

OIA Ref: 2024-005

[REDACTED]
[REDACTED]

15 March 2024

Tēnā koe [REDACTED]

Thank you for your request of 17 February 2024 seeking information under the Official Information Act 1982 (the Act).

In your email, I note that you indicated that you have received claims about bias within the recruitment processes at the Commission. In order to address those assertions, we would be happy to look into and discuss any specific circumstances with you, or the individuals concerned, and we invite you to contact us directly. You can do this by email to oia@climatecommission.govt.nz, in the first instance.

In terms of the information you have asked for, we have addressed each part of your request below:

- (1) A copy of all current policies the Commission has that give effect to its following recruitment statement: "We recognise the importance of te ao Māori. We uphold the treaty partnership by ensuring our work reflects Māori views and Te Tiriti o Waitangi The Treaty of Waitangi."*

We understand that your request refers to the information about the Commission that is provided as part of the public advertisements for upcoming roles. The statement you refer to references the Commission's work, and obligations within that work, as set out in the Climate Change Response Act 2002. There are no specific policies relating to this statement. I am therefore unable to provide you with this information, as it does not exist. This decision is made under [section 18\(e\) of the Act](#).

I note that your request relates to *how* the Commission conducts its recruitment processes, so I am able to provide you with some information relating to this. To this end, please find attached relevant excerpts from the Commission's current Diversity & Inclusion and Recruitment Policies (and Guidance for Managers) at Annex One. You will note that we have provided excerpts, as we consider that the full policies and guidance are not within the scope of your request.

Please note that these policies are under review at the time of writing this response.

In this context, the Commission in its recruitment procedures, creates a positive experience for candidates by employing robust, fair, honest and impartial processes. This enables us to recruit diverse, high calibre candidates with the right capabilities and competencies who contribute positively to our vision, uphold our values and deliver results.

- (2) *Does the Commission have staff who have a high level of Māori capabilities particularly in the area of te ao Māori and Te Tiriti o Waitangi*

The Commission has staff who have a high level of Māori capabilities as well as staff who have broader experience and skill sets in the area of te ao Māori and knowledge of Te Tiriti o Waitangi.

- (3) *If the Commission does not use its Māori capabilities staff to support its decisions in shortlisting applicants for positions, where does it source this advice or support from?*

As per the Commission's Recruitment Policy and Guidance for Managers, the requirements and competencies of any given role influence the composition of a recruiting panel and any decision to undertake wider consultation in the Commission. As with all specialisms, should a role have a specific focus on te ao Māori or Te Tiriti o Waitangi, then we would bring that relevant knowledge into the recruitment process.

- (4) *Do all applicants shortlisted for the four positions mentioned below, have proven Māori capabilities? For example, for the communications positions they are required to have knowledge about the principles of Te Tiriti o Waitangi /Treaty of Waitangi and Te Ao Māori. For the procurement position, they are required to have an understanding of the principles of the Treaty of Waitangi and Te Ao Māori.*

Your request refers to four positions that were advertised by the Commission at the time of writing. These positions are at various stages of the recruitment process.

Shortlisting of candidates is based on an assessment of their application documentation and the advertised competencies, specific to the role. Decisions to proceed with an application are made on the basis of the documentation provided by an applicant. At the short-listing stage, we would trust in an applicant's honesty and integrity that they have the skills and experience they describe in their application material.

- (5) *The percentage of staff who've identified as being of Māori descent who work in the following teams at the Commission: Communications (X%), procurement (X%) and governance (X%).*

When staff are employed, they are able to voluntarily provide ethnicity information in their onboarding documentation. As this is not a requirement, information held by the Commission on the ethnicity of staff may not accurately reflect true percentages.

Further, the teams referred to in this part of your request are small, with some consisting of only one person. Providing any percentage information on a per-team basis could potentially identify individuals.

As such, we are withholding the information you have requested in this part of your request as there is a need to protect the privacy of natural persons. This decision is made under [section 9\(2\)\(a\) of the Act](#). In making this decision, we have considered the public interest in the information and have decided that it does not outweigh the need to protect the privacy of Commission staff.

6. *The numbers required to answer the questions in the following table below:*

As noted in response to question 4 above, the information provided in the table is in reference to positions advertised by the Commission at the time of receipt of your request.

It is important to note, that there is no requirement for applicants to provide ethnicity information in their cover letter or CV. Applicants may choose to volunteer this information and, as such, the numbers below reflect that position.

Position title	Total number of applicants who applied for this position	Number of applicants who applied for this position, who identified as being of Māori descent in their cover letter or CV	Total number of applicants who were shortlisted for this position	Number of applicants who were shortlisted for this position, who identified as being of Māori descent in their cover letter or CV
Senior Advisor, Procurement and Contracts	21	0	No shortlist as yet	N/A
Manager, Communications and Engagement	56	3	3	0
Principal Advisor, Communications and Engagement	77	3	5	0
Principal Advisor, Governance	17	2	No shortlist as yet	N/A

You have the right to seek an investigation and review of this response by the Office of the Ombudsman, in accordance with section 28(3) of the Act. Contact details for the Ombudsman can be found on their website at: www.ombudsman.parliament.nz

Please note that the Commission proactively releases its responses to requests made under the Act. This is to help ensure others can also have access to this information. As such, this letter will shortly be published on our website with your name and contact details redacted to protect your privacy.

Ngā mihi



Astrid Nunns
General Manager, Strategy, Engagement and Corporate Services

Annex One

Relevant excerpts from Recruitment Policy/guidance

1. Recruitment Policy

Guiding principles for recruitment include:

- We are fair, honest and impartial. Our recruitment process and decisions are professional and objective.
- We encourage an open and inclusive process when recruiting and our recruitment process is procedurally consistent, transparent and well documented. We adhere to all our lawful obligations and abide by relevant legislation such as the State Sector Act 1988. (Now the [Public Service Act 2020](#))
- Our recruitment process and selection decisions must provide for equal opportunities and must not discriminate (either directly or indirectly) or appear to discriminate (Section 21 Human Rights Act 1993).
- Diversity is valued. We acknowledge the strength of a diverse workforce and embrace difference within our views, ethnicities, beliefs, gender or other factors that make us and others unique. We recruit for commonality of values but acknowledge that a smart organisation is a diverse one. We recognise the potential impact of unconscious bias on our people practices and act proactively to mitigate against it.
- We act on opportunities to promote ourselves in the employment market and when we recruit, we are ambassadors for the Commission, and we look to build our reputation for professionalism and respect. We keep our promises, communicating and following up when we say we will – every time.
- The privacy of all candidates who express an interest in a vacancy and/or progress through the recruitment process is protected. We treat candidates with respect, confidentiality and integrity.
- We recruit high calibre candidates with the right capabilities and competencies who can contribute positively to our vision, uphold our values and who can help us deliver results.
- A positive experience for all candidates throughout the recruitment process is vital to our ongoing ability to attract talented candidates. It is the hiring manager's responsibility to ensure candidates are treated fairly, with respect and care and receive clear, accurate and timely information throughout the recruitment process.

2. Recruitment process guidelines for managers

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Advertising

All permanent vacancies and fixed-term vacancies that are for more than 6 months must be advertised (except in exceptional circumstances as determined by the Chief Executive). The advertising requirement also applies to fixed-term positions that are being made permanent.

The obligation to notify vacancies needs to be sufficient to ensure that suitably qualified persons are enabled to apply (Section 61 State Services Act 1988) (*now the Public Service Act*). For each vacancy, the Chief Executive will consider whether advertising both internally and externally is appropriate.

CASS will provide guidance on the most appropriate online sourcing channels to ensure the advert reaches a wide and diverse audience.

For NZ vacancies, where the vacancies are advertised is very important to improve representation of Māori and Pasifika, some suggestions for job vacancy include:

- [Mahi.co.nz](#) - A Māori-focused employment opportunities website.
- [Mana Recruitment](#) - An agency specialising in Māori and Pacific employment.
- [Māori and Pacific Jobs](#) - A jobs board that lists vacancies with a Māori or Pacific focus.
- [Job Café](#) - Job marketing to Māori & Pasifika network

- The Kumara Vine website www.kumaravine.com/mahi, social media accounts and newsletters.

For entry level positions, the Māori and Pasifika employability/careers centre at different universities, for example: <https://www.auckland.ac.nz/en/study/student-support/career-development-and-employability-services/maori-pasifika-employability-programme.html> All candidate enquiries that relate to the specifics about the role and nature of the work will be directed to the hiring manager.

The merits of using a recruitment agency are assessed when formulating a recruitment strategy. Hiring managers should not use recruitment agencies without first talking to the Chief Executive and CASS.

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Selection

The hiring manager must ensure the selection process is structured, consistent, and transparent, to give all candidates an equal opportunity to demonstrate their suitability for a position.

At a minimum, the selection process must involve:

- A short-listing process of applications received via SnapHire.
- An interview.
- Pre-employment checks.
- Confirmation of valid responses to the compulsory questions at application stage
- Pre/at interview pre-employment checks:
 - Health & wellbeing and conflict of interest confirmation
 - Identity verification (as per the DIA standards for evidence of identity)
 - Confirmation of citizenship
 - Confirmation of the right to work in New Zealand (and for the Commission)
- Post interview pre-employment checks:
 - Confirmation of employment history & reference checks
 - Qualifications checks (if required for the role)
- Pre-employment vetting (carried out by the Commission's Facilities team):
 - Declaration of confidentiality
 - Security clearance
 - Ministry of Justice Check
 - Credit check

The hiring manager may use additional methods to support the selection process such as:

- Phone screening.
- Informal pre-interview catch-ups.
- Second interview.
- A presentation, written exercise or scenario as part of the interview.
- Assessment centres.
- Psychometric assessment and/or skills-based testing

Use of the panel

The hiring manager establishes and is supported by panel members who fully contribute to the recruitment process including shortlisting, assessment and appointment decisions. The hiring manager must ensure the panel follows due process.

Careful consideration must be given to the composition of the panel as this helps to ensure the process is fair, transparent and mitigates against bias. The composition of a panel depends not just upon availability but capability as well.

The panel must:

- Be neutral (i.e. the candidates should not be known to the panel members in a personal capacity and/or there must not be any conflict of interest).
- Comprise of two to four panel members (as deemed appropriate by the panel chair) who are at a level above the vacancy (i.e. peers do not interview peers). In some circumstances, a minimum of two people may be appropriate whereas for more senior/critical roles a four-person panel should

be formed. This would only be appropriate if it is a Tier 2 role and the Board or an external want to include a representative.

- Be the same and consistent throughout the process wherever possible.
- Have Māori representation for vacancies with a Māori focus.
- Have mixed representation of gender.
- The panel may include an external representative from outside the Commission if it would be considerably beneficial to the selection process e.g. a member of another public sector agency if they are a key stakeholder or have knowledge of the expertise required for the role.

Shortlisting and interviews

The hiring manager is responsible for working with panel members to shortlist candidates either via SnapHire and/or by having a shortlisting meeting.

Candidates selected for interview must receive their interview confirmation email via SnapHire. An email prompts the candidate to complete pre-employment information regarding their health and wellbeing and conflicts of interest. Candidates cannot be work-flowed further through SnapHire if this information is not completed. This information is stored in SnapHire and sent onto the hiring manager for review and, if required, discussed further with the candidate.

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3. Diversity and Inclusion Policy

The Commission is committed to valuing diversity and fostering a culture of inclusion because it impacts on our:

- Performance - a diverse workforce and an inclusive culture will ensure a range of perspectives are considered and improve the decisions we make. It will stimulate and encourage different work practices, enhance our effectiveness, productivity and adaptability, and allow us to achieve a greater contribution from more of our people. It will encourage us to challenge traditional approaches and beliefs that may be limiting the quality and effectiveness of our ideas, problem solving and solutions.
- Reputation & credibility – increasing the diversity of perspectives, experiences, skills and approaches in our work will result in a wider range of stakeholder engagement.
- Ability to be a good employer – a culture that fosters and values diversity and inclusion will mean more of our people feel valued and included, which will reduce absenteeism, increase retention, and help us attract a wider range of people. Our approach to diversity and inclusion goes beyond our statutory requirements to be a ‘good employer’, principally through its focus on diversity of thought to improve performance.

The Commission defines diversity and inclusion as:

Diversity:

The variety of differences and similarities among people, including thinking style, education, work experience, gender, race or ethnicity, tribal/indigenous origins, age, culture, generation, religion, language, nationality, disability, sexual orientation, work style, job role and function, and personality type

Inclusion:

How diversity is recognised, valued and leveraged to create a fair, healthy and high-performing organisation, an inclusive organisation is one where all individuals feel respected, engaged and motivated, can contribute to their fullest potential, and where their contributions toward meeting organisational goals are valued

Together, diversity and inclusion mean that in pursuit of achieving our goals, diversity is valued and sought after, and the potential of our diversity is brought to life through inclusive behaviour. From a capability perspective, it's the ability to encourage and harness difference for better solutions.

In practice this means the Commission promotes:

- Curiosity, and encourages diversity of thinking and perspectives and uses facilitation techniques and technologies to ensure open and safe environments for conversation are created.
- Selection processes that are equitable and support diversity, and interview panels have diverse membership.

All employees are encouraged to:

- Listen to understand what others are saying
- Ask questions to better understand other perspectives
- Treat one another with respect
- Use a variety of tools and resources to ensure we are considering and leveraging off others' perspectives