



9 April 2024

Tēnā koe

Official Information Act request

Thank you for your email of 10 March 2024, requesting information about Legal Services positions and the Legal Change Proposal.

I have considered your request under the Official Information Act 1982 (the Act). Please find my decision on each part of your request set out separately below.

- 1) *A list of all legal services positions/jobs contained within Legal Services – disclosing both job title and the number of positions held for each of those jobs (including all management positions) as at;*
 - i) *1 June 2023 and also;*
 - ii) *the date of the response to this OIA request/to date.*

- 6) *A list of all current positions remaining vacant and unfilled held within Legal Services as at;*
 - i) *1 October 2023 and also;*
 - ii) *To date.*

Please see the following information in the below **Appendix:**

- **Table One:** The number of current occupied positions in Legal Services as at 1 June 2023.
- **Table Two:** The number of current occupied and vacant positions in Legal Services as at 20 March 2024.

Through a data declutter exercise, we have undertaken a review of Legal vacant positions to ensure we have an accurate count of actual funded vacancies. We are unable to accurately validate the vacancy data as at 1 October 2023 without needing managers to recall and confirm the vacancies they had at that time. Therefore, the vacancy data as at 1 October 2023 is not provided.

Should you still wish to receive data as at 1 October 2023, bearing in mind the limitations explained above, please advise and provide your consent for us to share this part of your request with relevant managers within Legal Services. We will then process this aspect separately.

- 2) *A copy of the memorandum of recommendation to the Chief Executive to implement the Legal Change Proposal (resulting in the 9 November 2023 Legal Change Decision) - which tabled the creation of three new senior management positions in October/November 2023.*
- 3) *A copy of the CE sign off for that Legal Change proposal.*

A verbal discussion was held between the Chief Executive, Debbie Power, and the Deputy Chief Executive Organisational Assurance and Communication, Melissa Gill. As such, your request is refused under section 18(e) of the Act as the information does not exist or, despite reasonable efforts to locate it, cannot be found.

- 4) *The salary ranges for the following newly created positions, specifically –*
 - i) *two Deputy Chief Legal Advisor positions and;*
 - ii) *one Principal Legislative Counsel position.*

(I clarify that I am requesting the salary ranges and not the actual salary paid to each of these new employees.)

The current salary range for the Deputy Chief Legal Advisor is \$170,001 - \$211,501 (midpoint) - \$253,001. This position is in Band SM3.

The current salary range for the Principal Legislative Council is \$130,924 - \$162,655 (midpoint) - \$194,386. This position is in Band MSS07.

- 5) *A list of all positions disestablished within Legal Services since 1 June 2023, the dates of disestablishment and the salary range for each disestablished position – including that of Principal Lawyer.*

Two positions were disestablished within Legal Services since 1 June 2023.

The position of Principal Lawyer is in Band MSS07 and was disestablished on 10 November 2023. The salary range for this position was \$130,924 - \$162,655 (midpoint) - \$194,386.

The position of Team Manager Legal (Whaikaha/Kaupapa Inquiries) was in Band MSS07 and was disestablished on 29 February 2024. The salary range for this position was \$130,924 - \$162,655 (midpoint) - \$194,386.

- 7) *Verification of the **specific source of funding** made necessary to meet the salaries of the three newly created positions referenced in paragraph 4).*

The source of funding is the existing Legal Services budget. Please refer to the decision document provided to Legal Services staff on 9 November 2023 for further information.

- 8) *Clarification of whether the funding for the three new upper management positions requires either;*
 - i) *disestablishment/**redundancy** for any other Legal Services positions (apart from that of Principal Lawyer);*
 - ii) *any position vacancies to remain unfilled for any period of time.*

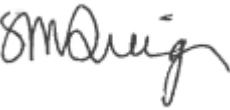
In disestablishing the Principal Lawyer role, funding was available for the Principal Legal Counsel.

I will be publishing this decision letter, with your personal details deleted, on the Ministry's website in due course.

If you wish to discuss this response with us, please feel free to contact OIA_Requests@msd.govt.nz.

If you are not satisfied with my decision on your request regarding Legal Services funding, you have the right to seek an investigation and review by the Ombudsman. Information about how to make a complaint is available at www.ombudsman.parliament.nz or 0800 802 602.

Ngā mihi nui

pp. 

Magnus O'Neill
General Manager
Ministerial and Executive Services

Appendix

Table One: The number of current occupied positions in Legal Services as at 1 June 2023.

Position Titles	Active
Administrator Legal Operations	2
Appeals Officer	8
Business Process Designer	2
Chief Legal Advisor	1
Executive Assistant	1
Lawyer	19
Lead Systems Advisor	1
Legal Advisor	1
Legal Executive	3
Manager Legal Operations	1
Secondment to External Agency from MSD	1
Senior Appeals Officer	2
Senior Lawyer	16
Team Manager MSD Legal	7
Grand Total	65

Table Two: The number of current and vacant positions in Legal Services as at 20 March 2024.

Position Titles	Permanent Active	Vacant	Temporary Active	Total
Administrator Legal Operations	2	-	-	2
Appeals Officer	8	-	-	8
Business Process Designer	2	1	-	3
Chief Legal Advisor	1	-	-	1
Deputy Chief Legal Advisor	2	-	-	2
Executive Assistant	1	-	-	1
Lawyer	19	4*	1	24
Lead Systems Advisor	1	-	-	1
Legal Executive	3	-	-	3
Manager Legal Operations	1	-	-	1
Principal Lawyer	-	1	-	1
Principal Legislative Council	1	-	-	1
Senior Appeals Officer	2	-	-	2
Senior Lawyer	16	2	1	19
Team Manager MSD Legal	4	2	-	6
Grand Total	63	10	2	75

*Please note that one of these vacant roles is the nominal role of a seconded employee.