

29 August 2023

Andrew Kibblewhite
Secretary for Justice
Ministry of Justice

By email: Andrew.Kibblewhite@justice.govt.nz

Tēnā koe Chris

PSA 
Wellington Office
PSA House
11 Aurora Terrace
PO Box 3817
Wellington 6011
Phone 04 495 7633
Email: liz.byron@psa.org.nz

Engagement on Fiscal Sustainability Payment (FSP) proposal

We are aware that you have received a letter from the Minister of Finance requiring you to develop a proposal for permanent baseline savings as part of the Fiscal Sustainability and Effectiveness Programme. As the union for public servants, we are committed to strong public and community services and know that your agency's work is vital for a strong and thriving Aotearoa. We understand that you need to make the savings directed by Government. This letter sets out our expectations of how we can engage on the development of your agency's FSP proposal.

It is our understanding that before any changes that result in job cuts are considered, agencies have been asked to look first to find savings from programmes that have been deprioritised by Ministers, spending on external consultants and contractors being returned to pre-Covid levels, and workforce controls including closing vacancies and pausing recruitment for non-frontline roles. We know that closing vacancies and not filling roles, no matter where they are in the organisation, creates workload intensification and has ongoing impacts on services. It is our expectation that:

- No proposals will be developed that result in job losses until all other avenues have been exhausted.
- Before any proposals are developed that include closing vacancies, pausing recruitment for any roles or cutting any jobs, agencies will engage with us to put in place a process whereby people working across the agency can identify opportunities for savings from changes in ways of doing things. Our organising staff and delegates are ready to work with your leaders and HR to make this happen.
- If at some point a decision is taken to close vacancies or pause recruitment, we would expect that your leaders and HR will engage with our organisers and delegates to put in place measures to minimise workload and other impacts on remaining staff.
- If any proposals are considered that result in job cuts, we expect that you will engage with our organisers to agree a fair and just change process based on the terms of our collective agreement.

The PSA has been the representative of public servants for over 110 years and we understand the impacts of the global economic situation on the Government's books and spending. We will engage constructively with you throughout the FSP process and we look forward to your confirmation that you will work with us on this basis.

Yours sincerely



Kerry Davies
PSA National Secretary



Duane Leo
PSA National Secretary

From: Kibblewhite, Andrew
Sent: Friday, 1 September 2023 2:28 pm
To: Ourpeople@justice.govt.nz
Subject: Carl's email

Hi everyone,

Well – what a week it's been with all the talk around money in multiple buildings in Wellington. So on that basis I thought I'd cover a few things off.

Firstly, we indicated a while ago that we have some pressure on us financially and are looking at different ways of relieving that pressure and that work is going on at the moment (see [Effectiveness and Sustainability Programme | JET — Ministry of Justice Intranet](#) on JET). Andrew and SLT are committed to be transparent with you all once we sort things out, so expect to hear something soon.

Linked to that – people have said that they have ideas on what we could do. So if you have ideas on how we can save some cash, please send them through to ESP@justice.govt.nz. It would be good to hear from you.

One of the best things we can all do to help is to take annual leave. I know this is easier said than done for lots of different reasons, but this will help both from a wellbeing but also from a money point of view. From a personal perspective, we recently went and saw a couple of our kids who live overseas, which we haven't been able to do due to Covid, etc. It brought home to me the need to keep physically connected to family if you can, because you never know when your options around that can be limited.

Secondly, Andrew's email earlier this week talked about the Labour-led Government's plan to find savings across the public service. And this means us as well, to the tune of \$28m per year from July 2025. Once again – we will work through this but it is a wee way off yet.

And finally, there's a lot of things said at this time of an election cycle and that is the norm. We'll know much more after the election about what we can expect, and nothing will become government policy until it is decided by a new Cabinet. **Out of scope**

Out of scope

Cheers,
Carl



Carl Crafar

Chief Operating Officer | Operations and Service Delivery

DDI +64 4 466 1925 | EXT 58925 | MOB s9(2)(a)

From: Kibblewhite, Andrew
Sent: Thursday, 7 September 2023 1:58 pm
To: Hickling, Jo; Padgett, Eve; Reid, Daniel; Fulbrook, Andy; Wilkie, Ruth
Subject: FW: ENGAGEMENT WITH PSA ON FISCAL SUSTAINABILITY AND EFFICIENCY
Attachments: Letter to Ms Kerry Davies and Mr Duane Leo - Engagement on the Fiscal Sustainability and Effectiveness Programme.pdf

Hi all – please see attached.

Jo – thoughts on whether we should follow up in writing after our meeting on Tuesday?

Ngā mihi

Andrew



Andrew Kibblewhite ([he/him/Mr](#)) | Secretary for Justice and Chief Executive |
 Pou Whakarae
 Ministry of Justice | Tāhū o te Ture
 Justice Centre, 19 Aitken Street, Wellington
www.justice.govt.nz
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From: s9(2)(a)
Sent: Wednesday, 6 September 2023 12:10 pm
Subject: ENGAGEMENT WITH PSA ON FISCAL SUSTAINABILITY AND EFFICIENCY

Kei aku rangatira, tēnā koutou,

Following the announcement on 28 August from the Minister of Finance regarding the Financial Sustainability and Efficiency Programme (FSEP), many of you will have received a letter from the Public Service Association (PSA) outlining their expectations for engagement and input throughout this work.

I have replied to the letter on behalf of the Commission as an employer undertaking this same cost saving work. A copy is attached here for your reference.

I also outlined my expectations as Commissioner that all agencies will engage in a way that is reflective of their existing relationships and engagement structures with employees and union representatives. I agree that the people doing the work are well placed to identify aspects of improvement or efficiency that may enable meeting the expected cost reductions. I encourage you to consider how that could work in your agency.

We will not be issuing guidance on a model for engagement or identifying cost savings and efficiencies. However, we will support the system through forums and advice to our Employment Relations Leads and Heads of HR networks. This will include seeking and sharing examples from different agencies so that we can identify options that may also work for others.

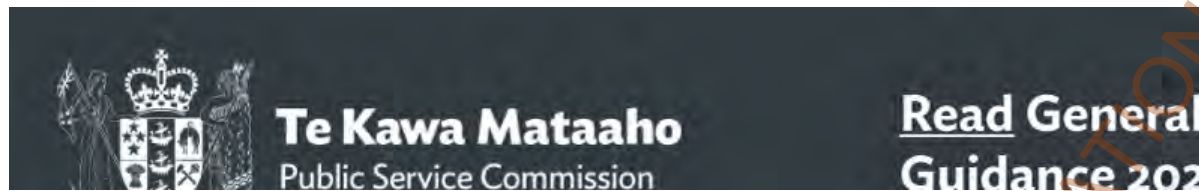
I would appreciate it if you could make sure your ER and HR Leads are connected with our Workforce Group throughout this programme of work.

Ngā manaakitanga,
Peter

Peter Hughes (he/him)

Te Tumu Whakarae mō Te Kawa Mataaho | Public Service Commissioner, Head of Service

waea pūkoro: s9(2)(a) | **īmēra:** s9(2)(a)



Te Kawa Mataaho Public Service Commission

www.publicservice.govt.nz | www.govt.nz



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Te Kawa Mataaho
Public Service Commission

6 September 2023

Ms Kerry Davies and Mr Duane Leo
Public Service Association

By email: Kerry.davies@psa.org.nz, duane.leo@psa.org.nz

Tēnā kōrua Kerry and Duane,

Engagement on the Fiscal Sustainability and Effectiveness Programme

Thank you for your letter of 29 August 2023. In it you outlined your expectations of engagement throughout the Fiscal Sustainability and Effectiveness Programme (FSEP).

I fully agree that the people doing the work are well placed to identify aspects of improvement or efficiency that may enable meeting the expected cost reductions. It is my expectation that all agencies will explore how they can involve their people in tackling this challenge. It is through engagement and working together as a system that we will achieve the savings targets while continuing to deliver for all New Zealanders.

I have communicated this expectation to Chief Executives and asked them to engage with unions and staff early, and as they each work through the process of identifying how they will achieve the savings set out in the FSEP. There is no one size fits all approach, and each agency will have engagement structures and union relationships that reflect their individual circumstances and the fiscal challenges in their own context. Any commitments in agency relationship agreements, collective agreements or similar should of course be upheld.

In our role as an employer, Te Kawa Mataaho Public Service Commission will engage with the PSA as we work through what the FSEP means for our agency.

To support the system, our Workforce Group, led by Alex Chadwick, will engage with agencies throughout this programme of work, including via our Employment Relations Leads and Heads of HR forums. This will include sharing ideas and approaches from different agencies.

Nāku noa, nā


Peter Hughes (he/him)
Te Tumu Whakarae mō Te Kawa Mataaho
Public Service Commissioner | Head of Service

From: Wilkie, Ruth
Sent: Wednesday, 13 September 2023 7:54 am
To: Reid, Daniel; Matheson, Georgina; Fulbrook, Andy; Thipthorpe, Hannah
Cc: Lynn, Sarah
Subject: Fwd: annual leave planning

Hi- can you help with this please?

s9(2)(g)(i)

I will check our comms from AK to CJ this morning- they have talked but I don't think a letter has gone yet.

Thanks

Ruth

Sent from my iPhone

Begin forwarded message:

From: "Brett, Cate" <Cate.Brett@justice.govt.nz>
Date: 13 September 2023 at 7:42:18 AM NZST
To: "Wilkie, Ruth" <Ruth.Wilkie@justice.govt.nz>
Subject: Fwd: annual leave planning

Mörena Ruth,

We are holding off our comms to associates Re leave balances until the judges have been informed of the wider context - do you know when the comms from AK to CJ and Budget advisory committee are coming Re the efficiency and sustainability project ?

Sent from my iPhone

Begin forwarded message:

From: "Brett, Cate" <Cate.Brett@justice.govt.nz>
Date: 11 September 2023 at 9:03:00 AM NZST
To: "Kibblewhite, Andrew" <Andrew.Kibblewhite@justice.govt.nz>
Cc: "Wilkie, Ruth" <Ruth.Wilkie@justice.govt.nz>
Subject: RE: annual leave planning

Kia ora Andrew,

Could you let me know whether there is a plan to engage with judiciary re the leave planning issue as it will impact registries -and whether you/Carl is intending to write to HOB about this ? (they next meet on 11 October as a board)

Thank you

C

From: Kibblewhite, Andrew <Andrew.Kibblewhite@justice.govt.nz>
Sent: Monday, 11 September 2023 8:20 am
To: Brett, Cate <Cate.Brett@justice.govt.nz>; Orr, Jeff <Jeff.Orr@justice.govt.nz>;

Powell, Emma <Emma.Powell@tepunaonui.govt.nz>; Judge, Erin
<Erin.Judge@justice.govt.nz>
Cc: Wilkie, Ruth <Ruth.Wilkie@justice.govt.nz>
Subject: annual leave planning

Kia ora koutou

This same email is going out to all senior managers. You may have already received it!

You'll be aware annual leave balances across the Ministry have been rising. We need to fix this.

Why this matters

It's important for kaimahi wellbeing that they schedule time to take annual leave and have a decent break from work. Rest and recreation give us all the opportunity to spend time with loved ones, do things we enjoy and perform our best at work. High leave balances also create a financial liability for the organisation. This needs to be managed, particularly in the context of the [Effectiveness and Sustainability Programme](#).

What you need to do

Please talk with your leadership teams and direct reports:

1. Agree a plan with each of your team to use their annual leave between now and 31 July 2024. The plan should include all intended periods of leave between now and 31 July 2024.
2. Any outstanding Time Off in Lieu (TOIL) should be taken prior to any annual leave.
3. Once the plan is agreed, the employee needs to enter the leave in Mahi.
4. You and your leaders need to approve the leave in Mahi by 30 September 2023, or for teams that have additional complexity to consider (e.g. court schedules, judiciary) then leave plans can be entered and approved in Mahi by 31 October 2023.
5. It is important that we are as flexible as possible with our people when setting these plans and that our people feel supported to take leave.
6. Please ensure you support your managers to enable their people to take leave, including helping to prioritise work so this can happen.

Support available

1. To find your employees' current leave balances, you can run a Mahi report. Find out how by watching this [Run a report video](#). If you need help, please contact [AskHR](#).
2. There is a [Managers' Guide](#) to support annual leave conversations.
3. If you have employees who have high leave balances but cannot agree to a leave plan, there is an option to direct them to take annual leave. If you need to begin this process please talk with your [PX Business Partner](#) in the first instance.
4. You should be forecasting leave and monitoring this against your budget. Your [Finance Business Partner](#) can help you do this.
5. Annual leave planning should be added as a standing agenda item to leadership team meetings, so you can work with your colleagues around this.

There will also be a JET story this coming week, plus One Source Daily and Managers' Brief items encouraging staff to take leave, reinforcing the importance of looking after their wellbeing and getting rest and relaxation away from the office.

Ngā mihi nui

Andrew



Andrew Kibblewhite (he/him) | Secretary for Justice and Chief Executive
Ministry of Justice | Tāhū o te Ture
Justice Centre, 19 Aitken Street, Wellington
www.justice.govt.nz



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21 September 2023

DOCUMENT 15

The Rt Hon Dame Helen Winkelmann
Chief Justice, Te Tumu Whakawā o Aotearoa
Supreme Court, Te Kōti Mana Nui o Aotearoa
Justice.Winkelmann@courts.govt.nz

Our ref: 274

Tēnā koe e te Tumu Whakawā

Effectiveness and Sustainability Programme

I wrote to you on 24 July 2023 about the Effectiveness and Sustainability Programme (ESP) set up by the Ministry to ensure it is financially sustainable in both the short and long term. We also discussed ESP when we met on 6 September and you will be aware of the considerable effort the Ministry is putting into the management of its budgets and expenses.

ESP was initiated in response to both significant internal cost pressures from 2023/24 onwards and the May 2023 Budget, when the Government launched the Fiscal Sustainability and Effectiveness Programme to ensure resources are being used efficiently and are focused on delivering the highest priorities across the public sector. The Minister of Finance subsequently announced in August 2023 that all government agencies are required to find permanent savings and reduce spending. Future budget allowances will also be reduced which, for the Ministry, will take effect from the 2025/26 financial year.

This letter sets out the potential implications of ESP for the courts and judiciary, seeks your assistance on some aspects of the work, and proposes how the Ministry might work alongside the judiciary as the work progresses.

Immediate focus

The Ministry is currently forecasting that it will overspend its appropriations in the 2023/24 financial year unless immediate savings are made. To this end, the following steps have been taken or are underway:

- a) All budget managers have been asked to identify savings in their budgets for discretionary activities; for example, travel or accommodation. A more extensive review of each budget manager's budget (a 'deep dive') is also to be undertaken to identify whether any further savings can be made.
- b) The Ministry is reviewing and reducing its use of contractors and consultants.
- c) A key contributor to the Ministry's current financial position is high balances of unused annual leave, which have created a high annual leave liability (approximately \$35m). This is in part due to staff being unable to take leave during the COVID-19 response or being reluctant to do so because of workload pressure. As it is also important for staff to take leave for their own wellbeing, all staff (including registry and judicial support staff) will be asked to actively reduce their annual leave balances, including

taking their annual leave entitlement by the end of this financial year. Leave plans must be agreed with managers by 31 October 2023 at the latest.

My starting point is that the above activities should apply equally to Te Tari Toko i te Tumu Whakawā/Office of the Chief Justice and the budget and staff that it manages, but in a way that continues to protect and maintain judicial independence and reflects the particular governance structures in place for that purpose. For example, I am aware that any review of Te Kura's discretionary budget must be done with the oversight of Te Kura's Board and that any changes to Te Tari's work programme or budget will need to be discussed and agreed by the senior courts' heads of bench. Similar issues will arise with Te Whare o Nga Kaihautū o te Waka o te Kōti-ā-Rohe o Aotearoa/Office of the Chief District Court Judge, and any support functions provided directly to other heads of bench.

I also acknowledge the particular working arrangements between senior court associates and the judges they support means developing leave plans for them will be a complex exercise. I understand Te Tari has identified those direct support staff with high leave balances and will be working with their managers and judges to agree on leave plans.

I am also conscious of the potential impacts for courts and judges of more annual leave being taken by registry and judicial support staff. The reality is that there will be operational impacts from this approach. However, I see this as an unavoidable consequence of the need, from both a wellbeing and a financial point of view, for staff to take more leave. As judges may notice this impact, I would appreciate it if you could advise judges that staff will be taking more leave than previously and that this is important for their own wellbeing and to assist in addressing the Ministry's financial position.

Medium to longer-term focus

ESP also aims to ensure the Ministry is financially sustainable into the future. In part, this is to ensure the Ministry is able to absorb the \$28.9m reduction in its budget in 2025/26 announced by the Minister of Finance and manage its budget shortfall in 2023/24 and outyears. And, as has been made clear in the election campaign, all major parties are signalling an ongoing focus on government expenditure.

An approach to this medium to longer term work is still under development. However, it is likely to include the Ministry looking closely at its work programme to ensure that all programmes and projects are critical to delivering its strategy. As the 2025/26 reduction announced by the Minister of Finance includes non-departmental appropriations (including court-ordered costs), I also welcome further discussion with you about opportunities to find savings in those areas.

Ongoing involvement of the judiciary in ESP

I welcome the ongoing involvement of the judiciary as ESP progresses, consistent with our partnership approach and respective responsibilities under the *Statement of Principles observed by the Judiciary and Ministry of Justice in the Administration of the Courts*. With your agreement, I propose the following:

- a) Along with other members of the Strategic Leadership Team, I suggest that I brief heads of bench on ESP at their next meeting on 11 October 2023.
- b) Ministry officials could meet regularly and work closely with the Judicial Budget Advisory Group, could be the primary mechanism for judicial involvement in ESP.

c) ESP be added as a standard item on CSPG's agenda.

d) I will also continue to keep you updated on ESP, either at our regular meetings or otherwise as required.

As part of ESP, and as noted when we last met, there is a workstream covering judicial expenses and court-ordered costs. I have asked Andrea King, Group Manager for Senior Courts, to lead this work, which will include an early upfront identification of the range of activities and expenditure in scope. Some of this will potentially be sensitive so I suggest that Andrea works closely with the director of your office, Cate Brett, on this.

I look forward to your support for this work and further discussions with you as ESP progresses.

Nāku noa, nā



Andrew Kibblewhite
Pou Whakarae mō te Ture
Secretary for Justice

From: Kibblewhite, Andrew
Sent: Friday, 22 September 2023 10:40 am
To: Ourpeople@justice.govt.nz
Subject: Andrew's email

Kia ora koutou,

So this is going to be a different sort of a Friday email today, a little bit longer and a little bit chunkier. I want to talk about money.

For those of you who have been tracking recent announcements and the election discussions this won't come as a surprise. As I noted in my email at the end of last month, the Government has tasked all departments with finding up to a 2% reduction in their baseline costs, on top of the impacts of inflation. And all political parties are talking about the need for fiscal restraint going forward, through a range of mechanisms, including quite significant "efficiency dividends".

This is challenging stuff. More so when you think of the massive challenges the Ministry and the country have had to overcome in the last few years: Covid-19; extreme weather events; stressed communities and inflation.

I know many of us have been finding it pretty tough already. I have been hearing that from staff directly and through conversations with the PSA. We saw it in the Wellbeing Assessment. A big part of our conversation at the Leaders' Forum in June was about what to do about it: how do we achieve the big goals in our strategy, serve New Zealanders well every day and enable our staff, all of you, to thrive.

The good news is we started early. You might recall from a few months back that we have set up the [Effectiveness and Sustainability Programme \(ESP\)](#) initially to focus on reprioritising our work and better empowering our people. As well as being more cost-conscious, we want to identify real choices about our work programme. The answer here cannot be that already stretched people have to be stretched a bit further!

The short-term part of our programme is well advanced and showing good results. We have asked all senior managers (SMT) to review their budgets to identify and reduce discretionary expenditure, an exercise that has worked well. I know many of you have already made or updated your annual leave plans, which is good for your wellbeing and our financial liabilities. And we have reviewed our expenditure on consultants and contractors and have plans in place to bring that down.

The next phase of this work will involve every SMT leader working with the ESP team to do a "deep dive" into their groups. They will be asking what the drivers of cost and performance are in their areas, whether we can improve our processes, what can be stopped. In short – are there better ways of doing our mahi? Can we do things smarter, still achieve our outcomes – even improve them! - and with better value for money?

The good news is you can help. Many of you will see little or big things we can do differently and better in your own workplace. These can be immediate savings to help in the short-term, like merging similar pieces of work, making sure that all our processes are necessary. We all need to be mindful of what we spend and what we get for it. If we have processes that require multiple handling or unnecessary checks and balances, we need to streamline. If we're travelling a lot, we need to rethink that too.

Or there might be longer-term solutions that will help us deliver more effectively on our strategy. Programmes like [CPIP, the Criminal Process Improvement Programme](#) are an example of this work on a national scale.

Please keep sending your suggestions to the ESP programme at ESP@justice.govt.nz – thank you to those who already have! We are also setting up processes for the PSA to bring an organised staff voice to these discussions. *He waka eke noa* – we are all in this together.

There is no doubt this is a challenging situation – but I am sure we will take it in our stride. The work we do as a Ministry is essential for our country. Our strategy is sound. We are entering into a season of belt tightening and thoughtful improvement, not of slash and burn. The workload and fiscal pressures we are facing are putting a greater emphasis and urgency to some of this work, but they are not new.

Kia toka tū moana

Be steadfast - be like a rock in the ocean

Ngā mihi

Andrew



Andrew Kibblewhite ([he/him/Mr](#)) | Secretary for Justice and Chief Executive | Pou Whakarae

Ministry of Justice | Tāhū o te Ture
Justice Centre, 19 Aitken Street, Wellington

www.justice.govt.nz

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From: Kibblewhite, Andrew
Sent: Tuesday, 26 September 2023 4:17 pm
To: DL-NO VIC-ALL NON JUDICIAL OCCUPANTS
Subject: Update on National Office Christmas Party

Kia ora koutou,

You will have seen the Christmas Party save the date email that went out yesterday. Upon reflection, given the current financial climate and challenges we face as a Ministry I have made the difficult decision to not proceed with the National Office Christmas Party. I know this will be disappointing to many of you – as it is to me! It is still important that we take the opportunity to celebrate all we have achieved over the year, but I think we need to do so in a more modest way. To that end we will continue to fund celebrations organised on a team by team basis but with a reduced budget, \$15 per person on an event that teams will organise themselves. We will also still proceed with the National Office Children's Christmas Party.

I'm sorry to be a bit grinchy, but for the reasons outlined in my email on Friday, it just doesn't make sense to continue this year. My thanks to the organising team for the energy they have already put into current arrangements. I acknowledge this will be particularly disappointing to all of you.

Ngā mihi
Andrew



Andrew Kibblewhite ([he/him/Mr](#)) | Secretary for Justice and Chief Executive |
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Justice Centre, 19 Aitken Street, Wellington
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DOCUMENT 18

26 September 2023

Ms Kerry Davis and Mr Duane Leo
National Secretary
PSA

Our ref: CEC 2355

Tēnā kōrua Kerry and Duane

Engagement on Fiscal Sustainability and Effectiveness Programme

Thank you for your letter of 29 August 2023 and thank you for a productive meeting on 4 September at PSA House.

As you know, we have established an internal Effectiveness and Sustainability Programme (ESP) to assess how well the Ministry is currently set up to empower our people to succeed and make recommendations on how we can more effectively and sustainably allocate our resources to our greatest priorities. Our team have made good progress setting up mechanisms for regular and constructive engagement between the ESP team and the PSA.

I look forward to staying in touch with you on the Effectiveness and Sustainability Programme. With the PSA support I am confident Te Tāhū o te Ture will be able to deliver on the expectations of the Public Service Commissioner and the Minister of Finance, while continuing to strengthen people's trust in the law of Aotearoa New Zealand.

Nāku noa, nā



Andrew Kibblewhite
Pou Whakarae mō te Ture
Secretary for Justice

From: CommServices
Sent: Thursday, 5 October 2023 3:31 pm
To: CommServices
Subject: Managers' Brief Special Edition 19, Effective and Sustainability Programme
Attachments: 20231005-Special-Managers-Brief-Edition-19.pdf; 20231005 ESP Key Messages for Managers.pdf

Kia ora,

Please see attached this week's Managers' Brief Special Edition 19, Effective and Sustainability Programme. You can also view this [Managers' Brief here](#).

The next Managers' Brief is scheduled for next week **Wednesday 11 October 2023**.

Please email CommServices@justice.govt.nz with any content you would like included by **strictly midday Tuesday 10 October 2023**.

Āku mihi,
Taylor



Taylor Escott (He/Him)
Senior Advisor
Communications Services
Ministry of Justice | Tāhū o te Ture
Strategy, Governance and Finance
Taylor.Escott@justice.govt.nz | justice.govt.nz

Effectiveness and Sustainability Programme – Talking points for managers

- Over the last few years, the Ministry has faced some massive challenges that have impacted the way we have worked, such as Covid 19 and extreme weather events.
- As a Ministry we worked together and responded well to these challenges. This meant delaying many of the regular activities that ensure our processes are efficient, sustainable, and support our overall strategy.
- We have also heard from our people that we are taking on too much work. We have taken on new and competing priorities and have struggled to return to business as usual.
- Given the current financial climate, we need to find new ways to save money and do things more efficiently.
- We have put in place the Effectiveness and Sustainability Programme (ESP), to help us focus on the Ministry's finances and processes. We want to find ways to be more cost-conscious and reprioritise work where possible, while continuing to empower our people to succeed.
- We want to involve everyone in the ESP work so we get the best outcomes possible for the Ministry, for now and into the future. The programme would love to hear your ideas - send them to ESP@justice.govt.nz
- The Ministry is committed to supporting everyone through these challenges. Let your manager know if you have concerns or questions.
- We will continue to work closely with the Public Service Association, judiciary, and sector partners as the programme progresses.

People Experience

- People Experience (PX) is leading on some work to help improve the Ministry's financial position, including encouraging our people to take their annual leave.
- Taking your annual leave is important for your wellbeing. High leave balances also have an impact on the Ministry's finances.
- Managers in National Office have been working with their teams to finalise annual leave plans. These should now be approved in Mahi (due date was 30 September 2023). People in frontline roles need to have their plans approved in Mahi by 31 October 2023.
- Another PX initiative relates to recruitment, with hiring managers for non-front-line staff now needing approval from the respective Deputy Secretary before recruiting for National Office roles.

Contractors and third-party vendors

- The programme is introducing new measures to improve the value from any spend on contractors and consultants. This is an important measure towards investing more sustainably.
- Contractor and consultant expertise is important to much of the Ministry's work. However, we need to be mindful of the additional costs of bringing in outside expertise.
- The Ministry is making several changes to how we engage and manage contractors. This includes:
 - introducing a preferred list of contracting agencies for managers to source contractors
 - Chief Executive approval for hiring new contractors to backfill permanent roles
 - three-monthly revalidation by managers to justify hiring a contractor to ensure the contractor is necessary.

Identifying short / medium-term savings

- We have heard from people that they are feeling stretched and that we need to better prioritise our work.
- We need to ensure our work can be delivered within the current fiscal restraints without putting more pressure on our people.
- ESP and the Senior Management Team (SMT) are taking a deep dive into the Ministry's finances to identify opportunities for saving money, doing things more efficiently, and empowering our people to succeed.
- We would love to hear ideas from our people that can contribute to this work. Please send in your ideas to ESP@justice.govt.nz.

Longer-term sustainability / operating model

- While the Ministry is looking at a range of short to medium term saving options, ESP is also looking at options for sustainably delivering our strategy into the long-term.

Information for managers

THURSDAY 5 OCTOBER 2023



ESP EDITION

Use this information to get up-to-date and to brief your teams. This Managers' Brief will be uploaded to JET for all staff on 5 October 2023.

[Previous editions are available on JET](#)

Effectiveness and Sustainability Programme

This special edition of Managers' Brief has information for managers on the Effectiveness and Sustainability Programme (ESP), to help answer our people's questions about what work is underway, and the kind of measures the programme is currently considering.

We know our people have many questions about what is happening with the programme. The team has been cautious to only provide information to our people once it has been confirmed. We ask you to direct our people to official channels such as the [ESP page](#) on JET for the most up to date information, and encourage people to send their ideas to ESP@justice.govt.nz.

The programme's work is currently divided into five workstreams, each with a different focus. The workstreams are:

- Procurement and third-party vendors
- People Experience (PX)
- Short/medium term savings identification
- Longer-term sustainability/operating model
- Court-ordered costs

The Ministry is engaging regularly with the Public Service Association (PSA) on the work of ESP.

Procurement and third-party vendors

The programme has identified the need to ensure we are getting good value from our spend on contractors and consultants, as an important measure to investing more sustainably. Contractor and consultant expertise is important to a lot of the Ministry's work. However, we need to be mindful of the additional costs in bringing in outside expertise.

The Ministry is making several changes to how we engage and manage contractors:

- **The Ministry will introduce a preferred list of contracting agencies for managers to source contractors from.**
This will reduce the fees the Ministry pays recruitment agencies. It will also give the Ministry more oversight of how we are using contractors, through the preferred agencies' reporting.
- **All new contractors backfilling permanent roles must be approved by the Chief Executive.**
All other contractor engagements will require Deputy Secretary approval. The need for some contractor engagements to be escalated and approved by the Deputy Secretary, Strategy, Governance and Finance has been removed. The new process for this will be explained shortly on the *Engage a Contractor* page on JET.
- **Justification for hiring a contractor will be reviewed every three months.**
Managers will be asked to revalidate that any contractors in their team remain the best resourcing option every three months. This process will be formalised and communicated shortly.

People Experience

We are introducing several initiatives led by People Experience (PX). Most of these changes will have already been communicated to our people through JET, SLT, and in Andrew's email.

- **Everyone should have an annual leave plan in place.**
Taking leave plays an important role in our people's wellbeing. High leave balances also have an impact on the Ministry's finances. Leave plans should now be approved in Mahi – the due date was 30 September 2023 and 31 October for teams with additional complexity to consider (such as court schedules or the judiciary)
- **Recruitment for all National Office roles now requires approval from the respective Deputy Secretary.**
The Ministry will be exercising more oversight and scrutiny about whether vacant roles need to be filled. Roles that manage or deliver a service directly to the public will continue to follow the normal approval process. This includes public facing roles in Operations and Service Delivery (OSD), Court Security Officers (CSO) and Public Defence Service (PDS). Hiring managers must ensure they have obtained the correct approval before completing the request to hire.

Identifying short / medium-term savings

ESP and the Senior Management Team (SMT) are also taking a deep dive into the Ministry's finances to identify opportunities for saving money and doing things more efficiently. We have heard from our people that they are feeling stretched. We need to better prioritise our work so it can be delivered

within the current fiscal restraints without asking unreasonable things of our people.

- **ESP and SMT will be working closely to identify ways to work more efficiently.**
This may include identifying similar pieces of work that can be combined or pausing or stopping work where resources could be better utilised elsewhere. The programme will ask SMT members to look through their budgets and confirm that everything they are doing is essential.
- **Working through suggestions from our people.**
ESP has been reviewing suggestions from our people to find opportunities to save money. Many of these suggestions have informed conversations between the programme and SMT or have helped to improve other workstreams. If you or your staff have any suggestions, we encourage you to send them to: ESP@justice.govt.nz.

Longer-term sustainability / operating model

While the Ministry is looking at a range of short-term saving options, ESP will also explore options for sustainably delivering our strategy into the long-term. This involves exploring a wide range of opportunities and trade-offs, benefits, and risks to help inform future decisions. While this work has only just begun, we will keep you updated of significant developments. Please send in any suggestions you have on the long-term delivery of the Ministry's strategy to ESP@justice.govt.nz.

FAQ

Where can I find more information?

ESP will provide any significant updates on the [JET](#) project page. We will also mention any important information for managers in Manager's Brief.

Is there any way my people can contribute?

Yes. Please send any suggestions to ESP@Justice.govt.nz.

Have the judiciary been involved?

Yes, ESP will be working closely with the judiciary over the coming months to discuss how the Ministry will continue to support their work and explore opportunities to operate more efficiently and sustainably.

What should I tell my team about ESP?

Please share the updates in this Managers' Brief with your team. We will provide further updates over time on our JET pages.

ESP is committed to being open and transparent with our people. We will do our best to inform our people of any decisions as early as we can.
