

PUBLICSECTOR

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STRENGTHENING MĀORI CROWN RELATIONSHIPS

**LOOKING AFTER TOMORROW TODAY
– TAKING STEWARDSHIP SERIOUSLY**



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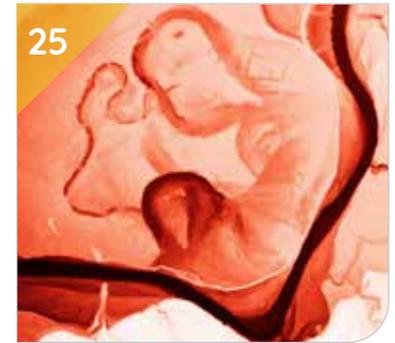
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Improving relationships with mana whenua



Problem solving déjà vu

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IPANZ President Liz MacPherson

Ka whangaia, ka tupu, ka puawai
That which is nurtured grows, then blossoms

I recently attended a hui where the participants were asked for their “why”. Why were they participating? Why were they giving up their time and their energy? What did they hope to achieve from being part of the emergent kaupapa? Each person recorded their thoughts in silence. Virtually to a person, the answer was a variation on “my mokopuna”, “my grandchildren”, or even “my mokopuna’s mokopuna”. This is the essence of stewardship – supporting and taking decisions that will improve the wellbeing of our mokopuna and the world we leave to them.

This year has the potential to be a “watershed year” – a year that alters the course of the decades, events, and lives that follow. A “watershed” is an area of high land, like a ridge, that divides two or more river systems. All the water on one side of the watershed flows into one river system while the water on the other side of the ridge flows into a different river system. COVID-19 has presented the “team of 5 million” with an opportunity to reset and reimagine and to flow one way or the other. But

in what direction? What future are we creating? What do we want to take with us into 2021 and beyond, and what do we want to leave on the other side of the divide? What do we New Zealanders want to nurture and grow for us and our mokopuna?

In this journal, we explore the concept of stewardship from a variety of different perspectives. We also continue our focus on one of the New Zealand public sector’s most critical and challenging stewardship opportunities. That is to support the Crown, Māori, and Aotearoa New Zealand as a whole to unlock the true potential of Te Tiriti o Waitangi for improved outcomes for all. The Tiriti-based models described in this journal illustrate what can be achieved where communities are trusted and where power is shared. Unfortunately, the authorising environments that allowed new yet ancient ways of working to flourish during our COVID response are already starting to dissipate as the bureaucracy – Crown and Māori – begins to “return to normal”. This must not be allowed to happen. Now is our opportunity to understand, steward, nurture, and grow these new arrangements – for us and our mokopuna.

*Contributions
Please*

Public Sector journal is always happy to receive contributions from readers.

If you’re working on an interesting project in the public sector or have something relevant to say about a particular issue, think about sending us a short article on the subject.

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Resetting the Crown's relationship with mana whenua



How can the public sector improve its relationship with mana whenua? LANA SIMMONS-DONALDSON explores how one mana whenua iwi and the Crown are working together to strengthen their Te Tiriti o Waitangi relationship.

Te Rūnanganui o Te Ātiawa ki Te Whanganui a Tara is serious about resetting the mana whenua–Crown relationship in Wellington city, starting with acknowledgment of mana whenua tikanga (customs and protocol).

The new legislation

The push for resetting the relationship is timely with the newly legislated requirement for the public service to support the Crown in its relationships with Māori. Under the Public Service Act 2020, public service leaders are responsible for developing and maintaining the capability of the public service to better engage with Māori and understand Māori perspectives.



Lana Simmons-Donaldson

Te Arawhiti Director Mere-Hēni Simcock-Rēweti says understanding what tikanga means “by reaching out and making the right connections particularly with mana whenua” is a fundamental part of improving Māori Crown relations and working in partnership with Māori.

Te Rūnanganui o Te Ātiawa ki Te Whanganui a Tara Chairman Kura Moeahu says partnership for the iwi began with the Crown 180 years ago, with the signing of Te Tiriti o Waitangi. He says the establishment of the Port Nicholson Block Settlement Trust and signing of the settlement deed in 2008 was a key partnership marker. “There is still a long way to go until there is true partnership between the Crown and mana whenua in Wellington. On a scale of 1–10, the relationship is a 1.5.”

A framework to make engagement easier

Simcock-Rēweti acknowledges the Crown needs to improve its relationship with Māori and says that, in many cases, it's because engaging with Māori can be “a step outside the comfort zones”. To support the public sector, Te Arawhiti has developed a Māori

Crown engagement framework with guidelines and a new cultural capability framework to help the Crown do better. The capability framework includes six key areas of focus: understanding Māori



Mere-Hēni Simcock-Rēweti

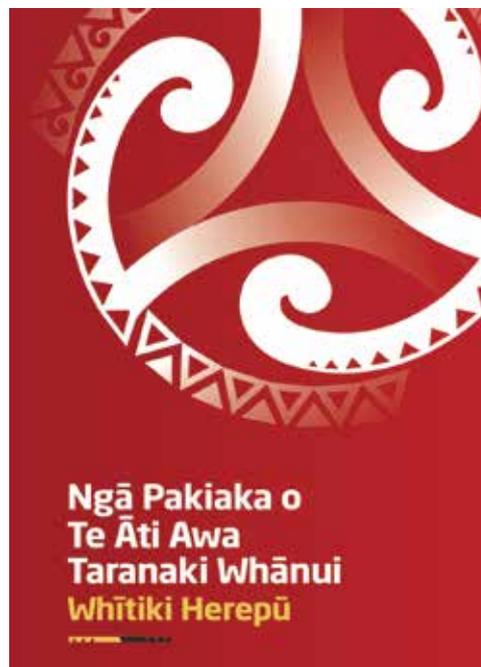
Crown relations, Te Tiriti o Waitangi, New Zealand history, racial equity, te reo Māori (Māori language), tikanga (customs, protocols, culture) and worldview/ te ao Māori (Māori worldview).

Simcock-Rēweti says alignment on the Crown's side is also important, and in this instance, to be able to support Te Ātiawa to grow their numbers and better manage the Crown's

demands. “We know that the tikanga relationship is a critical priority for Kura and mana whenua – to reset the engagement by enacting their kawa in and across the public sector, here on their whenua,” says Simcock-Rēweti.

Setting out the kawa

To support adoption of Te Ātiawa kawa (protocol) across the public service, the iwi has published *Ngā Pakiaka o Te Āti Awa*



Taranaki Whānui, Whītiki Herepū, a document outlining its kawa for pōwhiri (formal welcome ceremonies) and has presented it to the Public Service Commission. The next step is to work with Te Arawhiti to share the kawa across the public sector. Moeahu says the intent of publishing

Whītikī Herepū was to ensure Te Ātiawa tikanga and kawa are practised correctly. It is based on the kawa put together for use within the parliament precinct by the late tohunga Rangitihī John Tahupārae, who was the first kaumātua of parliament.

Moeahu says Te Ātiawa are pushing boundaries to achieve partnership with the Crown. However, with six mana whenua entities (Te Rūnanganui o Te Ātiawa ki Te Whanganui a Tara, Wellington Tenth, Port Nicholson Block Settlement Trust, Pipitea Marae, Waiwhetū Marae, and Te Tatau o te Pō Marae) a lack of cohesion is a barrier to effectiveness. “If the six entities were able to come together as one, we would get more traction.”

Simcock-Rēwiti says partnership with mana whenua for the Crown is about demonstrating its commitment to being a Treaty partner. She is aware that tikanga is a critical competency for Te Ātiawa. “What is needed is a willingness to work with and respect mana whenua.” Her advice to public service agencies is to involve mana whenua early – to “spend more time at the beginning of the relationship, working together to find the right way forward”.

Setting up relationships with iwi

Because Wellington is the seat of government, Moeahu says it will be challenging for the iwi to meet the demands of government departments, who need to have more effective relationships with te iwi Māori. “They [government departments] want to create a relationship with iwi. How do iwi respond to the performance of



Kura Moeahu

a government organisation? Do we get to have a say about their performance?” asks Moeahu.

“There is a lot of interest from departments from a tikanga Māori perspective. Interest is growing in dawn ceremonies – people feel a part of it when we share why they are doing it, and they feel more enriched,” says Moeahu.

He says having Māori in key senior positions with departments and organisations is helpful, but there is a lack of resource

and capacity in organisations to support them. “For government departments seeking to improve relationships with Māori, what support systems have they put in place for people in their organisations whose role it is to engage with iwi? Often they are a one-man soldier in an organisation, who also support mechanisms for other sections. If they are required to build those relationships by themselves, that’s not going to happen.”

Imagining a future partnership

In an ideal Treaty partnership, Moeahu envisages a future where half of the resources and finances would be devolved to mana whenua in a collaborative way so that they can build their capacity. He suggests this could be through internships, seconding staff from public sector organisations to assist the iwi to understand the machinery of government and how laws are passed. He says it’s time for a change in leadership. “The time for Māori to lead some of these organisations is well overdue. Not the same old ones – Te Mātāwai, Te Taura Whiri i te Reo Māori, and Te Puni Kōkiri. It’s time for Māori to lead Education, the Ministry of Social Development, and Oranga Tamariki and a whole lot of other organisations.” For Moeahu, an ideal public service is one that is fully responsive to both Māori and business. “My challenge to any chief executive who has all the acumen required of the business world. Are they able to walk into any marae throughout the country and converse fluently and diligently in te reo Māori and get the same outcomes in te reo Māori? If that happened, I would be happy.”

Framework and guidelines for Māori Crown engagement

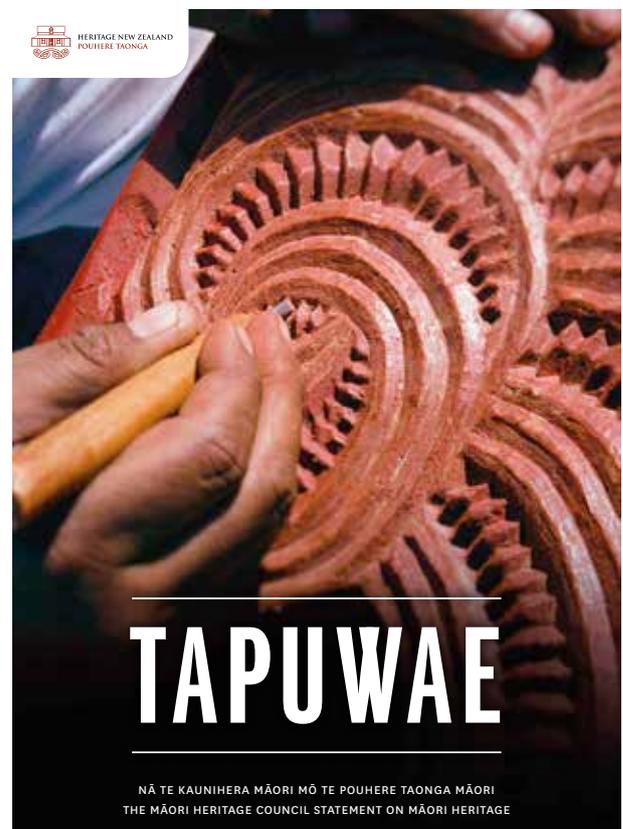
Te Arawhiti has developed a framework and guidelines to support the Crown to improve and strengthen their engagement with Māori. You can find this framework at <https://www.tearawhiti.govt.nz/tools-and-resources/public-sector-maori-crown-relations-capability/>

Te Arawhiti has also produced a framework that sets out both individual and organisational competencies to strengthen the Māori Crown cultural capability. You can find it at <https://www.tearawhiti.govt.nz/tools-and-resources/public-sector-maori-crown-relations-capability/>

A partnership model at Pouhere Taonga

Since 1993, Pouhere Taonga (Heritage New Zealand) has had the benefit of legislation to help meet its Te Tiriti o Waitangi obligations and guide its Māori heritage strategy, vision, and operations.

Pouhere Taonga Deputy Chief Executive Te Kenehi Teira says the heritage sector got it right in terms of its Te Tiriti o Waitangi commitments. Since the 1993 Historic Places Act, there has been a Māori Heritage Council. Four members of the council have been on the Historic Places Trust, which is now the Pouhere Taonga Board. The Heritage New Zealand Pouhere Taonga Act 2014 prescribes that the board must have at least three members (out of a total of eight) who have knowledge of te ao Māori (Māori worldview) and tikanga Māori (Māori protocol and culture).



Teira says legislation has enabled Pouhere Taonga to push the boundaries. “It’s because we are required to by statute – our legislation requires us to work with whānau, hapū, and iwi.” One initiative is Te Ara Taonga, which Pouhere Taonga introduced to streamline post-settlement discussions between iwi and heritage sector agencies. The initiative is now led by the Ministry of Culture and Heritage. “Te Ara Taonga provides a one-stop shop for iwi, so they don’t have to go traipsing around Wellington. We [culture

and heritage sector agencies] all come together to help facilitate their post-settlement needs.”

Setting the vision

Developing a vision to guide their Māori heritage approach enabled the organisation to clarify its strategy and activity. Former Māori Heritage Council members Dr Mereta Kawharu and Dr Te Ahukaramu Charles Royal spearheaded the development of Tapuwae (sacred footprint), a vision document for Māori heritage places. Teira says Tapuwae articulates what the members are trying to achieve in three key areas:

1. Safeguarding Māori heritage places for their intrinsic worth and mana and for the cultural wellbeing of present and future generations.
2. Recognising traditional and customary associations of whānau, hapū, and iwi with the heritage places, where they are acknowledged as having kaitiakitanga (guardianship) of those places.
3. Having Māori heritage places recognised and valued by all and being central to New Zealand’s heritage.

Initially the actions from Tapuwae were developed into a work programme, but the approach was scrapped. “We wanted to make sure the whole organisation is engaged in the work programme and not just the Māori heritage team, so we are establishing a Tapuwae rōpū (group),” says Teira. The intent is to ensure that everyone at Pouhere Taonga can understand and put the Tapuwae vision into action.

Pouhere Taonga partnership with Ngāpuhi Hokianga hapū

Māngungu is a mission station on the Hokianga Harbour where annually, on 12 February, Pouhere Taonga and Ngāpuhi Hokianga come together with the local community to commemorate the signing of Te Tiriti o Waitangi by 70 Ngāpuhi signatories. Dignitaries who have attended include the Governor-General, ministers, and MPs. “It’s a reminder that the signings didn’t just happen at Waitangi,” says Teira. “The descendants of the signatories have a specific kaitiakitanga or guardianship role to recognise the part their ancestors had in signing the Treaty. Our role has been to help people understand the history and what heritage is about,” says Teira.

Mita Harris, a descendant of two hapū neighbouring Māngungu, is also Māori Heritage Director at Pouhere Taonga. He has been involved in co-ordinating the annual commemoration for many years.



Harris says the Ngāpuhi Hokianga hapū have definitely benefitted from their relationship with the Crown. “The commemoration event died off for a time, and then it was renewed in the 1990s, with very small gatherings.” He says

Māori Heritage Director Mita Harris presenting a modern-day tribute of a kākahu raranga (woven cloak), made by Kāpiti-based raranga weaver Margaret Jackson, to kaumātua Whitianga Bedgood at Māngungu

the event is growing and evolving, and hapū are now involved in all aspects of the commemorations, including making up the invitation lists, putting together the menu, selecting the waka that will take part, and setting the theme.

From his observation, it is an event that brings people and the organisations involved, both Crown and Māori, together. “There is a sense of satisfaction from the hapū. The day is an opportunity to acknowledge and reflect on the great weight that was put on that moment, on that day, when those rangatira put their tohu on the Treaty, and we are still talking about sovereignty today,” says Harris.

Operationalising Te Tiriti o Waitangi understanding

Teira says operationalising understanding of Te Tiriti o Waitangi and inter-cultural relationships at Pouhere Taonga involves breaking it down into practical terms. He says taking staff to marae and places of significance to Māori, like Māngungu and Ratana Pā, helps provide different perspectives and makes the Treaty more understandable. “It’s not just learning from a tutor, a book, or online, but hearing it first-hand in a place that is most Māori, on the marae.”

An area of work that is going well is improving te reo Māori competency. “So that staff can perform at an optimum level when engaging with whānau, hapū, and iwi.” He says that Pouhere Taonga has been able to use strategies developed by the Ministry of Culture and Heritage and work closely with Te Taura Whiri i te Reo Māori (Māori Language Commission) to develop a Māori Language Plan for the organisation under the Maihi Karauna – the Crown’s Māori Language Strategy.

To increase Te Tiriti o Waitangi-based bicultural development, Pouhere Taonga staff had an overnight stay last year at Hongoeka Marae, a Ngāti Toa Rangatira Marae, north of Wellington. Specialist training is also provided to Māori heritage staff to help them engage with Māori sites of significance. Teira says there are a whole range of facets that relate to bicultural development – from the makeup of governance, management, and staff to programmes to improve performance. “It’s important for staff working with Māori communities to see their training and personal development in situ and for all those facets to be in place.”

Teira says that as part of the Te Tiriti o Waitangi settlement process, Pouhere Taonga has been able to hand back some properties to iwi to own or manage. “That’s when there is an opportunity to look at the options of what Māori want to do. There are also properties that Māori want to protect, so we start the process by recording them.”

At a practical and local level, Pouhere Taonga encourages Māori heritage communities and other heritage communities to work together. He says that together they have more mana and have more ability to get what they want. “A lot of iwi mistrust heritage organisations, and in some cases, they are played off against each other, but together they can be pretty powerful.”

Heritage organisations including Pouhere Taonga, the Bay of Plenty Regional Council, iwi, and local heritage organisations worked together to protect seven pā sites in Papamoa, now known as the Papamoa Hills Cultural Heritage Park. “Now there is a big park. The area is protected and interpreted for everybody, particularly the iwi and community.”

Teira says legislative backing since 1993, together with the partnership model at board level and the Tapuwae strategy have had a huge influence on the way the organisation engages with Māori and their cultural sites and places of significance. “We have a strong base to build from and a clear Māori heritage vision.”

Q&A with Lil Anderson

SHENAGH GLEISNER talks to Lil Anderson of Te Arawhiti about what public servants are doing and what they can do to change Māori Crown relations.

What message does the new Public Service Act give to public servants about Crown Māori relations?

The Act reinforces all of the important reasons why we want to work in the service of others and puts those reasons up in lights so the public knows what to expect from all of us and can hold us to account.



Lil Anderson

wants and needs us to join up more often and better.

What will public servants do differently as a result of the Act?

There are four things:

1. **Be prepared to work differently** – COVID-19 showed us the beauty and the beast of technology. It kept us connected to each other and to the public we serve at a time when we really needed it. But it also showed us how important kanohi ki te kanohi really is and how much we miss it once we start to get Zoom or Zui fatigue.
2. **Serving the public where they live** – We saw during COVID that from Wellington, our key role was to support our regional public servants, iwi, and local government. It saw decisions being shifted to regions. It saw local leadership working together in ways that Treaty settlements have tried to create for over 25 years. These ways of working should continue.
3. **Working across and together is the new norm** – The COVID response saw the formation of the C4C Governance Group with 11 chief executives from across the system working to support regions and New Zealanders in the response and recovery. The model works so well it will continue for at least the next two years. The Act asks us to look more towards these types of models as well as joint ventures, boards, and system leadership.
4. **The public service must support the Crown's relationship with Māori under Te Tiriti** – As you can imagine, this is the

feature I am the most excited about. It leaves nowhere to hide and tells each of us that being a public servant from 2020 onwards means that you understand the history of our country and you understand what Te Tiriti means and why it is important. What I really like is that unlike some acts, it does not stop at a Treaty clause. It enshrines the Māori Crown relationship and tells us we must build capability.

What are some practical steps public servants should be taking to make the Public Service Act, in relation to Crown Māori relations, come to life?

Again, there are a few things – mostly dependent on your starting point. The overarching step for all of us is to acknowledge its importance. Tell people – tell your staff and your workmates that it is important.

Acknowledge where you are on your journey across the bridge and don't think it's too late to start learning. If your starting point is as someone who hasn't wanted to take a step across the bridge – maybe look to understand why that is and address the things that are preventing you from doing so. This is no longer a choice in a modern public service.

When you get past the willingness, it really is about the fundamentals – do you know about our history, not just from 1840? Do you know what the Treaty says and what followed its signing? What significant events led us to this point in the Māori Crown relationship?

Understanding te reo Māori, not just because you want to be able to deliver your pepeha or mihi but because language connects. Wherever you start, take a step forward and keep going.

Think about how I can apply what I learn to my everyday work. How can I incorporate more te reo? How do I change the way I engage with Māori and how do we do this as an organisation? Does what I know change the lens through which I view my policy work? What would partnership look like in our work?

Let's talk about the positive vision. Imagine we are three years in the future. Paint us a vivid picture of what would delight you.

It is a multi-faceted vision:

- Treaty settlements are complete or nearly complete, and takutai moana issues are being addressed – this is an important foundation for the Māori Crown relationship.
- Our words have mana – our commitments are being honoured and we are operating above a “list of things to do to honour a Treaty settlement”, but through engagement and partnering, we are doing these things anyway.
- Across the public sector, every agency has a capability-building programme and each staff member has committed to their journey across the bridge.
- Our journey as a public service is starting to show a difference in the timeliness, depth, and outcomes of engagement with Māori and includes policies that reflect this change – we know who to engage with, and the when, why, and how is tailored to need.
- The examples of partnership across the public service outnumber the contracts for services we have with Māori.
- The system shares responsibility for the Māori Crown relationship – it's not just left to Te Arawhiti.

Tell me about some of the good examples of practice in current departments.

Capability building:

- The Ministry of Justice's comprehensive capability plan called Te Kokenga was launched and implemented this year. Te Kokenga is one pillar of the Ministry's Te Haerenga Māori Strategy. The strategy aligns with the competencies in our Māori Crown Relations Capability Framework, including te reo Māori, tikanga, Treaty of Waitangi, and New Zealand history.
- The Ministry for the Environment has developed and also launched their Te Ao Hurihuri – Transformational Gains capability strategy earlier this year. Having used our Māori Crown Relations Capability Framework as a guide, they have also worked closely with Te Taura Whiri i te Reo Māori (Māori Language Commission) to commence their te reo Māori learnings. They too are in the early stages of implementing their strategy.

Engagement and partnership:

- An important partnership between Māori and the Crown is Te Ahu o Tūranga (Manawatū Gorge Replacement). Te Arawhiti has been invited to sit alongside the four iwi associated with the project (Ngāti Kahungunu ki Tāmaki-nui-ā-Rua, Ngāti Raukawa ki te Tonga/Ngāti Kauwhata, Rangitāne ki Tamaki nui a Rua, and Rangitāne o Manawatū) and Waka Kotahi (New Zealand Transport Agency) to understand the benefits of early and strong engagement between iwi and a Crown agency.

Te Ahu a Tūranga project is aimed at building a viable, long-term replacement for the gorge. There has been significant interest from iwi about the gorge replacement as the change in traffic patterns has impacted the Manawatū region significantly, with a loss of economic opportunities for the Woodville community and the iwi in the rohe.

This partnership could also be held up as a model for future infrastructure projects. Here are some other examples:

- **Te Whānau a Rangiwhakaahu** – we supported the hapū with discussions between the Ministry of Education and Land Information New Zealand relating to opportunities on ancestral land in Matapōuri.
- **Raukawa Settlement Trust** – we supported engagement between Raukawa, the Ministry of Justice, and Oranga Tamariki on a model of care partnership.
- **Te Hāhi o Rātana** – we supported Rātana in its aspirations to establish modular housing initiatives by working with Kāinga Ora and Housing and Urban Development.

What are the most powerful drivers of good practice that you see in the departments that are doing well?

- Having strong and willing leadership that supports staff in building their capability in Māori Crown relations.
- Working alongside Māori in a kanohi ki te kanohi and rangatira ki te rangatira way.
- Recognising that, if you are working alongside Māori on a specific kaupapa, a relationship is not a one-off event – just like any relationship you hold with others.
- Creating and maintaining a successful relationship involves building the trust and respect of your partner, which may take several hui or just having a kōrero.

What seems to slow down or undermine progress? What are the biggest barriers to progress?

- Not having leadership buy-in through a lack of understanding or not valuing the Māori Crown relationship.

- Lacking capability in Māori Crown relations, as the heavy lifting can then fall on the shoulders of a few within an organisation who, more often than not, are not appropriately valued for their skillset or become burnt out as they are constantly called on to carry out significant mahi.
- Not having dedicated training or resources in an organisation to carry out this mahi.
- Not going early or not being broad and inclusive in engagement.

Can you think of ways that public servants could overcome these barriers?

The Public Service Act 2020 provides a legislative mechanism that all public servants can draw on to strengthen the Crown's relationships with Māori. For example:

- The Public Service Commissioner and chief executives are accountable to their minister for upholding their responsibility to support the Crown's relationships with Māori.
- Both individual and organisational capability can be improved by strongly committing to the competencies under the Māori Crown Relations Capability Framework. Where organisations are less convinced, individual public servants can play a role by creating critical mass within agencies to put the importance of this kaupapa on the agenda.
- An important step in overcoming these barriers is to conduct baseline surveys of staff and review the organisation on both an individual and organisational level. This helps organisations understand what the capability issues are that require a priority focus and develop a plan to improve those areas. The organisation can then monitor their progress in these areas annually.

The Act aims to improve the capability of public servants to improve outcomes for Māori. Surely improved capability could help, but it could also be insufficient. What more needs to be done to achieve the vision?

Improved capability and engagement are a means to an end. Stopping there defeats the purpose. All of this is about improving the daily lives of Māori wherever they live. As public servants, we all have the ability to influence policy, practice, process, and implementation. The point of building capability is to ensure that, in doing so, our lens changes and leads to the Crown as a Treaty partner crafting better policy, making better informed decisions, implementing decisions alongside our communities, and engaging and partnering as second nature. It also requires the work of agencies like Te Puni Kōkiri in supporting Māori capacity. What naturally follows from a process that is co-designed is better outcomes for Māori whether they are social, economic, environmental, or cultural.

Can you give us some ideas of where public servants can turn to get help to make a difference for Māori?

- Ask the Public Service Capability Team Te Arawhiti for assistance.
- Look at the tools and resources on the website of Te Arawhiti to guide you.
- Te Taura Whiri i te Reo Māori can assist and has resources around te reo Māori.
- The Public Service Commission can guide organisations around leadership expectations.
- Te Puni Kōkiri (Ministry of Māori Development) can guide agencies around empowering Māori and helping them build their capability to interact with government.

LOOKING AFTER TOMORROW TODAY

Stewardship is one of the six principles in the Public Service Act 2020. MARY SLATER and SHENAGH GLEISNER talked to six public sector leaders about how they see stewardship working in the public service.

The six leaders were Vicky Robertson, Chief Executive and Secretary for the Environment; Iona Holsted, Chief Executive and Secretary for Education; Andrew Bridgman, Chief Executive and Secretary of Defence; Neil Cherry, Deputy-Director General, Corporate Services, Ministry for Primary Industries; Andrew Coster, Commissioner of Police; Dr Caralee McLiesh, Chief Executive and Secretary to the Treasury (who provided written comments).

Stewardship is not a new concept

The concept of stewardship has been around for some time in the public service and was well-described in March 2017 by Andrew Kibblewhite, then chief executive of the Department of the Prime Minister and Cabinet. He said: “It essentially boils down to taking decisions or actions today that mean we are collectively better off in the future than we would have otherwise been ... Stewardship is at heart a deliberate and careful attempt to better incorporate long-term costs and benefits into decisions we take today.”

Articulating the concept of stewardship is perhaps easier than implementing it. Criticism has been drawn from both New Zealand and overseas that there had been erosion of the public service’s capacity to discharge its role in relation to taking the long-term view.

The inclusion of stewardship in the Act gives it a greater prominence and presents an opportunity to translate these fine words into practice. Stewardship is an action, not just a title – it represents clear challenges to day-to-day management of public sector agencies. As Andrew Bridgman said: “Departments must

look to ensure their long-term work is not compromised by short-term considerations or pressures.”

THERE HAD BEEN EROSION OF THE PUBLIC SERVICE’S CAPACITY TO DISCHARGE ITS ROLE IN RELATION TO TAKING THE LONG-TERM VIEW.

The core of stewardship

The leaders had a common understanding of the fundamentals of stewardship. The notions of “responsibility” and “taking care of” resources permeate the concept, ensuring the part of the system you look after is “fit for purpose for the future”. Having responsibility for part of the public service system, and ensuring it is left in a better state than when you started, was a strong theme.

Andrew Coster said: “I want to leave the organisation in good shape for the next Commissioner.”

Neil Cherry said: “Stewardship is about careful and responsible management of something that’s entrusted in our care, whether that’s public funds, management of New Zealand fish stocks, animal welfare, or asset management.”

These elements of taking responsibility for others are nearer the “ownership” end of the spectrum, focusing on keeping your agency, its legislation, processes, and systems strong now and for the future. All agencies care about this.

An expansive concept of stewardship

The leaders see the opportunity to extend stewardship to a more ambitious, aspirational demonstration of commitment to the

Taking stewardship seriously

JONATHAN BOSTON of the School of Government, Victoria University, asks how the idea of stewardship will be applied.

For public servants, exercising wise stewardship is mandatory; it is not optional. Morally, it has long been a relevant and important obligation. Legally, it has been a specific and significant duty since the passing of the State Sector Amendment Act in 2013. Recently, the Public Service Act 2020 has strengthened the stewardship obligations of public service chief executives and their staff. It is now critical for these obligations to be taken seriously and accorded a high priority.

The Public Service Act refers to stewardship in several key sections. First, under Section 12 “stewardship” constitutes one of the five core public service principles. These principles apply to all parts of the public service (that is, departments, departmental agencies, interdepartmental executive boards, interdepartmental ventures, and Crown agents). Equally, stewardship applies to a broad range of functions and capabilities: human resources, “institutional knowledge and information”, “systems and processes”, “assets”, and “the legislation administered by agencies”. Moreover, the Act requires the public service to “proactively promote stewardship”. Hence, the pursuit of stewardship must not be perfunctory, episodic, or a mere “nice to have”; rather, it must be centre-stage: deliberate, considered, rigorous, integral, continuous, and systematic.

Second, Section 52 takes matters a step further. Under this provision, the chief executives of departments and departmental agencies are expected to “support” their “Minister to act as a good steward of the public interest”. This includes: “maintaining public institutions, assets, and liabilities”; “maintaining the currency of any legislation administered by their agency”; and “providing advice on the long-term implications of policies”. All this reflects one of the core purposes of the public service, namely, to support “the Government to pursue the long-term public interest” (see Section 11). Precisely what constitutes the “long-term public interest” will doubtless remain contentious. Societies have multiple long-term interests, and they are often in tension.

Third, in keeping with these provisions, the Public Service Commissioner will

future. They talked of giving policy advice to meet the needs of future generations, having sector-wide strategies, focusing on inter-generational equity, shaping their responses to the immediate challenges of the day by reference to long-term plans and outcomes, resolving current issues and demands in a way that signposts the long-term end, and taking stakeholders along a path of sustainable practice.

We were struck by the diverse opinions on how stewardship could be applied across the agencies. The descriptions had many common features but are strongly grounded in each agency's unique context. For example:

- The Ministry for the Environment is of necessity inter-generational because of the nature of their work, their legislation, and their independent reporting role. Vicky Robertson said: "Collaborative action across sectors (not limited to the public sector) will be important. Insight briefings must be done with these connections in mind ... how we work with communities, the private sector, and iwi and Māori is equally important."
- The Ministry of Defence also see stewardship embedded in everything they do. The Defence Capability Plan already sets out the indicative planning investments in the New Zealand Defence Force out to 2030. Furthermore, they see climate change as a major driver of military operations and are "embarking on a journey to better respond to the increasingly complex impacts of climate change". All of this requires long-term strategy and policy perspectives.
- The Ministry of Education has reviewed its operating model, in part to support its focus on the long-term view. Key to their approach was Kōrero Mātauranga, a series of education-focused conversations to enable them to develop a vision. Iona Holsted said: "We operate with a high degree of uncertainty, but our long-term focus means we can keep going through major events. And we can take opportunities as they arise."
- The Treasury has a stewardship role as a central agency. It has a cross-government leadership role for regulatory system stewardship and assurance. For the last decade, the Treasury's work on its Living Standards Framework, driven by broad ambitions for wellbeing, has encouraged a focus on important factors that align with stewardship, such as

sustainability, inter-generational equity, distribution impacts, and social and natural capital considerations.

THE PRIMARY DRIVER OF STEWARDSHIP IS LEADERSHIP.

The articulation of stewardship in each agency depends on the context that shapes their vision. Legislation sets requirements for their work; the timeframes may vary – timeframes for thinking about the future vary across systems that change slowly (such as the environment) and systems that change fast (such as technology); an agency focused on strategic policy on the one hand and on 24/7 operations on the other will necessarily approach stewardship differently.

Stewardship is an inter-generational concept. A predominant focus on the fiduciary responsibility or on the narrow scope of individual departments, or a traditional view of being a "steward", could fail to realise the opportunities presented by the Act.

The drivers of stewardship

Leadership by chief executives

These public sector leaders felt that the primary driver of stewardship is leadership, mostly from the chief executive. Without this leadership, the mind-set about serving current and future generations will never permeate an organisation, its sector, or its stakeholders.

The role of ministers

Ministers may not demand or drive stewardship in so many words, but they do want to make a difference for the future and understand the importance of maintaining capability for the long term.

We heard some compelling examples of how public sector leaders engage with their ministers on the long-term aspirations for their portfolios, painting a vision for the future with the minister, then dealing with short-term decisions in the context of this future vision.

Much can be achieved, despite the inherent bias towards the short term in our political cycle.

be expected to assess the quality of stewardship exercised by public service chief executives when reviewing their performance. The Commissioner may also, as specified in Section 16, review the extent to which public service chief executives, public service agencies, and Crown agents are "promoting stewardship" when preparing the new three-yearly briefings of the state of the public service required by the Act. Note, too, that the purpose of these briefings, as specified in the Act, is to "promote stewardship of the public service".

Statutory requirements of this nature, of course, beg numerous questions. What exactly is stewardship? And how should it be assessed?

The concept of stewardship has a long history and a rich meaning. It is linked to "guardianship", "trusteeship", the

exercise of "fiduciary duties", and the kaupapa Māori concept of kaitiakitanga. Fundamentally, it is about the careful, diligent, honest, and responsible management of those things that are entrusted to one's care – resources, assets, institutions, and systems of governance. Being a thoughtful steward includes taking a long view, exercising foresight, anticipating risks and opportunities, and acting prudently – in short, demonstrating wisdom and sound judgment.

With our world facing grave existential threats, good stewardship is ever more critical. Accordingly, public officials must look beyond the immediate horizon, be alert to emerging risks, identify how best to safeguard the interests of future generations, and grapple with the demands of inter-generational justice and wellbeing. Such attributes are at the heart of the emerging concept of "anticipatory

governance" – or, in simple terms, taking proper care of tomorrow today.

While the qualities of good stewardship can be readily described, their application in specific institutional contexts is much harder. Hence, if the provisions of the Public Service Act are to be properly understood and well-implemented, the Public Service Commission and other central agencies must provide appropriate guidance to public service chief executives and their staff. Such guidance should include relevant principles and performance standards, covering both decision-making processes and desired organisational behaviours and outcomes. Without this, the goal of better stewardship is destined to remain a pious hope – in Shakespearean terms, "full of sound and fury" yet "signifying nothing". Future generations deserve better.

The impact of the Act

The leaders felt that the Act created a more supportive authorising environment but did not see it as a key driver. Some felt that the impact of the Act may be limited, offering some impetus and maybe some tools to assist, particularly on better collaboration.

Others anticipated that the requirement in the Act could make a big difference. The Act states that the public service supports ministers to be good stewards but also that public service leaders must look to act as good stewards in their own right. The leaders noted that it empowers public servants through their statutory obligations to take care of the long term in both aspects of the Act, and this tilts the balance towards greater public service emphasis on stewardship.

Expectations of stakeholders

Stakeholders can also drive long-term thinking, for example, in the defence and environment sectors. Some stakeholders ask for an investment strategy – they want some certainty and longer-term plans.

HAVING THE RIGHT CAPABILITY IS CRITICAL FOR SUCCESS.

Long-term insights briefings

A chief executive must give long-term insights briefings to the appropriate minister at least once every three years and must do so independently of ministers. A briefing may set out the strengths and weaknesses of policy options but without indicating a preference for a particular policy option.

It is early days in planning for these briefings, with guidance currently in development. However, some departments already have some experience of the analysis and planning for this type of briefing. For example:

- For the 2019 State of the Environment reporting, Vicky Robertson says they were already talking about trends, picking priorities, and showing their impact.
- Andrew Bridgman explained that the Ministry of Defence regularly prepares White Papers on a set of topics that are geared to long-term thinking.
- The Treasury already has a statutory requirement to produce long-term fiscal statements and investments statements, along with economic and fiscal updates and economic narratives.

The Act specifies that briefings should be independent from the minister, be impartial, and be made available to the public. These briefings are not a simple continuation of what exists already. They are likely to be a significant step-up in addressing the needs of future generations.

A strongly held view was that long-term insights briefings cannot be done agency by agency – they must be sector-wide, and this will often include agencies outside the public service.

In the education sector, a sector-wide governance group is increasingly focused on stewardship, for example, it has the key

strategic goal of a managed pathway from early learning through to work. Members of the group include the Ministry of Education and statutory Crown entities in the sector. Iona Holsted explained that the type of entity does not stand in the way. It is trusted relationships that matter.

Some other comments caught our attention:

- Briefings could be around a key group of vulnerable New Zealanders (such as NEETS) or around an outcome. It would require many agencies contributing.
- The need for public consultation in the development of these long-term insights briefings was noted by Andrew Bridgman: “I welcome public engagement as an opportunity to engage, educate, and involve the New Zealand public in a subject they may not necessarily know well or discuss every day.”
- The Treasury noted that such briefings have most value when the issues, opportunities, and potential policy directions are outlined broadly. The Treasury also noted the importance of defining the issues as neutrally as possible.

An overall aspiration is to ensure the long-term insights briefings are not “vanilla”, mechanistic, or lacking courage.

Capability building challenges

A few of the leaders said that their long-term people capability plans are not as well-developed as they should be. They emphasised that having the right capability is critical for success. Vicky Robertson said: “To exert good stewardship, the public service has a significant capability challenge ahead of it. In terms of some key capabilities, the public sector is at the crawling stage.”

Some of the capabilities mentioned included practical application of systems thinking, modelling capability to demonstrate impact, giving free and frank advice to help ministers make the best long-term choices, and establishing and sustaining profound connections across systems.

Iona Holsted said: “Giving effect to the Articles of Te Tiriti must be part of our role as stewards; this is a challenge and an opportunity and we are working on it.” Others said that if people do not understand te ao Māori, they cannot be stewards. This is a fundamental and urgent capability challenge.

Final thoughts

We came away from these interviews impressed and inspired by the passion for, and commitment to, stewardship among these public sector leaders.

There are some agencies pushing forward at this work. There will be plenty of examples of excellent practice that can be described, collated, explored, and shared. The challenge for central agencies will be to facilitate, guide, support, and enhance, avoiding a one-size-fits-all approach and yet laying out clear performance standards. A system-wide learning approach will be fundamental.

Questions yet to be answered include: Will the changes in the Public Service Act make a difference? Will they improve the dual ability to resolve the problems of the day in a way that maintains inter-generational momentum towards the wellbeing of New Zealanders? And how will we know if this has happened?

NO SURPRISES: A RE-EXAMINATION

IPANZ Board member, JOHN LARKINDALE summarises the issues around “no surprises”, informed by a recent IPANZ round table where a diverse range of views were expressed.

The application of the so-called “no surprises” element of the relationship between ministers and departmental chief executives (CEs) and government boards has created much debate. The IPANZ Board came to the view that there were a range of issues around the idea of no surprises that merited further consideration. To this end, IPANZ recently facilitated a Chatham House round-table discussion among a group of experienced practitioners able to provide a 360 degree insight into its evolution and current application. The following comments have been informed by that discussion.

“No surprises” (a concept that, incidentally, does not seem to be a formal precept in any other Westminster jurisdiction) appears to have been first spelt out under the fourth Labour government with the establishment of the new SOE operating model. Initially referred to as “early warning”, the idea was extended to the public service during the time of the Bolger administration and was subsequently codified in the Cabinet Manual in the section relating to relations between ministers and departmental officials.

In short, the Cabinet Manual states that “in their relationship with the Minister, officials should be guided by the ‘no surprises’ principle [and] as a general rule, inform Ministers promptly of matters of significance within their portfolio responsibilities, particularly where these matters may be controversial or may become the subject of public debate”. Further, it states that “the chief executive should exercise judgment as to whether, when and how to inform a Minister of any matter for which the chief executive has statutory responsibility”.

The Manual describes no surprises as a principle. It is in fact not a principle, nor a convention, but is best described as a duty, the exercise of which has evolved through guidance and practice. It is also the case that today it is applied more frequently than in years gone by, in parallel with the practice of providing ministers with more detail on agencies administrative and operational matters than was the case previously. The correlation with the ever-shorter news cycle and, more recently, the pervasiveness of social media is not coincidental.

THE MANUAL DESCRIBES NO SURPRISES AS A PRINCIPLE. IT IS IN FACT NOT A PRINCIPLE, NOR A CONVENTION, BUT IS BEST DESCRIBED AS A DUTY.

In so far as a principle is involved, it is perhaps the constitutional principle that ministers are answerable to the public (through parliament) in the exercise of their ministerial warrant or portfolio responsibilities that is at the heart of the issue. It is accordingly necessary for CEs to support ministers in that responsibility. Conversely, however, it is not the role of CEs or government boards to make ministers look good politically or to avoid political embarrassment.

It follows, therefore, that the no surprises approach to informing should be implemented whenever and wherever a minister may require that information in order to fulfil their obligations to parliament and the public. In other words, a “purpose” test needs to be applied – why does the minister need to know? The overriding test is whether or not the minister’s political interests are being served by disclosure or the administrative interests of the executive. In short, does the minister need the information to discharge the responsibilities of their ministerial warrant (but no more)?

THE NO SURPRISES CONCEPT IS NOT AN EASY ONE TO APPLY IN PRACTICE.

It follows from this, that there are four broad scenarios for departments involving no surprises:

1. The CE advises the minister that information on a particular issue is likely to get into the public arena so that the minister is forewarned and can prepare to engage on that issue in fulfilment of their ministerial warrant.
2. The CE consults the minister on a particular issue to ensure that all relevant factors are taken into account, while making it clear that decision making and action on the issue remains with the CE.
3. The CE advises the minister of a decision they have taken that may attract public comment, while making it clear that decision making and action on the issue remains with the CE. (In the case of official information, the CE may pass the issue to the minister to handle if, for example, it is determined to be political in nature and not an intrinsic statutory responsibility of the department.)
4. The CE does not advise the minister of a particular issue, perhaps because it has the potential to unnecessarily contaminate the minister or to compromise the minister’s neutrality or objectivity in other elements of the exercise of their constitutional responsibilities.

It is evident, therefore, that the no surprises concept is not an easy one to apply in practice. But there is an additional complexity in play today, namely, in the form of political advisers in ministerial offices. These often take on something of a filtering role in the communication links between CEs, boards, and ministers. Depending on the issue, this can play out either as blocking information to ministers or, conversely, demanding more information than the CE judges it is appropriate to reveal. The constitutional link, however, is between the CE and the minister, and it is critically important that the CE not be impeded with communicating directly with the minister, if necessary, on a one-to-one basis.

This raises the question of whether it would be helpful to develop a “positive list” of issues on which CEs or boards might be required to advise ministers. This could include both issues on which there is a duty to inform as well as those on which there is a duty not to inform. I suggest, however, that while there could be merit in developing a set of illustrative examples to guide CEs, it would be very difficult to compile an exhaustive list covering all eventualities.

The corollary is that much in the exercise of no surprises must necessarily rest on the judgment and experience of the CE, as well as on the quality of the relationship between the CE and the minister. A key element must be a focus on the key question of whether disclosure is conducive to good governance. And of necessity, this will always be a judgment call, even if some circumstances will be clearer than others.

Hence, it is very difficult to conceive of the development of any legislative or legal underpinning of the no surprises concept. Its weight stems only from the primacy given to the Cabinet Manual as a guide to ministers and senior departmental officials on the exercise of their duties and responsibilities.

Given the above discussion, the question of whether the no surprises practice might be better re-named “early warning” has been raised as a possibility, not least because even given best practice, surprises are always likely to eventuate in public administration. This would seem to have some merit as the term early warning would capture the intent in many circumstances. On the other hand, there will also be instances where timeliness is less of a critical factor, but “need to know” is the key driver. The nomenclature may be less important than a clear understanding of the framework in which the practice needs to be applied.

THE OVERRIDING TEST IS WHETHER OR NOT THE MINISTER’S POLITICAL INTERESTS ARE BEING SERVED BY DISCLOSURE OR THE ADMINISTRATIVE INTERESTS OF THE EXECUTIVE.

The application of the no surprises practice is particularly challenging when personal information is involved. Here the Privacy Act also comes into play. An underlying principle is that personal information is not available other than for the purpose for which it was collected or with the authorisation of the individual concerned unless exemptions apply. The potential conflict with the principles of the Official Information Act, namely that all information should be available (other than for specific reasons set out in legislation) is obvious.

In some instances (for example, where a specific individual has approached a minister or their MP about a personal matter) consent can be assumed. In others, however, this is not the case, and great care needs to be taken when a specific case may need to be drawn to the minister’s attention where the statutory decision-making power lies with the agency not the minister.

This raises the question of whether there needs to be legal reinforcement of a principle of non-availability of personal

information to mirror the principle of availability of official information. A parallel has been drawn with the very strong confidentiality provisions of New Zealand’s revenue legislation, which in broad terms makes it a criminal offence for any information about an individual’s affairs to be disclosed to any person, including the minister. This means that different confidentiality provisions covering personal information apply in areas such as welfare payments and student loans, depending on whether the programme is administered by IRD or another agency.

I WOULD VENTURE TO SUGGEST THAT LESS EMPHASIS BE PLACED ON THE “SURPRISE” ELEMENT (WHICH IS ULTIMATELY SUBJECTIVE) AND MORE FOCUS BE PLACED ON THE FUNDAMENTAL QUESTION OF WHAT IS THE INFORMATION THAT THE MINISTER NEEDS.

Does the tax precedent provide a model for the wider application of no surprises? Probably not directly, since these taxation secrecy provisions are grounded on the constitutional basis of who has the power to tax individuals, which is reflected in the statutory independence of the Commissioner of Inland Revenue. There seems, however, to be no intrinsic reason why an extension to prohibit the release of other personal information could not be considered. But for the moment, disclosure of personal information under no surprises rests on Privacy Act considerations, and with this in mind, the Privacy Commissioner has developed some guidelines to assist ministers and CEs with these judgments.

I would venture to suggest that less emphasis be placed on the “surprise” element (which is ultimately subjective) and more focus be placed on the fundamental question of what is the information that the minister needs in order to discharge the responsibilities of their office and their accountabilities to parliament and the public. Such a focus could well arrest the increasing trend towards giving ministers more information than they need, which blurs that critical defining line between ministerial answerability to parliament and CE’s responsibility to ministers.

IPANZ will be giving this issue further consideration with a view to putting forward some propositions for future changes. These propositions will be shared with members in due course.

PETER MCKENZIE looks at three articles that examine rising anger and social division, starting with the picture in the United States. He asks how New Zealand might respond to these special, deep-seated problems.

In a searing article for *Rolling Stone* – “The Unravelling of America” – the anthropologist Wade Davis noted that it is not habitual Zoom meetings or the rigorous culture of hand washing that will emerge as the defining legacy of COVID-19. Rather, COVID-19’s legacy will be the shredding of the United States’ international reputation.

As one writer observed in the *Irish Times*, “The United States has stirred a very wide range of feelings in the rest of the world: love and hatred, fear and hope, envy and contempt, awe and anger. But there is one emotion that has never been directed towards the U.S. until now: pity.” Pity for a superpower that relied on humanitarian aid from its greatest competitor, whose world-leading economy struggled to produce basic necessities, whose leader debased himself every time he stepped in front of a camera, where the virus’s death rate was many times the global average.

IT IS NOT HABITUAL ZOOM MEETINGS OR THE RIGOROUS CULTURE OF HAND WASHING THAT WILL EMERGE AS THE DEFINING LEGACY OF COVID-19.

In the face of such failure, and confronted by worldwide concern, the U.S. can no longer be considered a global hegemon. As Aotearoa moves into a new world – of truly existential threats, from viral pandemics to a collapsing climate to intensifying superpower rivalry – it is essential that our public servants and leaders learn from the mistakes of the U.S.

Davis’s diagnosis of the U.S. collapse is simple. “The American cult of the individual denies not just community but the very idea of society. No one owes anything to anyone. All must be prepared to fight for everything;

education, shelter, food, medical care. What every prosperous and successful democracy deems to be fundamental rights – universal health care, equal access to quality public education, a social safety net for the weak, elderly, and infirmed – America dismisses as socialist indulgences, as if so many signs of weakness.”

Negative solidarity

By contrast, successful responses to COVID-19, and successful states in general, have been defined by a strong sense of social solidarity. The “team of 5 million” cliché captured a remarkable truth about Aotearoa’s pandemic response: danger to one New Zealander was a danger to all; in order for all of us to be safe, all of us had to be protected. So too, Davis wrote, of his country of residence – Canada. “Canada performed well during the COVID crisis because of our social contract, the bonds of community, the trust for each other and our institutions, our health care system in particular, with hospitals that cater to the medical needs of the collective, not the individual, and certainly not the private investor who views every hospital bed as if a rental property. The measure of wealth in a civilized nation is not the currency accumulated by the lucky few, but rather the strength and resonance of social relations and the bonds of reciprocity that connect all people in common purpose.”

But as I explained in a recent article for Newsroom – “Aotearoa’s Unique Identity Crisis” – Aotearoa cannot take that social solidarity for granted. External threats – whether they be pandemics, wars, or natural disasters – have often spurred unified responses from the population under assault. This is *negative* social solidarity: time limited and homogenising. *Positive* social solidarity – organically arising and enduring, unifying people without necessitating total agreement – is much more difficult to achieve. We can see that in our polarised response to climate change: an even more significant challenge that has not generated the same degree of unity and fellow-feeling as coronavirus.

The roots of the crisis

More worryingly, many of the trends that brought the U.S. to its current crisis are present in our national experience and culture

as well. Among these trends, according to Davis, are spiralling economic inequality and financial insecurity, the decline of cross-cutting institutions like religious communities and community groups, and the shrinking or break-up of personal support networks like close friends or family units. All of these are trends that can be observed – albeit to a lesser degree – in Aotearoa.

THE AMERICAN CULT OF THE INDIVIDUAL DENIES NOT JUST COMMUNITY BUT THE VERY IDEA OF SOCIETY.

The consequences of such trends are two-fold: first, a growing sense of anger and resentment both among marginalised populations suffering the indignity of injustice and privileged populations experiencing the decline of their relative power; second, an accelerating isolation of individuals to the point where they



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cannot understand or empathise with the lived experiences of others. That anger and the inability to bridge experiences are inextricably linked. In his exceptional explanation of the intellectual roots of this modern surge of resentment in his book *Age of Anger*, Pankaj Mishra wrote, “Resentment was inherent in the structures of societies where formal equality between individuals coexists with massive differences in power, education, status, and property ownership.” He went on to explain that this resentment, “as it lingers and deepens, poisons civil society and undermines political liberty, and is presently making for a global turn to authoritarianism and toxic forms of chauvinism.”

The response

From the perspective of the policy maker, any response to these trends must be two-pronged.

Firstly, they must focus on addressing the ethnic and economic inequities that are fracturing our societies. This requires truly radical thinking: from a wealth tax of the sort called for by French economist Thomas Piketty to devolution of resourcing and services to groups such as iwi that have more direct experience in meeting the needs of marginalised groups.

Secondly, they must focus on providing opportunities for people to build bridges across experiential and identity divides.

This is a much less familiar policy challenge, with multiple facets. It requires acting from a different values foundation: as I observed in “Aotearoa’s Unique Identity Crisis”, “it is the rich concepts of whanaungatanga and whakapapa undergirding Māori collectivism that now offer the best hope of sustainably bonding Kiwis together ... [values such as whakapapa and whanaungatanga present] a compelling philosophy of interpersonal duties: to listen, care for, and work with others. Those interpersonal duties are the connective tissue, which allow the formation of a tightly knit community that can collectively recognise and mobilise against significant challenges, even if not all members of the community have directly experienced them.”

The paths in New Zealand

Beyond the integration of these values into our policy process and national conversation, developing a policy agenda focused on building community and bridging identity divides requires the introduction of policy responses very different from the current norm. As I wrote in “Aotearoa’s Unique Identity Crisis”, in order to expand my own lived experience and develop a new aspect to my identity, I joined the Army Reserve. “The experiences I had and the relationships I built in Waiouru (and since, in Trentham, Linton, and New Plymouth) are neither better nor worse than those I would have found [elsewhere], but they are dramatically different.

Suddenly I was exploring a radically new world and developing a radically new identity. With roots in completely divergent communities, the othering which is so crucial to polarisation became much harder to engage in.” A policy agenda focused on bridging divides might involve inclusive efforts to build community, like encouraging multi-generational living, connecting lonely people (such as isolated students and retirees), and neighbourhood activities like tree planting or pest eradication.

These policy challenges – resolving ethnic and economic inequities and building community and bridges across identities – will be among the most pressing for twenty-first century policy makers. Our success or failure in addressing them will determine whether we follow the path of the United States or not.

IPANZ is always looking for your ideas on great websites, blogs, and articles from any part of the world that we can dig into to bring the insights to our members.

PLEASE GIVE US SUGGESTIONS ON WHERE WE SHOULD BE LOOKING. SEND YOUR IDEAS TO US AT Shenagh@ipanz.org.nz

MIDDLE MANAGERS AS CHANGE LEADERS

The Conversations

Middle managers are often in a tricky position – they get pressure from above and below. CHRISTINE LANGDON speaks with middle managers from different parts of the public service and uncovers some interesting issues.

If change starts with ngā tāngata, New Zealand’s public service middle managers are well-placed to lead it. They have a view across all levels of their organisations, they can translate and connect strategy and operations, and they’re the ones people look to for “how things are done around here”.

MIDDLE MANAGERS KNOW THEY HAVE THE OPPORTUNITY TO BE – AND THAT THEY MUST BE – KEY PLAYERS IN LEADING CULTURAL CHANGE.

Implementation of the Public Service Act

The connections and influence of middle managers means they are in a special place to bring to life the new Public Service Act, with its focus on cultural change — the principles and the values we all work by, which cross-agency joint ventures will appear, the nature of Māori Crown relations, and much more.

Middle managers know they have the opportunity to be – and that they must be – key players in leading cultural change. Their teams’ eyes are on them. They see issues at an operational level that senior leaders often can’t see.

“There is a direct role for middle managers in explaining those behaviours, permitting them, encouraging them, role-modelling them. We won’t see people displaying the principles and values unless their direct manager is enabling that and helping people navigate it,” one manager told me. “If our teams are not getting the signal that this matters, or getting permission – for example, to be free and frank – those things won’t happen.”

Another manager added: “We can have significant influence on culture change in our organisations, and we should – we set the tone and have the opportunity to raise the bar on things like delivery and behaviour and cultural awareness.”

Being ready

But are they ready to lead the changes needed to breathe life into the new Act? At this stage, it appears to be a waiting game.

The middle managers first need to know what the Act demands of them. The sense is that it hasn’t been well-communicated beyond senior leaders, and it hasn’t been a priority for them to find out what the Act demands and what changes it has introduced.

In the words of one manager: “First you would have to tell me what the changes are.”

Another pointed out: “I know that there were changes because the State Services Commission changed its name. We got some kind of communication about it, but I find it’s hard to make time to sit down and read and digest something that is not immediately necessary.”

And there lies a central problem: time.

Finding time to lead change

One of the main reasons why many middle managers don’t know the ins and outs of the Act, and what it might mean for them and their teams, is that they’ve been too focused on business as usual (BAU) — in many cases designing other legislation and programmes of work (not to mention managing COVID-19).

The pressure of BAU, the long hours, and the juggling of priorities means that taking the lead on organisational or systemic change tends to take a back seat. There does not seem to be time for real reflection, for stepping outside the day-to-day tasks. Middle managers can think of senior managers above them who lead very effectively and carve out meaningful time for this work, but this is not uniform and in fact seems rare.

Although they may have the will to influence change — and even an implicit mandate — they simply don’t think they have time.

“We are enabled to champion change, but it is on top of the rest of the work as opposed to a planned approach of saying ‘let’s sit down and talk about how we can get the best out of the situation and what is going to be successful!’”

As one manager told me: “When you are a middle manager in an operational area, your time is taken up with operations day to day. If you are supposed to be leading some change, you need the manager above you to walk you through the issue, help you understand it, and explain how to lead it explicitly. Your inbox is completely full all the time – there is so little space to think beyond the day-to-day work.”

And that’s where many are waiting on the managers above them to make the mandate more explicit — otherwise there’s too much risk in taking the eye off the ball in their day-to-day tasks.

MANY ARE WAITING ON THE MANAGERS ABOVE THEM TO MAKE THE MANDATE MORE EXPLICIT.

The enabling environment

“Public sector managers will tend to focus on the things that they know they are going to either get in trouble for or will get rewarded for. Sometimes the cross-cutting system issues have not really been in that space, so it depends on whether your senior leadership is saying it is a priority. The enabling environment is really important.”

Whether middle managers are empowered to promote change is dependent on their immediate managers. The chief executive may well champion and promote change, but it does not always filter down in practice.

Generally that means putting some budget, resource, KPIs, and other forms of explicit commitment alongside it, which middle managers aren't seeing.

Many of the priorities enshrined in the Act aren't entirely new – increasing the collaboration across the sector and strengthening Crown relationships with Māori are two that managers acknowledge we've been hearing about for a while. In the past, the stated intentions haven't translated into meaningful change. And for that to be different under the Act, they say it's going to need to be supported by leadership from above.

"We've heard a lot of commitments around a lot of things for Māori but we've had nothing substantive to change the way we work and operate and practice ... If there was some meaningful commitment, then we would see some real people-moves in regards to appointments and recruitment and having more Māori at the table right at the beginning with co-designing and collaboration, then we would see more use of te reo and more people who were confident and competent around speaking te reo. We would have more buy-in when it comes to Māori strategy.

"Unless there is some thought given around how much time, how much resource will go into the change process and how that will impact BAU, then it is always going to be really tricky to get the outcomes that you need from the change."

The challenge of resources

It's not always about money – but more often than not, it's at least part of it.

THE GREATEST ENABLER OF THEIR ABILITY TO LEAD IS THE LEADERSHIP THEY RECEIVE.

"Budget is always a challenge. That always leads to prioritisation about what we can afford to do and what we can't afford to do."

This makes it demanding to work across agencies. There's a "they've got their budget and priorities and we've got ours" mindset that's going to be hard to overcome.

"We are all given a certain amount of money to do our function. And the extent to which we are prepared to come up with priorities that serve other agencies' interests is quite a challenge – so will we be allocated amounts of money that are truly for joint priorities rather than taking away from an individual agency?"

"Agencies come from practice frameworks or evidence bases that are balancing a whole set of priorities for them. Working across agencies where you are trying to achieve multiple objectives requires everyone to give up something and it can be hard ... We always say 'what will work for us will work for you', but try the reverse and it will become very challenging."

Management support

All the challenges aside, for any cultural change to happen, there's no question that the change has to filter down to middle managers. And it can happen with the right support.

Across the middle managers I spoke with, there's a consensus that the greatest enabler of their ability to lead is the leadership they receive. They need good managers who can be counted on to support them. It's not just about the information flow, but is about action.

"We need to work for people who know what being a good manager is, who value people, who want the best out of their people and know how to support them the right way. We want managers who work professionally, with integrity, and who take interest in their staff and in their people in a way that makes them feel valued. He tāngata, he tāngata, he tāngata."

Development opportunities

Middle managers need development opportunities to support their own leadership capabilities – in particular, they need to deepen their management skills, build their cultural competency, and get outside their own organisations to learn about and make connections across the wider sector.

There's an acknowledgment that middle managers often come from operational or policy work. They apply for middle management roles because it is a promotion and probably more pay, but they are not always prepared for management roles.

For example, with the new capability required for Crown Māori relations, it might be appropriate for all managers to do training and meet some basic requirements in te ao Māori before taking a management role.

One said that attending management training had given them relationships across the sector – and an understanding of the wider sector – that many of their peers lacked.



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“When you get to this level and you are expected to think across the system, you need a mechanism to help you create those networks. You are not just going to phone another agency. When I think about my peer group, there are eight of us and none of the others have been on it [the management course], and when I think of some of the things that are frustrating about them, it is their tendency to think about only their patch.

“The informal relationships with peers and networks that you build when you go on a management course are so valuable because it gives you the opportunity to kick things around and share experiences and suggest different ways of doing things.”

Where to from here

Each of the conversations was rich in insights and ideas, expressed with enthusiasm and eagerness to contribute to change and to make a positive difference for their organisations, their teams, and the communities their mahi serves.

But is the right environment present for middle managers to contribute to cultural change?

The conversations left me with three questions that all public service leaders might wish to ponder:

- Can middle managers be consistently managed, supported, and led more effectively by their own managers?
- How will time be released, or is BAU so pressing that time cannot be carved out for thinking, planning, and leading change at the middle manager level? (Do they even want them to contribute – or do they want them focused on BAU?)
- Is training in managing change, especially cultural change, good enough?

THE RESEARCH

IPANZ searched out articles focusing on middle managers and organisational change. This is not a literature review. It is a snapshot of the insights from research or opinion articles exploring this subject.

These articles give us a window on the current views of middle managers and their role, but there is little information on the perceptions of the middle managers themselves. That’s why we wish to start the conversation with middle managers here in New Zealand.

A positive view of middle managers

Middle managers are described as assets for mediation and are crucial for

implementing new strategies and to help people through change. Middle managers synthesise and accelerate information flow and facilitate adaptability. Successful change must preserve the core of the organisation, while changing parts of it, and in this regard, middle managers can keep organisations stable through change. They can contribute to the emotional balancing that takes place, often through effective listening and reframing.

And a more negative view of middle managers

In some articles, authors speak of middle managers as the “frozen” middle, the concrete that’s being “squeezed”. There is a perception that middle managers are resistant to strategic imperatives, and at times, they restrict communication, even if it is done inadvertently. They are described as cautious or reluctant to lead change. There was little evidence that middle managers act as entrepreneurial leaders. There is a perception that the ability of middle managers to focus on longer-term goals – and their own development needs – is compromised because of the pressure to attend to short-term demands.

The importance of middle managers

Middle managers look upwards and downwards to reconcile strategic objectives with operational objectives. One author calls them the “linking pin”. This captures their crucial position in the organisation.

Other authors stress that middle managers can frame and make sense of change. They can translate this into reality on the ground and can therefore reduce resistance to change.

They note the tendency for senior managers to use lofty and vague visions and slogans to describe initiatives. Middle managers translate what the changes actually mean for their people in terms of how they will work in practice. Middle managers doing this translation or “sense-making” deliver tangible gains in employee buy-in.

The constraints for middle managers

These are some of the constraints that stand in the way of middle managers leading change in public sector organisations. These points are taken from research done in the UK and the Australian public service.

- The perception by senior people that middle managers lack strategic and leadership capability can result in failure to trust them as a crucial part of the change leadership team.
- The pressures of day-to-day work make it hard for middle managers to devote the time to lead change initiatives. The pace of service delivery can give little time to be proactive, to plan, and to negotiate.
- The lack of control by middle managers of key resources and processes, which could include budget allocations, can make it hard for them to feel empowered to lead change and to get traction.
- The “welter of initiatives” driven by senior managers can put pressure on middle managers who feel awash with change and improvement initiatives.
- The pervasive power of government in specifying goals or targets can make it hard to tailor solutions to fit with “local” realities.
- Heavy task workloads give less time for other activities, with senior managers placing value on task achievement.

Support for middle managers

These are some suggestions for supporting middle managers.

- Create opportunities for middle managers to initiate ideas for change and feed these ideas up to senior managers.
- Respect the combination of practical qualities and experiences in middle managers so they can identify and drive change, with the senior team supporting them.
- Work intensively as a team, with senior and middle managers operating together.
- Prepare staff before they move into middle management roles, giving clarity about the capabilities expected and needed.
- Enhance change capabilities of middle managers and give training and coaching to build these capabilities.

PURSuing THE PUBLIC INTEREST

What does it mean to pursue the public interest? This idea sits at the heart of the Public Service Act 2020. RODNEY SCOTT, Associate Professor at the University of New South Wales and Kaitohutohu Mātāmua Chief Policy Advisor of Te Kawa Mataaho Public Service Commission, examines different views of this critical idea. (The views expressed here are Rodney's and do not represent the views of Te Kawa Mataaho.)

The public interest is a term used frequently in public administration literature, but without consistent definition. Understanding the concept and then “pursuing” it is made more complicated in times of heightened uncertainty and contested ideals. This article explores six different conceptions of the public interest: normative, abolitionist, majoritarian, pluralist, consensualist, and polis. The existence of these different perspectives suggests that the role of the public servant is to draw from and reconcile each of them when making decisions and providing advice.



Rodney Scott

“standard of goodness” by which decisions can be judged. The normative view of public interest is a hypothetical option that best balances the social, economic, cultural, and physical outcomes across the many interests and groups that constitute “the public”. While this view suggests public servants can analyse their way to understanding the public interest, others have questioned whether the public interest, as the standard of goodness, is knowable to public servants.

Abolitionist view

In abolitionist models, the public interest is either unknowable or irrelevant. Glendon Schubert (1957) suggested that the concept of public interest makes “no operational sense” in that it is an abstract and idealised term that is impossible to determine or realise in practice. He sarcastically derided public servants seeking to determine the public interest as “benevolent bureaucrats, who are the guardians of the democratic state”. According to this view, attempts by public servants to determine the public interest and act upon this are at best paternalistic and, at worst, perpetuate the assumptions and biases of the dominant groups in society. In presenting technical analysis, public servants may not be conscious that their analysis is based on assumptions that are particular to a set of values.

Others agree that public servants shouldn't try to judge the public interest, but they disagree with abolitionists on whether the

public interest is a useful concept. Instead, they contend that public servants should seek to understand the public interest as determined by others. In political process models, like those mentioned below, it is less important what the public interest is and more important how we arrive at it.

OTHERS HAVE QUESTIONED WHETHER THE PUBLIC INTEREST, AS THE STANDARD OF GOODNESS, IS KNOWABLE TO PUBLIC SERVANTS.

Majoritarian view

Majoritarians, like Elmer Schattschneider (1952), argued that representative democracy results in a government that represents the public interest. It is not practical, majoritarians argue, to engage with everybody and try to reconcile their different interests. The best we can do is pick the option that works for most people. Majoritarians believe that the public interest can be determined by asking for a vote on discrete choices or by electing representatives to speak on behalf of the public. Many volumes of political philosophy have been dedicated to exploring the question of when decisions are best made on the basis of technocratic versus populist support.

Pluralist view

Pluralists, like James Madison (1787), are concerned that majority views may place unreasonable burdens on the minority. They assume that organised groups best represent the major interests in society, and these can be aggregated, balanced, or reconciled to reveal the public interest. Pluralists engage in consultation with those who speak on behalf of these groups and aim to aggregate their respective interests to create a single position that is broadly acceptable. To pluralists then, the public interest can be understood as the sum (or average) of whatever stakeholders say it is. Both majoritarians and pluralists accept that different individuals or groups have different self-interests, and these interests are static. Both perspectives result in winners and losers, or compromises that fall somewhere in between.

Consensualist view

The consensualist view of public interest (sometimes called shared values) observes that the public interest is not merely the sum or average of private interests, and further, individual conceptions of interests are not static and may be socially constructed. While majoritarian and pluralist views suggest that the process helps identify the solution that aggregates existing views, the consensualist view suggests that the process may reveal and create new commonality. As citizens interact with the political community, they are shaped by it and move towards a (sometimes vague or fuzzy) public consensus. As Paul Appleby (1952)

describes, “the public interest is never merely the sum of all private interests” and is instead created and revealed by participation.

THE PUBLIC INTEREST IS THE BEST POSSIBLE CHOICE (NORMATIVE VIEW), BUT IS FREQUENTLY UNKNOWABLE AS A TECHNICAL EXERCISE (ABOLITIONIST VIEW).

Polis view

In the polis view of public interest (sometimes called collectivist), the process is the goal. Further, the process of seeking the public interest is part of the constitutive fabric of a society. Societies are built by the process of individuals talking with each other to create and share in a vision for the collective. Rather than seeing citizens as self-interested, Deborah Stone (1997) suggests that sharing, caring, and maintaining relationships are at least as strong in motivating behaviour. According to Stone, pursuing the public interest is about communities trying to achieve something “as communities”. Bob and Janet Denhardt (2015) suggest the search for the public interest is “a journey more than a destination” that aims to create and reveal altruistic citizenship. The Denhardts contend that the activity of “establishing a vision or direction, of defining shared values, is something in which widespread public dialogue and deliberation are central”. It is therefore possible to distinguish between “the public interest” – the ideal choice for public decision making – and “pursuing the public interest” – a process through which individuals work together to identify the society that they want to create and, in doing so, form a community.

Using the different models

These models are often presented as oppositional but are perhaps best understood as complementary perspectives of a complex phenomenon. The public interest is the best possible choice (normative view), but is frequently unknowable as a technical exercise (abolitionist view). It is both the aggregate of individual interests (majoritarian and pluralist views), and also something shared that is created by engaging with each other (consensualist view), and that process strengthens society (polis view).

Nonetheless, these different models may have differing applicability for different kinds of decisions. A normative view might be useful for highly technical decisions where values are less contested, like the scientific assessment that informs (biosecurity) import health standards. The abolitionist view can be a useful counterpoint to remind public servants of the limits of their knowledge and to present this uncertainty in their advice – to acknowledge the situations where the public interest is not easily knowable or where different conclusions can be reached depending on values, biases, or assumptions. In these situations, public servants may turn to political process views: majoritarian, pluralist, consensualist, or polis.

Majoritarian views are perhaps most relevant in questions relating to our democratic system, where the consent of the majority may be a prerequisite to the ongoing social contract between government and citizens. Examples might be the electoral system referenda of 1967, 1990, 1992, 1993, and 2011, as well as the democratic process itself to elect representatives. Pluralist views act as a useful counter to ensure that the needs of the minority are at least considered in the decisions of the majority and are therefore most commonly deployed when policy makers consult with the public. The process of issuing a resource consent illustrates this approach, where affected parties are able to

make submissions on a proposed land use. Consensualist views are useful for those situations where different views need to be accommodated in order to achieve a lasting accord; this was the aim of New Zealand’s Land and Water Forum, and famously, the Nordic model of consensus democracy. The polis view is useful in situations where the aim is to build a stronger and more cohesive society. For example, processes to identify shared national symbols may strengthen social cohesion and national identity.

Selecting the right model

As public servants grapple with how best to support the government to pursue the public interest, they often use the various models above, or others, but may not be conscious of which one they’re using or to what end. (It should be noted that the above models are found in public administration literature, which tends to reflect a Eurocentric perspective, and other epistemologies may be found in other cultures.) This means they may not be selecting the most relevant model for a particular issue or advising ministers on the full range of options available for pursuing the public interest. Robust practice involves consciously wrestling with these models and presenting a range of values, logics, and epistemologies. Public servants should be clear (and humble) about when they are dealing with matters that are knowable versus those that are more value dependent. They should consider when ministers should go with the majority or try to accommodate many stakeholders. They should explore what interests are fixed and which ones might be constructed together, or when a temporary win is more or less important than a lasting peace. Ultimately, public servants need to provide advice on the public interest but also on *pursuing* the public interest – the process through which the public interest is best revealed or constructed.

PUBLIC SERVANTS SHOULD BE CLEAR (AND HUMBLE) ABOUT WHEN THEY ARE DEALING WITH MATTERS THAT ARE KNOWABLE VERSUS THOSE THAT ARE MORE VALUE DEPENDENT.

This article is adapted from “Service, citizenship, and the public interest: New public service and our public service reforms”, published 28 November 2019, ISBN 978-0-478-43496-5.

Find out more

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Appleby, P.H. (1952). *Morality and administration in democratic government*.

Cochran, C.E. (1974). *Political Science and “the public interest”*.

Denhardt, J.V., Denhardt, R.B. (2015). *The new public service: Serving not steering*.

Lippman, W. (1955). *Essays in the public philosophy*.

Madison, J. Hamilton A., Jay, J. (1787). *The federalist papers*.

Schattschneider, E.E. (1952). *Political parties and the public interest*.

Schubert, G.A. (1957). “*The public interest*” in *administrative decision-making: Theorem, theosophy, or theory?*

Scott, R. J. (2019). *Service, citizenship, and the public interest: New public service and our public service reforms*.

Stone, D.A. (1997). *Policy paradox: The art of political decision making*.

It's not all about the money

The adage “find a job you love and you’ll never work a day in your life” could well apply to tenancy mediators. They say helping people is their motivation as they mediate tenancy disputes that range across all the country’s cultural, social, and economic spectrums. KATHY OMBLER speaks to three of them.

When a landlord or tenant applies to the Tenancy Tribunal to resolve a dispute, most cases are referred first to mediation. In statutory terms, the legislation that applies to tenancy mediation is the Residential Tenancies Act 1986. The mediators also provide mediation services in relation to the Unit Titles Act 2010, Weathertight Homes Resolution Services Act 2006, and the Canterbury Earthquakes Insurance Tribunal Act 2019.

While private practice mediators can work in other fields, for example, employment disputes, only government mediators can work in tenancy mediation. There are 24 tenancy mediators around the country, and they all work under the umbrella of MBIE. *Public Sector* spoke with three: Timaru-based Michael Johnstone, Auckland-based Niall Parkes, and Hamilton-based Gaye Cox, who between them have more than 70 years’ experience in the role.

Getting away from court

“Our job is quite clear. It is to assist people to come to a fair and amicable resolution of their dispute without going to the Tenancy Tribunal,” says Parkes.



Gaye Cox

“Essentially it’s getting parties to find an agreement by allowing them a chance to come to a resolution that fits them together rather than fitting something onto them,” adds Johnstone.

“Going to a court, or tribunal, means following the facts. There is no variation, whereas when parties are in dispute, those variations and differences can be important. The advantage of a mediator is that we can elicit those areas of importance and find

trade-offs and a solution that suits both parties.

“It seems to work. More than 90 percent of cases are resolved by mediation.”

Of course, there’s more to it than simply finding trade-offs, as Cox points out. “All resolutions are legally binding and can be challenged in court, so we need a thorough understanding of the legislation we are practising under. As a government mediator, we have to be careful parties don’t agree to anything that’s not lawful.”

This also means keeping up with changing legislation, she adds. “We constantly have to adapt. For example, there were the Healthy Homes Standards introduced last year, the temporary rent freeze during COVID-19, and legislation changes that are being implemented next year around rent increases, changes to fixed-term tenancies, and giving notice.”

While larger offices have face-to-face meeting facilities, most mediation is done by phone. Cox says this calls for skills in reading the tones of voice. Doing things by phone can also be helpful when parties would prefer not to meet.

“When we first started mediation, we were in a room together. We could all see the body language, and sometimes that was counter-productive,” explains Johnstone. “On the phone, you don’t have that. People have to listen to each other, and they can’t talk over others or they won’t hear what is being said.”

It can get complicated though, he adds. “Recently I was involved with two parties and a Mandarin interpreter. Both parties spoke some English, so they were listening to everything twice, in English then Mandarin. It actually gave them time to understand better and respond.”

Parkes adds that multiple parties are sometimes involved, for example, in weathertight-related mediation, which is typically about leaky homes. “These can include the local authority, tradesmen who might have some liability, and all their lawyers, technical experts, and insurers.”

We have been mediating for people with weathertight-housing issues for more than 10 years, says Cox. “People might have had a \$500,000 new home with rotten piles or plaster board and with those living in it getting sick. However, legislation around this was introduced in 2006, and nowadays,



Niall Parkes

we have only a few weathertight cases coming in.”

Ongoing Canterbury-earthquake-related disputes come with similarities, she adds. “At stake is the person’s house, their home, their kingdom, and now it’s damaged, draughty, and cold. If they lose their home, they can lose everything they have worked for. Some are angry or exhausted, and they get ill or depressed. When they finally get to us for mediation, after 10 years of struggle, they are so relieved. It is just wonderful to be able to help.”

And therein lies the essence of why these mediators stay so long in their jobs.

Making a difference

“It’s being able to make a difference in people’s lives. We bounce off that. It gives us the energy to go on,” says Cox, who discovered an interest in mediation when studying for a business diploma.

“Sometimes when I mediate, a party can be so emotional or depressed they just can’t make a decision. If we are able to help these people find a way forward then you ‘hear’ the relief and the smile – and yes you can ‘hear’ that on the phone,” she adds.

Johnstone says he got into mediation “by accident”. He needed to move to Dunedin just as the Housing Corporation was establishing a Tenancy Bond Division, which included an opportunity for mediation work. “That was in 1986 when there was very little mediation in New Zealand.”

He says there’s not much turnover in the job because it’s fascinating work. “While you do the same thing every day, different people

have different issues so you don't know what you're going to deal with. The joy of the job is bringing your whole self to help people."

"One of the great things about the role is the diversity of people we work with, from high flyers with high-end properties in exclusive suburbs through to people on the other side of the tracks," echoes Parkes. "Because we don't know who we get, no two days are the same. And we are dealing with the place where someone lives, the roof over their heads. That's a pretty strong driver to make things work," he adds.

Actively listening

Between them, the mediators rate the personal qualities of discretion, patience, empathy, and the ability to listen as key to their job. There's also the ability to summarise and to not make assumptions.

Most important is the ability to listen, says Johnstone. "You need the ability to understand what's going on. One of the mediator's functions is to generate options without telling the parties what they should do. The more discreetly the mediator handles things, the more likely people will find the answer for themselves.

"You try to make people understand their own situation. You ask 'tell me more' questions to help them to understand how the other party might see the situation. Keep asking those questions and they might get to an agreement together, just by listening to each other.

"The more the mediator can get both parties to understand where each other is coming from, the easier the job becomes."

"Sometimes mediation can be highly emotional," adds Cox. "And we need to talk through those emotional issues. If someone is stressed, we might talk with them first to prepare them or settle them. We are not generally dealing with people who have an in-depth knowledge of tenancy laws, so we

have to do a lot of hand holding. We also need good questioning skills and the ability to summarise what is being said."

Not making assumptions is important, says Parkes. "You need to suspend your judgment, and you must be a patient person. A lot of it is about encouraging people who might feel threatened or defensive."

Parkes says the job keeps evolving. "For example, rental markets are going through quite a shift. Historically, issues we mediated on were mainly about unpaid rent. Now there are more cases around healthy homes and related legislation. There are also more complexities, with more diverse rental markets and different cultural backgrounds in the mix.

"Also, expectations are higher. Rents are higher, so people expect more. People are renting long term now, so rental standards are more important to them."

Parkes adds that when you start out in a mediation, you often discover what is going on in the lives of the parties. "Most recently, it could be that the tenant has lost their job because of COVID-19, or the landlord might need to move into the property because family members have moved back from overseas."

No simple answer

Johnstone is positive about the COVID-19 response in the tenancy world. "COVID-19 has been quite heart-warming because by and large landlords and tenants have been kind to each other. The landlord has said: do what you can. Some have given reductions or said we'll just wait."

That said, the bulk of tenancy disputes are still from landlords seeking unpaid rents. In these cases, the mediators can turn budget advisors, suggests Johnstone. "When we mediate these cases, we might discuss options. Is the rent too expensive, in which case could the tenant seek budget advice or

look for more income. Getting further into debt is not good, so we counsel through the options. There's never one right answer."

Experience is also a good teacher, says Johnstone. "We actually learn so much from each other. Training taught us basic mediation styles, and we need to know the processes and techniques, but just learning that doesn't help – we have to put it into practice.

"When we first learned mediation, there was a framework. We know now there are many frameworks. It's a case of finding the right one for the right situation."



Michael Johnstone

It was finding a simple, practical framework that helped Parkes in one recent example. "There was a dispute where the tenant was very upset because the landlord wanted to claim some of their bond for damage from candle wax on the carpet. I just suggested brown paper and an iron. The tenant rang me back so relieved because it had worked. You can at times be a bit lateral – it's not all about money."

If you want to know more about tenancy mediation, visit the Tenancy Services website <https://www.tenancy.govt.nz/disputes/mediation/>

Rebuilding Together

In Budget 2020 the Government announced that it will take the responsible path of investing to respond, recover and rebuild. We now need to work carefully through the next steps, recognising that the decisions we are making will define the lives and livelihoods of many people for years to come. Great policy advice enables the government to make the best decisions, which ultimately leads to the improved wellbeing of New Zealanders.

As part of the Government's response we are still seeing strong demand for the following people:

- Senior Policy Analysts
- Policy Managers
- Programme Directors

For more details contact Kirsty Brown at kirsty.brown@h2r.co.nz or call 04 499 9471.



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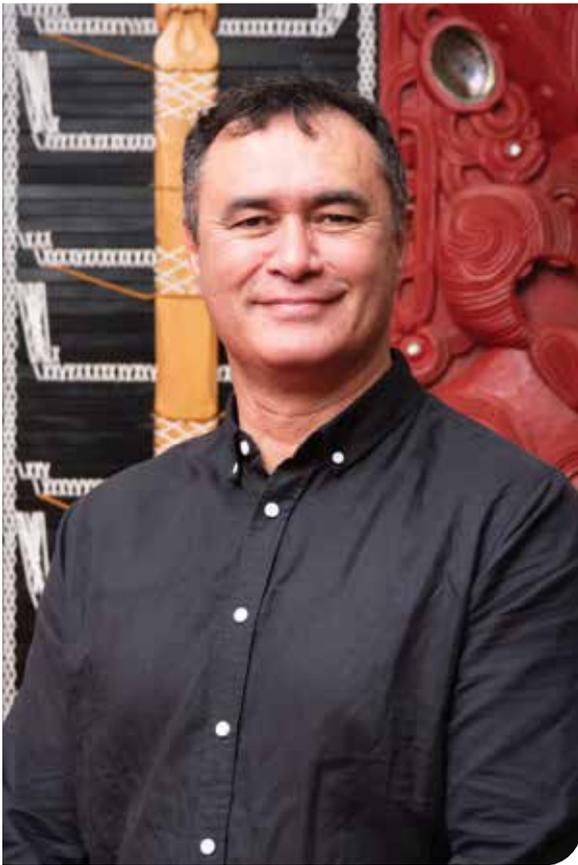


Ki te hoe tātou

DR MIKE ROSS (Ngāti Hauā) sees a way forward in building an Aotearoa public service.

Tēnā koutou katoa

Working in the New Zealand public service is a noble occupation. You're appointed by merit to work with elected governments to build a better New Zealand for all its people, serving citizens without political bias, with openness and transparency, and providing free and frank advice. The integrity and legitimacy of our public service has been recognised in Transparency International's Corruption Perception Index as the world's least corrupt public sector (first equal with Denmark). Tino pai! (Well done us!)



Mike Ross

However, these high ideals have not been reflected in the experience of Māori who, when compared with fellow New Zealanders, rank low in most measures of wellbeing. The services provided by the public service in areas such as health, education, and justice produce outcomes where Māori have poorer health, are less educated, and are subject to higher imprisonment rates. The state through successive governments hasn't been kind to Māori.

How can these two opposing positions operate in the single space? Ani Mikaere and others argue it is the perception of Pākehā superiority and the corresponding conclusion by Pākehā of Māori inferiority. The consequence of this thinking led to war, loss, and marginalisation for Māori, while it became the basis to establish behaviour, structures, and organisations like the public service, which was groomed to support settler governments and Pākehā constituents.

Māori people have consistently resisted the idea of inferiority and choose “kia mangu ki waho, kia mā ki roto” – to be Māori outwardly and maintain the integrity of our identity inwardly. At times, Māori have done this through war, through political lobbying (for example, from the Kīngitanga to the Māori Party), and by maintaining their distinct language and practices. This has been a difficult position to maintain for both Māori and Pākehā, and the legacy of our history is evident in the gap that exists between the public service delivery and Māori wellbeing.

There continues to be a residue of early policies of coercion, assimilation, surface accommodation, and exploitation. However, in recent decades, some positive but hard-fought advancements have been seen through Treaty settlements and the integration of Māori-led initiatives in education, health, and justice – all inspiring some hope. Pākehā allies in the public service and politics have also been important to counter the power imbalance and resentment in the general population, providing optimism for jointly creating a better Aotearoa. Sadly though, the waka isn't turning as quickly as we'd all like, and this requires us to press onward.

Where to from here? For our own integrity, we should be transparent and acknowledge our past. Along with all the good things, that past includes the inherent bias in the public service – but as our tupuna L.V. Martin said, “It's the putting right that counts.” A part of putting it right is supporting a Māori lens in developing policy, then debating a joint strategy as we go forward. While avoiding the “riwai” pattern of amenability, we need to give time and resources to rebuild Māori confidence and expertise as Māori and do this alongside non-Māori. In practice, this could include employing or contracting Māori staff, having internship agreements with local iwi, training staff in mātauranga Māori and language, and so on. We have examples of how this can be done independently as Māori and collectively as Aotearoa public servants. *Ki te hoe tātou!* Let's do this!

Exciting times for collective action

JO MILLER, chief executive of Hutt City Council, imagines a world where collaboration is the norm.

Compassion, communication, clarity of purpose, collaboration, and a focus on citizens were at the heart of New Zealand's rightly lauded response to COVID-19. We did well as a team of 5 million, with great leadership and central-local partnerships. Here in the Hutt Valley, councils, iwi, businesses, voluntary organisations, and communities collaborated to problem-solve and innovate for the common good.



Jo Miller

Some of the issues that surfaced in COVID existed long before the virus. Lockdown laid bare the stark reality of overcrowded houses, poverty, and those with complex needs having to trail around from one part of the public service to another, telling their story multiple times and frequently falling through the cracks. Let's be honest, when it comes to looking after people, we know there is a better way to do things.

In the middle of March, as COVID loomed large, the Department of Internal Affairs and the National Emergency Management Agency set up a Local Government COVID response unit with the Society of Local Government Managers and Local Government New Zealand. We designed guidance together, got messages into government and out to the nation, and had weekly conference calls where advice was sought and given. We put forward emergency legislation, jointly identified problems, and sourced solutions. It's always a challenge for the whole of government to be joined up at that level, let alone locally, but we did a pretty good job!

Just imagine what we could achieve if we joined up like this every day – to strategise, plan, deliver, and account for outcomes, sharing data and designing solutions that could shift the dial on entrenched, systemic inequalities.

I'm delighted that our central-local government joined-up approach will continue in the response to Three Waters reform. There is an opportunity to adopt the same approach around public service – think housing, education and skills, access to employment, justice, and much more. In all the public service agencies I've ever worked for, the talk about removing silos has always figured large. But it's not enough to join up as an organisation (whole of government) – we need to coalesce around place if we are to maximise our impact.

Lack of affordable housing is a key issue in Lower Hutt. Māori comprise 20 percent of Lower Hutt's population yet are consistently 50 percent plus of our homeless families – we want to change that. In August, as Minister Mahuta launched Te Maihi o te Whare Māori – a national Māori and Iwi Housing Innovation Framework for Action (MAIHI) – we also launched a new partnership vehicle to give effect locally to MAIHI.

Our housing partnership between Hutt City Council, Kahungunu Whānau Services, Te Rūnanganui o Te Āti Awa, and Council-owned organisation Urban Plus Limited is the first of its kind in the country. It sets out a framework for building and delivering warm, safe, and affordable homes to those Lower Hutt households in housing need. A key aim is to provide pathways for these families to permanent home ownership so that residents can go from emergency housing to rent to ownership without moving house, putting down roots in communities so that families can thrive. We are now choosing sites for homes and setting out our joint ambitions for the next three years. Partnership with the Ministry of Housing and Urban Development, Kāinga Ora, and the Ministry of Social Development will be pivotal to building more homes that meet the needs and aspirations of our communities. If collaborations and collective action like this become the way we do things, exciting times lie ahead.

Being on the same team

PETER ALSOP started his new job as Deputy Chief Executive Corporate at Land Information New Zealand during the lockdown. The experience gave him some unique insights.

I started at Toitū te whenua – Land Information New Zealand (LINZ) – midway through lockdown, and I was sure it would be a difficult start – but it actually turned out to be really good! (It shows how mindset can greatly influence how we experience situations.)

LINZ did an excellent job of organising my virtual mihi whakatau. It was an inclusive and meaningful experience on many levels. My daughter gave me a sweet handwritten note – “I hope you get the job today” – and my wife and four children (the kids on piles of books) gathered around my laptop ready to go. And if our whānau rendition of *Purea Nei* was out of tune, I’m blaming the technology!



Peter Alsop

So, my first impressions on the job were very memorable – my direct reports were great at helping me gain speed in my role and working together as a corporate function for greater good.

In terms of ways of working, LINZ had already made adjustments to allow remote working, with an earlier investment in laptops paying big dividends for almost our entire workforce. Things many of us have talked about – like agility and responsiveness – suddenly became a practical reality, and their value is now even more apparent. Looking to the future, the COVID experience will continue to shape decisions about the way we work, including thinking even harder about business continuity and what preparedness and capability investments make sense.

The experience of working virtually during lockdown also, I believe, proved a great leveller. Expectations of who would do

what, based on role or habit, either faded or radically changed – heightened by the “raising your hand” feature quickly introduced in Microsoft Teams (agile development in action).

Old dynamics changed. Staff from different offices were more able to contribute instead of having larger offices dominating – often head office. These dynamics reminded me of the quote: “Best decisions emerge from a multiplicity of viewpoints.” Evidence on the benefits of diversity to team and organisational performance backs this up, and the benefits extend into everyday leadership (getting the best out of all interactions and situations).

For leadership teams, the dial has shifted on people’s expectations on flexible working, quite consistent with relevant government guidance and legal expectations. That’s not really surprising: the right conditions for peak performance are different for us all.

We now have the opportunity to take these flexible working lessons into our normal ways of working. Checks and balances will be important, particularly the need to consider the pros and cons for different people and different interests. Increasingly, it will also prove more difficult – in terms of probity – to lease new space (and even sustain existing space) if all options for ways of working haven’t first been robustly explored.

As a wider reflection on public service and leadership practice, New Zealand’s COVID-19 response illustrated for me a couple of really important things.

First, perhaps a bit controversially, it underscored to me that the concept of “public service” is much broader than the way it is typically talked about and applied within government. Through the lockdown, many roles, such as those working in grocery stores and keeping various network services running, made a huge contribution to public service and public value – which is what they always do. I worry about the “us and them” divide created by a narrow conception of public service, especially at a time when building connections, breaking down boundaries, and co-solving problems have never been more important.

Second, New Zealand’s COVID-19 response showed how critical it is for everyone to be on the same team and of sustaining a team effort. So far so good, but how do we maintain and build social capital and inclusion for the future? This is important for any joint action and, more ambitiously, for realising the full benefits of social inclusion – a country where everyone feels they belong and can meaningfully contribute. At a micro level, the same holds true in our own teams. As much as we all like milestones and quick wins, the real success is shifting the needle on public value *over the medium to long term*. Improvements delayed are outcomes forgone, so there’s no time like the present to find new and different ways to increase public value.

A whakataukī to close, which I think is an inspiring one for good leadership in both stable and challenging times.

Mahia i runga i te rangimārie me te ngākau māhaki.

With a peaceful mind and respectful heart we will always get the best results.

Does this story sound familiar?

This is a simplified view of decision making, but we often see this story played out in the public sector. Too often decisions are made with little knowledge or experience of the problem that a solution seeks to solve. We create a business case, get funding, implement it, then often end up with a solution – which could be a product, policy, or service – that does not meet the needs of the end-user.

When solutions don't work, they often have two problems:

- There is little knowledge of the experiences of those affected by the problem.
- There is little experimentation and testing done to ensure the solution achieves the desired outcomes before it's implemented.

Is there a different way?

What might an alternative problem-solving route look like? A route that leads to different decisions and therefore produces very different outcomes – more Jacinda and less Winston.

We suggest before anything else we:

- connect with other agencies that might also be contributing to the desired outcomes
- identify the root cause of problems by connecting with the realities of users' experiences
- co-design solutions grounded in evidence about the problem
- embed feedback loops to allow for improvements
- co-construct outcomes with those most affected.

What if we do all of this before we ask the decision makers to decide on the best solution? At which point there is a continuing process of iteration, and solutions can evolve with users' needs.

The programme

The NZ GovTech Accelerator is a 13-week government innovation programme that happens annually in Wellington. It takes projects and staff from government agencies who are tackling complex problems and applies innovation methodologies to create solutions that work. The programme aims to solve root-cause problems, facilitate collaboration, and upskill participants – and so drive better outcomes.

“You can see the innovation potential that has been brought to life by the process that the teams have gone through.” - Paul James, Chief Executive, Department of Internal Affairs.

The accelerator works to increase knowledge rapidly, removing the risk of building the wrong solution, just like Jacinda spent time experiencing her future job options before committing to enrol.

In other words, she increased her knowledge and reduced her risk. The result was that she didn't build the wrong solution. The accelerator process starts with a discovery phase to uncover the root cause of the problem, then moves into co-design, validation, and iteration phases and ends with a high-profile event – Demo Day – where teams pitch their ideas to 400-plus people, including ministers, government officials, stakeholders, media, and interested members of the public.

What does this look like in practice?

Over the last three years, we've worked with 15 central government agencies, 8 local government bodies, and 14 NGOs or start-ups on 30 projects. Here are a few examples.

Making space for the albatross

In 2018, the Department of Conservation and the Ministry of Primary Industries needed a solution to the problem of



Antipodean albatrosses being killed or injured during commercial fishing operations. The bird's population has halved in the last five years, making it critically endangered. Through the accelerator process, the team developed the Electronic Automated Reporting System (EARS). This uses sensor technology to make sure fishing companies are complying with the

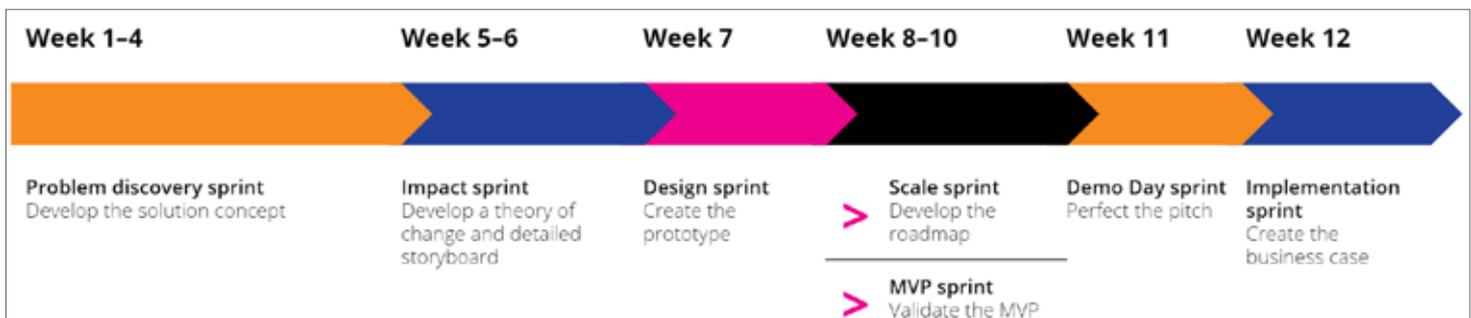
tools that protect albatrosses – these are using night setting, streamer lines, and line weighting. They provided an incentive to fishing companies to install the technology through offering a competitive advantage.

Antipodean albatross

Since the programme, Fisheries New Zealand has successfully tendered a company to develop the technology. According to Fisheries New Zealand, the programme, as well as saving countless albatrosses, has saved an estimated \$650,000 because a working prototype was built and it sped up solution development by two years. As seabird researcher Dr Igor Debski explained “... this development would not have been possible without applying new ways of solving problems”.

Hearing the voices of whānau

In 2019, a collaborative team from Te Hau Āwhiowhio ō Otangarei Trust, Te Tihi o Ruahine Whānau Ora Alliance Charitable Trust, and



The seven-stage sprint process the teams work through

the Social Investment Agency (now the Social Wellbeing Agency [SWA]) came together to amplify whānau voices in the social sector. They knew of the significant inequalities between Māori and non-Māori, particularly in health and social outcomes, but they also felt there were inequalities around which groups were trusted and listened to. The team created a tool (Te la Kōrero) to collect whānau voices and combine these with existing data to change the way contracts are awarded in the social sector.

Atawhai Tibble, Chief Māori Advisor at SWA said, “The accelerator allowed us and NGOs to work together on an even footing in a genuine partnership that’s continuing today.” They received funding from the Digital Government Partnership Innovation Fund to build and test the product, which is currently underway.



LiDAR image showing river channels for assessing flood risk

Sensing the earth

You may not have heard of LiDAR, but it’s a major new technology in mapping. LiDAR uses pulsed lasers to generate detailed, 3-D information about the earth and what’s on it. A team from Land Information New Zealand (LINZ) and its regional council partners want to make it easier for people to access and utilise this exciting and valuable technology. The team will look at how to educate a variety of sectors so they can understand and use the data. They have interviewed scientists, engineers, people from the forestry sector, and public servants in local and central government to understand who’s using it currently and what are the problems associated with it.

Halfway through the accelerator, the team was testing a national LiDAR portal with government stakeholders and user groups. LINZ Project Lead Roger Carman said, “As part of GovTech, the team have been able to uncover a deep understanding of how we can help New Zealand maximise benefit from this technology.” Their goal is to grow the use of this open, accessible, and world-leading national resource to realise the true benefits of this investment, with an estimated economic value of \$260 million per year.

Doubling down on public-sector innovation

New Zealand is being recognised as a global leader of public-sector innovation, and New Zealand has shown how innovative we can be during COVID-19. Our public sector was able to adapt quickly, proactively, and creatively. This represents an opportunity to double down on innovation to create a culture within government that empowers public servants to innovate. The accelerator will be happening again in 2021.

If you want to find out more about the GovTech Accelerator, go to l1govtech.co.nz

Illustrations by Josh Sanoria



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COVID-19: AN UPDATE

In New Zealand, we can feel just a bit isolated from the global ravages of COVID-19. SHELLY FARR BISWELL and her husband are currently on their if-not-now-when OE and living in County Dublin, Ireland. She reports on lockdowns, pandemic fatigue, and next steps.

“I believe we will get vaccines. I believe that they will not be silver bullets. I believe that they will be like most vaccines are: an additional tool that should be added to a comprehensive strategy to fight this disease and that includes a social, an economic, and a biomedical strategy to reduce the impact of this pandemic on people’s lives...”

- Dr Mike Ryan, Executive Director of the World Health Organization’s Health Emergencies Programme, speaking at the Royal Irish Academy Online Conversation Series

The COVID-19 pandemic is of an extraordinary magnitude, affecting the health and socio-economic situation of millions of people around the world. In Europe, many healthcare systems are being pushed to the brink, particularly as countries cope with a second wave. There has also been a significant economic impact. In July, the European Commission estimated that the European economy would contract by 8.3 percent in 2020.

LEVEL 5 RESTRICTIONS ARE SCHEDULED TO GO THROUGH TO AT LEAST THE END OF NOVEMBER.

Living with the virus

Like many countries in Europe, Ireland is attempting to move into a model of living with COVID-19 for the foreseeable future. As part of this, on 15 September, the Irish government introduced the *Resilience and recovery 2020–2021: Plan for living with COVID-19*. The plan is meant to take Ireland from the short-term emergency response that was introduced last spring to a medium-term approach in “managing risk and repairing the damage that COVID-19 has inflicted on society”.

As the number of people contracting COVID-19 continued to rise through September and early October it became clear that part of managing risk meant as a country we would need to enter the most restrictive level of the plan – Level 5 – which we did on 21 October. The government’s statement for Level 5 is that “the public health risk means that you will be asked to stay at home, with certain exceptions. There will be no gatherings other than small numbers at funerals and weddings”.

Level 5 restrictions are scheduled to go through to at least the end of November (you may be reading this just about the time we will hopefully be able to get haircuts at our local salon again), but in many ways, it feels like it is going easier than when the country

went into lockdown last March. Overall, there doesn’t appear to be the same fear or confusion. The Irish government has made adjustments and provided clear guidance on what the restrictions mean, for example, there’s more clarity about creating a support bubble for people who live alone. In addition, our National Public Health Emergency Team has provided consistent, transparent advice and regular updates throughout the crisis, which has increased public confidence. As a society, we know more about the steps we need to take to reduce the spread of COVID-19.

YOUNG PEOPLE ARE OVER-REPRESENTED IN THE SECTORS HIT HARDEST BY RESTRICTIONS.

Yet, there are new challenges too. For example, there is the reality that young people are over-represented in the sectors hit hardest

Fighting pandemic fatigue

In *Pandemic fatigue: Reinvigorating the public to prevent COVID-19*, the WHO identifies four key strategies and five cross-cutting principles to maintain and reinvigorate public support for protective behaviours.

The four strategies are:

- 1. Understand people:** Collect and use evidence for targeted, tailored, and effective policies, interventions, and communication.
- 2. Allow people to live their lives, but reduce risk:** Wide-ranging restrictions may not be feasible for everyone in the long run.
- 3. Engage people as part of the solution:** Find ways to meaningfully involve individuals and communities at every level.
- 4. Acknowledge and address the hardship people experience** and the profound impact the pandemic has had on their lives.

The five cross-cutting principles are:

- Be transparent.
- Be consistent as possible.
- Strive for predictability in unpredictable circumstances.
- Strive for the highest possible level of fairness.
- Co-ordinate to avoid mixed messages.

Source: WHO Regional Office for Europe, 2020

by the restrictions, such as hospitality. And a recently published research study from Dublin City University's School of Psychology found significant differences in how various demographic groups have adjusted to living with COVID-19, with young adults experiencing greater feelings of isolation and loss of connection. The restrictions under Level 5 may exacerbate some of these issues. There is also an undercurrent of discord in areas. Although not in the same numbers as some other countries, Ireland has, for example, seen anti-lockdown and anti-mask protests.

Pandemic fatigue

Experts realise, too, that restrictive measures may contribute to pandemic fatigue, which is settling in throughout the world. In early October, the WHO reported that based on aggregated survey data from countries across Europe it appears that pandemic fatigue is increasing.

To help combat this fatigue, the WHO released *Pandemic fatigue: Reinvigorating the public to prevent COVID-19*. The report provides a policy framework for supporting pandemic prevention and management.

As noted in the report, "Humans have an essential need to feel in control of their own lives, and when this autonomy is threatened, motivation is easily lost. Reinvigorating public support thus involves engaging people as part of the solution."

The problem with fatigue is that it demotivates. To counteract this, the WHO says governments need to engage with civil society and to "give people a sense that recommended behaviours are not a matter of capitulation to authority or a reflection of despair, but a part of something positive, hopeful, and (if at all possible) fun."

Finding the positive

To support EU member states in identifying the positive in their own countries, in July, EU leaders agreed on a €750 billion recovery package, known as NextGenerationEU. Key to this is the Recovery and Resilience Facility (RRF), which becomes operational in January 2021 and will provide funding for public investments and reforms to support countries in response to the COVID-19 crisis, while at the same time ensuring that member states undertake the green and digital transitions required to become more sustainable and resilient. To receive support from the RRF, member states need to prepare national recovery and resilience plans that set out their reform and investment agendas until 2026.

The European Commission has encouraged the member states to include projects that fall under seven flagship areas, including accelerating the development and use of renewable energy; improving energy efficiency in public and private buildings; promoting clean technologies to accelerate the use of sustainable, accessible, and smart transport; rolling out rapid broadband services to all regions and households; digitalising public administration and services, including judicial and healthcare systems; increasing European industrial data-cloud capacities and the development of powerful and sustainable processors; and reforming education systems to support digital skills and educational and vocational training for all.

In her state of the union address in mid-September, President of the European Commission Ursula von der Leyen underscored exactly how important the next steps are to Europe's future, stating that NextGenerationEU "is our opportunity to make change happen by design – not by disaster or by diktat from others in the world. To emerge stronger by creating opportunities for the world of tomorrow and not just building contingencies for the world of yesterday.

**HUMANS HAVE AN ESSENTIAL
NEED TO FEEL IN CONTROL OF
THEIR OWN LIVES, AND WHEN
THIS AUTONOMY IS THREATENED,
MOTIVATION IS EASILY LOST.**

"We have everything we need to make this happen. We have shaken off the old excuses and home comforts that have always held us back. We have the vision, we have the plan, we have the investment. It is now time to get to work."



Ursula von der Leyen

Image copyright European Union 2020

There are signs of cautious hope across Europe, as well as discussions on how to prepare for a better future. In Ireland, the Royal Irish Academy Online Conversation Series is one place where those discussions are being held. To date, there have been five online conversations (all available for replay at www.ria.ie) about the science behind COVID-19, Ireland's economy and lessons from the past, social justice and rebuilding Ireland, and creating a resilient higher education system. Their most recent conversation entitled "Learning from pandemics: A century of experience" includes insights from Dr Mike Ryan of the World Health Organization.



Putting people at the heart of public service

- A conversation with Gina Garvey

GINA GARVEY advocates and advises on service design for public and private sector organisations around the world. Her passion for service design led to a master's degree at the Politecnico di Milano, and that enthusiasm has continued through many roles, including a stint at IDEO Munich. **GERALD SCANLAN**, General Manager of *Careering Options*, sat down with her to talk about service design, human-centred design, and design thinking approaches and what it can mean for the public service.

In a nutshell, what is human-centred design?

Human-centred design (HCD) starts by looking at the perspectives of the people using a product, service, or system. You get a deep understanding of the people you are trying to serve – their needs, experiences, and desires. Next come tangible prototypes for improving a product, service, touchpoint, or experience, which is tested and refined before settling on a solution. HCD delivers what I describe as “360-degree goodness”; good for the end-user, but also good for the organisation, society, and the environment.



Gina Garvey

It is both an ethos and an approach – a belief that to truly serve people, their experiences and voice should be at the heart of the improvement or innovation.

Why is it relevant to the public sector and not just tech start-ups?

HCD delivers fit-for-purpose solutions in complex environments. It challenges public servants to serve end-users first, and it responds to their innate drive to bring their best to their daily work.

HCD also brings the

humanity of those we serve into the room, helping designers build dignity, respect, and equity into public services.

For the sponsoring organisation, HCD leads to more sustainable and efficient business processes, higher take-up rates for services and interventions, and less re-work.

How does HCD relate to service design and design thinking?

Service design is a general term for end-to-end approaches to designing services and experiences. Design thinking is an innovation process using HCD principles. Common to both are a bunch of tools and methods, such as ideation, journey mapping, prototyping, story boards, service blueprints, and, of course, the Post-it note.

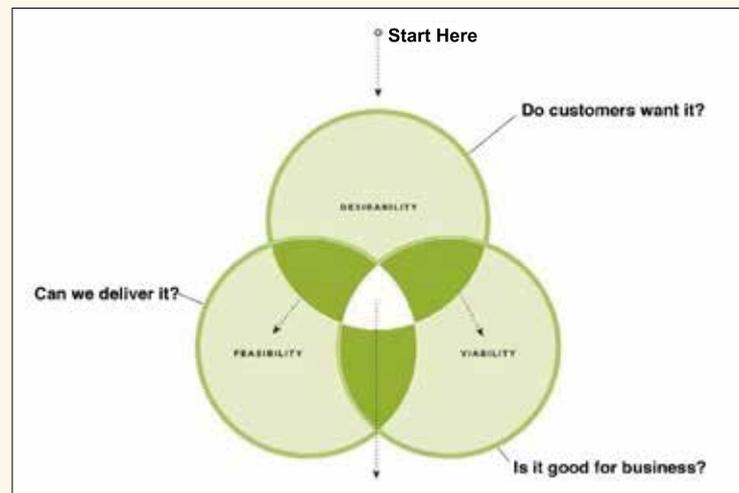
Is there a snappy visual?

Of course! One I use is the IDEO Design Thinking diagram that poses three conditions for successful innovation:

- **Desirability** – customers and users want to use it
- **Feasibility** – it is technically feasible to deliver
- **Viability** – it's sustainable within existing operating or business models.

In the public sector, we have often started with what is viable and feasible, leading to solutions that no one wants to use. The IDEO diagram challenges designers to frame constraints from the user perspective and find the sweet-spot where the three conditions overlap.

IDEO Design Thinking diagram



Tell me more about curiosity

Creativity and curiosity are the engine of HCD. Good design starts from a place of curious listening and naive inquiry. If you want to understand how to improve a bus ticketing service, you have to ride the bus! Who is on the bus? Where do they get their tickets? Where do they wait and for how long? Is it warm and safe? Who gets on without a ticket? This is my favourite part of HCD but is often skipped with cries of “no time, no time!” – but without it, you have nothing. While you are observing and experiencing, conversations happen. More questions emerge, and your assumptions are tested. Design research tools allow progressively deeper insights into the problem and potential solutions.

How do you keep track of all the moving parts?

At the end of a design process, you should be able to apply the “golden thread” test. Can you trace an imaginary golden thread back from the finished product or service to each step in the design journey: from the discovery process to the insights, from insights to ideas and prototyping, to iterating and customer testing, to solutions. For me, the golden thread is an integrity check – enabling designers to challenge the assumptions, biases, and judgments that systematically disadvantage users and allow service providers to remain smug and complacent. Crucially, if you need to go back to prototyping, or another stage in the process, you can “pick up” the thread and go from there.

What do you see when HCD is being done well?

A sure sign of wonderful design are processes, experiences, or touchpoints that users don't notice because they are exquisitely simple, fast, and intuitive – think voting, renewing your passport, or reserving a library book.

You're on the right track when an insatiable curiosity keeps you up at night – a genuine desire to understand all the possible "whys" of a problem, challenge, or behaviour. "Why will people sign up for their Uber app or Netflix subscription but not for our amazing government service?" "Why do our customers phone us when they could do it online?"

Great design journeys nearly always include intense periods of murkiness and feelings of being stumped. If they don't, you're probably not discovering anything new and are only pretending to design. Determined designers don't quit at the first sign of adversity. They persevere, knowing that if they stick to the process, no matter the rocky moments, they will emerge in a new place.

Great design should always deliver surprising insights from end-users. As you prototype (and you should have numerous discarded prototypes) and demonstrate to users, you should see some delight in them too – "Ah! I didn't know that's what I wanted, but it is!" Pure gold.

And when it's not?

The list is long! People love talking up their "design thinking project" when actually they just had three brainstorm sessions that went nowhere. If you have a wall of Post-it notes curling at the edges, with nothing to show for it, you definitely have a problem. Gleaning original, meaningful insights from interviews is absolutely crucial to the whole process but many people skip that part. Customer personas, which are data-free imaginary stereotypes, should be shredded. Designing for new technology, instead of designing for humans with tech in the background, is much too common. I could go on. There are no short cuts to service innovation that is truly human centred.

So what have you seen that inspires you?

There's a steadily growing community of practice in public sector service design that is all about doing better by citizens, customers, and users. There are amazing projects and partnerships that embrace these human ways to problem-solve and innovate. New Zealand is small and nimble enough to try new approaches, learn quickly, and adapt to new ways of working.

If you could wave your HCD wand, where would you point it?

Where to start? Top of my list would be in the health, justice, and social development areas, where you often find major gaps between intention and reality in the user experience. This isn't because those responsible don't have great brains or excellent intentions – of course they do. Rather, those areas are characterised by significant power and knowledge imbalances, major service access and navigation issues, persistent resource constraints, risk aversion, and institutional rivalries. When failure does occur, the first response can be to blame rather than to learn.

Here is a personal anecdote from a recent experience with the public health system. I was sitting with a relative in hospital after surgery. She commented that she was utterly exhausted and couldn't get any sleep at night. I asked her whether this was from the ambient hospital noise at night and she looked surprised and said "No, it's from the call buttons". I looked around the room she was sharing with five other women and saw immediately what she meant. When anyone pushed their call button to request a nurse, the alarm sounded in the room itself and gradually got louder and louder until a nurse came. Someone, somewhere designed THIS to be the system. Why could the alarm not just sound at the

nursing station or flash a light outside the room? What would the health benefits be from patients being able to increase their sleep by 50 percent? Maybe patients would get better faster, be



Gerald Scanlan

released earlier, have fewer complications, have better mental health, and the hospitals would make significant savings? I see opportunities like this about ten times a day and I want to fix them all!

What's your message for those leading or doing HCD?

Leaders must start asking different, more divergent questions. At the next meeting, ask more *why* questions, face-to-face. "Why do we think this part of the experience is the problem?" "Why do we

think this is the best solution?" "Why wouldn't we redesign this with the other organisation to make it seamless for the end-user?" "Why do we think citizens will care about this?"

In my experience, many decisions often "lean" on the assumed logic of previous decisions or projects. It costs nothing to ask why – either you confirm the logic of the proposed solution or it comes up short, potentially averting a costly failure.

Designers must start with the lived experience of those they are aiming to serve. You cannot design from behind your desk. You must step into the messy reality you are trying to change in order to understand it and improve it.

Both leaders and service designers need to become comfortable saying "I don't know, but I know how to find out". Corporate culture everywhere urges us to "know" and to "be right"; this is not the design mindset. The HCD mindset doesn't retrofit an existing great idea to a new problem. Rather, it thinks "Wow, what an interesting problem this is" and starts the process of new discoveries.

An egalitarian approach is also vital. A receptionist, case worker, or aged-care resident might come up with the best idea. It's up to leaders and designers to create an open, inquiring environment where good ideas can surface, be tested, and make their way into service innovation.

Any final advice?

Start small, experiment, embrace failure, and make all your hypotheses and discoveries as visual, physical, and tactile as possible – and always keep hold of the golden thread.

Never discount the rich source of insights you already have at your fingers (staff, data, customer feedback) and always bring food when sitting down with your users or customers. Nothing opens up conversation like a good kai!

Find out more

Gina Garvey is the founder of WonderWork. You can find out more about her and her work at <https://wonderwork.co.nz/>

Gerald Scanlan leads Careering Options, which is a specialist public sector contract recruitment consultancy. You can find out more at www.careeringoptions.co.nz

A big step-up needed in project risk analysis

Project risk management is a well-known problem area for the public sector. Project risks are often poorly understood, and projects regularly have nasty surprises resulting in large cost overruns and significant delays. ELISHA NUTTALL from Grant Thornton addresses the complex topic of project risk quantification, outlining where the industry needs to improve. He says a step-change in risk quantification maturity is required in the public sector to effectively understand project risk – a critical element to improving project outcomes.

Introduction

The New Zealand infrastructure sector is lagging behind the developed world in project risk quantification. Improving project risk quantification maturity is necessary, but is not progressing sufficiently. The public sector has an opportunity to be a leader in the coming years, providing project sponsors with confidence that risks are being managed and that outcomes can be achieved within the budget and timeline.

NZ Treasury says Quantitative Risk Analysis (QRA) should be used as the first-best basis and is required for high-risk, large-scale investment proposals. Despite this guidance, QRA is poorly understood in the sector and rarely used beyond ticking the box for an investment proposal.

All types of risks need to be managed

Projects need to manage all types of risks, not just the ones that fit nicely into the risk register or a project contingency bucket. Design change risk is often poorly understood in planning and risk analysis. In the early stages, design risks are the most likely to derail a project. Recent projects nearly scuppered by realised design risks include Transmission Gully and Skypath, both having hundreds of millions of dollars of increased cost.

Project cost risk is typically the best understood risk category, but the approach of leaving project managers to update risk registers has been failing project after project. Project risks are often poorly defined, and their impacts are not well-analysed or, for convenience, they are often ignored.

Risk registers are often silent on other risk types, including schedule, quality, scope, and reputational risks. A major limitation of most approaches is that cost uncertainties are not quantified and managed until it is too late. Uncertainties in project costs, such as price or quantity increases, should be managed throughout the project lifecycle. Risks of a step change in costs should be escalated into the risk register as soon as they are identified.

Project timeline follows closely behind project budget in its importance. Schedule risks need the same level of rigour in quantification, understanding, and management. Even when the timeline is flexible, there is a direct link between project cost overruns and delays.

Time-variant costs are a silent drain on project budgets

Delays and cost overruns go hand in hand. Additional construction time results in more project management, contractor, and

engineering time and cost. A project that is late is likely to be over budget as well. Therefore, to manage the project timeline is to also manage the project budget. In the public sector, agencies expect to foot at least part of the bill for delays, no matter what the contract says.

The direct link between time and cost is time-variant costs. Time-variant costs are commonly forgotten by projects that separate schedule and budget risks. When cost and schedule are modelled together and time-variant costs are understood, the result is a bigger focus on understanding and managing schedule risks.

Estimation biases are built into traditional risk modelling

Humans are biased, particularly when the individual is highly invested in the outcome and not informed with data. While project managers and quantity surveyors should provide critical assumptions for risk modelling, having them undertake it themselves is the equivalent to a company signing off on their own accounts.

Risk modelling commonly starts with a base estimate and assumes an even chance of under and over estimation. This approach is in stark contrast to the reality that most projects are late and over budget. Estimates are usually biased towards the project budget (or the current forecast). This regularly causes knowledge of cost overruns to be overlooked or discounted. When estimating any current expected cost, it is best to keep the project budget out of the picture until overall comparisons are made.

Projects commonly suffer from either layer upon layer of optimism or layer upon layer of “buffers”. These can be equally destructive for a project. For projects that want to message “all is well”, the further up the hierarchy the more rose tinted the picture becomes. Each manager wants to say they can manage their own cost and delay risks, so the overall picture of risk is not known. Some projects build buffers into every estimate, and again at every aggregation. Contingencies get built on contingencies, and at the project or programme level, this approach can make a good project seem unaffordable and they fail at the first hurdle of business case assessment.

RISK ANALYSIS NEEDS TO GIVE DECISION MAKERS UP TO DATE, DETAILED QUANTIFICATION OF RISK. ESTIMATES NEED TO BE BASED ON THE BEST POSSIBLE INFORMATION - NOT THE BUDGET.

Cost and risk estimations need to be based on the best possible information, and not be backwards looking. Ranges in estimations should outline risk and opportunity, then be aggregated to a project and programme level.

Only modelling scenarios or sensitivities

Most risk modelling involves cherry picking scenarios or running arbitrary sensitivities on a few assumptions. Having separate

views of risks and scenarios provides no overall picture of project risk. This common approach doesn't give decision makers a view of the likelihood of each scenario or outcome and doesn't focus attention on actions that will reduce risk. Consider whether a middle scenario presented is really the most likely. Is it just the middle of the three scenarios selected?

Project modelling should consider all possible scenarios. The most likely scenarios will be most informative for forecasting, and risk management effort should be spent on reducing the likelihood of scenarios above the current expected value. Understanding and mitigating poor outcomes of reasonable probability will be time well spent.

PROJECT MODELLING SHOULD CONSIDER ALL POSSIBLE SCENARIOS.

Early risk modelling

Project risk modelling is normally completed so infrequently that it becomes a point of contention rather than an ongoing source and driver for decision making and trade-offs.

Risk modelling, when first completed in a detailed design phase, frequently results in a large jump in forecasted project cost, which is uncomfortable for everyone involved. To avoid this, risks should be identified as early as possible – at the project ideation or business case phase. Iterations of modelling should show that project mitigations and decisions have been effective in reducing

the project's risk profile. Risk modelling quickly becomes out of date as the project advances as risks change during the life of a project, so risk modelling should be completed at least at every major stage gate or project phase.

Assigning contingency based on rule of thumb

Contingency is traditionally assigned based on a percentage of the project budget. This often results in an understatement of required contingency for projects and tough conversations with project sponsors or scope trade-offs down the line. Alternatively, holding excessive contingency for a low-risk project can drive overspend and take funding away from other projects.

Major design changes commonly take projects by surprise when budgets are set early based on the least complicated design method. When more information comes to light and designs are updated, design changes can swallow project contingency before a project breaks ground.

GREATER RISK MODELLING MATURITY IS REQUIRED TO EQUIP DECISION MAKERS WITH THE RIGHT INFORMATION.

Contingency should be assigned based on the risk profile of the individual project and released as the risk profile reduces. The starting point should be the risk profile of similar projects that have been recently completed, then adjusted to the specific

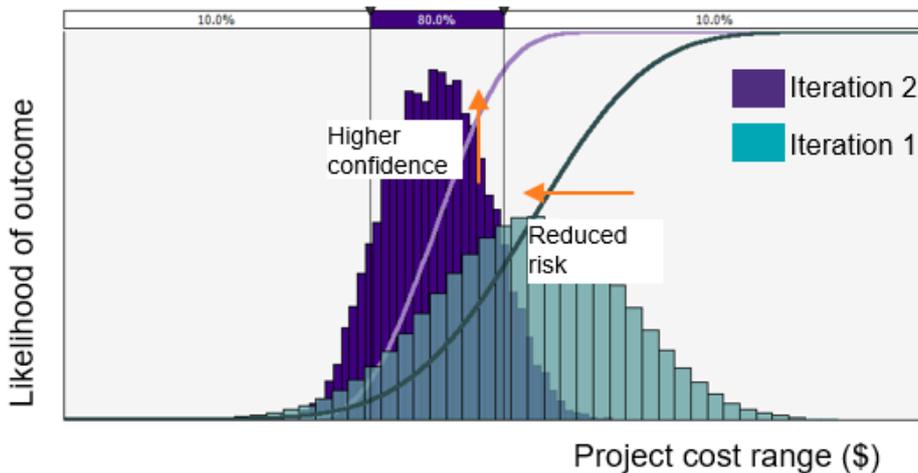
project. At early stages, design risk should have its own contingency based on the complexity of the project designs and scenarios of more complex designs or methods being required. Design risk contingency can be quickly reduced as the project progresses through preliminary design and detail design phases.

Contingencies should be visible at the project or programme level and cost savings reallocated to cover cost overruns elsewhere.

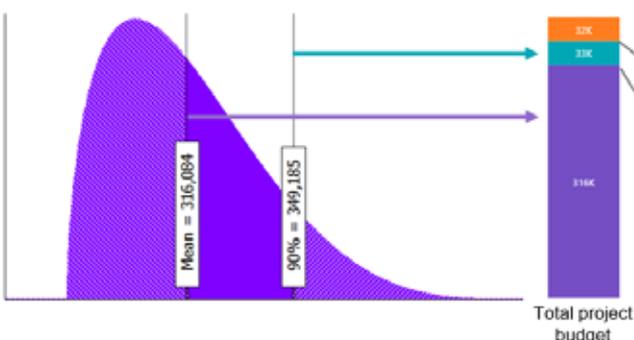
The earlier a major project decision can be made the better. So it is important that project risks are understood in as much detail as possible, as early as possible. If effective risk quantification is not embedded throughout a project lifecycle, the quality of decisions made will continue to be limited by the information available.

New Zealand's public sector needs to make major change in project risk quantitative analysis maturity. Decision makers need the right information to make the right decisions on risk mitigations. Stakeholders need to be able to see the full picture of project risk, likely outcomes at a point in time, and progress on risk mitigation.

Multiple iterations of modelling allow tracking of likely outcomes and the pool of risk



QRA project risk modelling



Risk-based project budget

- Design change contingency
Defined as: % of Expected value, based on project complexity
Held by: Project sponsor or Programme
- Project contingency
Defined as: Difference between Expected value and 90th percentile (P90)
Held by: Project sponsor or Programme
- Project budget
Defined as: Expected value (Mean) of project
Held by: Project delivery team



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