



MINISTRY OF SOCIAL
DEVELOPMENT

TE MANATŪ WHAKAHIATO ORA

22 FEB 2017

Privacy of another: section 9(2)(a)

Dear Privacy of another: section 9(2)(a)

On 29 November 2016 you emailed the Ministry requesting, under the Official Information Act 1982, information about the Ministry's diversity programmes to ensure trans¹ people are not discriminated against.

1) *What systems does your agency have in place to ensure that you are meeting your obligations under the Bill of Rights Act 1990 and the Human Rights Act 1993?*

The State Services Commission led work in the 1980's and 1990's across all government agencies to ensure agencies were aware of their obligations to provide equal employment opportunities and to meet their requirements to be a good employer. The State Sector Act 1988 introduced obligations in relation to equal employment opportunities and good employer requirements. This was followed by the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993.

The Ministry has adopted these statutory obligations and incorporated these principles into our standard operating procedures that form part of the Ministry's management of people capability and human resources. One example of this is that all staff at the Ministry adhere to the State Services Commission's Code of Conduct that promotes fairness and respect to everyone regardless of who they are, what their backgrounds are or what their needs are.

The Ministry is committed to promoting equality and diversity within a positive work culture that is based on respect, fairness and valuing individual difference. The Ministry promotes equality and diversity by:

- ensuring work practices and policies meet all state sector and legislative obligations
- integrating equality and diversity principles into strategic and business planning
- encouraging a diverse range of employees to work in the Ministry and providing reasonable accommodation so all employees can contribute to their full potential
- proactively identifying and eliminating practices and barriers that would limit the employment opportunities and aspirations of all groups including Māori, ethnic and minority groups, women and disabled people

¹ "trans" is used as an umbrella term for the many kinds of gender minorities that people may identify with including transgender, transsexual, whakawahine, tangata ira tane, fa'afafine, genderqueer etc.

- creating an environment in which employees are supported to be safe, strong, and independent
- encouraging employees to understand their personal values, and to appreciate and accommodate the values and needs of others.

Enclosed is information about this commitment to fairness and equality which is available on the Ministry's internal website for all staff to access.

The Ministry adheres and is committed to an Equal Employment Opportunities (EEO) Policy. The Ministry recognises the need to proactively identify and eliminate practices, policies and procedures (or any institutional barriers) which may cause or perpetuate inequality on the following grounds: sex, marital status, religious belief, ethical belief, colour, race, ethnic or national origins, disability, age, political opinion, employment status, family status or sexual orientation.

To demonstrate its good employer and EEO obligations under the State Sector Act 1988 the Ministry reports to the State Services Commission annually on progress made on EEO. Enclosed is a copy of the Ministry's Equal Employment Opportunities policy that is published on the Ministry's internal staff website.

2) Does your agency have any diversity or inclusivity policies or programmes?

The Ministry and the Ministry of Youth Development (MYD) do not deliver policies and programmes that are targeted specifically to trans people. All Ministry and MYD funding can be accessed by the lesbian, gay, bisexual, trans and intersex (LGBTI) communities.

The Ministry including the Ministry of Youth Development fund a number of initiatives that support the LGBTI community and promote their inclusion.

The table below shows a summary of the Ministry's contracted funding for initiatives to support LGBTI young people in 2016/17.

Provider	Provider service description
CURATIVE	Support a minimum of 50 young people to access and participate in leadership opportunities through developing resources for LGBTI young people to help build their capability and resilience as they transition from education to work.
Mangere East Family Service Centre Incorporated	Te Punawai - low intensity, short term intervention targeting vulnerable people including transgender and people with disabilities in the community.
Mangere East Family Service Centre Incorporated	Te Punawai - specialist intervention targeting vulnerable people including trans and people with disabilities in the community.
RainbowYOUTH	To develop and increase support services for LGBTI (lesbian, gay, bisexual, trans or intersex) young people. To work with the Ministry of Youth Development and partners in the LGBTI and youth sector, to build capacity and support the increase of direct services for and by LGBTI youth.

Provider	Provider service description
InsideOUT Kōaro	To deliver mentoring and leadership opportunities targeted at rainbow youth to support them to improve the health, wellbeing and safety of peers of minority sexualities, sexes and genders.
InsideOUT Kōaro – Rainbow Minorities	Support youth to be involved in the planning, production and delivery of the Rainbow Minorities awareness-raising campaign about rainbow communities in New Zealand. This will help them to gain confidence and develop leadership skills.

In addition, some funding is provided by the Ministry through the 'It's Not OK' campaign, for initiatives that would provide other kinds of support for LGBTI people.

The table below gives a summary of 'It's Not OK' funding for initiatives that provide support to this group.

Provider	Provider service description
RainbowYOUTH	Funding to support the Rainbow Youth Takatāpui Resource to be produced in 2016 for parents and whānau of takatāpui rangatahi. The resource is being developed in a partnership between Rainbow Youth, It's not OK Campaign, Mental Health Foundation and Te Kaha o Rangatahi, and Tiwhanawhana.
Mental Health Foundation	To develop an online and print resource that will promote healthy relationships by providing examples that cover a range of cultural, gender and sexual identities and relationship forms; monogamous, polyamorous, asexual/aromantic, and inter-racial in order to support and encourage people in unhealthy situations.

3) What actions did your agency take in response to the findings and recommendations of the Human Rights Commission's Inquiry into Discrimination Experienced by Transgender People?

The Human Rights Commission's Inquiry into Discrimination Experienced by Transgender People recommended the Ministry:

- increase consultation and collaboration with trans people on issues that affect them
- provide advice and information for the development of transgender-related policy, research and resources
- consider whether it is necessary to gather gender data and, where necessary, ensure categories for data collection reflect the diversity of trans people.

In 2014, the Ministry of Youth Development led consultation with the LGBTI youth communities to discuss how they could work with government agencies to improve the lives of young LGBTI people and support them to thrive, achieve and belong.

During the consultation, LGBTI communities identified six key objectives that are important to them:

- LGBTI young people are included, visible and valued
- the LGBTI youth sector is strengthened and supported
- LGBTI young people participate confidently in their communities and whānau
- LGBTI young people have access to positive environments for learning
- LGBTI young people access appropriate healthcare when they need it
- LGBTI young people access supportive social services when they need them and are treated with dignity in the justice system.

In 2015, the Ministry of Youth Development led the development of a cross-agency Government response to this consultation, titled '*Supporting LGBTI Young People in New Zealand*', which was framed around these six objectives. The Government response is available on the Ministry website and can be accessed here: <https://www.msd.govt.nz/documents/about-msd-and-our-work/newsroom/lgbti-release-ministry-of-youth-development.pdf>

The Ministry adopted the Statistical Standard for Gender Identity in data collection and reporting in July 2015. This standard was developed by Statistics New Zealand in 2015. The new standard includes 'gender diverse' as an option for gender identity classification alongside 'male' and 'female'. It was developed through consultation with groups representing people with different gender identities and with government organisations which will use the new classifications.

Since then the Ministry of Youth Development has:

- committed \$150,000 in funding in November 2015, over the next three years, for Auckland organisation RainbowYOUTH to develop and increase support services for LGBTI young people
- completed an evaluation in December 2016 of the Inside Out resource, a video-based teaching resource designed to reduce homophobic and transphobic bullying by increasing understanding and support of sex, gender and sexuality diversity. Information about the Inside Out resource is available online <http://insideout.ry.org.nz/>

The principles and purposes of the Official Information Act 1982 under which you made your request are:

- to create greater openness and transparency about the plans, work and activities of the Government,
- to increase the ability of the public to participate in the making and administration of our laws and policies and
- to lead to greater accountability in the conduct of public affairs.

This Ministry fully supports those principles and purposes. The Ministry therefore intends to make the information contained in this letter and any attached documents available to the wider public shortly. The Ministry will do this by publishing this letter on the Ministry of Social Development's website. Your personal details will be deleted and the Ministry will not publish any information that would identify you as the person who requested the information.

If you wish to discuss this response, please feel free to contact OIA_Requests@msd.govt.nz.

If you are not satisfied with this response about the Ministry's policies regarding diversity or inclusivity with us, you have the right to seek an investigation and review by the Ombudsman. Information about how to make a complaint is available at www.ombudsman.parliament.nz or 0800 802 602.

Yours sincerely

A handwritten signature in cursive script, appearing to read 'J Cornwall'.

Justine Cornwall
General Manager, Child, Family and Community Policy

Privacy of another: section 9(2)(a)

Dear Privacy of another: section 9(2)(a)

On 29 November 2016 you emailed the Ministry requesting, under the Official Information Act 1982, information about the Ministry's diversity programmes to ensure trans¹ people are not discriminated against.

1) What systems does your agency have in place to ensure that you are meeting your obligations under the Bill of Rights Act 1990 and the Human Rights Act 1993?

The State Services Commission led work in the 1980's and 1990's across all government agencies to ensure agencies were aware of their obligations to provide equal employment opportunities and to meet their requirements to be a good employer. The State Sector Act 1988 introduced obligations in relation to equal employment opportunities and good employer requirements. This was followed by the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993.

The Ministry has adopted these statutory obligations and incorporated these principles into our standard operating procedures that form part of the Ministry's management of people capability and human resources. One example of this is that all staff at the Ministry adhere to the State Services Commission's Code of Conduct that promotes fairness and respect to everyone regardless of who they are, what their backgrounds are or what their needs are.

The Ministry is committed to promoting equality and diversity within a positive work culture that is based on respect, fairness and valuing individual difference. The Ministry promotes equality and diversity by:

- ensuring work practices and policies meet all state sector and legislative obligations
- integrating equality and diversity principles into strategic and business planning
- encouraging a diverse range of employees to work in the Ministry and providing reasonable accommodation so all employees can contribute to their full potential
- proactively identifying and eliminating practices and barriers that would limit the employment opportunities and aspirations of all groups including Māori, ethnic and minority groups, women and disabled people

¹ "trans" is used as an umbrella term for the many kinds of gender minorities that people may identify with including transgender, transsexual, whakawahine, tangata ira tane, fa'afafine, genderqueer etc.

Home » Working here » Joining, transferring & leaving » Equality and Diversity Commitment

Equality and Diversity Commitment

MSD is committed to being a good employer and applying the principles of equal employment opportunities. This page outlines the values of equal employment opportunities and what these mean for both staff and the Ministry.

The Ministry of Social Development is committed to:

promoting equality and diversity within a positive work culture that is based on respect, fairness and valuing of individual difference
enhancing work practices and performance that integrate diverse perspectives
complying with all relevant equality legislation, Government strategies and policies, and best practice guidelines

Scope

This commitment applies to all employment practices at the Ministry and to all Ministry employees (permanent, fixed term, temporary and casual), people applying for employment (including potential applicants) at the Ministry and contractors.

Critical Success Factors

Our commitment will be demonstrated by the Ministry of Social Development:

leaders valuing and promoting equality and diversity
strategic and operational plans incorporating equality and diversity
diverse workforce being capable to deliver MSD's purpose and principles
employment practices recognising equity, and ensuring equal opportunity for participation
promoting respect and fairness
advancing the aspirations of Māori and Pacific staff in accordance with the Māori and Pacific People strategies, and disabled staff in accordance with Disability strategies
promoting and supporting work / life balance

Definitions

Equality and diversity means:

treating people fairly and with respect, ensuring equality of access to opportunities (equality)
understanding, appreciating and realising the benefits of individual differences (diversity)

Related Guidelines

Promoting equality and diversity [<http://doogle/working-here/managing-staff/recruiting-staff/promote-equality-diversity.html>]
[Accommodating diversity in the workplace](http://doogle/working-here/managing-staff/recruiting-staff/accommodating-diversity-in-the-workplace.html) [<http://doogle/working-here/managing-staff/recruiting-staff/accommodating-diversity-in-the-workplace.html>]

Legislation and Reference Documents

Employment Relations Act 2000
Human Rights Act 1993
Health and Safety in Employment Act 1992
NZ Bill of Rights Act 1990
State Sector Act 1988
Parental Leave and Protection of Employment Act 1987
Equal Pay Act 1972
Equality and Diversity - New Zealand Public Service Equal Employment Opportunity Policy 2008
New Zealand Disability Strategy 2000
United Nations Convention on the Rights of Persons with Disabilities

Related Policies

[Equal Employment Opportunities \(EEO\) Policy \[http://doogle/resources/helping-staff/policies-standards/hr/equal-employment-opportunities-policy.html\]](http://doogle/resources/helping-staff/policies-standards/hr/equal-employment-opportunities-policy.html)

[Recruitment Policy \[http://doogle/resources/helping-staff/policies-standards/hr/recruitment-policy.html\]](http://doogle/resources/helping-staff/policies-standards/hr/recruitment-policy.html)

[Workplace Harassment and Bullying Policy \[http://doogle/resources/helping-staff/policies-standards/hr/hr-policies/workplace-harassment-bullying-policy/workplace-harassment-bullying-policy.html\]](http://doogle/resources/helping-staff/policies-standards/hr/hr-policies/workplace-harassment-bullying-policy/workplace-harassment-bullying-policy.html)

[Secondment Policy \[http://doogle/resources/helping-staff/policies-standards/hr/secondment-policy.html\]](http://doogle/resources/helping-staff/policies-standards/hr/secondment-policy.html)

[www.EEOTrust.org.nz \[http://www.eeotrust.org.nz/\]](http://www.EEOTrust.org.nz)

SSC Website:

[www.ssc.govt.nz \[http://www.ssc.govt.nz/\]](http://www.ssc.govt.nz)

Content owner: [Human Resources](#) Last updated: 26 January 2016

Home » Working here » Recruiting to the Ministry » Recruiting staff » Promoting equality and diversity

Promoting equality and diversity

These guidelines support the Ministry's commitment to:

promote equality and diversity within a positive work culture that is based on respect, fairness and the valuing of individual difference

enhancing work practices and performance that integrate diverse perspectives

complying with all relevant equality legislation, Government strategies and policies, and best practice guidelines

Overview

Equality and diversity are key ingredients to organisational success. Whilst MSD bases appointments on merit we also recognise and support the employment aspirations of Māori, ethnic and minority groups, women and people with disabilities.

When promoting equality we treat people fairly and ensure equal access to opportunities so everyone is able to: participate and compete equitably; develop to their full potential; and be rewarded fairly for their contribution regardless of gender, ethnicity, disability, sexual orientation, age and family circumstance.

When promoting diversity we value individuals, and support each other to be safe, strong and independent. The result is a workplace where everyone understands, appreciates and realises the benefits of individual difference.

The Ministry's [Equality and Diversity Commitment \[http://doogle/working-here/joining-us/eeo.html\]](http://doogle/working-here/joining-us/eeo.html) and [EEO Policy \[http://doogle.ssi.govt.nz/resources/helping-staff/policies-standards/hr/equal-employment-opportunities-policy.html\]](http://doogle.ssi.govt.nz/resources/helping-staff/policies-standards/hr/equal-employment-opportunities-policy.html) cover all employment practices including:

Recruitment and selection

Employment terms and conditions

Training and career development

Leadership and management

How the Ministry promotes equality and diversity

The Ministry promotes equality and diversity by:

Ensuring work practices and policies meet all state sector and legislative obligations

Integrating equality and diversity principles into strategic and business planning.

Encouraging a diverse range of employees to work in the Ministry and providing 'reasonable accommodations' [<http://doogle/working-here/managing-staff/recruiting-staff/accommodating-diversity-in-the-workplace.html>] so all employees can contribute to their full potential.

Proactively identifying and eliminating practices and barriers that would limit the employment opportunities and aspirations of all groups including Māori, ethnic and minority groups, women and disabled people.

Creating an environment in which employees are supported to be safe, strong, and independent

Encouraging employees to understand their personal values, and to appreciate and accommodate the values and needs of others.

Providing development opportunities and support so all employees can contribute and draw from their range of knowledge and experience, as well as develop their potential

How all employees promote equality and diversity

Managers promote equality and diversity by:

Implementing the Ministry's policy and practices that relate to equality and diversity.

Providing a supportive and safe work environment, where staff have access to 'reasonable accommodations' [<http://teamsite.ssi.govt.nz/working-here/managing-staff/recruiting-staff/accommodating-diversity-in-the-workplace.html>] that enable them to perform to their full potential.

Recognising that equity does not mean treating everyone exactly the same.

Encouraging staff to understand and show respect for diversity in the workplace, as well as building their awareness of its relevance to the way the Ministry works.

Modelling their commitment by valuing differences, engaging with employees to understand their needs and treating everyone fairly.

Mental Health Condition:

It is important that where a mental health condition may be a factor, managers read the Ministry's guidance on managing performance issues which may result from the mental health condition.

Prior to any action being taken, such as talking to, meeting with or writing to an employee, managers must seek advice from the HR Consultancy team.

[Mental Health Guidelines \(PDF 351.34KB\) \[http://doogle/documents/resources/helping-staff/forms-templates/hr/mental-health-guidance-gmhr.pdf\]](http://doogle/documents/resources/helping-staff/forms-templates/hr/mental-health-guidance-gmhr.pdf)

All staff promote equality and diversity by:

Identifying and assisting the Ministry to remove barriers.

Developing an understanding of the values and needs of different groups and providing a supportive and safe environment for colleagues.

Being receptive and responsive to the reasonable accommodations that are provided.

The Human Resources Group promote equality and diversity by:

Developing and maintaining people policies and strategies that support diversity and equality; and providing timely input to the business planning process.

Advising and supporting managers and staff on equality and diversity.

Content owner: [Human Resources](#) Last updated: 24 March 2016

Home » Resources & Tools » Helping Staff » Policies and Standards » HR policies » **Equal Employment Opportunities (EEO) Policy**

Equal Employment Opportunities (EEO) Policy

The policy for equal employment opportunities is outlined on this page. This includes the legislation that guides equal employment opportunities and the responsibilities of managers, HR and staff.

On this Page:

This policy is part of MSD's [Equality and Diversity Commitment](http://doogle/working-here/joining-us/eoo.html) [<http://doogle/working-here/joining-us/eoo.html>] .

Objective

The Ministry of Social Development (the Ministry) is committed to the principles of equal employment opportunities and being a good employer. We apply this through supporting and promoting good EEO practices across the Ministry. EEO is one of the ways the Ministry recognises and supports the aims and aspirations of Māori, thereby contributing to the spirit of partnership envisaged by the Treaty of Waitangi.

Background

EEO is about removing barriers so all staff have opportunities to develop and progress in the workplace. EEO practices lead to staffing within the Ministry of Social Development that reflects the values and composition of the community, assisting in improved policy development and service delivery.

The Ministry recognises the need to proactively identify and eliminate practices, policies and procedures (or any institutional barriers) which may cause or perpetuate inequality on the following grounds: sex, marital status, religious belief, ethical belief, colour, race, ethnic or national origins, disability, age, political opinion, employment status, family status or sexual orientation.

EEO is good management practice because, when consistently applied, it will:

Foster an organisational culture that is inclusive, respectful and responsive which enables access to work, equitable career opportunities, and maximum participation for members of designated groups and all staff.

Ensure procedural fairness as an integral part of all strategies, systems and practices.

Bring the skills and perspectives of all groups of people to all levels of staff and management.

Lead to staffing that reflects the values and composition of the community and contributes to providing a better quality service.

Enhance job satisfaction and performance and encourage harmonious working relationships.

To demonstrate its good employer and EEO obligations under the State Sector Act 1988 the Ministry reports to the State Services Commission annually on progress made on EEO.

Legislative Framework

The Ministry complies with the legislative requirements of the State Sector Act (1988) and the Human Rights Act (1993) and uses the Public Service EEO Policy to 2010 as a resource document.

EEO Policy Principles

The Ministry will endeavor to include EEO principles into everyday staff and management practices by:

Integrating EEO principles into the strategic and business planning process, ensuring that EEO is not a stand-alone practice

Developing an environment where staff diversity is welcomed and valued.

Providing an environment where staff treat each other with respect and operate professionally.

Developing Māori and Pacific staff in accordance with the Māori and Pacific People strategies.

Working to remove the barriers to participation faced by people with disabilities as set out in the New Zealand Disability Strategy.

Encouraging a diverse range of employees to work in the Ministry.

Identifying and eliminating discriminatory practices based on sex, marital status, religious belief, ethical belief, colour, race, ethnic or national origins, disability, age, political opinion, employment status, family status or sexual orientation.

Proactively seeking to reflect the ethnicity of the community in employees of the Ministry.

This will be achieved by:

Ensuring all policies and practices comply with the EEO policy.

Implementing family-friendly practices in the workplace

Providing equal opportunities for all staff.

Ensuring EEO principles and activities are reflected in recruitment processes, job descriptions, employment agreements and performance agreements and the induction process for new staff.

Promoting and respecting diversity and openness among staff.

Creating an environment, which is free from harassment for staff, clients, stakeholders and visitors.

Providing development opportunities and support to staff, so they can contribute to their full potential and draw from their range of knowledge and experience.

Removing potential barriers for staff to both access training and development opportunities and to assist them to reach their full potential.

Working with staff to find solutions that work for them and the Ministry eg. networks, kapa haka groups.

Continuing to develop programmes, for example, Cultural Awareness programmes that encourage the breakdown of traditional stereotypes and assist staff in their employment with the Ministry.

Responsibilities

Managers are responsible for:

implementing this policy and ensuring that staff understand what EEO means

modelling their commitment to EEO in all their actions

enabling and encouraging staff to participate in EEO related activities

assisting with the collection of EEO data, especially through the appointment process and surveys.

The Human Resources Team are responsible for:

monitoring the effectiveness of Ministry action taken in terms of EEO

collecting and maintaining EEO data

advising and supporting staff and managers

reporting progress in the Ministry against the Public Service EEO Policy to 2010 to the State Services Commission

developing and maintaining EEO policies and strategies

providing EEO input to business planning processes.

Staff are responsible for:

complying with relevant legislation and policies and conducting themselves in a way that supports EEO principles and practices.

EEO Resources

MSD EEO Working document

MSD Māori Strategy

MSD Pacific Island Strategy

Gatherings – A strategy for Ethnic Minority people

Pathways – A strategy for people with disabilities

NZ Disability Strategy

Workplace Harassment Policy

References

MSD EEO Working Document

Collective Agreement/Individual Agreement

Puao te-āta-tu

State Sector Act 1988

Human Rights Act 1993

Employment Relations Act 2000

NZ Bill of Rights Act 1990

Equal Pay Act 1972

Parental Leave and Employment Act 1987

Health and Safety in Employment Act 1992

EEO Trust

Content owner: National Communications **Last updated:** 16 April 2014