

# STATE SERVICE ACT REFORM

## Purpose, Principles and Values



There is currently no single legislative statement of the purpose, principles and values of the New Zealand Public Service. We propose that a new Aotearoa New Zealand Public Service Act articulates the purpose, principles and values of the Public Service in one place. This will ensure they form an enduring foundation for the Public Service, clarify the expectations that society places on the Public Service, and help in promoting and embedding the spirit of service across the system.

### What are the proposed purpose, principles and values?

*Purpose* – To deliver results and services for citizens, serve the Government effectively and support our democratic process.

*Principles* – Political neutrality, free and frank advice, merit selection, openness, stewardship.

*Values* – Impartiality, accountability, behave with integrity, respectful.

### How do they apply to public servants?

The purpose, principles and values will be a unifying and common element for all public servants. Our intention is that they will be brought to life through departmental leadership, be reflected in corporate documents, and be implemented through various instruments such as codes of conduct and related departmental policies and practises.

### What do they mean for Ministers?

The Cabinet Manual already sets out expectations for the relationship between Ministers and the Public Service, and this will be reinforced through the legislative articulation of the purpose, principles and values that underpin the Public Service.

### What do they mean for Parliament?

Parliament will have legislated for the purpose, principles and values of the Public Service. Parliament will be able to hold the Executive Government to account for ensuring that the Public Service can continue to operate according to the purpose, principles and values.

### Why do you need to legislate the purpose, principles and values?

There are a number of reasons for articulating the purpose, principles and values in legislation. For example, it will help in promoting and embedding the spirit of service across the system, and will ensure the foundational nature of purpose, principles and values for the Public Service.

Previous reforms have not legislated for purpose, principles and values, and subsequent reviews have continued to express concern about the lack of a unifying Public Service culture. Clearly defining the purpose, principles and values in law will help to build a unifying culture of public service.

Although we are well regarded internationally, at times the Public Service has been criticised for shortfalls in integrity and professionalism, including our ability to remain politically neutral and provide free and frank advice. The new Act also provides an opportunity to bolster these bedrock principles of the New Zealand Public Service and secure them for future generations.

The State Services Commissioner will continue to have responsibilities for clarifying and articulating purpose, principles and values in guidance and codes of conduct, but within the parameters established by Parliament.

**The principles and values appear to overlap. Why is this?**

There is some overlap as principles and values are both about establishing expected behaviours. We have created a framework where principles underpin *institutional* behaviours and values drive *individual* behaviours.

**Are they the right principles and values?**

To enable discussion, we set out a group of principles and values based on constitutional conventions and ethical behaviour. This may mean that some concepts and characteristics of public service are not explicitly described. We look forward to public discussion about which principles and values should be legislated for, and which may sit better elsewhere, for example the Code of Conduct.

**What sanctions are there for public servants who don't follow the purpose, principles and values?**

There is no intention to include any sanctions in the legislation. The Act already requires employees, secondees and contractors to comply with the standards in any code of conduct issued by the Commissioner. It is generally expected that compliance with the code is a condition of employment. Accordingly, serious breaches could have employment-related consequences.

**Will the principles and values apply to services delivered by third parties?**

Not necessarily. The principles and values will not automatically apply to services delivered by third parties. However, chief executives may choose to include principles and values as terms and conditions in contracts.