



17 April 2019



Reference: OIA-2018/19-0470

Dear 

**Official Information Act request relating to grievance compensation**

Thank you for your Official Information Act 1982 (the Act) request received on 6 March 2019. You requested:

*"-The total amount paid out in compensation, broken down by month, for the last five financial years.*

*-The reasons for the payments...*

*any money paid out to someone who has raised a grievance and/or has suffered hardship, could be internal ie. an employee who was wrongly dismissed or it could be a breach of someone's privacy (like a member of the public) and compensation has been paid out for the harm done.*

*I don't mean a person's general wages or salary"*

Where payments are made to staff who have had a grievance or dispute, those staff have entered into a mediated settlement with the Department (DPMC). The settlement agreements between DPMC and employees include provisions for confidentiality. That, together with the small number of settlement cases, means we are limited in the level of information we can provide. By way of example, we are unable to identify the month of settlement as that may result in identifying an individual. To the extent that the information exists therefore, it is withheld under section 9(2)(a) of the Act to protect the privacy of natural persons.

We have reviewed all mediated settlements for the past five years and all payments, other than wages or contractual entitlements are recorded in the attached table.

Year	Number of Cases	Payments <i>(excluding GST if any)</i>
2108/19 (to date)	3	\$11,596
2017/18	1	\$0
2016/17	3	\$10,105
2015/16	2	\$2,605
2014/15	0	\$0

I note that aside from the costs identified above, which were to meet the cost of employees' legal fees, career counselling, curriculum vitae advice, or a support person, DPMC did not make any payments to employees in addition to salary, wages or other contractual commitments.

The Department does not record information in its finance system in a way that would enable a complete response to your request. We don't have account codes that separately enable identification or assessment of ex-gratia payments (if any), and so without knowing who payments may have been made to, we are not be able to identify them in our financial records, Although we are not aware that any such payments have been made, your request for information, as it relates to potential payments to members of the public, is refused under section 18(e) of the Act, as it either does not exist or cannot, despite reasonable efforts to do so, be located.

You have the right to ask the Ombudsman to investigate and review my decision under section 28(3) of the Act.

This response will be published on the DPMC's website during our regular publication cycle. Typically, information is released monthly, or as otherwise determined. Your personal information including name and contact details will be removed for publication.

Yours sincerely



Clare Ward  
**Executive Director, Strategy Governance and Engagement Group**