



5 February 2026

Tēnā koe

### **Official Information Act request**

Thank you for your email of 3 November 2025 requesting information relating to financial settlements and legal costs relating to workplace bullying, discrimination or harassment from January 2020 to present.

I have considered your request under the Official Information Act 1982 (the Act). Please find my decision on each part of your request set out separately below.

*Under the Official Information Act 1982, I request information regarding financial settlements, payouts, and legal costs incurred in the period 1 January 2020 – present, arising from complaints or claims relating to:*

*Discrimination (including on the basis of race, sex, sexual orientation, disability, age, religion, or other grounds)*

*Bullying*

*Harassment*

*Specifically, I request:*

*Question 1: The total number of settlements or payouts made, broken down by category of complaint above, and indicating whether each settlement or payout was made to:*

*The complainant (the person making the complaint)*

*The subject of the complaint (the employee the complaint was made against)*

Please refer to **Appendix One** which provides the number of payments made or settlement agreements entered into by the Ministry of Social Development from 1 January 2020 to 31 October 2025.

We are unable to provide a further breakdown of this information as this would require the Ministry to manually analyse and categorise over 200 settlements. In order to provide you with this breakdown, the Ministry would need to divert personnel from their core duties and allocate extra time to complete this task. The diversion of these resources would impair the Ministry's ability to continue standard operations and would be an inefficient use of the Ministry's resources. As

such, your request is refused under section 18(f) of the Act, as it requires substantial collation. The greater public interest is in the effective and efficient administration of the public service.

I have considered whether the Ministry would be able to respond to your requests given extra time, or the ability to charge for the information requested. I have concluded that, in either case, the Ministry's ability to undertake its work would still be prejudiced.

*Question 2: The total monetary value of settlements or payouts, including:*

- o Aggregate amounts per category*
- o Range of individual payouts (e.g., <\$10,000, \$10–50,000, \$50,000+)*

*Question 3: The total legal costs incurred in defending or resolving these complaints or claims, including:*

- o Aggregate amounts per category*
- o Range of individual cases, if possible*
- o Indicate whether costs were internal, via insurance, or otherwise*

In order to provide you with the information for these parts of your request, the Ministry would need to divert personnel from their core duties and allocate extra time to complete this task. The diversion of these resources would impair the Ministry's ability to continue standard operations and would be an inefficient use of the Ministry's resources. As such, your request is refused under section 18(f) of the Act, as it requires substantial collation. The greater public interest is in the effective and efficient administration of the public service.

I have considered whether the Ministry would be able to respond to your requests given extra time, or the ability to charge for the information requested. I have concluded that, in either case, the Ministry's ability to undertake its work would still be prejudiced.

*Question 4: Any cases where confidentiality agreements or settlement terms prevented disclosure of complaint details.*

When the Ministry enters into a confidential Record of Settlement under section 149 of the Employment Relations Act 2000, all of these will include a clause relating to confidentiality. A Record of Settlement is a final agreement reached between the Ministry and a Ministry employee to resolve an employment problem.

There are also settlements and payments that are made outside a Record of Settlement (for example, ex gratia payments).

In order to provide you with information about any that prevented disclosure of any complaint details, the Ministry would need to manually analyse and categorise over 200 settlements and payments. This would divert personnel from their core duties and allocate extra time to complete this task. The diversion of these resources would impair the Ministry's ability to continue standard operations and would be an inefficient use of the Ministry's resources. As such, your request is refused under section 18(f) of the Act, as it requires substantial collation. The greater public interest is in the effective and efficient administration of the public service.

I have considered whether the Ministry would be able to respond to your requests given extra time, or the ability to charge for the information requested. I have

concluded that, in either case, the Ministry's ability to undertake its work would still be prejudiced.

*Question 5: Any internal policies, guidance, or changes to process relating to these settlements and legal costs during the period requested.*

Please refer to the *Proposals with Financial Implications and Financial Authorities* circular which is publicly available on the DPMC website, we are providing the publicly available link here: [www.dPMC.govt.nz/sites/default/files/2018-07/co-%2818%29-2-proposals-with-financial-implications-and-financial-authorities.pdf](http://www.dPMC.govt.nz/sites/default/files/2018-07/co-%2818%29-2-proposals-with-financial-implications-and-financial-authorities.pdf)

Please refer to the attached **Appendix Two** which provides the *Financial Delegations Policy Schedule of Delegated Financial Authorities, Ministry of Social Development, August 2024*. Please note that some information has been withheld as it is outside the scope of your request.

I will be publishing this decision letter, with your personal details deleted, on the Ministry's website in due course.

If you wish to discuss this response with us, please feel free to contact [OIA\\_Requests@msd.govt.nz](mailto:OIA_Requests@msd.govt.nz).

If you are not satisfied with my decision on your request, 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](http://www.ombudsman.parliament.nz) or 0800 802 602.

Ngā mihi nui

pp. 

Anna Graham  
**General Manager**  
**Ministerial and Executive Services**

**Appendix One: The number of payments made or settlement agreements entered into by the Ministry of Social Development from 1 January 2020 to 31 October 2025.**

<b>Year</b>	<b>Cases</b>
2020	10
2021	7
2022	102
2023	19
2024	69
2025	38
<b>Total</b>	<b>245</b>

Notes:

- This is the number of all settlement agreements entered into by the Ministry. These cases are not limited to settlement agreements related to workplace discrimination, bullying, or harassment.
- A number of cases in 2022 will relate to the COVID-19 Vaccination Policy that was implemented at the time.
- 2025 is a part year, ending on 31 October 2025.

FINANCIAL DELEGATIONS POLICY

**Schedule of Delegated  
Financial Authorities**

Ministry of Social Development  
August 2024

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Released under the Official Information Act (1982)

# Delegating financial authority

1. This Schedule sets out how financial delegations within the Ministry are to operate. This Schedule is part of the Ministry's Financial Delegations Policy, and is to be read in conjunction with the separate Financial Delegations Policy document.

## Instrument of delegation

2. In accordance with the Public Service Act 2020 Schedule 6(2), the Chief Executive authorises people holding or acting in the Financial delegation Level 2 to Level 5 positions (as described in the Financial Delegation Levels below), and also those in respect of whom a Financial Delegation for the time being applies, to exercise the powers exercisable by the Chief Executive to spend public money, incur expenses, and incur liabilities (as those terms are defined in the Public Finance Act 1989) up to and including the expenditure limits specified in the Financial Delegation Tables below.
3. Any formal delegation of authority by someone other than the Chief Executive is a sub-delegation. The Chief Executive authorises people holding or acting in the Financial delegation Level 2 positions (as described in the Financial Delegation Levels below), to sub-delegate the authorities they hold, to specific people who directly or indirectly report to them.
4. Effective from the date this instrument comes into effect, I revoke the Financial Delegations set out in the Instrument of Delegations which came into effect on 8 April 2021.
5. This instrument comes into effect 27 August 2024.

4 June 2024

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Debbie Power

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Date

**Chief Executive, Ministry of Social Development**

## Restricted authorities

6. The Ministry's authority<sup>1</sup> to spend comes from appropriations, each of which specifies the nature and scope of activities covered by that appropriation, and the amount that can be spent under that appropriation. Costs are allocated to appropriations based on an agreed methodology maintained by the Finance team.
7. In certain circumstances, approval for expenditure or liability is required from Cabinet, the appropriation Minister, joint Ministers, or Treasury, as set out in *Cabinet Office Circulars CO (18) 2 and CO (23)9*. This includes, but is not limited to:
  - advertising and publicity expenses per event over \$150,000
  - ex gratia payments over \$30,000

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<sup>1</sup> In some cases the authority to incur expenses and capital expenditure against an appropriation may be provided by Imprest Supply.

- compensation or damages in settlement of claims over \$150,000
  - investment decisions over \$20 million (whole of life cost).
8. Except as expressly authorised by any Act, it is not lawful for any person to give a guarantee or indemnity on behalf of or in the name of the Crown. A department, on behalf of or in the name of the Crown, may give, in writing, a guarantee or indemnity of a type specified in regulations made under [section 81](#) of the Public Finance Act 1989 to a person or organisation if it appears to the department to be necessary or expedient in the public interest to do so. The Public Finance (Departmental Guarantees and Indemnities) Regulations require the Ministry to give notice to the Secretary to the Treasury and the responsible Minister, for guarantees and indemnities over \$10 million.
  9. Cabinet requires any contract \$100,000 or above to be procured in accordance with the Government Procurement Rules (the Rules), including the range of New Zealand Government good procurement practice guides, tools, and templates. The Ministry's Procurement Policy must be followed. Procurement Board endorsement is required for any contract \$100,000 or above and for any opt-out procurements or exemptions from the Rules.
  10. The Ministry may not invest surplus cash balances unless it is under a direction from the Treasury. Investing in short term deposits with the New Zealand Debt Management Office is under such a direction.
  11. Excluding Recoverable Housing Support Assistance, Recoverable Assistance, Student Loans and other appropriations (detailed in the Annual Estimates of Appropriations or Supplementary Estimates of Appropriation) where there may be an element of lending the Ministry may not lend money to any party. Lending does not include loans or salary advances made to employees under their remuneration agreements or the provision of credit for periods of less than 90 days.
  12. Unless specific prior approval (as required under Section 47 of the Public Finance Act 1989) is received from the Minister of Finance, the Ministry may not borrow from any party other than the Crown. Borrowing includes hire purchase, finance leases, and obtaining goods or services (including fixed assets) on a credit facility over 90 days.
  13. The Ministry may not enter any foreign currency hedge transaction without Treasury approval and must be consistent with the guidelines for "The Management of Crown and Departmental Foreign Exchange Exposure" issued by the Treasury.

### Rules for sub-delegating authority

14. Sub-delegation of a power to a delegation level or to a specific position includes sub-delegation of that power to a person validly acting at that level or in that position ("the delegate").
15. Sub-delegation of a power to a position is to be notified in writing to that sub-delegate before the sub-delegate exercises that power, and may be revoked at any time by notice in writing.
16. A person appointed or seconded to a position with delegated authority will be able to exercise all the delegated powers vested in that position. Approval of the delegation, including any exceptions, must be in writing by the person giving the delegation.
17. It is the responsibility of the person giving a sub-delegation or directing another person to act in a position, to ensure the person sub-delegated or directed to act is suitably qualified and able to exercise the delegated level of authority applying to that position.
18. A sub-delegation must be in writing (by way of an email or appointment letter) and must include the following minimum details:
  - a. Name and position of the person giving the delegation
  - b. Name and position of the person receiving the delegation (the delegate)
  - c. Responsibility Area/Cost Centre
  - d. Financial Delegation Level, noting any specific inclusions/exclusions

- e. Effective start date and in case of acting positions, end date.
19. Extensions of financial delegation for acting positions can be by way of email from the position's manager to the person acting in the position, advising the new end date.

### **Rules for delegating to budget managers**

20. Financial delegations will only be issued to a Budget Manager after they have completed the financial delegations training called "Financial Management for Budget Managers". This also applies to those acting in a temporary capacity.
21. Accountability for expenditure is attributed to the delegated Budget Manager for a specific Cost Centre. Although a Budget Manager may have delegated authority for more than one Cost Centre, a Cost Centre can only have one Budget Manager.
22. When a Budget Manager is absent, a "one up" principle applies, where the Budget Manager's manager may incur costs or authorise expenditure against the Budget Manager's Cost Centre, and should inform the Budget Manager accordingly. The Chief Executive and Chief Financial Officer can also approve expenditure in a Budget Manager's absence.

Released under the Official Information Act (1982)

# People exercising delegated authority

## Understanding delegated authority

23. A delegation is an authority to make certain decisions or carry out specific activities. The Chief Executive can delegate their functions or powers to another person. A delegation remains in place until it is changed or revoked by the Chief Executive.
24. The Chief Executive usually delegates authority to a level or specific position. This means if you are at a level or in a position that has a delegation, you can spend or commit expenditure up to an authorised amount or make certain associated decisions. When exercising your financial delegation, the spend that you are committing the Ministry to, should be necessary, at the lowest cost possible and have a justifiable business purpose.
25. If you are formally acting or seconded at a level or in a position, you acquire the delegation issued to that level or position while acting or seconded into it.

## When financial delegations are needed

26. You need a financial delegation to make or approve a decision to commit the Ministry now or in the future to expenditure, liability, or financial risk, or to enter a contract on behalf of the Ministry. This includes, but is not limited to:
  - buying goods or services, or approving the buying of goods or services, including travel and expenses
  - approving and entering contracts
  - leasing property or assets, or approving the leasing of property or assets
  - purchasing, selling, writing off, or disposing of assets
  - settling disputes.
27. The Chief Executive sometimes may give the authority to a committee to enable the committee to carry out its work. This authority may include, but is not limited to:
  - approval of departmental capital expenditure acquisitions and disposals
  - approval of projects and business cases.

## Responsibilities when exercising delegated authority

28. People holding delegations (including acting in a position) are required to sign the relevant delegation documentation before their delegation commences and must be authorised by the manager of the delegated person.
29. Any delegated authority must be exercised strictly in accordance with the delegation and any specified conditions related to the authority.
30. The person exercising a delegated authority must also have proper regard to any policies or standards of the Ministry relevant to its exercise and must obtain legal advice where appropriate before exercising it. Relevant policies and standards include, but not limited to, the Financial Policies and Financial Procedures, the Procurement Policy, the Human Resources Policies and Guidelines, the Ministry's Code of Conduct, and the Information Systems Policies and Standards. Refer Appendix B
31. Where a dollar amount is shown as the expenditure limit, a financial delegation holder may only approve expenditure up to that amount subject to sufficient funding remaining in their annual approved budget. The person exercising the delegation must ensure that sufficient budget remains in the current year to fund the portion of the expenditure being approved that falls in the current year. The proposed expenditure must also not be broken down into separate payments for the purposes of falling within the allowable limit.

32. Where "Budget" is shown as the expenditure limit, a financial delegation holder may only approve expenditure up to the remainder of their annual approved budget and within their relevant delegation. The proposed expenditure must not be broken down into separate payments for the purposes of falling within the allowable limit.
33. When contracts that extend beyond the current financial year are entered, there must be reasonable grounds to believe that adequate future year budgets will be available to meet the contract costs.
34. Delegated authority to approve a financial commitment is also the authority to approve and enter into a contract capturing the financial commitment. For new contracts, the delegation threshold refers to the actual or estimated financial commitment for the initial term of the contract. For variations to existing contracts (including renewals or extensions), the delegation threshold refers to the total cumulative financial commitment for the initial and subsequent term and scope of the contract (i.e. all preceding financial commitments and the additional commitments).
35. For contracts \$100,000 or above that extend beyond the current year and are not Employment and Work Readiness Assistance Programme contracts or non-departmental provider contracts, sign-off is required by any of the Chief Executive (CE), a Deputy Chief Executive (DCE), the Chief Financial Officer (CFO), or a person who they delegate in writing, with a copy to the Group General Manager (GGM) Commercial Operations.

### **Integrity and conduct**

36. You must act and be seen to act in a fair, transparent, and unbiased manner when making or approving decisions or commitments on behalf of the Ministry. If you are aware of a perceived, potential, or actual conflict of interest in a decision or commitment you are making or approving, you need to follow the Disclosure and Conflict of Interest Policy.
37. This includes declaring the conflict to your manager. You should not finalise the decision or commitment until the conflict has been resolved or your continued involvement has been approved in writing by both your manager and their manager.
38. If you benefit from, are perceived to benefit from, or have a personal interest in a decision or commitment being made on behalf of the Ministry, it will need to be approved by your manager (or their delegate) even if it is within your delegation level. This includes:
  - travel
  - accommodation
  - meals
  - entertainment
  - course and conference costs
  - expense claims.

# Financial delegation levels

## Delegation levels

Level	Positions at this level
1-CE	<ul style="list-style-type: none"> <li>Chief Executive.</li> </ul>
2-DCE + (or equivalent)	<ul style="list-style-type: none"> <li>DCEs and positions that are direct reports to the Chief Executive, including the Director Office of the Chief Executive (Dir OCE).</li> <li>For Whaikaha, this is limited to DCEs and the Kaihautu, Chief Advisor Māori position</li> <li>Any other manager designated by the Chief Executive to hold Level 2 financial delegated powers.</li> </ul>
3-GGM + GMs (or equivalent)	<ul style="list-style-type: none"> <li>GGMs, GMs and positions delegated by the Chief Executive or a DCE to hold Level 3 financial delegated powers.</li> <li>For Whaikaha, this is all Manager and Director positions that report to a DCE.</li> </ul>
4-Snr Mgr + GMs (or equivalent)	<ul style="list-style-type: none"> <li>Senior Managers and GMs that are delegated by the Chief Executive or a DCE to hold Level 4 financial delegated powers.</li> </ul>
5-Bu Holder	<ul style="list-style-type: none"> <li>All other budget holders that are delegated by the Chief Executive or a DCE to hold Level 5 financial delegated powers.</li> </ul>
9-Other	<ul style="list-style-type: none"> <li>All Ministry staff without a financial delegation, including those staff that are Credit Cards holders, that have a specified credit limit.</li> </ul>

## Notes

<p>a. Abbreviations used in the table above:</p> <ul style="list-style-type: none"> <li>CE Chief Executive</li> <li>DCE Deputy Chief Executive</li> <li>GGM Group General Manager</li> <li>GM General Manager</li> <li>Snr Mgr Senior Manager</li> <li>Bu Holder Budget Holder</li> </ul>
<p>b. The positions listed at each level in the table above are authorised to approve expenditure in accordance with the Financial Delegation Tables and related Notes.</p>
<p>c. Authority to exercise a Budget Manager's delegated powers also rests with any managers higher in the relevant reporting structure than that Budget Manager, subject to the higher manager informing that Budget Manager of expenditure they have authorised against that Budget Manager's cost centre. Unique delegations exist, these are detailed in the Financial Delegations table and Notes to Finance Delegations sections of this document.</p>
<p>d. All levels can only subdelegate further if granted that sub-delegation power by the CE or DCE in accordance with the table above.</p>
<p>e. The historic Delegations Register has been replaced with the delegation level embedded in the Oracle FMIS system (Weka) that applies to each Budget Manager.</p>

# Financial delegation tables

**MSD delegations to levels** – refer to the indicated notes below the table for details.

Out of scope

All amounts are GST exclusive

Note	MSD delegations to levels	1-CE <sup>2</sup>	2-DCE +	3-GGM +	4-Snr Mgr	5-Bu Holder	9-Other
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Out of scope

Released under the Official Information Act (1982)

Out of scope

<b>L</b>	Payments of salary, allowances, and termination costs	Budget	Budget	Budget	Budget	Budget	Nil
<b>M</b>	Ex gratia payments subject to approval process	\$30,000 <sup>2</sup>	Nil	Nil	Nil	Nil	Nil

Out of scope

All the delegations listed in the tables above and below are subject to the indicated Notes below and to the requirements set out in the sections above and in the Delegations Policy.

The dollar values listed in these tables are whole-of-life and are to be read as “up to and including” the stated value unless otherwise specified in the related Note. “Budget” means “up to and including” the approved budget.

<sup>2</sup> Authority for the Chief Executive is in line with the Public Finance Act 1989, Treasury Instructions, Cabinet Office circulars (where applicable). The Chief Executive can exercise any of their powers in these instruments.

Released under the Official Information Act (1982)

**MSD delegations to specific roles** – refer to the indicated notes below the table for details

**All amounts are GST exclusive**

Note	MSD delegations to specific roles	Role/s	Delegation
<b>M</b>	Ex gratia payments subject to approval process	Director Office of the Chief Executive	\$30,000
<b>Q</b>	Compensation or damages in settlement of claims endorsed by Crown Law or judgements of the Court	Director Office of the Chief Executive,	\$150,000

Out of scope

Out of scope

All the delegations listed in the tables above and below are subject to the indicated Notes below and to the requirements set out in the sections above and in the Delegations Policy.

The dollar values listed in these tables are whole-of-life and are to be read as “up to and including” the stated value unless otherwise specified in the related Note. “Budget” means “up to and including” the approved budget.





Out of scope

**L Payments of salary, allowances, and termination costs**

Payments are to be charged to the relevant budget manager's budget, where authority to make the payment has been given by the manager of the employee concerned, and the payment amount has been calculated by Human Resources.

Also refer to the Human Resource Delegations Document.

**M Ex gratia payments**

Ex gratia payments are made without the giver recognising any liability or legal obligation; the payment is made out of goodwill or a sense of moral obligation.

Refer to paragraph 70 of *Cabinet Office Circular CO (18) 2*. This delegation resides with the Chief Executive unless specifically sub-delegated by the Chief Executive.

Staff payments must be certified and endorsed by the Chief Legal Advisor and the DCE People & Capability (For Whaikaha this is the DCE People and Culture) before being forwarded to the Chief Executive for approval.

Payments to external parties such as clients must be certified and endorsed by the Chief Legal Advisor and the applicable DCE before being forwarded to the Chief Executive for approval.

Out of scope

**Q Compensation or damages in settlement of claims**

Claims under \$75,000 should be certified by the department's Chief Legal Advisor as being in order or should otherwise be endorsed by the Crown Law Office – refer to paragraph 70 of *Cabinet Office Circular CO (18) 2*.

Other expenses for compensation or damages in settlement of claims should be endorsed by the Crown Law Office or a court judgment.

“historic claims” refers to claims relating to acts or omissions while in state care for the period up to 01 April 2017.

“SSAA” refers to the Social Security Appeal Authority and relates to the payment of advocates costs. Payment must be made in accordance with approved Ministry policy.

Out of scope

















**APPENDIX C: Links to related technical documents**

The following related technical documents should be referred to in conjunction with, or in support of, this Schedule of Delegated Financial Authorities:

<b>Links to related technical documents</b>
<i>Public Finance Act 1989</i>
<i>Cabinet Office Circular CO (18) 2</i>
<i>Cabinet Office Circular CO (23) 9</i>
<i>Public Finance (Departmental Guarantees and Indemnities) Regulations 2007</i>
<i>Government Procurement Rules</i>
<i>The Management of Crown and Departmental Foreign Exchange Exposure</i>
<i>Guidelines for Government Advertising</i>

Released under the Official Information Act (1982)

## APPENDIX D: Definitions of delegation categories

The following definitions apply to the delegation categories used in this Schedule of Delegated Financial Authorities:

Ref	Delegations categories and their definitions
Out of scope	

Released under the Official Information Act (1982)

Out of scope	
<b>L</b>	<b>Payments of salary, allowances, and termination costs</b>
	Any payment to be made to an MSD staff member relating to their employment contract.
<b>M</b>	<b>Ex gratia payments subject to approval process</b>
	Ex gratia payments are made without the giver recognising any liability or legal obligation; the payment is made out of goodwill or a sense of moral obligation.



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