



Heather Baggott
Acting Public Service Commissioner
Te Kawa Mataaho Public Service Commission
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RE: WAI 3327: URGENT INQUIRY INTO TE REO MĀORI

Dear Ms Baggott

I understand that you and other leaders from the Public Service Commission (the Commission), are providing evidence to the Waitangi Tribunal in the context of its inquiry into te reo Māori in the public sector.

In light of this I decided it would be useful for you to have an overview of my position and the steps that I have taken in relation to relevant issues that have arisen in my portfolio as Minister for the Public Service (where I can do so without breaching the rules relating to Cabinet confidentiality). I am happy for you to provide this letter to the Tribunal alongside the Commission's other evidence.

I understand that you will brief the Waitangi Tribunal about the changes and achievements made by the Public Service relating to the Māori-Crown relationship and promotion of te reo Māori in the Public Service, and the leadership role taken by the Commission in this regard. I am committed to ensuring that the Commission continues to offer leadership to that work in a way that is consistent with the Crown's obligations under Te Tiriti o Waitangi | The Treaty of Waitangi, the Public Service Act 2020 and Te Ture mō Te Reo Māori 2016 | Māori Language Act 2016.

Implementation of matters included in the Coalition Agreement

The Coalition Agreement between the New Zealand National Party and the New Zealand First Party set out an agreement to progress policies to:

1.1.1 Ensure all public service departments have their primary names in English, except for those specifically related to Māori.

1.1.2 Require the public service departments and Crown Entities to communicate primarily in English - except those entities specifically related to Māori.

I support the promotion and protection of te reo Māori and I am aware of the Crown's obligations set out in Te Ture mō Te Reo Māori 2016. The coalition government believes that public services and information should be made accessible to New Zealanders with communication in language they understand. I do not consider that those two obligations are incompatible.

I received advice from the Commission on 5 December 2023 providing a range of options to progress these aspects in the coalition agreements. This advice noted that government departments have legal names set out in Schedule 2 of the Public Service Act 2020. It also noted that no direction has been issued, by either the current or previous governments, to the Public Service on the use of te reo Māori in names, branding or communications. At the time of receiving this advice, I did not see this as a high priority for further action.

Over recent weeks I have discussed these issues with Ministerial colleagues and with officials.

I have agreed with my colleagues that there is no intention to issue a directive across the Public Service relating to names or communication used by government departments. Individual ministers and agencies have responded to the coalition commitment on a case-by-case basis and will continue to do so. I have recommended that, when doing so, they engage in a discussion with their agencies, are very clear about their expectations, are aware of their obligations to protect and promote te reo Māori and seek advice from the Commission and the Attorney-General where appropriate.

On 22 May 2024, pursuant to a request from Hon Duncan Webb under the Official Information Act 1982, I released a redacted copy of the 5 December 2023 advice to Mr Webb and explained the position set out above.

Allowances in relation to te reo Māori

In December 2023, I asked the Commission for advice on bonuses for those who choose to learn te reo Māori being negotiated into future collective agreements. There are no relevant commitments in the coalition agreements relating to allowances for te reo Māori competency.

On 6 December 2023, my office provided written comments in response to a request from a radio reporter. Those comments indicated that the Coalition Government would not support these types of bonuses being used in the future, and that I would seek advice on how the Crown could stop them from being negotiated in future collective agreements. (I note that although I used the word “bonuses” at the time, te reo Māori skills are in fact recognised through allowances). As I clarified the following day, those comments were not intended to detract from the Crown’s commitment to te reo Māori. I explained that there would be many situations where te reo Māori would be a very relevant skill for which public servants should be remunerated.

Following those comments, I sought more detailed advice from the Commission about the purpose and nature of allowances for those who choose to learn te reo Māori, the number of people who receive them, and how they aligned with our drive towards better delivery of public services and value for taxpayer dollars.

The question of allowances has since been progressed in the context of the new Government Workforce Policy Statement (GWPS). It is only one of several aspects of the GWPS, all of which require consideration and balancing to ensure that the Public Service is providing an effective and efficient service for New Zealanders.

Over the period from December to May, I have received advice from officials and considered a number of versions of the draft GWPS. As I had instructed it to do, the Commission commenced consultation on the GWPS. During that consultation process, officials considered the allowances issue in the context of the Crown’s Tiriti | Treaty obligations. It also discussed allowances with Te Taura Whiri i te Reo Māori.

Through this policy development process, I have been able to clarify my view that departments must ensure that the remuneration paid to public servants is appropriate but also reflects their

valuable skills and contributions. My general view is that agencies should adequately plan for and recognise specific skills - including te reo Māori - within their base salary, and that allowances in addition to base salary should be used in limited circumstances.

I have also asked officials to ensure that the wording of the draft GWPS affirms our expectation that the Public Service be able to continue to support the Crown in its relationships with Māori and to uphold Te Ture mō Te Reo Māori 2016 | the Māori Language Act 2016. I note that a focus on agencies ensuring that remuneration for employees (whether as an allowance, or otherwise) reflects the skills brought to any role where the staff member is asked to use te reo Māori elevates the importance of the language in the workplace.

The GWPS remains under consideration. As part of that consideration, I am aware that officials are consulting with Te Taura Whiri i te Reo Māori and Te Mātāwai on the use of allowances in relation to te reo Māori. I expect to take that advice into account when reaching a final decision on the GWPS. Any such decision will also reflect the Crown's commitment to protect and promote te reo Māori.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Nicola Willis', written in a cursive style.

Hon Nicola Willis
Minister for Public Service

Released under the Official Information Act 1982