



OIAD-45

9(2)(a)

Dear 9(2)(a)

Thank you for your email of 31 May 2021 requesting the following under the Official Information Act 1982 (the Act):

*This OIA is re Covid recovery/response measures, and the use of contractors by your agency/dept for that*

*Please consider any reference to 'covid recovery' to include any work programme or similar that largely or primarily is aimed to respond to the pandemic or its impacts*

*Pls consider any reference to 'contractors' to mean contractors whose engagement with your dept or agency is primarily or largely related to any aspect of Covid recovery (NOT contractors in general)*

*For timeframes, where applicable pls provide figures per quarter. Starting point is sent by response to Covid. Pls note where it is known of any end points in use of contractors*

9(2)(a) requests release to it, in full and in fully searchable format, the following information and/or documents, in relation to your agency/dept:

1. detail of how covid recovery is being primarily undertaken, including:
2. the name of any units/teams/similar leading it, or involved in it
3. if these are new or repurposed units/teams/similar, the date when they began covid work
4. number of permanent and/or fixed term staff (not contractors) working (primarily) in any aspect of Covid recovery
5. number of contractors working
6. if available, budgeted spending on contractors of Covid recovery
7. Actual hourly or daily (or other) rates of contractors at whatever level (similar to what is provided in your Annual Reviews to select committee)
8. range of hourly or daily (or other) rates of contractors at whatever level
9. Separately, the same for consultants (if available)
10. if a contractor is in charge, or second in charge, of a Covid recovery units/teams/similar and/or work programme, pls detail all such roles
  - what that position is
  - how long they have been engaged in that role
11. if a covid recovery units/teams/similar worker numbers are more than 50% contractors, pls state and describe

12. *pls detail the variation of that % over time eg up or down*
13. *pls detail why over 50% of such staff are contractors*
14. *pls detail any cases where unplanned/unexpected employee attrition or turnover has had an impact on number of contractors having to be engaged, and/or length of that engagement, and/or the seniority of position having to be filled by a contractor*
15. *provide a timeline in terms of when contracts wind up, or are forecast to, or when units/teams/similar/work programme winds up or is forecast to*
16. *any complaints received from employees, unions, contractors or the public about use of contractors or consultants in covid recovery*
17. *pls detail if any audit or review or similar has been or will be, or might be, undertaken re use of contractors or consultants in covid recovery*

On 24 June 2021 you clarified your request in line with the following:

- *Re 'respond to the pandemic or its impacts': 9(2)(a) seeks to report on the extent and proportion of dept/agency Covid-19 work being done by contractors. This work is specific only to the current pandemic and not future ones; it is specific to Covid-19 and not other threats or pandemics; it is specific to the time period since main impacts began being felt in NZ in March 2020; it is specific to the parts of your dept/agency that have a primary role in responding to Covid i.e. activity that has begun since March 2020 and has as its primary goal helping cope with the pandemic. It does not apply to activities that, even though they help the country cope, were part of bau activities prior to Covid.*
- *Some depts/agencies have specific units/teams assigned to covid recovery/support. In that case, it is straightforward: this request applies primarily to them. Where no such teams exist, it may still well be that individual contractors are primarily employed in covid-related activity (other than MIQ for MBIE), and this request applies to them.*
- *I wish to amend the original OIA to remove the questions 4 and 11-13.*
- *"...where, as you say, "initiatives were funded to support a response to and recovery from COVID-19" then pls describe the extent of use of contractor resource in those initiatives in the format/way you measure it; if it is not being measured, pls make that clear along with details of why it is not being measured."*

On 28 June 2021 we extended the timeframe for responding to your request by 15 working days to allow us to collate the information in scope and carry out any necessary consultations.

In interpreting your request to be for information relating to initiatives funded to support a response to and recovery from Covid, we consider the following teams/ projects to be in scope of your request. As stated in your clarification we have not included teams or initiatives whose functions could be considered as contributing to the Covid recovery but were part of the Ministry's activities prior to Covid. However we have included teams and initiatives whose functions were significantly expanded as a result of Covid.

Also as stated in your clarification this response provides information on the use of contractor resources in the relevant teams and initiatives in the format it is measured at the Ministry.

Team/ Initiative	Purpose	Date Commenced
Fast Track Consenting	This team provides advice to Ministers and administers applications made under the COVID-19 Recovery (Fast-track Consenting) Act 2020. The process fast-tracks projects that deliver employment and contribute to our economic recovery from Covid-19.	July 2020
Mahi mō te Taiao/ Jobs for Nature	<p>Contractor information provided for this area includes Ministry for the Environment costs for both the Jobs for Nature Secretariat and those at the Ministry responsible for administering funding that is part of the wider Jobs for Nature programme.</p> <p>The Secretariat provides cross-agency support to the five government departments responsible for administering funding across the Jobs for Nature programme, including programme-level co-ordination of monitoring, reporting and communications.</p>	July 2020

Waste Infrastructure & Investment / Te Whakangao Hanganga Para	This team delivers the Covid Response and Recovery Fund for Waste and Resource Recovery Initiatives. This package of infrastructure initiatives will minimise waste to landfill, increase onshore resource recovery resilience, and deliver broader economic benefits.	August 2020
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The contractor spending information regarding the above teams/ initiatives is attached as Appendix 1.

### Context on Figures Provided

As you are aware the Ministry provided information in the 2021-22 Estimates – Vote Environment Supplementary Questions on the amount of contractor spending on Covid recovery. At the time that response was prepared with a narrower interpretation than the data captured by this Official Information Act request.

In relation to timelines on the length of contracts in these areas the Ministry is currently phasing out the use of contractors for positions which have an on-going function. This is likely to be complete by the end of 2021.

In addition, the Ministry has no record of formal complaints received from staff regarding the use of contractors in Covid recovery. Your request for this information is refused under section 18(e) of the Act as the information does not exist.

The Ministry also has no information within scope of your request regarding any audits carried out on the use of contractors or consultants in Covid recovery. Accordingly, your request for this information is refused under section 18(e) of the Act as the information does not exist.

You have the right to seek an investigation and review by the Office of the Ombudsman of my decision to withhold information relating to this request, in accordance with section 28(3) of the Act. The relevant details can be found on their website at: [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz).

Please note that due to the public interest in our work the Ministry for the Environment publishes responses to requests for official information on our [OIA responses page](#) shortly after the response has been sent. If you have any queries about this, please feel free to contact our Ministerial Services team: [ministerials@mfe.govt.nz](mailto:ministerials@mfe.govt.nz).

Yours sincerely



Lorena Stephen  
**Director, Delivery and Oversight**

**Appendix 1. Summary of Contractor Spending Information for Teams and Initiatives with a Primary Focus on Covid-19 Recovery at the Ministry for the Environment**

Workstream	Actual spend July 2020- May 2021	Forecast total spend July 2020-June 2021	Contract Value	Number of Contractors	Average Term (months)	Average Hourly Rate (excl GST)	Total Funding (Departmental & Non- Departmental) for FY20/21	% of funding attributed to Contractors FY20/21
Fast Track Consenting	\$783,631	\$820,981	\$1,052,051	7	8.3	138.6	\$3,127,000	26%
Jobs for Nature Secretariat	\$872,157	\$954,635	\$1,514,440	12	7.1	133.3	\$48,040,000	2%
Waste and Resource Recovery initiatives	\$232,294	\$277,394	\$538,000	3	9.9	116.7	\$99,500,000	0%
<b>Total</b>	<b>\$ 1,888,082</b>	<b>\$2,053,011</b>	<b>\$3,104,491</b>	<b>22</b>	<b>7.9</b>	<b>132.7</b>	<b>\$150,667,000</b>	<b>1%</b>