



Te Tauākī Whanonga mō te Rāngai Tūmatanui | Code of Conduct for the Public Sector

[Cover page – intentionally left blank]

Kupu Whakataki | Foreword

[To be drafted – intentionally left blank]

Kupu Whakataki | Introduction

Kaupapa | Purpose

This Code sets minimum standards of integrity and conduct under section 17 of the Public Service Act 2020. It outlines how the **Public Sector** is expected to operate and how **public servants** are expected to behave.

This Code is for all of us and sits at the heart of our work, guiding what we do and how we do it. **We** must know it and hold ourselves accountable to it, wherever we work.

Te Hāngaitanga | Application

The Code applies to the Public Sector (as defined in this Code) under section 17 of the Public Service Act 2020 and is binding on all agencies, groups and public servants in the Public Sector under section 18. The Code takes effect on xxxx.

Me pēnei te pānui i te Tauākī a te Rāngai Tūmatanui | How to read the Code

The Code should be read in full as the meaning and requirements for each section overlap. The values, principles, and standards should not be read as separate or isolated from the rest of the Code. As a public servant, your behaviour and actions must be able to withstand scrutiny. This Code sets the expected minimum standards

and provides guidance on those expectations. However, it is important to note, the Code cannot specifically list every behaviour or action that could be a breach of the Code.

Each section that outlines minimum standards also sets out guidance on integrity and conduct relating to those minimum standards under section 19 of the Public Service Act 2020. This guidance is a short explanation to help you understand what is required to uphold the minimum standards and where relevant is taken from other guidance that the Commission issues.

The Code is part of [He Aratohu | A guide for public servants on matters of integrity and conduct](#), which contains information on a range of topics to further support understanding of the Code, e.g.:

- detailed guidance, including on the public service principles, general elections, social media, and sensitive expenditure, and
- model standards that set minimum expectations for agencies and staff in the Public Sector, including on conflicts of interest, speaking up, positive and safe workplaces and chief executive gifts, benefits, and expenses.

Bolded terms are defined in the glossary.

Intersection with legal requirements

Where there is a discrepancy between the requirements of legislation and this Code, legislation will take precedence.

Te Hāpai Hapori | Spirit of Service

This Code acknowledges a spirit of service to the community. The spirit of service speaks to many public servants' motivation for the work we do; contributing to something bigger than ourselves, acting with humility and being focussed on the people we serve.

Ngā Mātāpono | Our Values

Ngā Mātāpono | **values** outline behaviours that can be expected of individual public servants and agencies when interacting with each other, stakeholders, and the public (how we behave). The values are given effect through their inclusion in this Code as minimum standards.

Public servants are expected to behave in a manner that is consistent with their agency's policies and procedures, which implement this Code. Agency policies and procedures may include additional provisions, behaviours or values that are relevant to their agency and its work.

Ngā Pou | Our Principles

Ngā Pou | **principles** are key foundational pillars that underpin how the Public Sector works to achieve its purpose (how we work). The principles are reflected through their inclusion in this Code as minimum standards.

Each public service chief executive, the board of a public service agency and the boards of Crown Agents have a statutory duty to uphold the principles and ensure the agencies they lead also do so. Public servants support their leaders in performing this duty.

Ngā Mātāpono | Our Values

Ngākau Pono | Trustworthy

Minimum standards

1. We are honest and professional.
2. We act lawfully and use public power fairly and reasonably.
3. We avoid activities, work or non-work, that compromise trust in our ability to do our job or that may bring our organisation or the Public Sector into disrepute.

Being trustworthy means being dependable, acting responsibly and with the utmost integrity.

Being honest and professional

Being honest and professional involves being open, telling the truth, and doing what is right, even when it is hard. We are diligent and transparent about what we do, which enables us to take responsibility for our actions and decisions. The public expects us to

be competent and professional by using skill and care in performing our roles and by engaging with them respectfully.

Being honest means, we never engage in fraudulent or corrupt activities, and do not accept bribes.

Acting lawfully

We earn trust by acting lawfully and with integrity in everything we do. This means following all laws, regulations, and legal standards. Before making decisions or taking action we consider if it is the right thing to do and if it aligns with the legal requirements. We consider all available options to ensure outcomes are fair, reasonable, and legally sound – especially if our decisions could significantly impact others.

Using public power fairly and reasonably

To be trustworthy, we must be both fair and reasonable when we exercise public power. This means our processes are fair, transparent, and easy to understand which usually includes:

- giving those who may be affected by our actions and decisions a reasonable opportunity to be heard, and providing reasons for our decisions, and
- making decisions without bias and predetermination.

We are reasonable when we make decisions on evidence and clear reasoning, and when our work and decisions are within a range of possible and justifiable outcomes, based on facts and the law.

Avoiding activities that compromise trust in our ability to do our job or that may bring our organisation or the Public Sector into disrepute

Our organisations have a legitimate interest in our professional or personal activities if what we do:

- unreasonably interferes with our work performance, or
- reflects badly on the integrity or standing of our organisation or the Public Sector (e.g., is unlawful or harmful, breaches trust or confidentiality or is unreasonably offensive behaviour).

We must therefore carefully assess our actions and ensure we do not compromise the credibility of our organisation, our Minister, or the Government. This includes our use of social media or other online platforms if that use conflicts with this Code.

Whakarangatira | Respectful

Minimum standards

4. We value and uphold the dignity of others.
5. We contribute to a positive and safe workplace culture.
6. We act with care and respect, and do not engage in behaviour that is inappropriate or could harm others.

Being respectful involves recognising the inherent dignity of every individual, regardless of their background or circumstances.

Valuing and upholding dignity

We uphold the dignity of others, by treating everyone with respect and fairness. This means being considerate in our actions and words, regardless of someone's background, situation, beliefs, or role. We listen actively, value different perspectives and acknowledge the contributions of others. By doing so we serve the people of New Zealand in a way that is fair and respectful.

Positive and safe workplace culture

A positive and safe workplace culture is an environment where people feel valued, supported and motivated to do their best work. It's shaped by shared values, attitudes, standards, and behaviours that promote wellbeing and productivity. In this environment, everyone feels comfortable to share ideas and concerns without judgement or retaliation and are receptive and respectful of others in

return. We all have a role in creating a positive workplace culture, an environment where everyone feels they belong. This is particularly important for those of us in a leadership role.

Inappropriate or harmful behaviours

We take reasonable care and are respectful in our interactions with our colleagues and the public. Positive behaviour reduces the likelihood of poor behaviour occurring. We will never engage in bullying, harassment (including sexual and gender-based harassment), racism, unlawful discrimination, coercion, exploitation, or other forms of harmful or inappropriate behaviour. If we see anyone in the Public Sector acting in these ways, we will promptly respond and record it. We will never cover it up.

Ngākau Tapatahi | Impartial

Minimum standards

7. We act objectively and do not allow our personal beliefs, interests, activities, or relationships to impact our work.
8. We disclose our relevant interests and appropriately manage all conflicts of interest.
9. We never misuse our position to benefit or disadvantage others or ourselves.
10. We decline gifts or benefits that place us under any actual or perceived obligation or influence.

Being impartial means that our work, actions, and decisions are free from personal bias, or unjustified prejudice or preference.

Acting objectively

We act objectively when we make decisions based on facts and evidence, rather than our own personal feelings, biases, or opinions. It means we consider all relevant information before forming a judgement.

Disclosing relevant interests and managing conflicts

We ensure that our personal interests, activities, or relationships do not interfere with, or appear to interfere with, our ability to perform our roles objectively. To support transparency and mitigate risks around fairness and bias, we have conversations with our manager to

disclose our interests, and work with them to appropriately record and manage any interests that raise a **conflict of interest**. We recognise that circumstances change, so we will regularly discuss, review and update these.

Misuse of position to benefit or disadvantage others or ourselves

It is unacceptable to misuse our position for personal gain. Similarly, we must not unfairly advantage or disadvantage others in our work or be influenced to do so. We need to take particular care with **sensitive expenditure** incurred by our organisation and ensure there is no misuse of funds or position to benefit ourselves, family, or friends.

Gifts and benefits

We must act with the highest integrity if receiving or giving any gifts, benefits, or hospitality, as these may be perceived to unfairly influence our work. Regardless of their value, we should generally decline gifts or other benefits that place us under any actual or perceived obligation or influence. There should be very limited and defined circumstances where gifts may be accepted, or where declining gifts may be considered inappropriate or could cause offense (e.g., cultural gifting). Where that is the case, we follow our organisation's policies, including by keeping appropriate records of all gifts or benefits received.

Whaiwhakaaro | Accountable

Minimum standards

11. We are open to scrutiny and can account for what we do.
12. We treat our organisation's information and resources with care and use them only for proper purposes.
13. We aim to improve the performance and efficiency of our organisation.

Being accountable means we are responsible for what we do and are open to scrutiny. We work to the best of our abilities and can answer for our work, actions, and decisions.

Being open to scrutiny and accountable for what we do

It is important that we can explain our decisions and actions to the people who are affected by them and the public we serve. We can do this by making and keeping accurate records of our decisions and actions and providing information about our decision-making both to individuals and through proactive releases, government websites, other channels like social media, and official information responses. Even with diligence and care, people make mistakes. The most important thing is that if we make a mistake, we take responsibility for it, do our best to promptly fix it, and never cover it up.

Treating information with care

We responsibly manage the information that we gather for our work, and decisions around whether information is required. This includes how we collect it, provide access to it, use it, and how we maintain and store it.

We must use information in our care only for proper purposes. It is unacceptable for us to make a deliberate and unauthorised disclosure of non-public information that is in our care or which we have access to, i.e., to 'leak' information. We comply with all legal standards and security requirements about information, including those related to privacy, confidentiality, commercial sensitivity, security, official information, and third-party access.

Treating resources with care, including using public money responsibly

Treating resources with care includes acting prudently, honestly, and responsibly with public funds within our control. We must use our time wisely and use our resources only for proper purposes, while safeguarding them against waste, abuse, or neglect. We are accountable for the resources we use, and the public have legitimate expectations for how they are used.

We follow rules for government spending and financial management legislation and keep adequate records of spending to accurately

account for what we have done. We use proper procurement processes to ensure fairness, transparency, and value for money.

Working to improve the performance and efficiency of our organisation

Working to improve the performance and efficiency of our organisation means actively seeking ways to continuously improve what we do and how we work. We can do this by:

- collaborating effectively
- embracing innovation, e.g., responsible use of Artificial Intelligence
- streamlining processes and delivering timely services, and
- providing opportunities for feedback from others who we interact with, to help identify ways to improve our work
- supporting our organisation with financial, performance and sustainability requirements, where relevant to our role.

Āta Whakarongo | Responsive

Minimum standards

14. We take the time to listen to and understand people's circumstances and needs.
15. We aim to collaborate and engage meaningfully with New Zealanders to design policies and deliver services that meet their needs and aspirations.

Being responsive is about active engagement and collaboration with people, groups, and communities.

A people-centred approach – listen and understand

To be responsive we need to be available and take the time to listen to and understand people's circumstances and needs, so that we can respond appropriately and get our services right. This means we deliver timely, user-friendly, efficient, and effective services. We offer people relevant information and support and aim to provide them with their full entitlements. We seek feedback so that we may respond by improving how we interact with the public and how we deliver our services.

Collaborate and engage on policy and service design

Being responsive means when designing policies and services, we identify relevant stakeholders and where possible, provide key information and opportunities to engage with them to understand their views, needs, and aspirations, so that we can respond appropriately. We aim to maximise our efforts by collaborating with others whose work overlaps with ours. This means we share knowledge and foster innovation, coordination, and interoperability, so that collectively, we may improve outcomes for New Zealanders.

Ngā Pou | Our Principles

Te noho taiapa | Political neutrality¹

Minimum standards

16. We are politically neutral, which enables us to effectively serve current and future governments.
17. We respect the authority of the Government of the day.

Political neutrality is about serving New Zealand's democratically elected government to the best of our professional abilities, irrespective of our political opinions.

Public servants have the same rights to freedom of expression and political activity as other New Zealanders under the New Zealand Bill of Rights Act 1990. However, it is unacceptable for us to express personal political views in a way that raises questions about our ability to perform our role in a politically neutral way.

There are some things we should think about when engaging in political activity that might impact our role as a public servant. These include the seniority of our role, and nature of our work role and the scope and scale of the proposed political activity.

¹ The guidance in this section reflects more comprehensive guidance on political neutrality contained in [Te Kawa Mataaho | Guidance on Public Service Principles](#).

Political neutrality when performing our roles at work

Being politically neutral helps to maintain the distinction between the work of Ministers (setting policy direction, making decisions and advocating for policies), and our work (providing advice, implementing policy, and delivering services).

Political neutrality requires us to be particularly careful with:

- our approach to advertising and publicity
- engaging with Members of Parliament and political parties
- our use of organisational social media and media comment
- what we do and say around the general election period, and
- appearing before select committees.

Political neutrality for members of a profession or a statutory role

Members of a profession or public servants with a statutory role that involves public advocacy need to consider how to fulfil their obligations to the profession or role while maintaining political neutrality.

Members of a profession may have their own code of ethics or professional obligations, e.g., medical, accounting, social work, and legal professions. These professional obligations apply concurrently to this Code. Members of a profession may wish to comment publicly

in a personal capacity on work-related matters within their areas of expertise. Members should be open and honest in their actions. Public servants in this situation should not enter into debate criticising or advocating for particular politicians or political parties or comment on particular political party policies. If we consider we have any inconsistency or conflict between our professional obligations and this Code, we need to raise it with our agency. If professional or statutory role obligations are also legislative requirements, those will prevail over the requirements in this Code, however any inconsistency should still be raised with our agency.

Political neutrality for public servants as individuals

Being politically neutral at work does not generally stop us from being politically active outside of work in our own time, provided that we do not represent or give the impression that we represent our agency or disclose or utilise confidential government information. However, there may be circumstances where it is difficult to reconcile personal political interests with performing a public sector role. Senior public servants or those of us who work closely with Ministers should consider public perception and exercise careful judgement and care when considering political activity outside of work.

Respecting the authority of the Government of the day

We must respect the authority and decisions of the Government and Ministers as elected representatives. We must act in a way that maintains the trust and confidence of the Government while ensuring the same relationship can be established with future governments. We support the Government of the day to develop and implement its policies, and we follow lawful instructions from Ministers, irrespective of our own political opinion.

Tohutohu hāngai | Free and Frank Advice

Minimum standards

18. We support our organisation to provide Ministers with timely, robust, and unbiased advice.

Free and frank advice is about agencies providing advice to Ministers without fear or favour, using our best professional judgement.

Providing free and frank advice

Free and frank advice supports Ministers to make good decisions and gives the public confidence that those decisions are well informed. Our organisational **leaders** are responsible for ensuring that free and frank advice is given to Ministers by their agencies.

If our job involves providing advice directly or indirectly to Ministers, we need to be mindful of context, including demonstrating awareness of, and responsiveness to, the priorities of the government

of the day. Free and frank advice means that we provide the relevant information, evidence and analysis needed to deliver objective and effective advice. We take a ‘no surprises’² approach by promptly advising on significant matters within our Minister’s portfolio responsibilities, particularly where those may be controversial or may become the subject of public debate.

Free and frank advice focuses on our Minister’s objectives, while also being honest, politically neutral, free from undue influence, and constructive about the best ways to achieve those objectives. This may require us to respectfully and professionally challenge our Minister’s understanding and initial preference. We aim to incorporate a range of perspectives in our advice, canvassing options and informing Ministers about the pros, cons, uncertainties, and consequences of the decisions they are being asked to make.

² The Crown Law Office has guidance on Chief Executives and the ‘no surprises’ principle.

Kopounga whai-painga | Merit-based appointments

Minimum standards

19. We are fair and robust in our recruitment and selection processes and must give preference to the person who is best suited to the position.

Merit-based appointments are an essential cornerstone of our professional and politically neutral public sector.

Making merit-based appointments

Merit-based appointments help us to recruit, attract and select the best people to work in the Public Sector, growing a workforce with the experience and expertise to improve the lives of the people we serve.

Our leaders have a responsibility to ensure their agencies uphold the principle of merit-based appointment, and we must make merit-based appointments unless an exception applies under the **Act**. This means that where we have a role in employee recruitment, promotion, and selection, we must:

- ensure that appointments are made through a fair, open and contestable process, and are free from patronage, favouritism, or prejudice, and

- follow our agency's internal policies, and work to ensure independence, confidentiality, fairness and transparency in the appointment or promotion process.

Kāwanatanga tuwhera | Open Government

Minimum standards

20. We aim to make government information, decisions, and services more transparent and available.

Open government strengthens democracy by improving transparency and understanding of how government works, facilitating public participation and accountability of the government to its people.

Our roles in open government

Open government means we aim to enable public participation by being proactively transparent about our work and how government functions.

There are a number of rules, frameworks and processes that support open government and transparency such as:

- access to information through the Official Information Act 1982 or Privacy Act 2020, including proactive release of information
- consultation frameworks, through which we seek public feedback
- co-designing services with communities, and
- how we provide advice.

Our role is to work through these frameworks where they apply to our work and identify and discuss opportunities to be open.

While we aim to be open, we must balance transparency with legitimate needs for keeping some information confidential, e.g., privacy concerns or information under active consideration of Ministers. Disclosure of government information must follow our agency's information management policies and procedures and comply with the law.

Kaitiakitanga | Stewardship

Minimum standards

21. We manage and care for the Public Sector, so that it may continue to meet the needs of New Zealanders now and into the future.

Stewardship is a proactive duty of care for something that belongs to or exists for the benefit of others, now and into the future.

Our general stewardship roles

Stewardship helps to protect the Public Sector, now and into the future. This means we must adopt forward-thinking planning and management practices in our work to:

- preserve and protect institutional knowledge and information, and use our resources wisely

- help to meet our agency's responsibilities for financial management, policy and regulatory stewardship, performance and sustainability, and
- support Ministers to act as good stewards under the Act.

Long-term workforce planning

Where relevant to our roles, we need to anticipate, actively manage and plan for our future workforce so that we can meet future challenges. This includes:

- encouraging knowledge sharing, retention of expertise, and supporting skills acquisition and career progression across the Public Sector,
- developing and maintaining the capability of the Public Service to engage with Māori and understand Māori perspectives, and
- developing future-focused capability and ensuring this is embedded throughout our teams and processes.

Te ū ki tā tātou Tauākī | Abiding by our Code

As a public servant you must:

- ensure you read, understand, and abide by the Code
- complete Code of conduct training as determined by the Public Service Commissioner, and
- adhere to any additional behavioural expectations set out in your respective organisational codes of conduct.

As a leader, you must also:

- support your team and colleagues' understanding of how to comply with the Code
- encourage your team and colleagues to ask questions and raise any integrity or conduct concerns by speaking up
- deal with integrity or conduct concerns appropriately, and where applicable to your role, enforce the Code consistently, and
- foster a positive, safe, and ethical workplace culture in your organisation.

As an organisational leader of a Public Sector organisation, you are responsible for:

- the integrity and conduct of your employees, which includes ensuring they have read and understood this Code and agree to abide by it

- ensuring that the organisation you lead upholds the public service values and principles
- ensuring your organisation's code of conduct (if relevant) and policies and procedures are consistent with this Code
- enabling your employees to complete Code of conduct training and to regularly renew that training, and
- ensuring your employees can obtain appropriate advice on integrity issues, including possible conflicts of interest.

Ngā takahitanga o te Tauākī | Breaches of the Code

Failure to comply with this Code may constitute misconduct or serious misconduct and could result in disciplinary action being taken by your employer up to and including dismissal. Breaches of law may also result in civil or criminal penalties.

The Code cannot respond to every possible issue that might arise. You are required to exercise careful judgement that can withstand scrutiny. Unsatisfactory behaviour or actions not specifically listed in this Code may still constitute a breach, where it is found to undermine the public service values and principles.

Whakaputaina he kōrero, whakapuakina ngā āwangawanga | Speak up and raise concerns

Speaking up promptly about possible wrongdoing shows that we care and have the courage to do the right thing. Anyone can report

concerns that they feel may breach this Code to the relevant Public Sector organisation, and that organisation must not retaliate against anyone raising concerns.

Reporting **serious wrongdoing** and providing protections for those who do so, is outlined in the Protected Disclosures (Protection of Whistleblowers) Act 2022. This includes a list of appropriate authorities to which those reports may be made. Criminal or unlawful activity should be reported to the NZ Police or other relevant enforcement agencies (e.g., Serious Fraud Office).

If you have raised concerns about a public servant or a Public Sector organisation that you consider have not been appropriately managed or resolved, or if you feel unsafe raising those with the relevant organisation, you can report it to Te Kawa Mataaho | Public Service Commission: commission@publicservice.govt.nz

Rārangi kupu | Glossary

In this Code, unless the context otherwise requires –

Act means the [Public Service Act 2020](#).

Conflict of interest means any situation where a person's duties or responsibilities as an employee of, or a contractor to, a public organisation conflict, or could be seen to conflict or interfere with their personal or other interests or activities. For example, the other interest might be another role, financial, or relate to family, friends, or associates. Conflicts of interest can be actual, perceived or potential. Conflicts of interest are generally recorded when we have relevant conversations with our manager to disclose our interests, i.e., advise them of any interests that raise a potential, perceived or actual conflict of interest.

Leader means any person who is recognised as a leader in their organisation and includes senior leaders and those with managerial responsibilities.

Members of a profession means members of an occupational group with a registration requirement under an Act for the individuals who work or practise in the occupational group.

Our means things that belong collectively to public servants and where the context requires, also includes the Public Sector.

Principles means the public service principles set out in [section 12 of the Act](#).

Public Sector means any organisation to which this Code applies, specifically:

- a) Public service agencies (departments, departmental agencies, interdepartmental executive boards, interdepartmental ventures) and Crown agents
- b) Crown entities (other than Crown agents and excluding tertiary education institutions, and Crown Research Institutes and their subsidiaries)
- c) Companies named in Schedule 4A of the Public Finance Act 1989, and
- d) the Parliamentary Counsel Office.

Public servant means any person to whom this Code applies, specifically anyone working in the Public Sector. By way of explanation, this does not include Board members of Crown entities or Directors of Public Finance Act 1989 Schedule 4A Companies, as they have their own codes of conduct issued by the Public Service Commissioner.

Public Service has the meaning given in [section 10 of the Act](#).

Sensitive expenditure means any spending by an organisation that could be seen to be giving private benefit to staff additional to the business benefit to the organisation.

Serious wrongdoing has the meaning set out in [section 10 of the Protected Disclosures \(Protection of Whistleblowers\) Act 2022](#).

Values means the public service values set out in [section 16 of the Act](#).

We or **us** when used in this Code means all public servants and where the context requires, also includes the Public Sector.

Rārangi kupu mo te reo Māori | Te reo Māori Glossary

Ngākau Pono is the te reo Māori descriptor for the *trustworthy* value. It best describes dependability and integrity. In separating the two words, *ngākau* is often translated to heart or matters of the heart and *pono* to be true or truthful, honest, and sincere.

Ngākau Tapatahi is the te reo Māori descriptor for the *impartial* value. It is a translation for impartiality, integrity, being neutral, fair, unbiased, even-handed or non-partisan.

Whaiwhakaaro is the te reo Māori descriptor for the *accountable* value. Rather than a translation, it describes the action of thinking carefully, being open to scrutiny and acting responsibly.

Whakarangatira is the te reo Māori descriptor for the *respectful* value. The translation describes treating people with dignity, honour, or to revere or enable.

Āta Whakarongo is the te reo Māori descriptor for the *responsive* value. It describes the act of listening attentively. *Āta* translates to

deliberatively, purposefully, intentionally, with care. *Whakarongo* is commonly described as listening and hearing.

Te Noho Taiapa is the descriptor for the *politically neutral* principle. It is a *kīwaha* and directly translates to ‘sit on the fence.’ For clarity, it is not expected that public servants sit on the fence in all situations especially in relation to their rights and freedoms. However they should consider political neutrality as part of their role as a public servant and the [Public Service Principles guidance](#) within this context.

Tohutohu hāngai is the descriptor for the *free and frank* principle. Tohutohu is a translation for ‘to advise.’ Hāngai is a translation for directly and is commonly used in the *kīwaha* ‘me hāngai te kōrero’ which can be translated to keeping to the point or ‘don’t beat around the bush.’

Kopounga whai-painga is the te reo Māori descriptor for the *merit-based appointments* principle. Kopounga is a translation for appointee, appointment or successful candidate. Whai-painga is a translation for merit-based or to be of value or benefit.

Kāwanatanga tuwhera is the te reo Māori descriptor used for *open government*. Kāwanatanga is the translation for Government and tuwhera is to open or be open.

Kaitiakitanga is the te reo Māori descriptor for *stewardship*. Kaitiakitanga in its simplest form is translated to guardianship, stewardship or trusteeship.