



28 May 2018

██████████ and ██████████  
Sunday Star-Times  
Via e-mail: ██████████ and ██████████

Dear ██████████ and ██████████

**Official Information Act request dated 10 May 2018**

I am writing in response to your Official Information Act request received on 10 May 2018 about sexual harassment in the public sector.

The answers you requested are on the following pages. We haven't used the online form as the variables didn't allow for some of our answers.

You have the right to seek an investigation and review of my response by the Ombudsman, whose address for contact purposes is:

The Ombudsman  
Office of the Ombudsman  
PO Box 10-152  
WELLINGTON 6143

Please note that we intend to publish our response to this request, with your personal information removed, on Superu's website.

Yours sincerely

Dr Malcolm Menzies  
**Chief Executive**



Question	Answer
<p>(1) Please tick the box that best describes your organisation.</p> <ul style="list-style-type: none"> <li>• Government ministry / department</li> <li>• Crown entity</li> <li>• Crown-owned company / SOE</li> <li>• District Health Board</li> <li>• Local authority</li> <li>• Regional council</li> <li>• School</li> <li>• Tertiary institution</li> <li>• Other:</li> </ul>	Crown entity
<p>(2) How many people does your organisation employ?</p>	4 (previously up to 40 – refer to question 22)
<p><b>Sexual harassment complaints/allegations</b></p> <p><i>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.</i></p>	
<p>(3) How many complaints or allegations of sexual harassment did your organisation receive in 2015 (Jan-Dec)?</p>	0
<p>(4) How many complaints or allegations of sexual harassment did your organisation receive in 2016 (Jan-Dec)?</p>	1
<p>(5) How many complaints or allegations of sexual harassment did your organisation receive in 2017 (Jan-Dec)?</p>	0
<p>(6) How many complaints or allegations of sexual harassment has your organisation received in 2018 (Jan-April)?</p>	0
<p>(7) Please tick the forums in which sexual harassment complaints or allegations have been made relating to your organisation (tick as many as applicable):</p> <ul style="list-style-type: none"> <li>• Complaint made to your organisation as employer</li> <li>• To your organisation as contracting organisation</li> <li>• To your organisation as operator of a workplace</li> <li>• Employment Relations Authority/Employment Court</li> <li>• Human Rights Commission</li> <li>• Human Rights Review Tribunal</li> <li>• MBIE Employment Mediation Service</li> <li>• NZ Police</li> <li>• Civil litigation</li> <li>• Overseas authorities</li> <li>• None</li> <li>• Other:</li> </ul>	Complaint made to our organisation as employer
<p>(8) 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.</p>	NA

## 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 suffered, or allegedly suffered, more than one instance of harassment.*

(9) 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?	1
(10) How many of those people are still working for you?	Withheld under Section 9 Clause 2(a)
(11) 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? <ul style="list-style-type: none"><li>• Male</li><li>• Female</li><li>• Transgender man</li><li>• Transgender woman</li><li>• Other</li></ul>	1 x female
(12) 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.	Section 9 Clause 2(a)
<b>Perpetrators/people subject of complaints</b>	
<i>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.</i>	
(13) 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?	1
(14) How many of those people are still working for you?	Withheld under Section 9 Clause 2(a)
(15) 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? <ul style="list-style-type: none"><li>• Male</li><li>• Female</li><li>• Transgender man</li><li>• Transgender woman</li><li>• Other</li></ul>	1 x male
(16) 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.	0
(17) 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.	Section 9 Clause 2(a)

## Outcomes of complaints or allegations

<p>(18) Please advise the numbers of complaints since 2015 resolved in the following manners (tick as few or as many as necessary):</p> <ul style="list-style-type: none"> <li>• Upheld by your organisation</li> <li>• Rejected by your organisation</li> <li>• Unresolved by your organisation</li> <li>• Referred to police, who decided to take matters no further</li> <li>• Referred to police, charges laid</li> <li>• Referred to police, alleged offender guilty in court</li> <li>• Referred to police, alleged offender acquitted</li> <li>• Referred to police, unresolved</li> <li>• Referred to Human Rights Commission, complaint upheld</li> <li>• Referred to Human Rights Commission, complaint dismissed</li> <li>• Escalated to Employment Relations Authority/Employment Court, resolved in the complainant's favour</li> <li>• Escalated to Employment Relations Authority/Employment Court, resolved in the respondent's favour</li> <li>• Referred to MBIE Employment Mediation Service, resolved in the complainant's favour</li> <li>• Referred to MBIE Employment Mediation Service, resolved in the respondent's favour</li> </ul>	<p>Resolved by our organisation (note that this isn't available as an option provided by [REDACTED])</p>
<p>(19) 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.</p>	<p>The allegation was made to a male manager in a meeting about other matters. The female staff member said she felt discomfort at the way a male staff member sometimes looked at her. The manager escalated it to a senior female manager. It was taken no further, either by the female staff member or the senior manager. We judged the issue to have been concluded by the complainant's actions and an insufficient basis for initiating independent action by the senior manager.</p>
<p>(20) Does your organisation have a sexual harassment policy?</p> <ul style="list-style-type: none"> <li>• Yes, we have a standalone sexual harassment policy.</li> <li>• Yes, we have one explicitly incorporated into another policy.</li> <li>• No</li> <li>• Other:</li> </ul>	<p>Yes, we have one explicitly incorporated into another policy</p>
<p>(21) 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.</p>	<p>NA</p>
<p>(22) Is there any other comment your organisation wishes to add?</p>	<p>We are being disestablished on 30 June 2018 so please contact us before then if you have more questions.</p>