



18 March 2024

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**Official Information Request**  
**Our Ref: OIA 2024-0048**

I refer to your official information request received on 8 March 2024 where you asked for a copy of the following documents:

- *The Code of Conduct*
- *An introduction to the Guidance Series ‘Public Service Principals, Conventions and Practice’*

You also noted you would be interested in any similar documents and documents in relation the Rule of Law in Public Service.

**Information being released**

Please find enclosed and outlined in the table below a copy of the Standards of Integrity and Conduct - code of conduct and an introduction to the Guidance Series ‘Public Service Principles, Conventions and Practice’. We have also provided a copy of He Aratohu – A guide for public servants on matters of integrity and conduct, which you might find helpful.

Item	Document Description	Decision
1	Standards of Integrity and Conduct – Code of Conduct	Released in full
2	An Introduction to the Guidance Series ‘Public Service Principles, Conventions and Practice	Released in full
3	He Aratohu – A guide for public servants on matters of integrity and conduct	Released in full

We have also performed a search of our system for documents relating to the Rule of Law in Public Service, however, we found no results that matched that search.

You may wish to contact the National Library or Archives NZ, who may hold further information that would be of interest to you. I have provided their contact information below:

- National Library - 0800 474 300
- Archives NZ - 04 499 5595

If you wish to discuss this decision with us, please feel free to contact [Ministerial.Services@publicservice.govt.nz](mailto:Ministerial.Services@publicservice.govt.nz).

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

Please note that we intend to publish this letter (with your personal details removed) and enclosed documents on the Te Kawa Mataaho Public Service Commission's website.

Yours sincerely



Nicky Dirks

**Manager – Ministerial and Executive Services  
Te Kawa Mataaho Public Service Commission**



# STANDARDS OF INTEGRITY & CONDUCT

A code of conduct issued by the State Services Commissioner under the State Sector Act 1988, section 57



## WE MUST BE FAIR, IMPARTIAL, RESPONSIBLE & TRUSTWORTHY

The State Services is made up of many organisations with powers to carry out the work of New Zealand's democratically elected governments.

Whether we work in a department or in a Crown entity, we must act with a spirit of service to the community and meet the same high standards of integrity and conduct in everything we do.

We must comply with the standards of integrity and conduct set out in this code. As part of complying with this code, our organisations must maintain policies and procedures that are consistent with it.

For further information see [www.ssc.govt.nz/code](http://www.ssc.govt.nz/code)



### FAIR

We must:

- treat everyone fairly and with respect
- be professional and responsive
- work to make government services accessible and effective
- strive to make a difference to the well-being of New Zealand and all its people.

### IMPARTIAL

We must:

- maintain the political neutrality required to enable us to work with current and future governments
- carry out the functions of our organisation, unaffected by our personal beliefs
- support our organisation to provide robust and unbiased advice
- respect the authority of the government of the day.

### RESPONSIBLE

We must:

- act lawfully and objectively
- use our organisation's resources carefully and only for intended purposes
- treat information with care and use it only for proper purposes
- work to improve the performance and efficiency of our organisation.

### TRUSTWORTHY

We must:

- be honest
- work to the best of our abilities
- ensure our actions are not affected by our personal interests or relationships
- never misuse our position for personal gain
- decline gifts or benefits that place us under any obligation or perceived influence
- avoid any activities, work or non-work, that may harm the reputation of our organisation or of the State Services.



***An Introduction***

***to the***

***Guidance Series***

***'Public Service***

***Principles, Conventions***

***and Practice'***



STATE SERVICES  
COMMISSION  
Te Komihana  
O Nga Tari Kawanatanga

*The guidance series  
contains the following  
papers:*

*The Constitutional Setting*

*The Public Service and  
Parliament*

*The Public Service and  
Government*

*The Public Service and the  
Law*

*The Public Service and the  
Public*

*The Public Service and the  
Treaty of Waitangi*

*The Public Service and  
Official Information*

*The Public Service  
Employer*

*The Senior Public Servant*

*Standing Orders Relevant  
to Public Servants*



*First published in September 1995  
by the State Services Commission, Wellington, New Zealand.*

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*“All reformers believe that the things which they change are going to improve,...but they also assume that the things they do not intend to change are going to remain as they were. That does not necessarily follow...”*

Lord Callaghan<sup>1</sup>

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<sup>1</sup> From a submission to the Treasury and Civil Service Committee, on the *Role of the Civil Service* (May, 1993) Q.588.

## *Message to Public Servants*

It is fitting that the Principles, Conventions and Practice Guidance Series should be published at this time. The New Zealand Public Service has changed in many ways over the past decade and, with the advent of a new electoral process, we can expect further change in matters of governance, public management, and relationships between the various parts of Executive Government and those who serve the Crown, and the public. We need to be reminded of the basis of our democratic system of governance and the shared values that support responsible government, lest we diminish a clear understanding of its purpose, or impair the trust and confidence of those to whom we are accountable. The integrity of those who work in the Public Service, and the institutions of government, is crucial to sustaining effective government.

The information and guidance contained in the various papers derive from constitutional and political foundations and principles that have stood the test of time, and, I have no doubt, will provide a sound basis for good government, and right conduct, well into the future.

I commend this publication to all of you.

A handwritten signature in black ink, appearing to read 'Paul East', followed by a period.

Hon Paul East

Minister of State Services

## ***Acknowledgements***

The Principles, Conventions and Practice project, and the publication of the guidance material would not have been possible without the support, encouragement, contribution, and dedication of many people both within and outside the Public Service. I am indebted to members of my Mentor Group, the writers of the various papers, chief executives and staff in government departments, all those who agreed to evaluate, edit, and review the material, and to staff at the State Service Commission for their time, effort, and expertise. In particular, I would like to acknowledge and thank the following persons: Gillian Cameron; Jim Cameron; Len Cook; Sir Alan Danks; Judge Eddie Durie; Sir Brian Ellwood; Pamela Fellows; Joan Fleming; Ellen France; Wira Gardiner; Colin Hicks; Richard Hill; Michael Hobby; Dr Murray Horn; Sir Kenneth Keith; Judge Shonagh Kenderdine; Jennifer Lake; Marilyn Little; Bill Mansfield; Amelia Manson; John Martin; David McGee; John McGrath; Jas McKenzie; Donella Moss; Simon Murdoch; David Oughton; Sue Richards; Sir John Robertson; John Roseveare; Chris Ryan; Dr Graham Scott; Kerry Scott; Marie Shroff; Graham Vaughan-Jones; and Kim Workman.

## **Preface**

When the State Services Commission issued the Public Service Code of Conduct in 1990 it was recognised that this important publication of minimum standards was not enough on its own. The Code discharged an obligation in terms of the State Sector Act 1988, section 57, and represented an important step to increase the sensitivity of employees to the observance of right conduct and to “encourage the pursuit of the ideal which gives the Public Service its greatest strength – a “spirit of service” to the community.”

What the Code did not do, and was not intended to do, was provide a detailed reference to, or comprehensive basis for, understanding the rationale behind the minimum standards it prescribed. The principles, conventions and practice that had guided the conduct of officials and departments were, after all, woven into the fabric, and the ethos, of the Public Service over generations rather than contained in a consolidated and easily accessible form.

In 1991 the State Services Commission sponsored the publication *Public Service and the Public Servant: Administrative Practice in a Time of Change*. These essays, which provide a rich source of information and comment, explored the emergent relationships, roles, and practice within the new public management system, and contributed valuable insights and reflections on the duties and responsibilities of public servants in a changing world. The publication “highlighted a need to reconsider, and, where appropriate, to re-affirm the validity of what were previously thought to be the constants governing the behaviour both of public servants and those with whom they interact in their duties”.

The development and publication of the Principles, Conventions and Practice Guidance Series is a further, significant step to articulate and promote those constants. For the first time the New Zealand Public Service has provided senior officials with guidance material that is not only a useful point of reference in their daily work, but is also a product of widespread consultation and contributions, particularly from chief executives, and senior Public Service managers. It represents the culmination of a considerable effort over a period of more than five years by many individuals and organisations.

Being an effective and efficient senior manager in the reformed Public Service is not easy. How a manager discharges his or her responsibilities, uses authority, or exercises decision making powers is under regular scrutiny. The business of government is now more complex and demanding than ever before, and the expectations of the public, and the requirements of the frameworks, both legal and administrative within which the manager operates, are increasing. In these circumstances instinct and intuition are not sufficient; the need for explicit guidance in matters of Public Service ethics becomes more pronounced.

The papers in this guidance series are not the final word on Public Service principles, conventions and practice, and will need to be reviewed and revised from time to time in the light of discussion, experience, and change. I expect that the contents will also need to be broadened to include issues and subject matter not fully covered in this edition, such as those likely to arise from proportional representation, which is likely to bring with it new challenges and opportunities for those who work in the service of the public.

This is your reference: it is up to you to ensure its continuance as a living document.



**DK Hunn**  
**State Services Commissioner**



*The aim of the guidance material is twofold: to inform senior Public Service managers, and to encourage leadership in the Public Service that will promote ethical conduct throughout departments and thereby sustain public trust in the Public Service.*

***T******he New Zealand Public Service has been subjected to and imposed upon itself extensive change in recent years, and more change may be anticipated. In a cultural sense there has been a significant shift from the values and beliefs of a bureaucratic administration to those of a new public management; from a pre-occupation with inputs to a focus on achievements; and from compliance-based systems toward enhanced and transparent responsibility and accountability.***

New systems and methods have been imported or developed, and new techniques introduced. In addition, there have been many changes of personnel. The transformations, both in breadth and depth, have been effected with relative speed. Time for considered reflection has been at a premium. As new techniques, systems, and competencies have been introduced into public administration attention needs to be given to those ethical values which should endure and characterise public service, and from which Public Service principles, conventions and practice stem. In a time of change the underlying values and responsibilities of public service need to be re-stated, affirmed, and invigorated. It cannot be assumed that they will remain alive as a matter of course. This guidance material represents a stage in the quest to assist senior Public Service managers to foster and develop a capacity to think beyond the technology of administration toward its effects upon the general public – from utility to ethics; from process to purpose.

The decision to produce guidance material for senior managers in the New Zealand Public Service arose from the belief, held widely by practitioners and observers, that fresh “signposts” to good practice, and ethical conduct, needed to be erected. That is not to deny that such pointers exist. Rather, it came from a recognition that the Public Service is in a state of change: the modern public servant is not necessarily a career officer; the nature of the relationship of the Public Service with politicians is not constant; public servants have more autonomy and visibility; the introduction of proportional representation will add a new and challenging dimension; there is more transparency and openness in government than ever before; there is broader participation in decision making; and there is an enhanced accent on the policy role of officials. There is a danger of the dynamics of change out-stripping the effectiveness of the transmission of culture. It is now asserted that acculturation needs to be more explicit and deliberate if common values and standards are to be communicated effectively.

The *Public Service Code of Conduct* published in 1990, was not intended to be more than an introduction to the standards of behaviour required of public servants. The core principles of conduct enunciated in the *Code* are minimum requirements. This compendium of guidance material has been designed to move the focus from the minima to the desirable; from working within the rules to doing what is right. The guidance material is not meant to be a substitute for a code of ethics, nor a professional code for Public Service managers, but it contains all the ingredients. Nor was it intended that it should be a set of prescriptive rules. Rather, it has been developed on a wide, consultative basis to capture the collective and institutional wisdom of many people with differing views about public service roles and relationships.

The reader is asked to consider the collection of papers as a useful reference – a resource that can assist decision making in a variety of circumstances, encourage further reading, and be a spur to serious discussion. The papers are not the last word on the principles and standards of right conduct in the administrative sphere of government. They will need revision and amendment from time to time. But, as they stand, they supplement and enlarge upon the subject matter of the *Cabinet Office Manual* and help to consolidate statements and communications from the State Services Commission and other agencies of executive government. They also commit to paper, in some cases for the first time, many tried and true practices that have hitherto been taken for granted.

*“Nothing is more dangerous to the well-being of the body politic than a public official who is technologically competent or strategically astute but ethically illiterate or unfit.”*

Noel Preston<sup>2</sup>

Public servants are not immune from the corrupting influence of power, nor the effect that the heady environment of daily contact with those in power can have on personal judgment and the observance of, or adherence to, Public Service principles, conventions and practice. Familiarity can breed not so much a contempt, but a benign disregard for right and proper ways of conducting oneself. The stimulus of being at the centre of activity, or having even a bounded autonomy, can affect discernment and objectivity. There is a constant need to guard against the use of power other than for the good of the public.

Being dedicated unreservedly to duty, in an objective and non-partisan manner, characterises the “good” public servant. The job also requires an understanding of the full import of the truism that *public office is a public trust*. Keeping a professional objectivity, and being seen to do so, is essential to generating such trust.

<sup>2</sup> Quoted from *Ethics for the Public Sector: Education and Training*, The Federation Press, NSW (1994), Noel Preston (editor).

The term *public servant* has come to mean broadly all those who hold public office, whether elected or appointed. More specifically, a public servant in New Zealand is defined as any person employed in the Public Service. That is, employed in one of the organisations listed in the First Schedule of the State Sector Act 1988. Such a definition is restrictive. Members of the public do not make nice distinctions between those who work in the Public Service and those who work in the wider State sector. In effect, all those paid from the public purse in one form or another are public servants, or trustees of the people.

The term *civil service* was coined (1785) to describe those parts of the East India Company carried on by the covenanted servants who did not belong to either the army or the navy in India. Later, the term was borrowed more widely to mean all the non-warlike institutions of government, or the body of servants of the State employed in the services of the Crown. In New Zealand it was not until the turn of the century that the term *public servant* was preferred to *civil servant* probably as much to signal an independence from the colonial past as for any other reason.

In both cases, however, employees are in the service of the Crown. The way this operates in our constitution means serving the government of the day through a Minister of the Crown. In carrying out this prime responsibility of serving the aims and objectives of the Minister, and the government of the day, public employees must do so in a manner that upholds the rule of law, and preserves or retains sufficient independence, impartiality, character, ability, professionalism, and experience to gain the confidence of successive administrations. Given its continuing position as an apolitical institution, the Public Service thus contributes to the stability and continuity of democratic government.

*No action, whether foul or fair  
Is ever done, but it leaves  
somewhere  
A record, written by fingers  
ghostly,  
As a blessing or a curse,  
and mostly  
In the greater weakness or  
greater strength  
Of the acts which follow it.*

Public servants, in whatever they do, ought to be mindful that at some stage they may have to account for their actions or inactions in a public way, and that their “authority and opportunities . . . must be used as absolutely as the public moneys for the public benefit.”<sup>3</sup> More than ever before the public official’s actions are subject to, and subjected to, public scrutiny. Conduct ought to be guided by the test of how you might feel if your behaviour was reported in the news media.

It is well to remember some of the virtues of public office, and those of the Public Service in particular, that may enhance one’s position and reflect well on one’s department - humility, modesty, respect, courtesy, and integrity. Without an ample display of these qualities the art and value of public service may be eroded.

Longfellow,  
*The Golden Legend Pt.ii*

3 Eaton, Dorman B (1823-1899) *The Spoils System and Civil-Service Reform*.

*“For the administration of the government, like the office of a trustee, must be conducted for the benefit of those entrusted to one’s care, not of those to whom it is entrusted.”*

Fox, Charles James –  
Speech 1788

Any system of liberal, democratic government is finely balanced among competing interests. The essence for elected representatives is to reflect the will of the people and provide leadership and direction. Public administration is the business of supporting Ministers by providing the information, advice, continuity, and institutional means for making the affairs of government work constructively so that effect can be given, through the democratic systems and processes, to the will of the people. It is about the provision of a dependable resource to translate words into deeds, and thoughts into action, for and on behalf of the government and the people it represents.

Guardianship and stewardship are central to the role of the public servant. For public servants being a guardian is to recognise a responsibility to protect, preserve, and safeguard the integrity of the institutions of democratic government in the *public interest*. No public servant can claim to be an ultimate authority on what constitutes the public interest - that is the prerogative of elected representatives (subject to the will of the people), and institutions of government such as the courts to determine. But a public servant is often confronted with the need to interpret and appreciate what may, from time to time, comprise the public interest.

Stewardship, in the context of public service, is about entrustment; of taking responsibility for the time being to manage and use public resources for the purposes intended, and to be vigilant about, and promote, the constitutional, administrative and political principles and conventions that support representative and democratic government. The proper observance of the guardianship and stewardship roles reinforces and enhances the duty of the official to the government of the day, and gives expression to the public interest.

*“The administration of democratic government is special. It is not like anything else. It has, and will continue to generate its own language, its own procedures, its own constitutional methods, and its own constraints. And, it will continue to rely on its own principles, conventions, and practices and on the development of its own professional and ethical standards.”*

The characteristics that make democratic government unique are shaped by its function as a crucial link in the system of governance; the inescapable, political context of the role of the public official, and the trust reposed in those holding public office, whether elected or appointed.

To make it work well democratic government needs to be expressed through a system based on principle, law, convention, and equity. There are no absolute formulae for the structure, organisation and management of government. In the absence of explicit guidance or procedural rules for the conduct of public business, the “ethics” of public service assume a critical importance.

As the form of governance is subject to change, its ethical values may not be passed on from one generation to the next unless they are taught, and learned, deliberately. The language of public service “ethics” needs to be

4 Ovenden Keith (1988) *Recent Developments in the Light of Democratic Theory: Constitutional Changes: Intended and Unintended*, Social Science Research Fund Committee, Wellington.

given currency in order to contribute best to the maintenance of a trustworthy, non- corruptible, and apolitical Public Service. The papers in this collection are designed to contribute to that end.

A Public Service organisation differs from most other institutions to the extent that upon its integrity and performance public confidence in governments may rest. It is special because Public Service officials are entrusted with managing public funds and resources, and may act as defenders of constitutionality and probity in governance.

As its own vision statement puts it, the New Zealand Public Service “exists to advise the government and implement government’s policies and decisions to the highest possible standards of quality and with the utmost integrity in accordance with the principles of law and democracy thereby enhancing the well-being and prosperity of all New Zealanders.”<sup>5</sup>

*“The ethical responsibilities of public officials are the ethics of accountability . . . accounting for the public-interest impacts of the powers entrusted in them.”*

John Uhr

All public officials, whether elected or appointed, are, in a general sense, trustees of the public. Ministers are accountable to Parliament for the conduct of departments, and through the democratic channels to the public for the policies of the Government. Public servants are accountable in a formal sense through Ministers of the Crown, but this does not mean that public servants will be required to account for their stewardship only through their Minister. For instance, the decisions of chief executives are subject to judicial review, and to the constraints of common law. All their decisions, therefore, need to be informed by an appreciation of public accountability in all its forms.

Because the accountability of public servants is both vertical or hierarchical (to the Minister through the chief executive) and horizontal or democratic (broadly to the public, and through other government institutions like the courts) the concept of the public interest is pivotal to an understanding of what public service accountability is all about.

The notion of public interest goes to the heart of public service ethics. It is the substance for which Public Service officials are responsible, and persists beyond the terms of individual administrations. In that respect, it is unethical for the public employee to be indifferent to the public interest. That is part of being a professional public servant. It means that in everything that a public servant does in the course of their prime duty to the government of the day through a Minister of the Crown, he or she will be guided by a disinterested concern for, and appreciation of, the public good. For a public servant, in the New Zealand context, any interpretation of what constitutes the public good must take account of the aspirations of Maori, and the principles of the Treaty of Waitangi.

<sup>5</sup> See page 8, New Zealand Public Service Vision Statement *Striving for Excellence in Serving NZ* (1993), endorsed by Cabinet (9/12/92).



The term public interest is capable of a variety of meanings. In statute law the term appears frequently, without explanation or clarification; that is left for judicial interpretation in the context of particular cases or instances. In the absence of a single definition there will always be debate and discussion about the weight that should be given to the duty of the public employee to the public interest. There is no formula for determining the issue. What is clear is that the sources of ethics for those who are employed in the Public Service derive from:

- the law
- constitutional and political conventions
- public trust
- the standards of their profession, both Public Service and otherwise
- their employment relationship.

Understanding those derivations, and using that knowledge to inform decision making, provides important clues to the responsibilities of public servants and the nature of their accountability in the wider public interest.

*The various papers underscore the primacy of duty for the individual public servant to his or her employer, that is, to the Crown as represented by the government of the day and in turn by a Minister or Ministers of the Crown.*

At the same time one has to be constantly aware of the checks and balances of the system. These include effective auditing procedures, freedom of information legislation, public participation and consultation in the processes of government, public duty and disclosure requirements, and administrative law and the possibility of judicial reviews. All are designed to acknowledge the importance of the public's interest and participation in the business of government.

The concept of fiduciary trust underscores the importance of the public interest. A fiduciary or trusteeship duty exists with respect to the management of public resources. The public are right to expect that those who discharge public duties will safeguard their interests responsibly.

As New Zealand's systems of government change, and responsible government and power sharing evolve, interpretations of the role and conventions for the public employee will need to adjust accordingly. The promulgation of this guidance material is not intended to fetter or inhibit the expression of professional ethics for individuals. Indeed, it is proper that professional standards are recognised and promoted. The expectations of the public are critical in this respect.

Tensions may arise, however, in an ethical context, between the profession of "statecraft" and other professions. Understanding those potential conflicts is important. Resolving the differences requires a clear appreciation of Public Service principles, conventions and practice, and a keen sense of duty and loyalty. The expectation that those in the service of the public will act in professional and publicly responsible ways remains.

***Long Title of the  
State Sector Act  
1988***

An Act –

- (a) To ensure that employees in the State services are imbued with the spirit of service to the community; and
- (b) To promote efficiency in the State services; and
- (c) To ensure responsible management of the State services; and
- (d) To maintain appropriate standards of integrity and conduct among all employees in the State services; and
- (e) To ensure that every employer in the State services is a good employer; and
- (f) To promote equal employment opportunities in the State services . . .

***The New Zealand Public Service***  
***STRIVING FOR EXCELLENCE IN SERVING NEW ZEALAND***

***Vision***

*The New Zealand Public Service will help New Zealand governments to achieve a higher quality of life, higher living standards, high employment, social equity and justice, a high quality natural environment and international respect as a member of the community of nations.*

***Purpose***

*The New Zealand Public Service, imbued with the spirit of service to the community, exists to advise the Government and implement the Government's policies and decisions to the highest possible standards of quality and with the utmost integrity in accordance with the principles of law and democracy thereby enhancing the well-being and prosperity of all New Zealanders.*

***Principles and Values***

*In an increasingly dynamic, diverse and technological world, the New Zealand Public Service should make a vital contribution to efficient and effective government. The New Zealand Public Service will:*

*Give free and frank advice to the government of the day, and inform and implement its decisions with intelligence, enthusiasm, energy, innovation and common sense*

*Demonstrate the qualities of leadership, sound judgment, fiscal responsibility and high ethical standards that attract the confidence and respect of the Government and the people of New Zealand*

*Establish and maintain an equitable and challenging working environment, both now and for the future, that is consistently able to respond to constant change, and trains, develops and motivates every public servant to perform to the highest levels of their ability*

*Ensure that people with professional management skills and the attributes of leaders are recruited and developed across the Public Service. This is to meet current and future Public Service-wide needs for high quality management and contribute to enhancing New Zealand's management resources overall*

*Ensure that every public servant demonstrates understanding of the collective interest of government and the special nature of the relationship between Parliament, the Crown and the Public Service in the need for apolitical, objective and professional policy advice and the custodianship of the nation's resources for future generations of New Zealanders*

*Act at all times within the true spirit of the law and work to maintain the stability and continuity required in a system with democratically elected government.*

**KO TE TOI O TE RANGI**  
**TE TAUMATA WAIORANGA MŌ AOTEAROA**

# He Aratohu

A guide for  
public servants  
on matters of  
integrity and  
conduct



**Te Kawa Mataaho**  
Public Service Commission



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**He Aratohu is also available in HTML at**

[He Aratohu: A guide for public servants on matters of integrity and conduct](#)



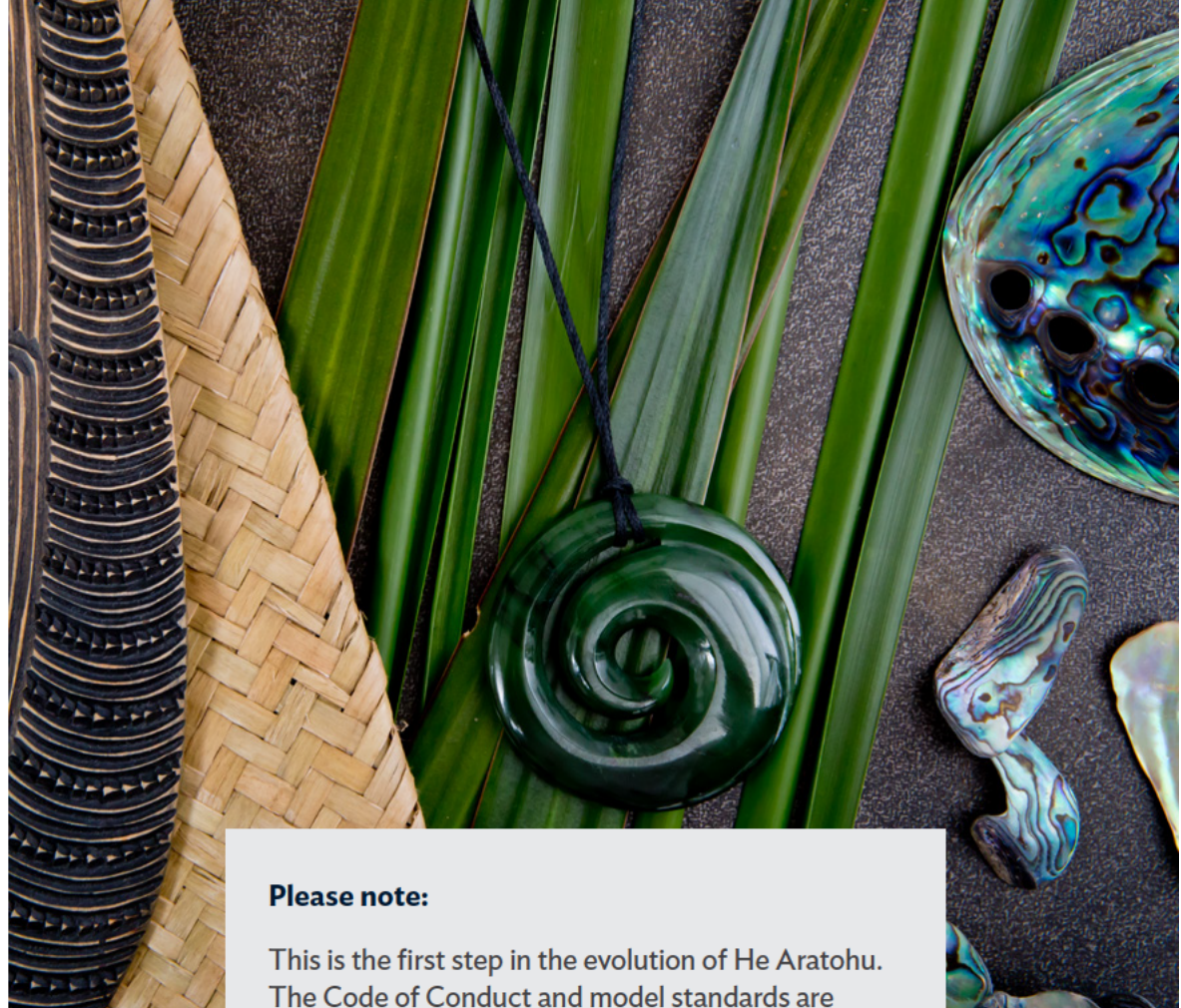
# Tēnā koutou, tēnā koutou, tēnā tātou katoa, welcome to He Aratohu.

He Aratohu puts the expectations for integrity and conduct in the Public Service, into one easily accessible resource.

He Aratohu is a composite of two words ara and tohu. Ara is a route, path or course. Tohu are symbols, signs, distinguishing features or directions. An aratohu is a pathway that has been scouted and the distinguishing features marked to make the journey of the traveller safer. He Aratohu identifies important resources that help the Public Service navigate issues of conduct and integrity.

The resources available include the expectations set by Te Tumu Whakarae mō Te Kawa Mataaho, Public Service Commissioner through the Code of Conduct (including the separate Codes of Conduct for ministerial staff and Crown entity board members and Directors of Public Finance Act 1989 Schedule 4A companies), model standards and guidance either issued by Te Kawa Mataaho or endorsed guidance provided by another organisation.

As public servants, we and our agencies have a duty to uphold high standards of integrity and conduct. New Zealand's public sector is in the privileged position of having high levels of public trust and confidence. However, this shouldn't be taken for granted. We need to keep behaving in a way that retains the faith of Ministers, Parliament and people of New Zealand, or we will lose our legitimacy and undermine the credibility we need to do our work. We must be able to show we are trustworthy, that we act in the interests of the people in New Zealand, and never for our personal gain.



### **Please note:**

This is the first step in the evolution of He Aratohu. The Code of Conduct and model standards are currently issued under the State Sector Act 1988 and continue to reflect previous language. Further editions will provide updated language, including a refreshed Code of Conduct that aligns with the principles and values set out in the Public Service Act 2020. In the meantime, this version contains all current material.

## He Aratohu consists of:

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The standards of Integrity and Conduct (otherwise known as the Code of Conduct) sets out the minimum standards of conduct all public servants are expected to follow. A breach of the Code may result in disciplinary action.



Model standards set out the Public Service Commissioner's minimum expectations on specific integrity areas.



Additional guidance to support public servants and agencies to maintain appropriate conduct on a range of integrity matters.



# Ngā Paerewa mō te Ngākau Tapatahi me te Whanonga | Standards of Integrity and Conduct

The Standards of Integrity and Conduct (the Code) was issued by the then State Services Commissioner under section 57, of the State Sector Act 1988. The Code continues to have effect under the Public Service Act 2020. It applies to all employees of the organisations defined in section 17(2) of the Act.

All public servants, regardless of their department or agency, must act with a spirit of service to the community and meet the standards of integrity and conduct set out in the Code. Most agencies have their own supplementary codes, supported by internal policies and processes. Breaches of the Code are managed through employment arrangements at the agency level, in the first instance.

By maintaining the expectations set out in the Code, public servants enable the Public Service to maintain the trust and confidence of people in New Zealand.

Separate codes have been issued for ministerial staff and Crown entity board members. The Board code applies to board members of statutory entities (excluding corporation sole) and Crown entity company boards (excluding Crown research institutes and their subsidiaries).



**Code: Standards of Integrity and Conduct**

**Guidance: Understanding the Code of Conduct**

**Please note:**

A refreshed code reflecting the principles, values and language used in the Public Service Act 2020 is in development. The current code continues to apply until a new code is issued.



## Te Tauaki Whanonga mā ngā Kaimahi Minita | Code of Conduct for ministerial staff

Ministerial staff are public servants who are employed on events-based employment agreements by the Department of Internal Affairs and who work directly to a minister in a minister's office rather than in a department. Ministerial staff have an important role in providing advice and support to ministers in the performance of their ministerial functions. The nature of the role means that ministerial staff are not required to be politically neutral, and therefore the Standards of Integrity and Conduct do not apply to ministerial staff. To cover their situation, a specific code for ministerial staff has been issued.

**Code of Conduct for ministerial staff**



# Te Tauaki Whanonga mā ngā Mema Poari o ngā Hinonga Karauna | Code of Conduct for Crown entity board members

Crown entities deliver public services, exercise significant powers, and directly impact the lives of people in New Zealand. To be effective in this, Crown entities must have the trust and confidence of both the Government and the people in New Zealand.

Boards oversee the operations and performance of Crown entities. All board members bring a spirit of service to the community and a desire to improve the wellbeing of the nation and of te ao Māori (consistent with Te Tiriti o Waitangi). A key requirement of the board member's role is to act with the highest levels of integrity and professional and personal standards.

The Code of Conduct for Crown entity board members has been issued by the Public Service Commissioner to all board members of statutory entities (excluding corporations sole) and Crown entity companies (excluding Crown research institutes and their subsidiaries).

## Code of Conduct for Crown entity board members

Ngā kōnae e hāngai ana | Related files:

[Board Appointment and Induction Guidelines](#)



# He Tikanga Arataki mā ngā Kamupene Āpitianga 4A o te Ture Kaiwhakahaere Pūtea Tūmatanui 1989 | Code of Conduct for the Directors of Public Finance Act 1989 Schedule 4A Companies

Public Finance Act 1989 Schedule 4A companies are an important part of the public sector and must have the trust and confidence of the Government and New Zealanders. This Code sets out the minimum standards of integrity and conduct for directors and should be read in conjunction with the duties of directors as set out in the Companies Act 1993 and other applicable legislation. The board should also have a charter or governance manual in place to guide its governance activities.

## Code of Conduct for the Directors of Public Finance Act 1989 Schedule 4A Companies

# Ngā Paerewa kia Tutuki | Model standards

Model standards set out the Public Service Commissioner's minimum expectations for agencies and staff on specific integrity issues.

**Te Mahi me ngā Mōrehu |  
Working With Survivors**

**Ngā Wāhi Mahi Pai, Haumaruru anō hoki |  
Positive and safe workplaces**

**Te whakapuaki kōrero |  
Speaking up**

**Te whakatūturu ohumahi |  
Workforce assurance**

**Ngā Tauaki pānga |  
Conflicts of interest**

**Ngā takoha, ngā takuhe me ngā whakapaunga  
a Te Tumu Whakahaere | Chief executive gifts,  
benefits, and expenses**

**Te kōhi pārongo me te whakapono ki te  
Kāwanatanga | Information gathering and public trust**

# He ārahitanga | Guidance

Te Kawa Mataaho has provided guidance – or endorsed the guidance provided by other organisations – on a number of other topics relating to integrity and conduct.

**He ārahitanga pōtitanga whānui |  
General election guidance**

**Pāpāho pāpori |  
Social media**

**He Aratohu Whakatairanga Pānui Kāwanatanga |  
Guidelines for Government Advertising**

**Te āhua o te Whakapau pūtea |  
Sensitive expenditure**

**Te utu whakapati me te whakakonuka |  
Bribery and corruption**

**He kōrero hāngai me te tautiakitanga kaupapa here |  
Free and frank advice and policy stewardship**

**Ngā āpiha me ngā komiti whiriwhiri |  
Officials and select committees**

# Te Mahi me ngā Mōrehu | Working With Survivors

The Working with Survivors model standards set out the Public Service Commissioner's minimum expectations for Public Service agencies and their staff and support them to work with and empower survivors of large-scale catastrophic events. They have been developed with the Stand with Pike Family Reference Group, who have shared their perspectives as survivors of the Pike River mining disasters, and who consulted with survivors from most of New Zealand's large-scale catastrophic events in the last 35 years from the Aramoana massacre through to the Whakaari | White Island eruption.

Large-scale catastrophic events include both natural disasters and those caused by people. The events have casualties and also create large groups of survivors who suffered traumatic loss and need collective support from multiple parts of the Public Service. Recovery may be a long-term process for these survivors and they may continue to receive support into the future.

Survivors may include physically injured or psychologically affected people, bereaved and affected whānau, and members of the wider community including those based offshore.

**Ngā kōnae e hāngai ana | Related files:**

[Working with survivors model standards](#)





# Ngā Wāhi Mahi Pai, Haumarū anō hoki | Positive and safe workplaces

All Public Service employees and contractors are entitled to a safe and inclusive workplace, where people treat one another with respect and work together to deliver for people in New Zealand. This takes organisational commitment and real effort from leaders, managers, and individual staff members. There is need for strong leadership, constructive working relationships, and good policies and procedures.

Unfortunately, our agencies are not immune to the challenges that all workplaces face. The way we deal with inappropriate behaviours is important. Building a workplace culture that promotes respect, inclusion, trust and productivity will go a long way to preventing inappropriate behaviour from occurring.

These model standards set out the Public Service Commissioner's minimum expectations for staff and organisations in the Public Service to ensure positive and safe workplaces.

## **Please note:**

The current model standards reflect language used under the State Sector Act 1988. All model standards will soon be updated to reflect the language used in the Public Service Act 2020. The current model standards continue to apply until then.

## **Ngā kōnae e hāngai ana | Related files:**

[Positive and safe workplaces model standards](#)

[Response role cards for managers, employees and bystanders: inappropriate behaviour concern/complaint](#)

New Zealand Defence Force case study: [Sexual ethics and respectful relationships: Creating a positive workplace culture](#)

[Government Health and Safety Lead's Positive Workplace Cultures agency workbook](#): a tool to support agencies in creating positive workplace cultures.

[Safe to talk | Kōrero mai ka ora](#) – this helpline provides free, confidential 24/7 support to people affected by sexual harm.

[1737 – Need to Talk?](#) Is New Zealand's national mental health helpline number, and part of the National Telehealth Service

[WorkSafe's bullying prevention toolbox](#) provides tools and resources to help guide organisations and individuals in preventing bullying in the workplace.

[Employment mediation services](#) within the Ministry of Business, Innovation and Employment is a free service for any employee or employer with an employment relationship problem.



# Te whakapuaki kōrero | Speaking up

The reputation of our Public Service depends on our ability to build and maintain a culture that promotes speaking up about wrongdoing. Good policies and processes that encourage staff to speak up about possible wrongdoing are vital for maintaining the integrity of the Public Service.

These model standards outline the Public Service Commissioner's minimum expectations for organisations to support staff on speaking up about wrongdoing concerns that could damage the integrity of the Public Service. They contain all the key elements for promoting a 'speak up' culture, operating good processes (including timely investigations), and keeping people safe from reprisals or other detrimental impacts.

These are the standards expected of all organisations within the Public Service – organisations will determine whether additional policies and processes are required. All organisations should ensure that these standards are integrated into policies and processes for reporting wrongdoing in their human resource, employment relations, and operational management systems.

## There are three key elements to these standards:

1. **Getting the foundations right from the start:** organisational commitment to leadership, raising awareness, and supporting staff and managers through regular communication and training.
2. **Making sure processes are robust:** taking concerns seriously when they are raised, by ensuring systems are in place for monitoring, reporting, investigation, and effectively communicating with those involved in a report or disclosure.
3. **Keeping people safe:** ensure they can feel safe in making reports and trust that organisations will act upon them, and ensure that organisations provide tailored and dedicated support and protections to staff to keep them safe from reprisal.

### Ngā kōnae e hāngai ana | Related files:

[Speaking up model standards](#)

[Protected Disclosures \(Protection of Whistleblowers\) Act 2022](#)

[Serious Wrongdoing at Work \(whistleblowing\) – Ombudsman New Zealand](#)

# Te whakatūturu ohumahi | Workforce assurance

Integrity and ethical behaviour are core Public Service values that must be reinforced through our recruitment processes. We need to apply the right checks when employing people, and ensure that any serious integrity issues are disclosed. This is important in maintaining the public's trust and confidence in the Public Service.

The workforce assurance model standards outline expectations for Public Service departments and statutory Crown entities when recruiting staff. They also set out expectations for serious misconduct investigations and settlement agreements.

## Ngā kōnae e hāngai ana | Related files:

[Workforce assurance model standards](#)

[Workforce assurance support pack](#)

[Workforce assurance FAQ](#)

## Please note:

The current model standards reflect language used under the State Sector Act 1988. All model standards will soon be updated to reflect the language used in the Public Service Act 2020. The current model standards continue to apply until then.

# Ngā Tauaki pānga | Conflicts of interest

The reputation of our Public Service depends on our ability to be impartial in our decision making, and to exercise a high standard of judgement with real and perceived conflicts of interest.

In a small country like New Zealand, conflicts of interest in our working lives are natural and unavoidable. The existence of a conflict of interest doesn't necessarily mean someone has done something wrong. But organisations need good policies and processes to deal with conflicts of interest appropriately, and staff need to be alert to the possibility of conflicts of interest and promptly report any that occur.

These model standards outline the Public Service Commissioner's minimum expectations for staff and organisations in the Public Service to support effective reporting and management of conflicts of interest.

## Ngā kōnae e hāngai ana | Related files:

[Conflicts of interest model standards](#)

[Managing conflicts of interest: A guide for the public sector](#)  
– Office of the Auditor-General Crown Entities Act 2004  
(sections [31](#) and [62](#))

[Board Appointment and Induction Guidelines](#)

# Ngā takoha, ngā takuhe me ngā whakapaunga a Te Tumu Whakahaere | Chief executive gifts, benefits and expenses

Chief executives of Public Service departments and statutory Crown entities regularly disclose their expenses to provide transparency and accountability for their discretionary expenditure. The disclosures make transparent the standards of probity and financial prudence, and provide public assurance that expenditure has been consistent with these standards. This requirement is in line with international practice, and in New Zealand, ministers, members of Parliament and mayors are all subject to disclosure provisions.

Chief executives publish this information annually on their agency's website and link it to [www.data.govt.nz](http://www.data.govt.nz).

Disclosures containing information for the financial year (ending 30 June) are published by 31 July each year.

Further resources are provided below, including the Excel workbook to be used, a guide for agency staff, and DIA guidance for linking datasets. If you need any assistance, contact Te Kawa Mataaho Public Service Commission at [ceexpenses@publicservice.govt.nz](mailto:ceexpenses@publicservice.govt.nz).

## Ngā kōnae e hāngai ana | Related files:

[Chief executive gifts, benefits and expenses model standards](#)

[Chief executive gifts benefits and expenses Disclosure Workbook](#)

[Chief executive gifts, benefits and expenses disclosures: A guide for agency staff](#)

Apply for a Data.govt.nz publisher account at [What is a publisher account and how do I apply?](#)



# Te kōhi pārongo me te whakapono ki te Kāwanatanga | Information gathering and public trust

Government agencies collect a wide range of information in order to carry out their responsibilities. This information falls into two main categories:

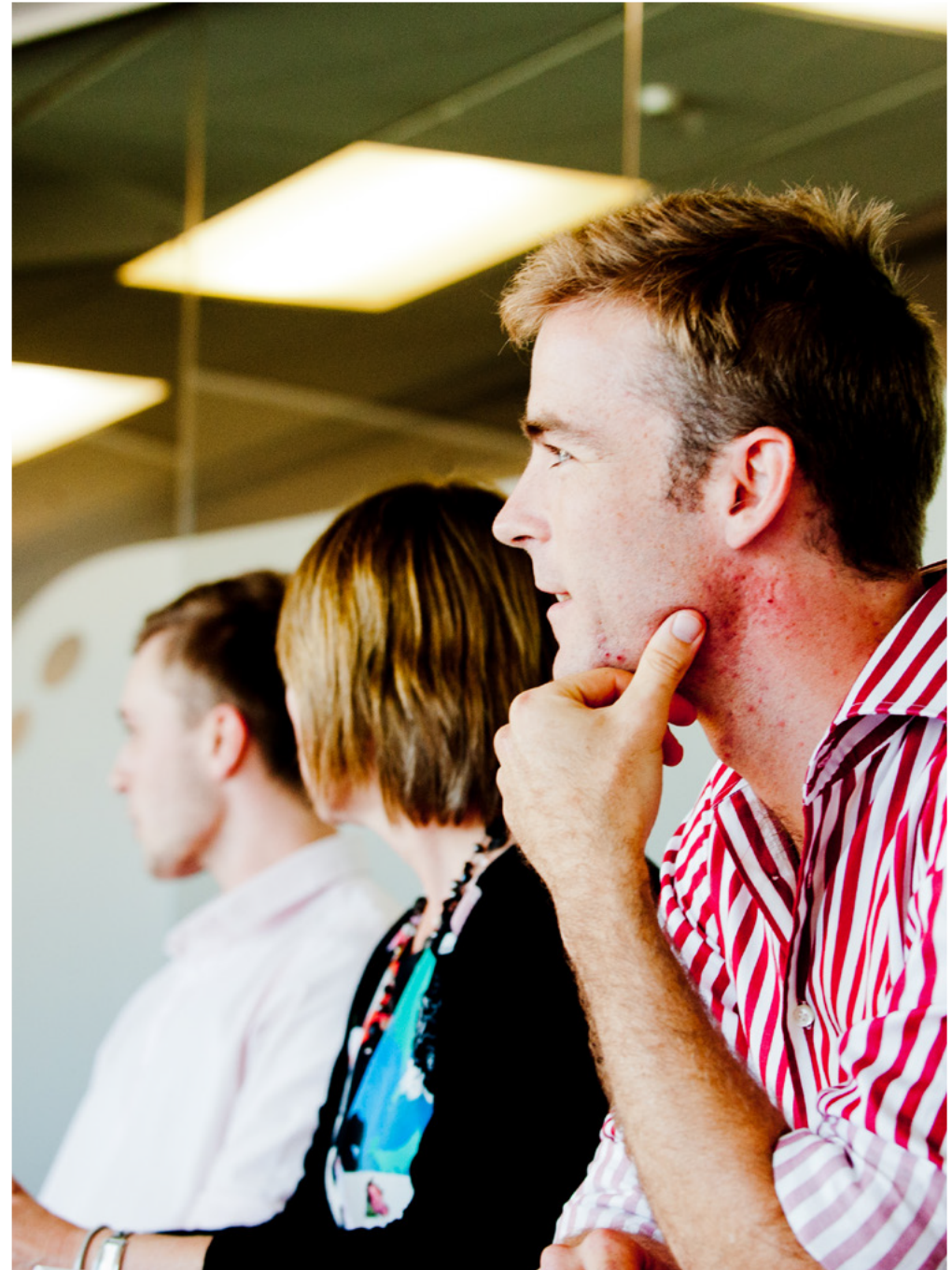
- Information necessary to deliver functions and services to the people in New Zealand and businesses
- Information needed to give effect to the responsibilities agencies have to protect people, information and places, to ensure regulatory compliance, and to detect and prevent crime.

These model standards provide a set of expectations for the second category of information. When agencies gather information for regulatory compliance and law enforcement purposes, they're exercising the powers of the State. It's important that agencies act in accordance with this authority, and in line with what the public generally expects and considers reasonable.

Agencies should use these model standards when establishing or reviewing their policies and practices in this area.

**Ngā kōnae e hāngai ana | Related files:**

[Information gathering and public trust model standards](#)



# He ārahitanga pōtitanga whānui | General election guidance

This guidance covers what it means to work in the public sector before, during, and after an election. There is information about how agencies can prepare for the election period, and where to get help on election-related issues.

The guidance is written in relation to the 2023 general election, however the principles and obligations set out, particularly with political neutrality, continue to be applicable, along with the Code of Conduct, outside of the election period.

## He ārahitanga pōtitanga whānui | General election guidance

### Ngā kōnae e hāngai ana | Related files:

[Cabinet Manual](#) – the authoritative guide to central government decision making for ministers, their offices, and those working within government.

# Pāpāho pāpori | Social media

Social media can be an effective tool for agencies to communicate with people directly, to hear about what's important to them, and to promote discussion and seek input on policy issues.

Public servants are also free to use social media in their private lives, in the same way as other citizens. [The Standards of Integrity and Conduct](#), political neutrality obligations set out in the 2020 General Election Guidance and your agency policies apply to all media communications outside work as with other forms of communication.

## He aratohu mā ngā kaimahi tūmatanui ki te whakamahi ōkawa i ngā pae pāpori | Guidance for public servants' official use of social media

## He aratohu mā ngā kaimahi tūmatanui ki te whakamahi i ngā pae pāpori | Guidance for public servants' personal use of social media

### Please note:

The social media guidance was issued before the Public Service Act 2020 came into effect. As a result, it contains some language that reflects the previous State Services Act 1988. However, all guidance provided in the document remains applicable.



# He Aratohu Whakatairanga Pānui Kāwanatanga | Guidelines for Government Advertising

The Guidelines for Government Advertising were approved by Cabinet and issued on 20 November 1989 before being reissued in 2017.

While the key elements of the Guidelines remain sound, more detailed guidance is required given the significant changes to technology, the advertising industry, and New Zealand's system of government since they were first issued.

**Guidelines for Government Advertising**  
– Department of the Prime Minister and Cabinet

He Aratohu Tāpiri mā ngā  
Umanga Ratonga Tūmatanui  
**Supplementary Guidance for  
Public Service Agencies**

The Commission has designed this supplementary guidance to be read alongside the Guidelines. It consists of a set of questions for officials to work through and scenarios that will assist in determining whether planned government advertising is consistent with the Guidelines.



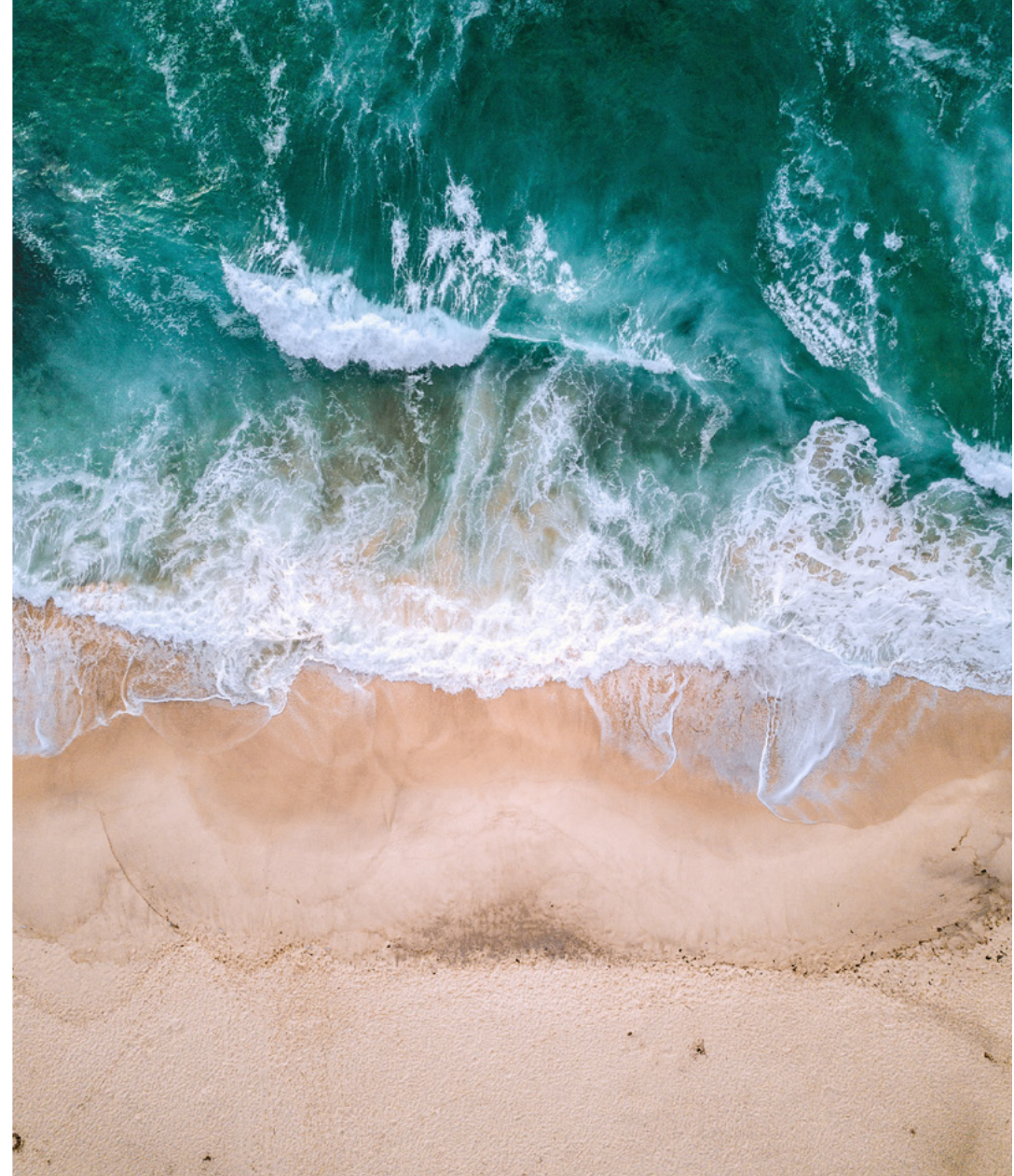


# Te āhua o te whakapau pūtea | Sensitive expenditure

Sensitive expenditure is any spending by an organisation that could be seen to be giving private benefit to a staff member, their family or friends. It risks harming an organisation's reputation and the public sector more generally if spending could lead to concerns that it's inappropriate or without a legitimate business reason. Issues concerning sensitive expenditure can arise regardless of how much money is spent. Even a small amount can raise concerns if it appears to be improper. All public servants need to ensure any expenditure decisions they're making can withstand both parliamentary and public scrutiny.

The Office of the Auditor-General provides guidance for making sensitive expenditure decisions. This guidance outlines the considerations and principles all public servants should have in mind when making expenditure decisions.

**Controlling sensitive expenditure:  
Guide for public organisations**  
– Office of the Auditor General





## Te utu whakapati me te whakakonuka | Bribery and corruption

The Serious Fraud Office is the lead law enforcement agency for investigating and prosecuting serious or complex financial crime, including bribery and corruption. The links below contain information on the SFO's role and how to make a complaint. Additionally, the Ministry of Justice provides examples for any agencies looking for help to create fraud and corruption policies.

### Ngā kōnae e hāngai ana | Related files:

[Report a fraud](#) – Serious Fraud Office

[Ministry of Justice: Create a fraud and corruption policy](#)

[Ministry of Justice: Example of a fraud and corruption policy](#)

### Please note:

The free and frank advice and policy stewardship guidance was issued before the Public Service Act 2020 came into effect. As a result, it contains some language that reflects the previous State Services Act 1988. All guidance provided in the document remains applicable.

## He kōrero hāngai me te tautiakitanga kaupapa here | Free and frank advice and policy stewardship

The provision of free and frank advice is central to our system of government. Free and frank advice demonstrates and upholds the impartiality that is fundamental to maintaining a politically neutral Public Service. Having the capacity and capability to provide this underpins the integrity, legitimacy, and performance of our system of government.

Good policy decisions, informed by free and frank advice, optimise services and results for the people in New Zealand, including future generations. Investing appropriately in policy stewardship means we're well placed to provide free and frank advice to future Governments.

This guidance sets out expectations that Public Service chief executives provide free and frank advice to ministers, engage in effective policy stewardship, and ensure that their agencies understand this. Agencies in the broader Public Service may also find this guidance a useful reference for good practice.

### Ngā kōnae e hāngai ana | Related files:

[Free and frank advice and policy stewardship](#)

[Free and frank advice and policy stewardship FAQ](#)



# Ngā āpiha me ngā komiti whiriwhiri | Officials and select committees

The officials and select committees guidelines apply to all public servants and employees within the public sector.

Select committees play an important role in New Zealand's democracy. They enable members of Parliament to carry out a broad range of work on behalf of the House of Representatives. To fulfil their function, select committees have considerable powers to summon witnesses and require the production of information.

This guidance sets out the expectations for public servants' attendance and conduct when appearing before select committees.

**Ngā kōnae e hāngai ana | Related files:**

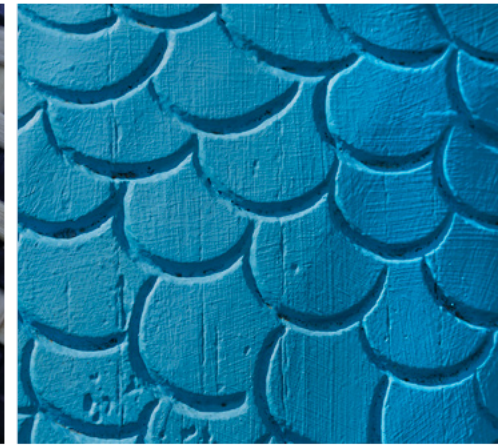
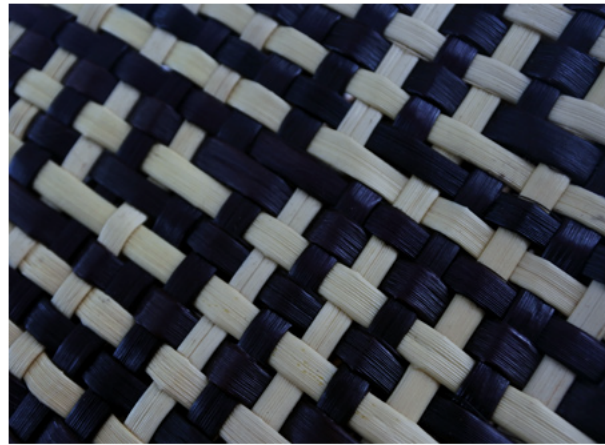
[Officials and select committees guidance](#)

## **Please note:**

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**Te Kawa Mataaho**  
Public Service Commission