

Withheld under s9(2)(a) of the OIA

From: [REDACTED]
To: [ENZ Ministerials](#)
Subject: FW: Official Information Act response: Sexual harassment in the workplace
Date: Friday, 25 May 2018 9:03:36 a.m.

From: Google Forms <forms-receipts-noreply@google.com>
Sent: Friday, 25 May 2018 9:01 a.m. Withheld under s9(2)(a) of the OIA
To: [REDACTED]@enz.govt.nz
Subject: Official Information Act response: Sexual harassment in the workplace

Thanks for filling out [Official Information Act response: Sexual harassment in the workplace](#)

Here's what we got from you:

[EDIT RESPONSE](#)

Official Information Act response: Sexual harassment in the workplace

This request is part of a comprehensive [REDACTED] data review, in partnership with [REDACTED] and those reporting the outcomes of the [REDACTED] investigation. It relies on your assistance, both in compliance with the Official Information Act 1982 and Local Government Official Information and Meetings Act 1987, and in a shared commitment to public transparency around workplace harassment and safety. Withheld under S9(2)(a) of the OIA

Please reply using this secure online form: it has been designed to make compliance with the request safe, quick and easy.

Notes:

- * Sexual harassment is defined by the State Services Commission in accordance with section 108 of the Employment Relations Act 2000;
- * Complaints or allegations may come from the person subjected to harassment, or from another party, eg the alleged perpetrator or a witness;
- * Complaints or allegations may be made by staff, contractors or other persons associated with the organisation;
- * A complaint or allegation may be made to the employing or contracting organisation, or to an appropriate authority, eg police or Human Rights Commission;
- * No information naming or identifying any complainants or alleged perpetrators is required. This means sections 9(2)(a) of the Official Information Act and 7(2)(a) of the Local Government Official Information and Meetings Act, allowing for information to be declined in order to protect the privacy of natural persons, are NOT applicable here;
- * The scope of this Official Information Act request does NOT extend to harassment or alleged harassment by clients, eg health consumers or school students.

Email address *

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██████████@enz.govt.nz

Name of organisation *

Education New Zealand

Your name and position *

Senior Advisor Governance

Please tick the box that best describes your organisation. *

- Government ministry / department
- Crown entity
- Crown-owned company / SOE
- District Health Board
- Local authority
- Regional council
- School
- Tertiary institution
- Other:

How many people does your organisation employ?

89

Sexual harassment complaints / allegations

This section looks at the number of separate complaints of sexual harassment. There may have been more than one complaint relating to some individual persons.

How many complaints or allegations of sexual harassment did your organisation receive in 2015 (Jan-Dec)?

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0

How many complaints or allegations of sexual harassment did your organisation receive in 2016 (Jan-Dec)?

0

How many complaints or allegations of sexual harassment did your organisation receive in 2017 (Jan-Dec)?

0

How many complaints or allegations of sexual harassment has your organisation received in 2018 (Jan-April)?

0

Please tick the forums in which sexual harassment complaints or allegations have been made relating to your organisation (tick as many as applicable):

- Complaint made to your organisation as employer
- To your organisation as contracting organisation
- To your organisation as operator of a workplace
- Employment Relations Authority / Employment Court
- Human Rights Commission
- Human Rights Review Tribunal
- MBIE Employment Mediation Service
- NZ Police
- Civil litigation
- Overseas authorities
- None
- Other:

If you have to withhold any information requested in this section of the questionnaire, please

identify which statutory grounds to decline are relied upon, and why these grounds are applicable.

Complainants / alleged victims / survivors

This section looks at the people who have been subjected to sexual harassment, or are/were alleged to have been subjected to sexual harassment. Some individual persons may have have suffered, or allegedly suffered, more than one instance of harassment.

How many people working for your organisation, or in workplaces under your organisation's control, have complained of being subjected to sexual harassment at work, since January 2015?

How many of these people are still working for you?

How many people working for your organisation, or in workplaces under your organisation's control, have complained of being subjected to sexual harassment at work since 2015, according to gender?

	0	1	2	3	4	5	6-10	11-50	51-plus
Female	(X)	()	()	()	()	()	()	()	()
Male	(X)	()	()	()	()	()	()	()	()
Transgender man	(X)	()	()	()	()	()	()	()	()
Transgender woman	(X)	()	()	()	()	()	()	()	()
Other	(X)	()	()	()	()	()	()	()	()

If you have to withhold any information requested in this section of the questionnaire, please identify which statutory grounds to decline are relied upon, and why these grounds are applicable.

Perpetrators / persons subject of complaints

This section looks at the people who are/were alleged to have perpetrated sexual harassment. Some individual persons may have been the subject of two or more complaints.

How many people working for your organisation, or in workplaces under your organisation's control, have been accused of sexual harassment at work since 2015?

How many of these people are still working for you?

How many people who are or were working for you or in workplaces under your organisation's control, have been accused of sexual harassment at work since 2015, by gender?

	0	1	2	3	4	5	6-10	11-50	51-plus
Male	(X)	()	()	()	()	()	()	()	()
Female	(X)	()	()	()	()	()	()	()	()
Transgender man	(X)	()	()	()	()	()	()	()	()
Transgender woman	(X)	()	()	()	()	()	()	()	()
Other	(X)	()	()	()	()	()	()	()	()

Please advise the numbers of people who are or were working for your organisation, or in workplaces under your organisation's control, who have been the subject of two or more complaints of sexual harassment at work.

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If you have to withhold any information requested in this section of the questionnaire, please identify which statutory grounds to decline are relied upon, and why these grounds are applicable.

Outcomes of complaints or allegations

This section looks at whether, or how, the complaints or allegations were resolved. Given that there are more potential resolutions that can be enumerated here, please use the categorisations that are the best fit.

Please advise the numbers of complaints since 2015 resolved in the following manners (tick as few or as many as necessary):

	0	1	2	3	4	5	6+
Upheld by your organisation	<input type="checkbox"/>						
Rejected by your organisation	<input type="checkbox"/>						
Unresolved by your organisation	<input type="checkbox"/>						
Referred to police, who decided to take matters no further	<input type="checkbox"/>						
Referred to police, charges laid	<input type="checkbox"/>						
Referred to police, alleged offender guilty in court	<input type="checkbox"/>						
Referred to police, alleged offender acquitted	<input type="checkbox"/>						
Referred to police, unresolved	<input type="checkbox"/>						
Referred to Human Rights Commission,	<input type="checkbox"/>						

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complaint upheld								
Referred to Human Rights Commission, complaint dismissed	<input type="checkbox"/>							
Escalated to Employment Relations Authority / Employment Court, resolved in the complainant's favour	<input type="checkbox"/>							
Escalated to Employment Relations Authority / Employment Court, resolved in the respondent's favour	<input type="checkbox"/>							
Referred to MBIE Employment Mediation Service, resolved in the complainant's favour	<input type="checkbox"/>							
Referred to MBIE Employment Mediation Service, resolved in the respondent's favour	<input type="checkbox"/>							
Other	<input type="checkbox"/>							

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Where applicable, please describe a specific sexual harassment complaint/allegation and how your organisation handled it well.

Where applicable, please describe a specific sexual harassment complaint/allegation that your organisation acknowledges it handled less well.

Does your organisation have a sexual harassment policy?

- Yes, we have a standalone sexual harassment policy.
- Yes, we have one explicitly incorporated into another policy.
- No
- Other:

If you have to withhold any information requested in this section of the questionnaire, please identify which statutory grounds to decline are relied upon, and why these grounds are applicable.

Is there any other comment your organisation wishes to add?

No

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