

23 April 2024

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OIA 29286

Tēnā koe s9(2)(a)

I refer to your email of 4 April 2024 in which you request the following under the Official Information Act 1982 (OIA):

Please may I request the following information from the HR/People & Culture Group:

- *a copy of the Ministry's alternative dispute resolution (ADR) policies, guides and resources, and*
- *a description of what services (including ADR) Fair Way Resolution Ltd provided MFAT in the last couple of years (just a few sentences will be sufficient) ([Our work | Fair Way Resolution Limited](#))*

Regarding part one of your request, we have interpreted your request for alternative dispute resolution (ADR) policies, guides and resources to be for information relating to any methods of resolving disputes or conflicts between the parties that do not involve an employment investigation, litigation or attending Ministry of Business, Innovation and Employment (MBIE) mediation services. The Ministry of Foreign Affairs and Trade (the Ministry) does not hold such documentation. Therefore, this part of your request is refused under section 18(e) of the OIA, as the information does not exist. The Ministry's policy on Employment Relations Problems contains details of how employment relationship problems are addressed, and this policy is attached for your information.

Regarding part two of your request. Since October 2022, Fair Way Resolution Limited have provided the Ministry with the following services:

- Speak Up @ Fairway: A confidential external complaints process for staff to raise issues and complaints. Fair Way will listen to the staff member's concerns; discuss what actions or steps they can take; and share the complaint with the Ministry (with the staff member's permission).
- Kāpehu: One to one coaching on workplace issues to help staff navigate or avoid conflict. Staff are able to talk about challenges in the workplace; get guidance; and decide how to respond.
- Training for Confidential Advisers: Confidential Advisers support the Ministry's Speak Up Safely programme. Please note, Confidential Advisers do not offer a dispute resolution service, but instead offer signposting and/or guidance on the options available for raising a concern or issue about unacceptable behaviour.

Please note that it is our policy to proactively release our responses to official information requests where possible. Therefore, our response to your request (with your personal information removed) may be published on the Ministry website: www.mfat.govt.nz/en/about-us/contact-us/official-information-act-responses/

If you have any questions about this decision, you can contact us by email at: DM-ESD@mfat.govt.nz. You have the right to seek an investigation and review by the Ombudsman of this decision by contacting www.ombudsman.parliament.nz or freephone 0800 802 602.

Nāku noa, nā

Sarah Corbett
for Acting Secretary of Foreign Affairs and Trade