

Terms of reference: Review of strike action social media messaging**Reviewer: Jane Meares****Introduction**

1. Between Saturday 18 October and Wednesday 22 October 2025 Te Kawa Mataaho Public Service Commission (the “Commission”) posted messages on social media relating to the bargaining that it was then undertaking with unions in the education sector, and the planned strike action by public sector unions on 23 October 2025.
2. The Commission paid to “boost” or “promote” the messages, so that they would achieve greater reach.
3. The social media messaging drew public criticism , with the result that the Commission decided to conduct a review of the decision to undertake that messaging. In addition, and a Member of Parliament asked the Auditor-General to inquire into aspects of the Commission’s decision to purchase the social media advertisements. The Auditor-General considered it preferable for the Commission to first carry out its review (that is the subject of this Terms of Reference), said he would consider the outcome of the review and, if necessary, carry out further work at that stage.

Purpose

4. Given the Commission’s leadership role, and in light of the high public interest in this matter, there is a need to examine the decision-making process in this case and provide assurance around the application of relevant requirements and guidance, as well as to identify any areas for improvement.

Scope

5. The reviewer is to undertake an independent review to assist the Commission in understanding whether it followed all appropriate processes, procedures, guidance (including its own guidance and applicable legislative frameworks such as the Public Service Act 2020) and standards¹ in developing and posting the messages and paying to boost them. The review will include how the messages were initiated, developed and posted and whether, should it wish to undertake similar messaging in the future, there are things that could be improved.
6. The reviewer will examine the process followed in this case and will prepare a timeline of events. She will consider the decision-making process, including what guidance and advice was available, and what considerations were taken into account by those involved in decision-making.
7. The reviewer may consider the operating framework applicable to the Commission, all relevant delegations, policies, guidance and standards (including any issued by the Commission), and any other applicable public sector expectations or practices.

Out of scope

8. The reviewer will not make any findings of fault. The review will not consider actions of those outside the Commission (including Ministers) other than to consider the actions of those actively involved in the social media messaging if they were directly assisting the Commission.

¹ those processes, procedures, guidance and standards will include (but not be limited to):

- [Guidelines: Government advertising - Te Kawa Mataaho Public Service Commission](#)
- [Guidance: Use of social media for public servants - Te Kawa Mataaho Public Service Commission](#)
- [Standards of Integrity and Conduct - Te Kawa Mataaho Public Service Commission](#)

Process

9. The reviewer will determine her own process in conducting the review.
10. The reviewer will have access to relevant employees and may undertake interviews at her discretion, although at a minimum she will interview decision-makers. Notes of interviews will be taken but interviews will not be recorded. The reviewer will ensure interviewees are appropriately informed about these terms of reference and the process for interviews.
11. The reviewer will keep confidential all records including interview notes, communications, documents and deliberations. The reviewer will maintain legal privilege over any legally privileged information she receives.
12. The reviewer will meet any natural justice obligations. They will also provide a draft of their report to the Public Service Commissioner before it is finalised and consider any comments received.
13. The reviewer will receive administrative (and if necessary, legal) support from the Commission, who will provide her with relevant documentation, and connect her with relevant staff.

Deliverables, timeframe and reporting

14. The review will commence immediately , although interviews will not commence before 26 January. An indicative reporting date is 31 March 2026.
15. The reviewer will provide a final written report to the Public Service Commissioner, detailing the processes undertaken in this case and may make observations or recommendations for the future.
16. This report will be shared, in due course, with the Auditor-General.
17. The Public Service Commission's expectation is that the final report (or a summary of it) will be made publicly available, subject to any applicable privacy or other legal considerations. A final decision will be made on publication of the report at the conclusion of the review.

Date: 18 December 2025