find very easy to talk about with our Māori clients, who might not be familiar with things like physiotherapy or acupuncture. The moment you tell them about options for mirimiri, or herbal healings, they know exactly what you are talking about. You can feel the relief and the trust, and all of a sudden we are speaking the language of the people who may otherwise have fallen through the cracks.

"To know that the organisation is genuinely trying to make a difference for Māori was a consideration for me when I signed up for this role. I wanted to know how we could ensure that Māori weren't going to be left behind or forgotten."

Other types of ACC-funded support

"I work on the sensitive claims line, and support can include therapies like horse riding and painting for trauma, as well as yoga retreats. It's not just, go see the physio and get back to work. Never in my wildest dreams would I have thought a government agency would be funding these things. It makes me proud.

"We are so lucky in New Zealand to have a scheme like ACC – it is unique. I really want to let people know how we can help."

Not everyone understands the different types and the volume of support that ACC offers, and yes, ACC staff do receive criticism on the phones. Kiri asks for patience.

"We want to help. Be patient with us. We understand you might be hurt, in pain, or frustrated, but we are the first people you speak to and we are not robots following a script. A lot of time it comes down to needing more information, then it's our clinical advisors who are qualified to make decisions. We don't make those decisions ourselves – we deal with them using kindness and humanity and try to get them to the right place.

"We treat every person with respect, and we expect that in return."

She sometimes wonders if they could do more for clients. "I've been pretty vocal in asking questions – is there more that we can do? We have our own hot lines if we're unhappy about something and can access support advisors to help us if we need support."

And she has her team – her "family".

"The Contact Centre has people from all walks of life, and we are all really supportive of each other. We know what everyone is going through. We all have good calls and bad calls, and we take the time to talk things through and build each other up when things get challenging. If we're upset and something wasn't quite right on a call, we can communicate that with each other. I have taken some tough calls and owe a lot of credit to my team for their support.

"Quite simply, we show up every day because we want to be here."

Kiri was surprised to be called a "public service hero".

"I just come to work each day to try to make a positive difference in people's lives. You never know what's going to be on the end of that call. Whoever or whatever, it is my job to look after them, to be their kaitiaki and guide them to the right place."

Kiri outside the Contact Centre

Adithi Pandit

STRATEGY IN THE PUBLIC SECTOR

Adithi Pandit from Deloitte explores what makes good public sector strategy.

Strategy is about choice and execution. If you take away one thing from this article – it's that. But strategy can be surprisingly challenging to actually do. The most common obstacles to developing a good strategy in a public sector context are understanding what strategy is, in a constrained choice environment, and maintaining an ongoing strategy capability, in a context that often favours policy and operations. Recognising the value of strategy and embedding it in the processes of the organisation are keys to success.

What is the purpose of strategy in the public sector?

While they don't always have to compete for market share, public sector organisations must still maximise the value they create, within a limited resource base. This means the public sector needs to focus on what's important and ensure it has impact.

And that's at the heart of a good public sector strategy – it asks what does impact look like, where will we focus, and how do we give effect to that focus? A clear strategy makes it easy for everyone in the organisation to align what they do with the overall outcomes. It also ensures that the priority is set at an enterprise strategic level – rather than having ad-hoc decisions made throughout the organisation.

It can be challenging for public sector agencies to identify their focus. It may help to make an inventory of choices, identifying what is in the organisation's scope and role to decide on a focus (as opposed to a focus that is legislatively or regulatory driven).

Every good strategy must have an alternative. If there isn't a viable opposite or different choice to the strategy, then it's just a truism. For example, "being customer-centric" isn't a strategic choice unless "being non-customer-centric" is a real option. But "focus on Māori and Pacific families" is a real choice.

STRATEGY CAN BE SURPRISINGLY CHALLENGING TO ACTUALLY DO.

How do you develop strategy?

There are many different approaches to developing strategy in the public sector. When developing an enterprise strategy – an organisation's overarching strategic direction and focus – the Cascade of Choices framework is enormously helpful. This framework works well when the strategic problem is known or knowable and the actions of the agency can make a material difference.

The Cascade of Choices consists of five key questions that are answered together, making five sets of interlocking choices.

1. **What's the winning aspiration?** This sets out what success looks like in a specific and measurable way. It needs to be a choice – not a word salad of every possible impact. It's important that there are clear connections between the organisation's "mission" and the aspiration.
2. **Where to play?** This explores which of the many possible levers for change, or impact areas, are needed to achieve the aspiration. Public sector agencies don't usually choose their customers or service offerings, but organisations can select areas of emphasis, parts of the value chain, and specific ecosystems.
3. **How to win?** This choice explores what is required to really succeed at the focus areas selected. It's an important testing choice – if there's no clear pathway to making an impact, then the aspiration is probably not aligned to the core business. On the other hand, if there are too many things to do, then it isn't focused enough.
4. **What capabilities?** This choice explores the critical capabilities required to fulfil the "how to succeed"

step. This won't be a list of every capability, but by using the right operating model, it will help ensure that all domains are being considered.

5. **What management systems?** This choice is often overlooked, but it prepares the organisation for that essential second aspect of strategy: execution. This is about the ways of working to give effect to the strategy and keep it evergreen. It covers accountabilities, programme delivery, business planning, monitoring, and measurement. Markers of success are critically important – how organisations know whether the strategy is working or whether the course is correct.

EVERY GOOD STRATEGY MUST HAVE AN ALTERNATIVE.

Executing on strategy

Strategy as an ongoing discipline is about making choices and then executing them through the right capabilities, investments, and priority decisions. Where there is "strategy fatigue", the root is often a cynicism that it will not translate into meaningful change.

Embedding strategy into the business planning and portfolio management processes

If the strategy isn't helping make choices on what to do or what not to do, it's not a strategy. The same Cascade of Choices process works just as well for functional, business group, or key programme strategies – and using this to drive business planning and portfolio processes helps keep the organisation aligned.

For example, if a critical enterprise capability is a data-savvy workforce that understands analytics for decision making, the HR strategy may take this as their strategic aspiration and identify how to deliver on this. A good test of execution is how well and how clearly the functional strategies stack up against the organisation strategy. Another test is whether the strategic choices are providing the "frame" for business plans, portfolio prioritisation, and investment choices. For example, if the next business planning round cannot use the strategy to identify higher priority activities, then the strategy needs to be more specific.

Creating an evergreen strategy process

Strategy setting, alignment, and execution takes time and bandwidth of decision makers, leaders, and managers – and rigour and discipline to hold and evolve the course. Embedding the thinking and the effort into how the agency works will significantly increase the likelihood of success over an annual or cyclical strategy-setting process. The markers of success that are defined in the fifth strategic question will inform an ongoing "sensing" function – watching for both the internal and external indicators that suggest whether the strategy is working or whether something needs to change.

Working across an ecosystem

Public sector organisations often have boards to engage, but these don't always have the benefit of independent governance; and in particular, those who have a role as "steward" for a particular sector need to make sure they collaborate with Te Tiriti partners. Public sector agencies are much more likely than private sector organisations to be making choices that involve the wider ecosystem – other agencies, iwi, and community providers.

Paying attention to who is involved in strategy development is critical. While the outcomes of a strategic process are important (and often represented by a document), it is the process of choice-making that is the heart of strategy. Going through a process of understanding choices, considering context, and making shared decisions requires the right people to be around the table – public sector agencies in particular need to consider Crown–iwi relationships and the opportunities for power sharing in strategy development.

Linking enterprise strategy to system strategy and action

In situations where there is significant complexity – which is many areas of the public service – additional tools may be required to support the strategy. For example, where the system is highly volatile or the situation is rapidly evolving, a fast-response loop may be needed to continually refine the strategy based on system responses to interventions. And in chaotic situations, heuristic responses (such as playbooks or frameworks) may be more appropriate to support the achievement of strategic objectives than a work programme.

PUBLIC SECTOR AGENCIES ARE MUCH MORE LIKELY THAN PRIVATE SECTOR ORGANISATIONS TO BE MAKING CHOICES THAT INVOLVE THE WIDER ECOSYSTEM.

When considering strategy in a systems context, particular attention should be paid to what success looks like for the system (a shared aspiration), which levers for change have the greatest energy (where to focus), and what the role in the system can be (how to succeed). These should then be "worked back" into your enterprise strategy – for example, if the systems strategy is to be a source of learning and insight for the sector, the enterprise strategy will include building capabilities in data and insight development, networks and influence, and sector-wide learning activities.

Kōrero mai

Have you had a great (or otherwise!) experience with strategy setting or execution? I and the rest of us at Deloitte would love to hear about it and connect you with other public sector strategists – like most things, strategy is most fun when shared as a community. You can contact me at apandit@deloitte.co.nz

FOLLOWING OUR TRUE NATURE

IPANZ member Sam Saxena has been on a journey. He now hopes for better workplaces, using the approach of Nonviolent Communication.

The greatness of humanity is not in being human, but in being humane. – Mahatma Gandhi

In the public sector, we can embody non-violence in our communication. We can be the champions for a kinder way of being through deep listening and through the words we write and speak.

Nonviolent Communication (NVC) or Compassionate Communication is more than a process or a language – it is a way of being where we are mindful of our needs and the needs of others and we communicate openly, freely, and kindly. Changing workplace culture can take years, but the basis of culture is our thoughts transformed into words and actions and reactions.

We can do much by sincerely trying to communicate with greater consciousness, care, and respect. We need to look at behaviour through a different lens – a lens of shared underlying needs. We do not have to like the behaviours, but we can understand them differently.

NVC helps us connect with each other and ourselves in a way that allows our natural compassion to flourish. We learn to shift our awareness from being judgmental through a different lens of universal underlying needs. It's a way of understanding human behaviour differently.

It's not our differences that divide us, it's our judgments about each other that do. – Margaret J. Wheatley

Needs are life energies that are wanting to be fulfilled, such as the need for security, belonging, peace, learning, meaning, respect, and being understood. For example, the needs of a person who is using bullying behaviour may be self-worth, recognition, and belonging. When we understand these underlying motivators, we can feel compassion and then look for different strategies to get those needs fulfilled without hurting others.

Every criticism, judgment, diagnosis, and expression of anger is the tragic expression of an unmet need. – Marshall B. Rosenberg

I found the most challenging part of NVC was to be open about my needs and to understand the needs of others.

This self-reflective practice brings self-awareness, which is the first step towards any change. We can consciously question ourselves before we speak and wonder how a comment would land on the person receiving it, and then reflect if it would be helpful.

If we develop deeper listening skills and empathy, with a desire to truly understand, the result is more effective relationships in the personal, work, and political spheres.

NVC involves using four tools:

- Observations – listen and then observe what is actually happening in a situation without judgment
- Feelings – state how we feel (for example, hurt, scared, joyful, irritated, helpless)
- Needs – state what is important to us
- Requests – be clear about what we would like from the other person that would fulfil our needs.

For example, instead of a father saying to his teenage son, "This room is a horrible mess!" he could say, "Felix, when I see old socks on the floor and last night's dinner plate on the TV [Observation], I feel irritated [Feeling] because having order in the living room matters to me" [Need]. Then a specific request: "Would you be willing to put your used clothes in the washing machine and your plate in the kitchen?"

It makes a difference to express requests rather than demands. A request is specific, positive, and negotiable. If we hear a "no" response, it could indicate that the person has a different need and it would help to find out what that need is. In other words, get curious, not furious!

My key learnings:

- Listening, listening, listening – it is the golden key to effective relationships.
- When triggered, pause, and wait before responding.
- Observing without judgment is essential to feeling compassion.
- Moralistic judgments expressed as blame, threats, insults, put-downs, labelling, criticism, and comparisons alienate us from each other.
- Judging others is often denying our own part in a situation.
- We often have an impulse to judge what is wrong with the world and with people, and we often create a world to reflect that.

We are designed to give and receive generously and compassionately – this is our true nature.

Beyond ideas of wrongdoing and right-doing, there is a field. I will meet you there. – Rumi, thirteenth-century Sufi mystic and poet

FOR YOUNG PEOPLE, BY YOUNG PEOPLE

The views of young people are often left out of decision making. Julia Budler from Auckland Council explains how the council engaged with tamariki and rangatahi in a major policy review. The process brought out some lasting insights.

Policy making is most effective when those affected are included in the process.

Getting young people into the policy process will improve the quality of government policies, programmes, and services, resulting in more positive long-term outcomes for tamariki and rangatahi. Auckland Council's recent engagements with children and young people highlighted several key lessons for public servants.

Why was engagement considered important?

The 2022 local elections were a striking example of why we need to innovate on how the public service works with, and for, young people. Data from the Electoral Commission shows that just under two-thirds – 63.8 percent – of Aotearoa's population aged between eighteen and twenty-four enrolled to vote, the lowest rate of any age bracket. Some are quick to label rangatahi as apathetic or politically disengaged, yet those same rangatahi have made abundantly clear through their activism on the streets, in civil society, and on social media just how inaccurate that label is. Rather than criticising young people, it is important to focus on how our systems are falling short of catering for their needs.

Acknowledging the mana of tamariki and rangatahi and using the principle of whai wāhitanga (participation), we recognised young people as valued contributors to society, noting their right to assume agency and choose their level of participation. Article 12 of the United Nations Convention on the Rights of the Child, endorsed by New Zealand in 1993, enshrines this participation as a fundamental human right. The public service is obliged to create an enabling environment that allows the views of children and young people to be heard on practices and policies that directly, or indirectly, impact them. Participation is not simply a means to an end.

The 2018 Census showed that 34.2 percent of the Auckland population (537,525 people) are aged under twenty-five. Auckland Council's child and youth strategic action plan, I Am Auckland, adopted in 2013, reflects the council's commitments to this group. Almost ten years after its adoption, the council decided to review the strategy. As part of doing so, between August and December 2022, Auckland Council took a new approach and asked children and young people what it's like to grow up in Tāmaki Makaurau.

The engagement approach

Children and young people were supported to share their views in ways that made sense to them. We established a co-design rōpu, which decided on the best engagement approach and worked with young graphic designers on the engagement materials. The youth co-design rōpu recognised that there should be opportunity for anyone to participate, as well as a need to amplify the voices of Tāmaki Makaurau's communities of greatest need – Māori, Pacific, refugee and migrant, rainbow, and disabled young people.

RATHER THAN CRITICISING YOUNG PEOPLE, IT IS IMPORTANT TO FOCUS ON HOW OUR SYSTEMS ARE FALLING SHORT OF CATERING FOR THEIR NEEDS.

Taking a lighter touch:

- We encouraged children aged from three to nine to share their views through interactive storybooks, distributed and collected through Auckland libraries.
- To engage across all ages, we used a kōrero stall, a roaming interactive engagement popping up in public spaces that were often visited by young people. Participants could take a postcard and write their response to three questions. The responses were pinned to a cork board with the consent of participants.

Using a targeted approach:

- Kanohi ki te kanohi workshops, facilitated by community organisation Action Education, used spoken word poetry to bring together cohorts of young people to creatively express their feelings about growing up in Tāmaki Makaurau.
- Empathy interviews with those aged from sixteen to twenty-four were also conducted, with a focus on rangatahi with intersecting identities.

We spoke to over four hundred children and young people; we heard from 114 children and young people through workshops, 241 at stalls, forty-eight through storybooks, and seven through empathy interviews. The engagements provided rich insights and data, which will be used to inform the review. But from this process, we were able to gain some key learnings, which we will use in all new reviews.

Key learnings

1. Build on existing knowledge

Prior to designing our approach, we did a scan of all New Zealand public sector engagements with young people from the previous three years. This both enabled us to better understand Te Ao Taiohi, the world of young people, and to avoid doing too much consultation, which would bring about consultation fatigue.

2. Involve young people in the design and implementation

A "by young people, for young people" approach is well worth the time and effort. While we had a clear understanding of the broad areas of inquiry needed for the review, it was important

Two examples from the Storybooks for Kids engagement strategy

for the co-design rōpu to have joint ownership and agency over the process itself. Alongside our co-design group, we contracted rangatahi students at the Media Design School to help design our engagement tools. Feedback indicated enthusiasm for the process and an eagerness to have continued input into the policy development.

YOUNG PEOPLE CONSISTENTLY SAY THAT POLICY JARGON IS A DETERRENT TO PARTICIPATION.

3. Develop culturally responsive, youth-centric engagement methods

Young people consistently say that policy jargon is a deterrent to participation. However, caution should be taken to avoid oversimplification, which can lead to condescending or authoritarian language. There is a fine line between the use of "youth friendly" language and underestimating young people's ability to absorb the complexity of policy. Further, when seeking to engage with young people, we should utilise sites and methods of communication that young people already use, rather than expecting young people to come to decision makers.

4. Prioritise whanaungatanga

Prioritising whanaungatanga is an investment into reciprocal, trusting, and mana-enhancing relationships with young people. Upholding and extending manaakitanga cultivates a safe, empowering, and welcoming physical and non-physical space. Building quality relationships is time consuming, and the nature of the policy cycle sometimes cannot allow for ongoing relationships. As such, we found that whanaungatanga can still be prioritised through authentic partnership with existing community groups working with children and young people.

5. Engage with young people when and where it best suits them

Accessibility should be a central consideration in youth engagements. We endeavoured to hold engagements in locations that were easily accessible via public transport and in the suburb or local board area of the respective groups of young people, and we did our best to engage after school or during weekends.

Best practice suggests that successful engagement requires talking with young people in spaces where they normally congregate, either physically or online. One key learning was the need to develop more effective online channels of communication with young people; while young people are online, they are not necessarily frequenting government Facebook pages. We explored hearing from young people through Instagram; however, two trials of the approach showed it was unlikely to be successful, primarily due to the accounts used.

6. Develop inclusive design processes

The process made us reflect on the way power relations, privileges, and hierarchies can undermine equitable participation. Genuine participation in policy making is a means through which children and young people from communities of greatest need can powerfully challenge discrimination and injustice. However, these young people are statistically less likely to participate in government processes and are traditionally under-served by our processes. As such, our team identified and developed relationships with organisations that were already enhancing the mana of young people who would not typically engage with government. In accordance with whai wāhitanga, young people are empowered to participate when we enable all young people to contribute, rather than privileging the voices of a few.

7. Collaborate with sector organisations

Te Ao Taiohi is complex and multi-faceted. Connecting with community organisations and youth networks across Tāmaki Makaurau helped us build relationships with the sector, who graciously invited us into spaces to work with their young people. Focusing on our shared kaupapa, emphasising reciprocity and prioritising whanaungatanga enabled the development of productive and ongoing relationships with sector organisations.

8. Ensure the mana of young people is upheld

Our team worked closely with the Office of the Children's Commissioner to ensure our approach was upholding ethical best practice. Young people were provided with clear, accessible, diversity-sensitive, and age-appropriate information about their role and the use and influence of their contributions. An important part of this was allocating adequate resourcing to the effort – offering kai and appropriately compensating young people for their time and energy.

Looking forward

Insights and data from our engagements will be used to inform the review of council's strategy for children and young people. This engagement approach is just one example of the mahi that child and youth policy teams are undertaking across the motu. The policy landscape is cultivating budding models of practice and creative approaches, supporting and promoting more varied and developed forms of participation. Pockets of innovation are emerging across Aotearoa's public sector, but there is an opportunity to further embed youth participation in policy forming and decision making. Young people are not just part of some elusive future; they are ready to contribute to their communities now.

REMOVING THE NEED FOR THE AMBULANCE (AND BULLDOZER) AT THE BOTTOM OF THE CLIFF

Summer 2023 – or rather the "summer of cyclones" – is not a period anyone is going to forget for a while. Kirsten Rose profiles a new strategy, the Rautaki Hanganga o Aotearoa New Zealand Infrastructure Strategy, that will make New Zealand infrastructure more able to deal with shocks like the cyclones.

Thousands of New Zealanders are still displaced across the North Island, and service providers have an enormous job ahead of them rebuilding infrastructure destroyed in cyclones Hale and Gabrielle, as well as the flash-flooding events experienced in January and February.

The extreme weather caused an unprecedented cascade of infrastructure failures across multiple sectors and highlighted the interdependence and vulnerability of our country's fundamental infrastructure foundations.

Geoff Cooper, General Manager of Te Waihanga New Zealand Infrastructure Commission, has watched the situation closely. He and his team are responsible for the Rautaki Hanganga o Aotearoa New Zealand Infrastructure Strategy.

Planning for the next event

Released last year, the strategy is designed to provide a roadmap for the country to improve and strengthen our existing infrastructure and build fit-for-purpose new infrastructure that will withstand extreme weather events, population growth, and congestion over the next thirty years and beyond.

Until now, New Zealand has not had an organisation or strategy with a system-wide perspective encompassing economic infrastructure (energy, telecommunications, transport, waste, water), social infrastructure (hospitals, schools, prisons, parks, libraries, and community buildings), and the natural environment.

"This is the first time New Zealand has had an infrastructure strategy, and one striking point is just how common our infrastructure challenges are to other countries," says Cooper.

"In the past, our infrastructure sectors grew up independently – transmission lines, water pipes, roading, and rail lines were all operated and maintained separately. With all the challenges that we're facing now with growing cities, growing populations, resiliency issues, and decarbonisation, it has become obvious that the co-ordination of these sectors is more important than ever. For example, you can't talk about decarbonisation without thinking about both the energy sector and the transportation sector at the same time.

"The weather events of the past few months are another example where we saw widespread cascading infrastructure failure. Electrical outages led to outages for battery operated telecommunication infrastructure – neither of which could be resolved, because of failure in our road network. The resiliency of one sector is contingent on the resiliency of another, so we need to think of infrastructure as a co-ordinated activity. The Infrastructure Strategy and the National Infrastructure Pipeline is a dimension of that – showing everything you're intending to do, all in one place."

The National Infrastructure Pipeline

The National Infrastructure Pipeline sits alongside the Infrastructure Strategy, providing a snapshot of what infrastructure projects are currently in play and those that are "shovel ready". The pipeline draws project data from government, councils, the construction sector, utilities, and private sector organisations on infrastructure projects that have certainty around timing.

While the pipeline was established to support statutory functions required

Flooded rural road during cyclone Gabrielle

under the New Zealand Infrastructure Commission/Te Waihanga Act 2019, it has evolved to become a useful information tool for industry.

THE EXTREME WEATHER CAUSED AN UNPRECEDENTED CASCADE OF INFRASTRUCTURE FAILURES.

The construction sector, in particular, is a supporter having campaigned for more certainty for years. To foster progress, in 2019, the government established the Construction Sector Accord – a partnership between industry and government to transform and lift the performance of the construction sector. The accord's various transformation plans identified a number of issues including "skills and labour shortages, poor risk management, unclear regulations, and lack of a visible, co-ordinated pipeline of work". Through the pipeline, the commission aims to address the risk management, regulations, and certainty issues.

Information is shared through a quarterly update providing information on regional resource pressures, excess capacity within sectors, and the potential impact of projects that are still in development.

The most recent quarterly reporting (November 2022) shows $76.9 billion worth of projects, with more than 1,000 projects greater than $10 million in the pipeline. Transport projects accounted for almost half ($30.2 billion), followed by water ($8.7 billion), health ($5.9 billion), community facilities ($4.8 billion), and energy ($2 billion).

"There are about sixty organisations contributing information to the pipeline. We've learned through this process that project accounting varies considerably across the country; and we don't always have a clear project view," Cooper says.

The pipeline has also identified complexities in funding models and the impact on infrastructure planning. Utilities such as electricity and telecommunications tend to have secure funding models with charges connected to the infrastructure service.

"On the flipside, there are a whole bunch of infrastructure services that we don't have prices for or those prices don't cover the true cost of delivering the service. It's in these circumstances that projects have to compete with a whole host of other projects for central funding. Can we make better use of the benefits principle and funding and pricing mechanisms so that we can reduce that funding deficit and improve the amount of infrastructure that we have?

"Charging those who benefit – for example, through volumetric water charges, development contributions, congestion charging, and waste levies for waste infrastructure – gives infrastructure providers direct information on how many people are using the service, a vehicle for managing demand, and a revenue stream to fund upgrades. In transport, this approach can reduce congestion; in water, it can improve water conservation efforts; in waste, it can incentivise recycling and reusing. This is less about how much we are paying for infrastructure and more about how we are paying for it."

Cooper cites the Auckland Council Contribution Policy pertaining to planned growth in Auckland's Drury-Ōpaheke as an example where developers are sharing the cost of infrastructure in the geographical area that they will benefit from.

Balancing new projects with renewals and maintenance

While the pipeline is largely focused on new projects, the Infrastructure Strategy highlights the need to maintain and renew New Zealand's existing infrastructure base. The commission estimates that for every $100 spent on infrastructure, $60 should be spent on repairing and renewing worn-out infrastructure – a cost that amounts to around 4.6 percent of gross domestic product annually over a thirty-year period.

"In many cases, the amount of funds that we're spending on maintenance is lower than the depreciation rates, which implies we're not spending enough on maintenance and renewals or that we're shifting money for maintenance and renewals towards new capital. It raises a more general question on the possibility of a social consensus to fund maintenance and renewals for the infrastructure we already have. There is a strong case that this would vastly improve pipeline certainty for the construction sector, while reducing the cost to deliver infrastructure services and improve resilience across the network."

Looking to the future – intergenerational infrastructure

A fundamental lesson highlighted in the strategy is the need to plan ahead.

"We advocate pretty clearly that we should be looking at cities that are two to three times the size of what they are currently and plan for this. Auckland should be planning for a city with a population of 5 million to give itself scope and room to move if it grows faster or slower. We need to be planning for a range of scenarios but have flexibility so we're not committing to the projects themselves until we know how the timing can be optimised. It's about getting away from the current practice of just-in-time infrastructure," Cooper says.

Active corridor protection is one way that infrastructure planners can designate land for future projects far in advance of when it is needed. Land banking potential sites gives planners the option to build infrastructure so that future generations can realise the gain at a far lower cost. It's a technique Singapore has implemented for years.

"We need to be flexible as to how and where and when we deliver infrastructure, particularly in regard to resilient infrastructure. It is quite apparent that the more we learn about resilience risks, the higher they are – and the more interdependencies between infrastructure sectors are revealed. We've already got so much of our infrastructure in place, but we can't solve the existing issues in a short time. The strategy highlights a long, enduring, sustained focus on getting this right. It's not a one-year thing. It's a thirty to a hundred-year thing – and ultimately a legacy we leave to our children and grandchildren. That's the focus of the commission."

IT'S ABOUT GETTING AWAY FROM THE CURRENT PRACTICE OF JUST-IN-TIME INFRASTRUCTURE.

It is inevitable that New Zealand will experience more adverse weather events in the near future. The commission's focus is to ensure that we're no longer dealing with the situation with the proverbial ambulance (or rather, bulldozer) at the bottom of the cliff.

"We're not in there with the emergency response. We're making the observation about how the services were impacted and how we might change that moving across economic, social, and environment infrastructure."

Read the Rautaki Hanganga o Aotearoa New Zealand Infrastructure Strategy at www.tewaihanga.govt.nz.

VICTORIA UNIVERSITY OF WELLINGTON
TE HERENGA WAKA

APPLY NOW FOR 2023 STUDY

INNOVATIVE IDEAS AND PRACTICES FOR THE PUBLIC SERVICE

HIGHLIGHTS FOR 2023

- **Flexibility to tailor your learning to your interests, career objectives, and work–life balance**
- **Places available for recent graduates**

Gain a qualification in e-government, public management, or public policy from Te Herenga Waka—Victoria University of Wellington; New Zealand's leading education provider in public services. Study full time or at your own pace while you work.

Master of Public Management: Upgrade your skills and competencies for leading and managing people and resources, and for implementing innovative change and effective public services.

Master of Public Policy: Develop your skills and competencies for analysing, designing, and evaluating policy, and preparing policy advice in public and non-governmental sectors.

STUDY AT ONE OF THE WORLD'S LEADING BUSINESS SCHOOLS

Wellington School of Business and Government holds the triple crown of international accreditations.

AACSB ACCREDITED
EFMD EQUIS ACCREDITED
ASSOCIATION OF MBAS ACCREDITED

wgtn.ac.nz/sog
04 463 5309
ppo@vuw.ac.nz

CAPITAL THINKING. GLOBALLY MINDED.
MAI I TE IHO KI TE PAE