

27 August 2003

Addressee

Dear *Addressee*

During my recent investigation into the Department of Labour's management of information in relation to Mr Ahmed Zaoui, I identified various failures in the way staff managed official information and responded to requests for official information. These failures must be addressed as a matter of urgency.

I will not tolerate unprofessional behaviour and standards that risk the extent to which the Department of Labour deserves and holds the respect of citizens. As a member of the Department's Management Board, you are accountable for the proper application of all formally defined policies and procedures within your area of responsibility. At a general level, all staff need to be given clear direction and expectations about compliance with such policies and procedures. But I also want to clearly lay out some particular expectations of you in this context.

Email, Intranet and Internet

All staff must follow the Department's guidelines for the proper use of email, intranet and internet. I will expect you to ensure staff are aware of their obligations and responsibilities, as outlined in those guidelines. In particular, I want you to reinforce the obligation for all staff to ensure that when they distribute, publish, reproduce or transmit any information – by email, intranet or internet – that they meet their personal obligations and the Department's obligations under legislation such as the Privacy Act, Official Information Act, Copyright Act and Archives Act. You should further reinforce that staff must meet their obligations under the Public Service Code of Conduct, and should not transmit any content that is likely to be a nuisance to or offend other staff or third parties.

Records management

The Department must improve its record management practices. My investigation indicated that several staff (including some in senior positions) did not appreciate the official status of email communications (such as annotated media logs). Such official communications must be managed appropriately, to meet our legal obligations. I note that the Ombudsman alerted the Department to the status of media logs as official information as long ago as 1997, yet the lessons from that correspondence do not appear to have been taken. I will expect you to ensure that all staff reporting to you fully understand and give appropriate effect to their obligations for proper records management.

Responding to official information requests

The Department must meet all its legal obligations under the Official Information Act 1982. I will expect you to ensure that all staff reporting to you fully understand their personal responsibilities in relation to the Official Information Act 1982. You should further ensure that staff involved in responding to official information requests follow the Department's guidelines at all times. In this regard, I will expect staff to obtain

appropriate legal advice before decisions to withhold official information are made. You should pay particular attention to ensuring interactions with the Ombudsmen's Office are managed appropriately. Please note that I have also commissioned an internal review of our guidelines for responding to official information requests. I want to ensure clarity about legal review and management accountabilities, particularly in relation to identifying official information or deciding to withhold official information. I expect this review to be completed by the end of September 2003.

Media relations

The Department should show respect to the media at all times, as a core part of maintaining good relationships with all external stakeholders. I will expect you to ensure that effective strategies for engaging with the media are developed and applied in relation to significant planned and unplanned events. You will need to establish effective processes for engaging with the media, having regard for the balance between upholding legal requirements (e.g. ensuring confidentiality where required by law) and respecting the public interest.

Behaviour

I also want to emphasise my expectations regarding your accountability for ensuring high standards of behaviour and conduct across the Department of Labour. I expect all staff to understand and uphold the standards of behaviour required of public servants. All staff must take personal responsibility for familiarising themselves with the code of conduct. I expect you to actively and regularly reinforce this responsibility. I also expect you to deal effectively with any possible breaches. I have an expectation of you personally that you model the required standards at all times.

Board Role

As a member of the Management Board, I expect you to work collaboratively with other Board members, to identify and address process improvements and/or resource needs. The bottom line for the Department is that we must deserve and hold the respect of citizens, to enable us to carry out our operations effectively.

The expectations laid out here are entirely consistent with general expectations in your performance agreement. You have already agreed to reinforce important public service values through behaviour and performance, and through following sound public management practices, noting that this will be achieved by complying with all relevant legislative and regulatory requirements, central agency instructions and Management Board decisions. I will pay close attention to these in monitoring your performance as a member of the Department's Management Board.

Yours sincerely

James Buwalda
CHIEF EXECUTIVE