



Derek Gill

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

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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.

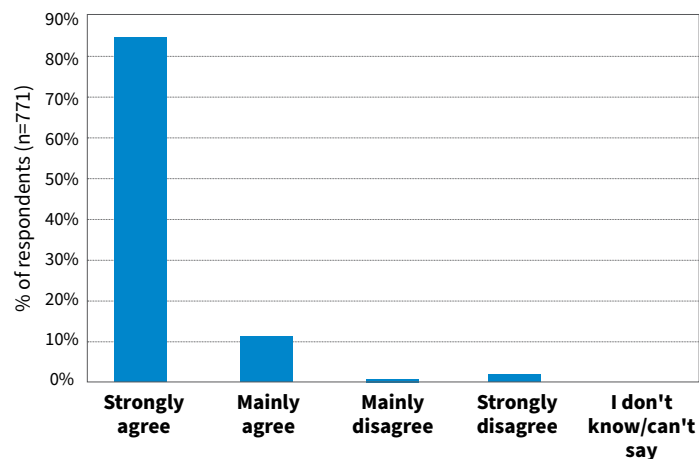
Health warning – use findings with care given the limited sample size

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.

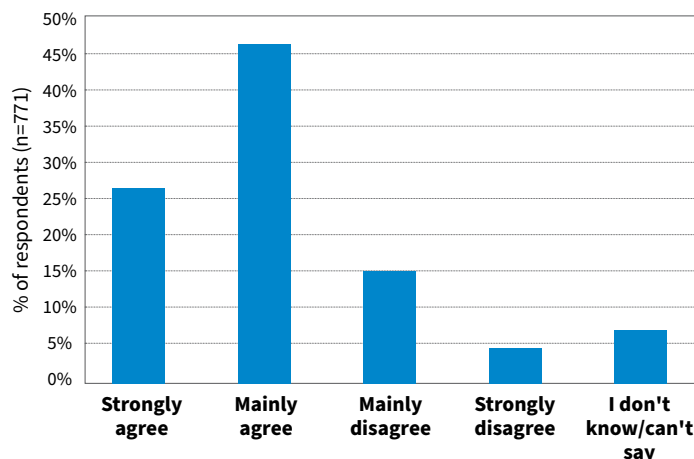
Political neutrality means more than being non-partisan

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).

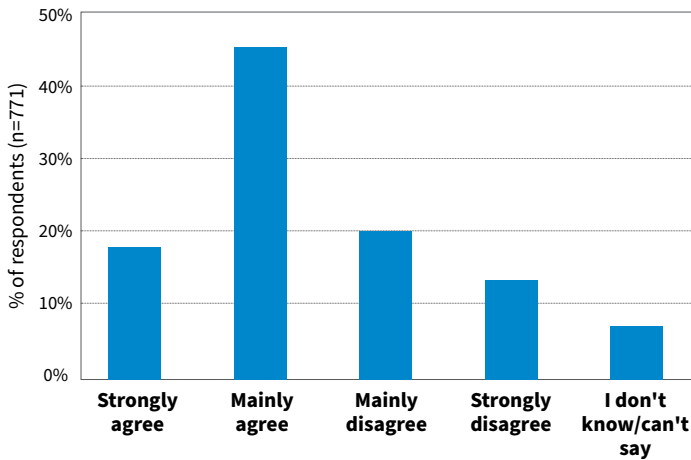
BusinessDesk interviewed the Public Service Commissioner on free and frank advice. His view was there was no “golden age of free and frank advice that we’ve lost”. Instead “the context has shifted” to a more fast-paced environment, accelerated by factors such as digital technology, social media, and 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).

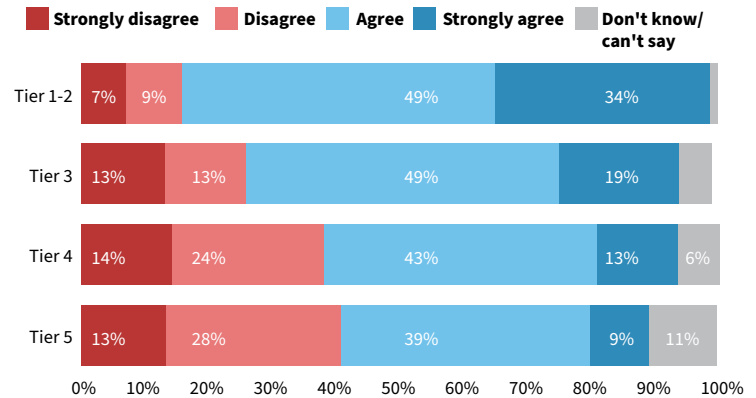
The public service moved from a patronage to a merit-based system in 1912. These responses suggest that we still have a way to go – even after more than 110 years. Unlike political neutrality, which was also introduced in 1912, perceptions that appointments are merit based are surprisingly low.

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.

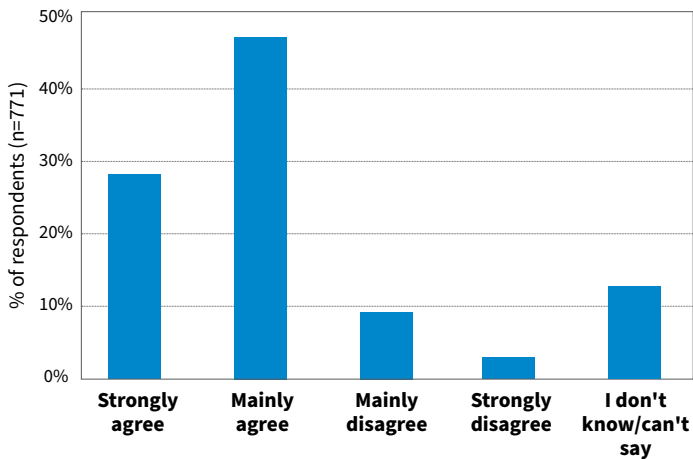
The following graph shows that most believed that their organisation practises and promotes the letter and spirit of the OIA (74 percent agreed, 13 percent disagreed, 13 percent didn't know). The accuracy of this perception – particularly relating to the practice dimension of the question – depends heavily 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

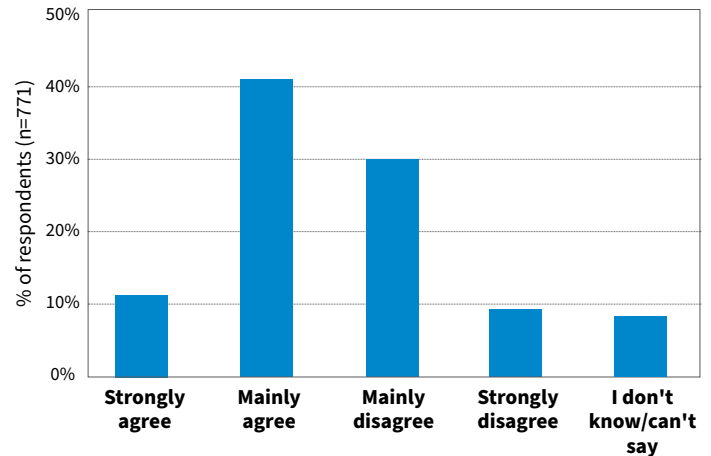
Overall, many respondents believed that central government agencies are better at practising open government in 2022 than they were in the past (43 percent agreed, 19 percent disagreed, 36 percent didn't know). This may reflect developments such as many agencies adopting proactive release policies along 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 disagreed, 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 split 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

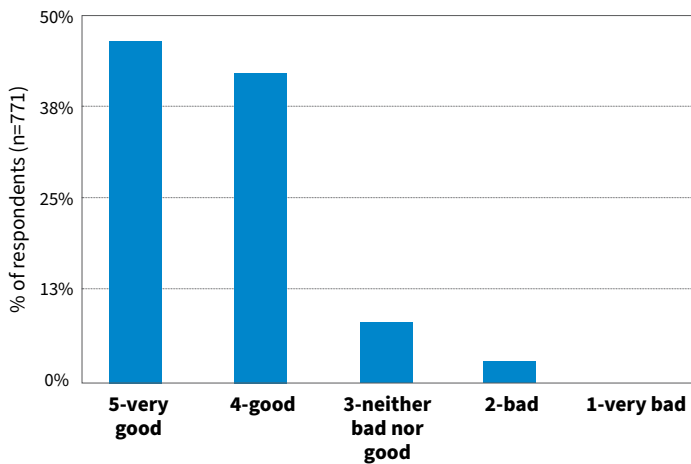
The tension between short-term pressures and longer-term imperatives is a perennial problem, and it's surprising the results aren't more negative given the survey was undertaken in the era when we were managing COVID. Other New Zealand research has highlighted the challenges posed by balancing the short 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.

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

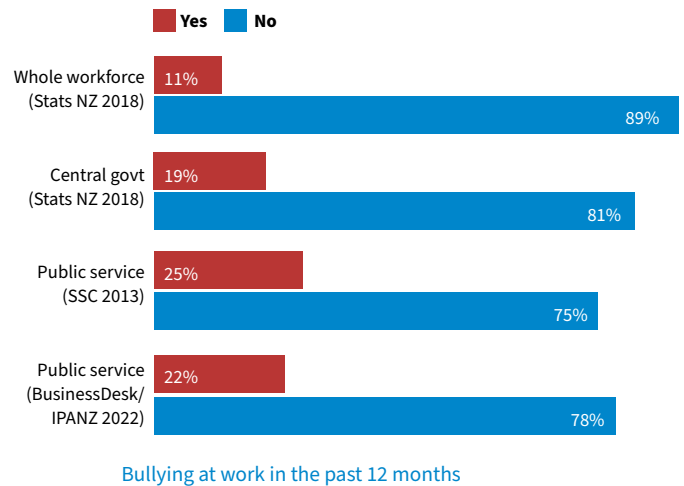
Bullying in the workplace has been identified as a key problem in previous research. In the past twelve months, 22 percent reported having been personally bullied or harassed in their workplace (comprising 17 percent “now and again” and 5 percent “more frequently than now and again”). Most people who 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.