









- Expanded our data collection for work force reporting to include disability and the Rainbow community<sup>1</sup> including the first Public Service engagement with Rainbow communities through the WeCount 2019 survey
  - Established and progressed a Diversity and Inclusion practitioner network
  - Released standards for demographic data
  - Developed and implementing the Mana Aki Cultural Competency Programme (led by the Ministry of Business, Innovation and Employment and available to the system). This will now form part of a wider diversity and inclusion action plan discussed further in this briefing.
7. We have done this while increasing ethnic diversity at senior leader levels (Tiers 1-3) – we now have 49.6% female representation in these roles across the Public Service – up from 37.8% in 2009, and we are at or near population representation levels for ethnicity across the Public Service.
8. Key to this work has been measurement, which in the past has been narrow in some areas such as ethnicity, and inconsistently applied by agencies largely through the capability of their payroll systems. As part of our work to improve our measurement and understanding of the Public Service workforce, in 2018 we issued measurement standards and enhanced guidance to agencies to increase the quality and breach of workforce reporting. That improved data, especially focused on ethnicity, was published in the 2019 Public Service Workforce Data release on the SSC website and has seen the quality and consistency of information improve.
9. In 2020, SSC will be bringing a greater emphasis on measurement and will be improving our knowledge base for all diversity domains but particularly in relation to disability and faith, which will be assisted by better and more disaggregated data on ethnicity, faith or religious affiliation and the representation of disabled people employed in the Public Service.
10. New Zealand's Public Service must reflect the communities we serve - we're improving on that at a system level. However, I also expect agencies to reflect the communities they serve – that will differ from agency to agency.

## **Our Diversity and Inclusion Five-Point Plan**

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11. In 2020, we are expanding our programme to improve our knowledge base for all diversity domains and addressing all forms of bias. I am looking now for a step-change in the pace and momentum of achievement in the whole area of diversity and inclusion in the Public Service. This means greater consistency of approach across agencies, tighter management of the actions we take to address inequality in our workforce, and stronger, dedicated leadership of the work programme. I am therefore implementing the following five-point plan:
1. Appointing two senior Chief Executives as Functional Co-Leads and mandating them to lead the diversity and inclusion programme across the Public Service Updated Chief Executive expectations.

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<sup>1</sup> Rainbow is an umbrella term often used to describe people who are lesbian, gay, bisexual, transgender or intersex.

2. Creating a dedicated Deputy Commissioner role within the State Services Commission to lead our diversity and inclusion activities and support the functional leads in their work with chief executives.
3. Strengthening chief executive expectations in relation to diversity and inclusion and the management of performance against our work programme commitments.
4. Making five elements of the diversity and inclusion programme mandatory for all Public Service agencies:
  - Training addressing all forms of bias
  - Training to enhance cultural competence
  - Inclusive leadership practice through training modules for all senior leaders
  - Professional development and support for staff and managers to build meaningful relationships through inclusivity tools and resources
  - Establishment, resourcing and support for, and engagement with employee networks
5. Requiring all Public Service agencies to publish diversity and inclusion plans and to publicly report progress against them in their Annual Reports

### ***Establishing functional co-leads for diversity and inclusion***

12. As State Services Commissioner, I have established Functional Co-Lead roles for Diversity and Inclusion. I have appointed Naomi Ferguson, Commissioner of Inland Revenue and Peter Mersi, Secretary for Transport into these roles.
13. The establishment of these functional lead roles creates the strengthened, dedicated leadership our diversity and inclusion programme requires in order to deliver the step-change in performance we are seeking achieve. The appointment letters outline my expectations of these roles. Copies of the appointment letters have been attached for you to note (see appendix one).
14. I will announce the Functional Leadership of Diversity and Inclusion roles to the SSLT. These roles will lead SSLT's commitments and be responsible for ensuring progress against Diversity and Inclusion progress across the system.
15. The Public Service Legislation Bill (the Bill) will enable the appointment of chief executives as System Leaders. System Leaders with agreement of the appropriate Minister, will be able to set standards that Public Service chief executives must implement. If deemed necessary, the Functional Leadership roles for Diversity and Inclusion may be further formalised into System Leaders after the enactment of the Bill.
16. No public media releases are planned to announce these appointments. This briefing and the functional lead appointment letters will be proactively released and published on the external State Services Commission website.

### **Establishing a new SSC Deputy Commissioner**

17. I am establishing a Deputy Commissioner to lead diversity and inclusion work full-time and as part of the leadership team of the State Services Commission, to support the functional leads to achieve pace and momentum of change.
18. The establishment of this role will give diversity and inclusion the level of prominence that it requires. The new Deputy Commissioner will be responsible for leading and maturing system leadership of diversity and inclusion across our Public Service.

### **Chief Executive expectations**

19. We have strengthened the 2020 performance expectations for Chief Executives and included common expectations that are aligned to the Public Service Legislation Bill, specifically that Public Service Chief Executives:
- Grow a workforce that reflects the full diversity of NZ society capable of delivering services inclusive of all members of the public
  - Develop and mature an organisational environment and culture that promotes inclusion for all members of your workforce and demonstrably values the diversity they bring
20. In addition to consistent expectations across the chief executives, we are strengthening our management of performance against our work programme commitments to ensure we get the step-change in pace and momentum that we need.

### **Setting mandatory requirements for all Public Service agencies**

21. We have taken the five existing elements of the current diversity and inclusion work programme that are deemed to be most likely to enable positive change and improve diversity and inclusion capability in the Public Service, and made them mandatory for all Public Service agencies. They are:
1. Address Bias: agencies will ensure employees complete training addressing all forms of bias and follow guidance on changing systems and structures to prevent bias occurring.
  2. Enhance Cultural Competence: agencies will ensure employees complete cultural competency training.
  3. Enhance inclusive Leadership: inclusive leadership practice will be enhanced through mandatory training for all senior leaders (tiers 1-3) in Public Service agencies.
  4. Build Relationships: agencies will implement tools and resource to support people managers to actively support and engage in one-on-ones, professional development support and team building with all direct reports to foster a culture of inclusivity across the workplace.
  5. Supporting Employee networks: agencies will establish, support, resource and engage with employee-led networks.

22. All Chief Executives are expected to mandatorily implement these five priority areas in their Public Service agencies. These areas have been designed to build upon existing commitments already made and being actioned. They do not supersede or replace those commitments.

### **Reporting in Annual Reports**

23. All Public Service chief executives have committed to develop diversity and inclusion goals and measures. We will now require chief executives to publish those plans and report on performance against them in their Annual Reports.

24. The importance of representation and belonging is integral to the attainment of our diversity and inclusion aspirations. Outlining our diversity and inclusion goals in Annual Plans and tracking progress through our Annual Reports will help to visibly promote our commitment to diversity and inclusivity.

25. In addition, we are proposing to obtain greater accuracy in workforce data through anonymised self-reporting in 2021, supported by surveys focused on finding out what matters most to our people. This will inform future work.

26. We are continually expanding the range of guidance on collecting and reporting on diversity domains in the Public Service to help improve the quality of data across the system. Better data will help to identify gaps, remove barriers and address discrimination while promoting inclusion across all diversity domains.

### **The Public Service Legislation Bill creates new responsibilities and duties**

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27. Diversity and inclusion is not contemplated by the State Sector Act 1988. As State Services Commissioner, my functions are to promote, develop, and monitor equal employment opportunities programmes and policies for the Public Service and to promote good employer obligations.

28. The Public Service Legislation Bill explicitly requires chief executives to pursue fairness and diversity in their workplaces (clause 73). The Bill reiterates the requirements in the State Sector Act 1988, building on the EEO<sup>2</sup> and good employer requirements (clause 71), but goes further by introducing new sections on diversity and inclusion – explicitly requiring chief executives to pursue fairness and diversity in their workplaces (clause 73).

29. The Bill provides new powers, such as providing the Commissioner the function of developing and maintaining guidance and standards on diversity and inclusion in the Public Service. As a result, chief executives and boards will be expected to promote diversity and inclusiveness in employment and workforce policies and practices; foster a workplace inclusive of all groups; and comply with any guidelines and standards provided by the State Services Commissioner.

30. The values of the Public Service are lifted into primary legislation through clause 14 of the Bill: Impartial, Accountable, Ethical, Respectful, Responsive. Together with a spirit of service

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<sup>2</sup> EEO programmes are those aimed at identifying and eliminating all aspects of policies, procedures and institutional barriers that cause or perpetuate, or tend to cause or perpetuate, inequality with respect to the employment of a person or groups of persons. Public Service Legislation Bill, clause 72.



to the community (clause 11), these are the characteristics and behaviours that all Public Service employees and their agencies will be required to exhibit in their work.

31. The Bill also requires me as Commissioner to establish a Public Service Leadership Team. This group already exists through the SSLT, though it will be formalised and given statutory purpose, providing strategic leadership to enhance coordination and cohesiveness of the Public Service.
32. I would also be required to report regularly on the State of the Public Service, which will include progress on diversity and inclusion.
33. A separate, but related, programme is underway to support system-wide capability uplift for the Māori Crown relationship. Provisions in the new Public Service Bill will affirm the role of the Public Service in supporting the Crown in its relationship with Māori under Te Tiriti and codify explicit responsibilities for Chief Executives and the State Services Commissioner. Chief Executive expectations have been updated to require them to develop and maintain the capability of the Public Service to engage with Māori and to understand Māori perspectives. Te Arawhiti has provided guidance, capability frameworks and training workshops for agencies. The SSC is also working closely with Te Arawhiti and Te Puni Kōkiri to identify minimum requirements for all agencies to reflect in their Māori capability plans, and to establish a statutory Māori advisory committee to advise on the implementation of the new Act.

## **Next steps**

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34. I recommend that you refer this briefing to your ministerial colleagues who have some portfolio responsibility for diversity and inclusion in the Public Service. The list of ministerial colleagues who may find this briefing and its appendices of interest are:

1. Hon Julie Anne Genter, Minister for Women
2. Hon Jenny Salesa, Minister for Ethnic Affairs
3. Hon Carmel Sepuloni, Minister for Disability Issues
4. Hon Kelvin Davis, Minister for Māori Crown Relations
5. Hon Aupito William Sio, Minister for Pacific Peoples
6. Hon Nanaia Mahuta, Minister for Māori Development

## **Proactive Release**

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35. We recommend that this briefing and its appendices are released in full. This will be published on our external SSC website.

## **Next Steps**

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36. If you would like any further information on the points raised in this briefing or in the appendices this can be provided.