GOVERNMENT

NO MINISTER

A free and frank analysis of the public service

Benno Blaschke and Henry Olsen
with Michael Johnston
Foreword by Oliver Hartwich



THE NEW ZEALAND INITIATIVE

www.nzinitiative.org.nz

THE NEW ZEALAND INITIATIVE

Published November 2026 by
The New Zealand Initiative
PO Box 10147
Wellington 6143
New Zealand
www.nzinitiative.org.nz

Views expressed are those of the authors and do not necessarily reflect the views of The New Zealand Initiative, its staff, advisors, members, directors or officers.

ISSN
2624-0092 (print)
2624-0106 (online)

RR99

Printing arranged by TBD Digital

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About The New Zealand Initiative

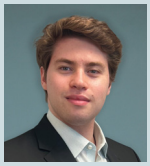
The New Zealand Initiative is an independent public policy think tank supported by chief executives of New Zealand businesses. We believe in evidence-based policy and are committed to developing policies that work for all New Zealanders.

Our mission is to help build a better, stronger New Zealand. We are taking the initiative to promote a prosperous, free and fair society with a competitive, open and dynamic economy. We are developing and contributing bold ideas that will have a profound, positive and long-term impact.

ABOUT THE AUTHORS



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ACKNOWLEDGEMENTS

This report would not be possible without others' assistance. Our colleague Dr. Michael Johnston helped us construct our survey questionnaire, analyse our survey data, and edit our many drafts, in addition to providing feedback more generally. The report was much improved thanks to the clarity of his editorial eye and the sharpness of his thinking. Our colleague Jamuel Enriquez supported us throughout and helped us overcome bottlenecks. We thank David Farrar, who helped field our survey questionnaire through Curia Market Research's omnibus polling throughout the summer. We are grateful to Roger Partidge for helping us navigate sensitive information with respect for the purpose and spirit of this work. We have done our utmost to balance substance and protect the anonymity of our interviewees and those they describe. We also thank Dr Oliver Hartwich for his enthusiastic support of this project.

Most importantly, our interview participants gave us access to a world otherwise hidden: the behavioural and human elements of the public service. This shaped our understanding and changed the direction, scope and nature of the project. We are most grateful for their courage to speak with us, irrespective of their political views (left- or right-leaning) and their care for a public service that can help New Zealand change for the better. The human side of their stories served us as a reminder that a reformed public service would not only strengthen our democracy but also empower public servants who wish to realise the full potential of their spirit of service.

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Foreword



As you read this report, you will come across Sir Humphrey Appleby again and again. More than forty years after the last episode of *Yes Minister*, the officials the authors interviewed kept bringing him up.

Reading it took me back to my years working in Westminster. Every now and then, my work there let me meet some of my intellectual heroes. At the Institute of Economic Affairs, I once met, if only briefly, Antony Jay, the co-writer of *Yes Minister*.

At another such IEA evening, in March 2007, I met a second hero of mine, Gordon Tullock. The IEA was launching a new edition of his classic *The Vote Motive*. Tullock was in his mid-eighties and kept complaining that he could not hear properly. But he missed nothing, and his replies came fast.

One guest asked him whether he had a favourite politician.

"George Washington," Tullock said.

"Well, yes," said the guest, "but a politician alive?"

"But Washington was alive once."

I still remember the exchange well. It showed how little reverence Tullock had for politicians and how sceptical he was of people in general, including public servants. Tullock would simply have called them bureaucrats.

I had first encountered public choice as an economics student in the late 1990s. Tullock and James Buchanan had laid its foundations. It starts from a simple assumption: people do not change their nature when they enter politics or government. Buchanan called it "politics without romance".

Tullock was always much the blunter of the two. He put it very directly in *The Vote Motive*: "Bureaucrats are like other men." Now and then they may give up their own well-being for the wider good, he wrote, "but we should expect this to be exceptional behaviour".

Antony Jay made the same point to a far larger audience. When he died in 2016, his obituary in *The Daily Telegraph* said the series had been "commissioned with a serious political purpose: to popularise public choice theory".

Tullock thought the show close to the mark. Senior British officials and their ministers, he wrote, dealt with each other "rather like the caricatures" in *Yes Minister*. He had seen government from the inside himself. Before he turned to economics, he spent nine years in the American Foreign Service, from China to Korea.

He also noticed a growing "mystique under which the bureaucrats are not even supposed to be under the control of elected officials".

In 2012, New Zealand's public service numbered about 45,000. By late 2023, it had grown to nearly 66,000.

Over the past few years in particular, I have found myself going back to public choice and to Tullock's warnings. He saw the problem clearly half a century ago, and I believe it has only grown since.

New Zealand went further and wrote the mystique he mocked into law. Our ministers do not choose the chief executives who run their departments, because that job belongs to the Public Service Commissioner.

The Public Service Act 2020 even called a spirit of service to the community "the fundamental characteristic" of the public service. Those words were removed this June. Tullock would not have missed them.

This report shows how large the problem has become. Henry Olsen and Dr Benno Blaschke, with Dr Michael Johnston, interviewed 40 people who have worked in the system. They also surveyed 718 current and former public servants and asked them 23 questions about the public service's role in our democracy. To our knowledge, nobody had put these questions to New Zealand's officials in a survey before.

In the Public Service Commission's own census, 95 percent of public servants said they understood political neutrality. Yet in our survey, only 59 percent agreed that officials should do their best to make a lawful policy succeed when they think it misguided. Seven in ten said the public service serves the public, "not the elected government".

Ministers are no better, and Tullock would have been the first to say so. The report finds some who do not want to hear bad news and others who brush aside advice they dislike. More than a century ago, ministers still hired officials themselves, and Richard Seddon handed out government jobs to his supporters on an immense scale. The Public Service Act 1912 took that power away from ministers for good reason.

If neither ministers nor officials can be relied on to be selfless, much depends on the rules. That was Tullock's answer, and New Zealand's rules point the wrong way. An official who objects openly takes a risk, because the objection goes on the record. As one of the interviewees in this research recalled, the Treasury once did so in a Cabinet paper, effectively saying, "We think this is a horrible idea."

Framing advice, filtering options and slowing decisions carry no such risk. On those incentives, quiet resistance is the rational choice, and the report shows how many officials consider it legitimate.

In April, I set out my own answer in a research note, *Who Runs the Country?* Ministers, I argued, answer to Parliament for departments they do not control. They also have few senior officials of their own: eight per minister in New Zealand, against 106 in Germany and 169 in Britain.

So I proposed a version of the German model. Ministers would appoint their chief executives from a qualified pool. The career service below them would stay protected, and officials would have a legal duty to raise concerns, with protection when they do.

My colleagues doubt that this alone would be enough, and they explain why, which is how a think tank should work. The remedies will be taken up in later reports in this series.

I commend this report to anyone who wants a public service that helps elected governments do what voters chose them to do.

Tullock diagnosed this problem fifty years ago. Sir Humphrey saw it from the other side of the desk: "Ministers come, and Ministers go." New Zealand should not take another fifty years to prove him wrong.

Dr Oliver Hartwich
Executive Director
The New Zealand Initiative

Executive summary

A public service in crisis

New Zealand's public service rests on a bargain. A small number of elected ministers direct tens of thousands of officials whom they did not appoint and cannot dismiss. Officials keep their jobs when the government changes. In return, they serve whichever government the voters choose. They give their best advice and assistance in private and carry out the government's lawful decisions.

For this bargain to work, the public service is supposed to meet a set of ideals: political neutrality, free and frank advice, merit appointment, open government and stewardship. In return, public servants enjoy the benefits of permanence and anonymity.

In practice, does the public service live up to these ideals?

There is a growing sense from political leaders on the left and right alike that the service has serious issues. Former Labour Minister of Justice Kiri Allan recently released a memoir detailing issues she faced within the public service, calling public service chief executives "more political than politicians". Opportunity leader Qiulae Wong has called for an independent corruption watchdog. And in August 2026, high-ranking politicians from National and ACT debated the extent to which they felt the public service ideals were followed during their time in government.

Parliamentary Under-Secretary for Infrastructure Simon Court said that governments trying to implement their legislative programmes find themselves "faced with a wall of people who don't necessarily agree with you". Housing Minister Chris Bishop pushed back, saying the public service does "an admirable job in serving governments of the day". However, he agreed with Court that officials "could be more free and frank" and that there is "an issue with getting… government priorities through the system and reorienting the system". In addition to disagreeing on the extent of the problem, they also disagreed on the solution. Court favoured having ministers appoint chief executives, which Bishop thought would be "quite out of keeping with our constitutional traditions".

In this report, we show that the ideal of public service neutrality on which New Zealand's system rests is no longer a given. Neither side, ministers or officials, reliably performs the reciprocal duties that allow free and frank advice to be given and received. As a result, it is no longer clear who runs the country. Successive elected governments, left and right, come and go, each struggling to deliver its policy agenda. We spoke with many officials, ministerial staff and political leaders. These people, who care about New Zealand, doubted that the public service can give the country and its elected governments what they need.

A public service is fit for purpose when it helps elected governments succeed

The *Public Service Act 2020* says that the purpose of the public service is to help "both the current Government and successive governments to develop and implement their policies" and to safeguard "constitutional and democratic government".

New Zealand has modelled its public service on the Westminster approach to public administration. This includes but is not limited to the ideals mentioned earlier, which the Act

writes into law. But even meeting all five might not be enough on its own. While not being jointly sufficient, however, each is individually necessary, and a failure in one or more can leave the public service unfit for its purpose of helping elected governments succeed.

In this report, we test the public service against two of these principles, political neutrality and free and frank advice. We ask whether each exists in practice and supports the other ideals as intended. We find that the public service falls short on both. Too often, elected governments are stymied. They are slowed, blocked or left without the information they need. Whether a system that rests on these principles is the right one, or a realistic one, the report leaves open. Later reports in our Public Service Series will take up this question and propose ways ahead.

Among other data sources, we drew on performance reviews of agencies since 2010, interviews with 40 current and former public servants, including executive leadership, the 2025 Public Service Census, and a survey we fielded to 718 current and former public servants, to assess their understanding of, and commitment to, the Westminster ideals.

The public service fails the test of neutrality, most of all at the top

Public service neutrality has two elements. Officials must be indifferent to who governs and wholehearted and enthusiastic in helping governments succeed. We refer to this as 'the spirit of service'. A public service that keeps out of party politics but nonetheless lets a minister fail is not neutral.

Officials can keep every rule and still fail to serve the elected government

In the 2025 Census, 95 percent of public servants said they understood what it means to be politically neutral. The Commission's guidance, which shaped that understanding, mostly addresses what officials may publish, with whom they may meet, and how they must behave during election campaigns. It says little about how they serve ministers outside public view.

Officials can fall short in three ways and still appear compliant. They may turn their zeal towards their own politics, towards protecting their agencies and their reputations, or withhold zeal altogether and do the bare minimum. We refer to these failures as counterfeit neutrality.

Agencies resist governments of both leanings

Most of our interviewees described agencies acting as political players against or around their ministers, through open refusal, delay, dilution, filtering of options or neglect. These failings have occurred under both centre-left and centre-right governments.

In our survey, 58 percent of current and former public servants agreed that officials should protect the interests of their department even when doing so compromises their personal values. Sixty-five percent of managers and leaders agreed.

The public service leans a little to the left compared to how the country voted in 2023, and the advisers who write the advice lean much further left

Taken as a whole, public servants lean a little, but reliably, to the left of how the country voted in 2023: the country voted right over left by 11 points, while our respondents split evenly. Forty-five percent of respondents reported having voted for one of the parties forming the Coalition government in 2023, against 53 percent of all voters at the election. Amongst analysts and advisers, who write advice, the lean was more much stronger. Sixty percent voted for opposition parties and just 34 percent for coalition parties. Managers and leaders voted much like the country did.

Beyond the left lean among advisers, people tend to join agencies with policy domains that interest them. Like-minded hiring, by leaders as much as by teams, reinforces self-sorting. The result is officials with similar leanings clustering in the same agencies. When a government's programme cuts against what officials view as an agency's mission, their political biases can influence their advice to ministers, slowing their response to that programme and holding back effort officials should exert to make it succeed.

Most of those who write the advice doubt ministers' judgement

We used two of our survey questions to sort respondents into three groups. 'Trusting servants' (48 percent of our sample) trust ministers' judgement of what the public wants. The 'disenchanted' (21 percent) doubt ministers' judgement but nonetheless accept that their electoral mandate gives them the right to make policy decisions. The 'bureaucratic priesthood' (30 percent) doubt ministers' judgement and do not accept their democratic mandate. Left-voting respondents doubted ministers' judgement more often than right-voting ones (61 against 38 percent). Forty-two percent of analysts and advisers were classified as disenchanted, and another 20 percent as members of the priesthood.

Doubt about ministers carried over into what our respondents thought they owed the government as officials. Seventy percent agreed that the public service should carry out the elected government's programme whatever officials privately think, but only 59 percent agreed that officials should do their best to make a lawful policy they consider misguided succeed. The gap between these two positions was widest among the disenchanted. Seventy-six percent of them accepted the duty to carry out government programmes, but only 53 percent agreed that officials should do their best to make a policy they consider misguided succeed. The bureaucratic priesthood fell lower on both, at 36 and 25 percent on these questions respectively.

At the top, leaders' readiness to make a policy they disagree with succeed, and to move at a government's pace, is associated with how they vote

We measure the spirit of service as the willingness to enthusiastically and wholeheartedly put in effort to make a disagreeable policy succeed. Below the leadership layer, officials' spirit of service was associated with their view of ministers more than with how they voted: respondents who held the same view of ministers expressed a similar spirit of service whether they voted left or right. Managers and leaders were different, because their spirit of service did have a relationship with how they lean politically — why exactly we cannot tell. While left- and right-voting managers and leaders accepted the duty to carry out government programmes almost equally (81 percent and 84 percent respectively), they parted on the extent of the effort they should make towards enacting government programmes with which they do not agree. Only 58 percent of left-voting managers and leaders expressed the spirit of service, against 84 percent of right-voting ones. The gap held even among managers and leaders who trust ministers' judgement. Left-voting leaders, then, were less ready than right-voting ones to pay 'the price of service', the personal cost of working wholeheartedly for a policy they disagree with.

Right-voting managers and leaders were also more than 30 percentage points more likely than left-voting ones to agree or strongly agree that the public service should take risks and move quickly when a government wants change. Under the present centre-right government, then, leaders of both leanings accept the duty to carry out its government's programme, but their readiness to work for its success is associated with how they vote. These are the people who model the culture for officials, set the standard for their agencies and sign off the advice ministers receive.

Most officials we surveyed, left- or right-leaning, endorse steering a minister they think is wrong, withholding options or leaking to the media to make the minister's policy untenable

The Commission's guidance covers officials' conduct in public and in party politics. This includes a prohibition on briefing the media but not other covert tactics such as framing advice to steer a minister away from decisions officials consider undesirable or filtering options before they reach ministers.

Our survey asked what an official convinced, in good faith, that a minister is wrong should do. The options ran from open approaches, such as attempting to persuade the minister or triggering a review to contest a decision, to covert ones such as strategically framing advice or leaking information to stakeholders or the media. In all, 62 percent endorsed framing information to steer the minister away from a decision, 56 percent agreed that officials should withhold options they judge unfeasible, and 55 percent endorsed briefing stakeholders and the media so that a minister's policy becomes politically untenable. Managers and leaders backed briefing the media far more often than analysts and advisers (63 percent against 36 percent).

These views are more correlated with respondents' roles and length of service than with their voting behaviour. The longer respondents had served, the more they backed open approaches and the less they backed filtering, framing or briefing the media. Support for putting every option before ministers was 61 percent amongst respondents with less than two years of service, and 92 percent after 20 years' service. Support for briefing the media was 65 percent amongst respondents with two to five years' service, versus 39 percent for those with at least 20 years' service. Majorities of both left- and right-leaning respondents currently in the public service endorsed each tactic.

Officials who hold back effort slow elected governments down and can leave their programmes to fail

Over a quarter of our interviewees described a public service struggling to adjust after a change of government, with lags that ran from six months to an entire parliamentary term. Insiders put much of that delay down to officials' worldviews. One political adviser estimated the amount of the time lag for officials to adjust to a new minister due to the need to change mental models and beliefs, as opposed to the ordinary learning of new minister's preferences, at 60 to 70 percent.

An official who cannot in good conscience carry out a lawful policy has one honourable course, to resign. Those who stay but hold back effort impose cost on the public, whose elected government is slowed or blocked, and whose programmes can fail for want of officials' effort.

None of this justifies blaming left-leaning officials in particular. Our survey was fielded under a centre-right government. Our data do not speak to whether left-voting officials would doubt the ministers of a left-leaning government as much. Neutrality is also, as one senior official put it, "a pretty big ask for a human being".

On this evidence, the public service fails the test of neutrality, and fails it most at the top, where the standard for everyone below is set.

Free and frank advice is met in form more than in substance

Free and frank advice has three elements:

- It comprises officials' best professional judgement on how to achieve a minister's goals and covers every option, risk and implementation issue.
- It is given without fear or favour, in full and in writing, so that both officials and ministers can be held to account.

- Ministers have a duty to give advice fair consideration and officials have a reciprocal duty to implement ministers' decisions enthusiastically.

Advice should help implement ministers' goals. Ministers have a democratic mandate to make normative trade-offs, whereas officials have the expertise to advise on technical details, although the line between these is not always clear.

Advice is professional, but its substance is uneven and declining

In the 2025 Census, 29 percent of public servants did not express confidence that their organisations give free and frank advice to ministers. In the main policy agencies, including Transport, MBIE, Health, Education and Social Development, between one third and two fifths of policy staff did not express confidence in their advice.

Reviews from the 2010s through to the present largely found agencies responsive and professional, but with the substance behind advice uneven. Issues include thin strategic advice, few workable options, and slower responses when an agency disagrees with its minister. On agencies' own scores under the Department of the Prime Minister and Cabinet's Policy Project, papers averaged 'acceptable' to 'good' between FY2020/21 and FY2024/25. The share rated good or better fell from 42 percent to 29 percent and the share of agencies meeting their own standards fell from 77 to 55 percent over this period.

When an independent panel re-scored 52 papers blind, the average fell from 3.51 to 3.14 out of 5, which is barely acceptable. The papers originally rated highest were marked down most often, with missing options, context, dissenting views and implementation detail. Published scores may therefore overstate the quality of advice.

Officials in our interviews and the Public Service Census cite consensus decision-making, risk aversion, control by managers instead of subject experts, complicated procedures and heavy workloads as barriers. Our interviews suggest much of that workload is created inside agencies, by bloated processes, poor decision-making frameworks, unfair workload distributions, and poor project management.

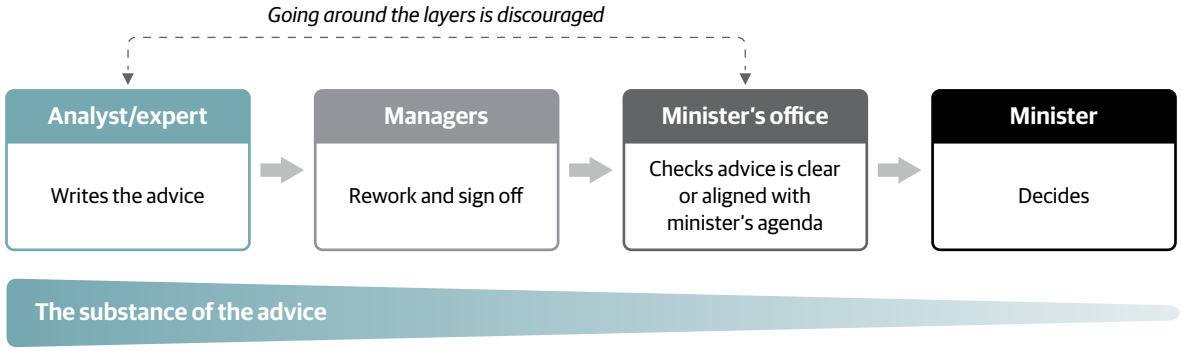
Context management can remove critical substance from advice and undermine the 'no surprises' doctrine when bad news is kept from ministers

Officials protect their relationships with ministers through context management, which presents hard truths in a way ministers can hear, and 'no surprises', which means ministers are never caught off guard. Both are desirable in theory, but both can be undermined and, for context management specifically, misused.

Context management fails when it becomes an end in itself. Advice is softened and shaped to please ministers as layers of managers rework analysts' work, sometimes to the point at which the analysts no longer recognise it. Departments discourage ministers' offices from going around layers of the bureaucratic hierarchy to contact analysts directly. Private secretaries who do so, or analysts and experts who contact ministers and their offices, can face professional discipline.

'No surprises' exists to make sure ministers hear bad news in a timely manner and are never caught off guard. However, it is sometimes undermined, whether inadvertently or deliberately, to the point where ministers are not to be told bad news at all. Ministers and officials can both have reasons to keep problems out of sight, ministers to keep deniability and officials to avoid blame. When ministers signal they do not want bad news, advice can be reworded to obscure it. The 'surprises' can be context managed away.

Figure A: Advice can lose substance on its way to the minister



Note: On the way to the minister, advice can be altered or softened through layers of management.
Source: Interviews for this report. Graphic made by the authors.

Our interviewees described failures hidden from ministers, lessons left unlearned and cost overruns kept out of sight, leaving ministers without the information they need to answer to the public. How often this happens is not clear, but it was raised by several of our interviewees.

Neither ministers nor officials reliably keep their side of the bargain

Some ministers come into office with a settled idea of what to do. That is their prerogative as elected members. The purpose of official advice is to help them deliver their policy goals. But ministers may be unwilling to consider advice, or officials may resist ministerial direction through the way they give advice. Ministers fall short when their direction is unclear or conflicts with that of other ministers, including coalition partners, and when they signal that they do not want to hear bad news.

Officials fall short as well. While 79 percent of our respondents agreed that ministers should see every option and all the analysis, 56 percent agreed that officials should withhold options they judge to be unfeasible. Among current officials, 54 percent agreed that officials should withhold information that could damage a minister politically against 38 percent of former officials.

The longer respondents had served, the more committed they were to traditional duties, yet restructures, of which at least 484 took place from 2018 to 2021, tend to push the best and most experienced officials out. When they leave, the public service loses institutional knowledge and some of its most capable people, and with them some of its ability to give free and frank advice to successive governments. Retaining them is a critical element of long-term stewardship.

We heard success stories in which ministers and officials work to help one another to succeed. These successes often rely on close contact outside formal channels and on highly capable people working against the grain of their agencies and the culture that pervades the system.

The public service provides free and frank advice professionally but unevenly in substance, and neither officials nor ministers reliably keep their part of the bargain.

The failures of neutrality and of free and frank advice meet in the managers and leaders between ministers and advisors

Our work on neutrality and on free and frank advice finds many issues residing amongst managers and leaders. In this layer, quality of service divides along party lines. In our survey,

leaders of both political leanings largely accepted the duty to carry out a government's programme, but under the present centre-right government, left-voting leaders we surveyed were far less ready than right-voting ones to work for its success and to move at its pace. Under a centre-left government the pattern might flip, but our point-in-time data cannot shed light on this.

Managers and leaders decide how much of analysts' work reaches ministers, and in what form. They can rework advice, cutting what they judge will not please ministers or protect their department. When they are out of step with their ministers, they may omit critical information from advice.

The law makes chief executives responsible for the political neutrality of their agencies. When the spirit and quality of service depends on a leader's politics, that leader is not neutral. As one interviewee told us, "the biggest problem you have in the public sector is the quality of leadership".

Fixing this will take more than downsizing or restructuring the public service

We recognise the public discourse about the potential need to downsize or restructure the public service. Doing so may have value in its own right, but neither can, by themselves, resolve the failures this report identifies. Restructuring carries major costs. It risks driving out the experienced officials most committed to the Westminster ideals, in addition to creating uncertainty and stress for public servants.

Neither would Simon Court's view that ministers should appoint chief executives address all the problems we have identified. The public service would still suffer from convoluted communication channels within and across agencies, a system that does not know how to change itself, advice that falls short on key matters, and management layers that screen advice to ministers.

The failures this report identifies are symptoms of much deeper problems, from culture and conflicting incentives to capability challenges and accountability gaps. It is not obvious that all these failures can be fully addressed by such interventions on their own.

Reform cannot be allowed to rely on rare and exceptional ministers who work around their departments and triple-check the advice they receive. A public service fit for purpose serves the government of the day with the same alignment and capability whether or not its minister is exceptionally able.

The problems this report identifies also raise deeper questions the country must confront. Is neutrality too much to ask of senior leaders, and can public servants be trained in it? If neutrality is a realistic design principle, helping officials to understand and uphold it must start with leaders and managers. If it is not, New Zealand should weigh the costs of present arrangements against alternatives, including designs that enable governments to fill key roles with people committed to their success.

Showing that the public service falls short of neutrality and struggles to give free and frank advice does not by itself justify any particular remedy. Any remedy must be weighed for its costs and benefits against a full range of alternatives. A new system may carry the same faults, or new ones. There are no simple levers to change behaviour rooted in deeply held beliefs and long practice. Bishop is right to urge caution, but Court is right that the country may need to rethink its constitutional public service traditions.

Whatever the answers, New Zealand needs a public service that helps each elected government carry out the programme it was elected on.

CHAPTER 1
Introduction

1.1: A sense of unease

On 6 August 2026, politicians from all major parties met for a debate on how to improve New Zealand's infrastructure.[1] Within 20 minutes, what started as a debate on infrastructure policy had become a debate on the public service.

The shift began when Simon Court (ACT Party) was questioned by the moderator on whether his party's plans for public service reforms would undermine the technical expertise the government needed to implement long-term infrastructure policy. Court responded by bringing up his difficulties with passing the current government's Resource Management Act (RMA) reforms. Court said that a major difficulty was opposition from within the public service:

> But it's fair to say that when you come into government, you've been elected on a policy platform. And it turns out that you're faced with a wall of people who don't necessarily agree with you.[2]

The RMA governs what can be built and where, so changes to the RMA are strongly connected to infrastructure policy. What good are debates about infrastructure policies if a government cannot implement them?

Chris Bishop (National Party) also attended the event, and he disagreed with Court's characterisation of their difficulties with passing RMA reform:

> Can I just gently push back on that a little bit? … The public service do an admirable job in serving governments of the day. And one of the greatest things about New Zealand is that there's an *apolitical* public service which provides *expert, free and frank advice*.[3]

Politicians involved with the same reform saw two different things. To one, the public service was obstructing their efforts, while to the other, the public service was doing "an admirable job in serving governments of the day". These disagreements over the character of the public service led to further disagreements over what to do about it.

Public service chief executives (CEs) are not appointed by ministers, but by an independent Public Service Commissioner. Court favoured having CEs chosen by ministers. Bishop responded that, while he believes officials "could be more free and frank" and "owe us their duty of candour", ministerial appointments would not be in keeping with the Westminster system New Zealand inherited from the British.[4]

> I'm a bit 50-50 about Simon's suggestion that ministers can hire and fire chief executives. There is an issue with getting… government priorities through the system and reorienting the system, that is an issue. Whether or not the right way to solve that is ministerial control of CEs, I think, would be a big step. It would be quite out of keeping with our constitutional traditions.[5]

The Westminster system comprises most elements of our government. A Parliament of elected politicians makes the law, a Cabinet formed from that Parliament implements the law, and an independent judiciary determines whether government actions follow the law.

The Westminster system also includes traditions guiding the public service and how it is supposed to support the government. The key characteristic of the 'Westminster public service' is its independence. Public servants are hired without consideration of their political loyalties. In New Zealand's version of the Westminster system, this independence is secured by an independent Public Service Commission (PSC) established by Parliament, with the Public Service Commissioner in charge of major hiring decisions.

The debate between Court and Bishop shows that both this form of independence, and even the Westminster public service model itself, is politically controversial. Such controversy is nothing new. When the Public Service Commission was first established in 1912, Liberal Prime Minister Sir Joseph Ward warned that an independent Commissioner would be "above the Parliament, and above the people, and above the government…[with] the destinies of the whole Public Service… under his sole and uncontrolled authority".[6]

Debate over the public service is not limited to those on the right of the political spectrum. Opportunity leader Qiulae Wong has called for public service reforms, including an independent corruption watchdog. Former Labour Justice Minister Kiri Allan recently released a memoir detailing her difficulties with the public service when she was in office, even calling senior officials "more political than politicians".[7]

Evidently, a resolution of this debate is of paramount importance. New Zealand has a long list of issues to address in the coming years, including increased geopolitical uncertainty, rapid technological advancements, housing unaffordability, and climate change. If Court is right that the current state of the public service is not fit for purpose and cannot pass reforms that the government of the day wants, then addressing pressing issues will prove unnecessarily difficult.

At the same time, we must heed Bishop's warning. Even if there are issues with the public service, we ought not rush reform or act rashly. Perhaps the Westminster public service is the best system available, and reforms of the kind Court suggests would be 'throwing the baby out with the bathwater'.

1.2: Fit for purpose?

In this report, we turn to the question behind Court and Bishop's debate: Is the public service fit for purpose?

By 'fit for purpose', we mean a public service that lives up to the ideals of the Westminster system. Minister Bishop mentioned two of those ideals at the start: political neutrality and free and frank advice. If advice does not reflect the "candour" that officials "owe" to ministers, and if officials are not "apolitical", then it would be difficult for the public service to faithfully serve the government of the day.

Political neutrality and free and frank advice are but two ideals commonly associated with a 'fit for purpose' public service. Others include meritocratic appointments, coordination of departments, and long-term stewardship that preserves effective service over time.[8]

This report focuses on neutrality and free and frank advice. We leave the other ideals to a series of future reports. Some will investigate whether the public service has the expertise, merit-driven culture, and leadership that allows for effective and efficient government. Others will examine the coordination of public service departments, and whether the service exhibits strong ethical standards and provides sufficient oversight and stewardship. These ideals often intersect, so we make occasional references in this report to issues we will discuss in more detail in follow-up reports.

We find that the public service has serious deficiencies with neutrality and the provision of free and frank advice. Many of the beliefs and practices that one would expect a neutral public service to exhibit are lacking, especially in senior leadership. The freeness and frankness of advice is being diminished by a variety of factors, including a management tier that can soften and distort the advice of subject matter experts.

Not all aspects of the public service are in disrepair. We found examples of success where ministers and officials have worked together to pass effective policy into law. Nonetheless, the issues we found are serious enough to justify Court's alarm over the state of the service.

1.3: Testing the Westminster public service

In our analysis we made use of many kinds of data. Some are specific to individual chapters, but there are four data sources that informed almost every aspect of the report. Getting familiar with these data sources now will help make sense of what follows.

1.3.1: Performance Improvement Framework reviews

The Performance Improvement Framework (PIF) programme involved a series of independent reviews of public service agencies during the 2010s. It was run by the PSC, the Treasury, and the Department of the Prime Minister and Cabinet (DPMC).[9] Lead reviewers assessed each agency against a common set of elements covering leadership, service delivery, and organisational management. The reviews used a rating system of 'Strong', 'Well placed', 'Needing development', or 'Weak', and accompanied ratings with a narrative report.

The ratings give a comparable picture of departments' strengths and weaknesses. The narrative gives a large body of independent, contemporaneous assessment. The PIF review is thus a key source for assessing the recent historical state of the performance of the public service.

The PIF was rebranded in 2024 as the Performance Improvement Review (PIR), with the rating scale renamed 'Leading', 'Embedding', 'Developing', and 'Weak'. As of the end of September 2026, six reviews have been completed.[10] We compare results from the PIR and PIF across commonly rated elements to see what has changed. However, only six PIR reviews have been completed, so we also rely on other data sources to supplement and corroborate those reviews.

1.3.2: Our interview programme

From June through September of this year, we conducted interviews with 40 current and former public servants, ministerial advisors, private secretaries, political advisors, ministers, general managers, deputy chief executives, chief executives, and others with direct working experience of the system. We sought people across agencies, occupational categories, and eras who were well-positioned to observe the phenomena we are investigating. Our interviews helped establish that particular dynamics exist but not how common they are. All interviewees and people to whom they referred are anonymised. Some sensitive information was also redacted. To protect their anonymity, we make no reference of whether our participants are currently in the service or have left. Any reference to an official or a political advisor includes both current and former officials and advisors.

1.3.3: Our survey of public servants' beliefs

We added 23 statements to Curia Market Research's regular national polls between June and August 2026 (see Appendix 2 for a full list of the questions). The survey of statements was fielded by seven omnibus polls of adult New Zealanders (five political polls, two corporate polls) with quotas set to ensure they are representative for gender, age and area.

Respondents to each poll were drawn at random from commercial online panels, using Dynata's global panel (Dynata is an international market research company that runs online survey panels of about 70 million members in 82 countries, and serves more than 6,000 research, media and corporate clients), which together hold several hundred thousand New Zealanders. The Dynata Panel complies with the ESOMAR guidelines for online research (ESOMAR is a global professional association and regulatory body for the market research, data analytics, and insights industry).

Everyone who responded was asked whether they were a current or former public servant. The 718 who said they were a former (338) or current official (380) were then asked about their role (service delivery, administrative support, or policy-facing), how long they had been in the service, and how far they agreed with 23 statements about how officials should engage with ministers. Is it acceptable to withhold information that could embarrass a minister? To what extent should expert judgement override ministerial preference? How should process and consultation be weighted against speed and effectiveness? These types of questions were worded as statements. Respondents rated their agreement with each on a six-point scale (with no neutral option): strongly disagree, disagree, slightly disagree, slightly agree, agree, strongly agree. Data from the wider survey questions provided their gender, age, area and 2023 party vote.

Public servants polled did not choose to take part because it was a survey about the public service: the questions reached them because they were already in a general poll. The panels themselves are made up of people who agreed to take surveys without knowing what kind of survey it is, so they are not self-selecting because of interest in a specific topic.

1.3.4: Public Service Census

The PSC runs a census of public service employees, most recently in 2021 and 2025. The census reports how public servants rate their own agencies. It asks many questions relevant to our project, including whether public servants are confident their organisations are free and frank in their advice to ministers.[11]

1.4: Yes Minister?

Determining whether the public service is 'fit for purpose' is difficult. Nevertheless, many of the phenomena we describe in this report – officials using procedure to drag out a policy initiative or ministers politically pressuring officials – are frequently raised in discussions of the Westminster system. These behaviours were perhaps best encapsulated by the well-known television comedy, *Yes Minister*.

The show follows Minister Jim Hacker at the fictional Department of Administrative Affairs. He is 'supported' primarily by his Principal Private Secretary Bernard Woolley and senior public servant, Sir Humphrey Appleby. Each episode covers a different political controversy to which the trio respond.

The show satirises the way officials and ministers interact. No one is really a hero. It did not portray Hacker as a benevolent minister whose wonderful deeds were obstructed by cunning officials like Sir Humphrey. Rather, ministers and officials, each with their own failings, operated in a system that allows for and sometimes encourages those dysfunctional behaviours. The show brought to public discussion the system by which Westminster governments operate. For example, in one episode, Minister Hacker tries to institute an 'economy drive' to reduce 'waste' in the public service, only to be convinced by Sir Humphrey to set a personal example and work in frugal conditions. The economy drive was soon dropped.

We refer to anecdotes from *Yes Minister* both to ground the real examples we discuss, and to remind readers (and ourselves) that blaming individuals for bureaucratic failings often misses the underlying problem. Politicians may feel that a "wall" of officials is saying, "No Minister!", and they may often be right. But to understand how neutrality and free and frank advice can be undermined, we must keep a more systematic view in mind. Unfortunately, the Westminster system the fictional *Yes Minister* satirised may be all too real.

CHAPTER 2
What is the Westminster system?

Yes Minister's public service may seem bizarre to a modern audience. Officials scheme behind closed doors. They mock Minister Hacker for attending the London School of Economics (derisively referred to as "*the L.S.E.*") rather than Oxford or Cambridge. They eat lavish food at public expense and strategise on how to 'manage' their ministers.

Despite its comic hyperbole, *Yes Minister* satirised a real thing – the mid-twentieth-century British public service that, on paper, resembled the Westminster ideal. To better understand that service and what those ideals are, we begin with a brief look at how it came to New Zealand and the problems it was designed to correct. If you are completely new to this topic and would like to better understand the landscape of New Zealand's public service, read Appendix 1, which offers an introduction to the anatomy of the public service and key terms we use throughout the report.

2.1: A brief history

New Zealand's public service began as a spoils system in which politicians handed out government jobs as rewards for political loyalty. Until 1912, ministers directly controlled jobs, pay, and promotion. An 1880 Royal Commission found "an aristocracy of government officials" enjoying better conditions than workers in similar private sector jobs. Richard Seddon, Premier from 1893–1906,[12] handed "temporary" jobs to his supporters on a scale that became a national scandal.[13]

Ending this patronage became a rallying cry for the opposition. After taking power, they passed the *Public Service Act 1912*, the founding document of the modern public service. The Act took responsibility for hiring and promotion away from ministers and gave it to an independent Public Service Commissioner. Appointments were to be made on merit. 'Political' and 'administrative' work were to be strictly kept apart.

The service that grew out of the 1912 Act was centralised, rule-bound, and secure from political interference. In the 1980s, this system was transformed along market-oriented lines. Permanent agency heads became chief executives on five-year contracts. The State Services Commission stopped employing the whole service and became the body that appoints chief executives and oversees the system.

The decades since have seen retreat from those reforms, partially driven by concerns that agencies had become 'silos' that no longer worked as one service. The biggest step in that direction was the *Public Service Act 2020*, which reprioritised unity under the renamed Public Service Commission and promoted a "spirit of service" that all public servants should uphold.

The public service of today is thus the result of a long historical process, with reformers trying to find the right balance between independence, neutrality, unity, and other ideals that were lacking at various times in the past.

2.2: The ideals of the Westminster public service

The *Public Service Act 2020* enshrined five principles of an ideal public service in law.

These are set out in Table 2.1. The principles are supposed to support governments "to develop and implement their policies", deliver "high-quality and efficient public services", and support "constitutional and democratic government".[14]

Accompanying the principles are other conventions and values, some of which are mentioned in the Act, while others are found in separate official documents (Table 2.1). These principles and conventions describe the ideals that any Westminster public service, whether that of Britain in the mid-twentieth century or New Zealand's inherited form, should embody.

2.3: The Westminster bargain

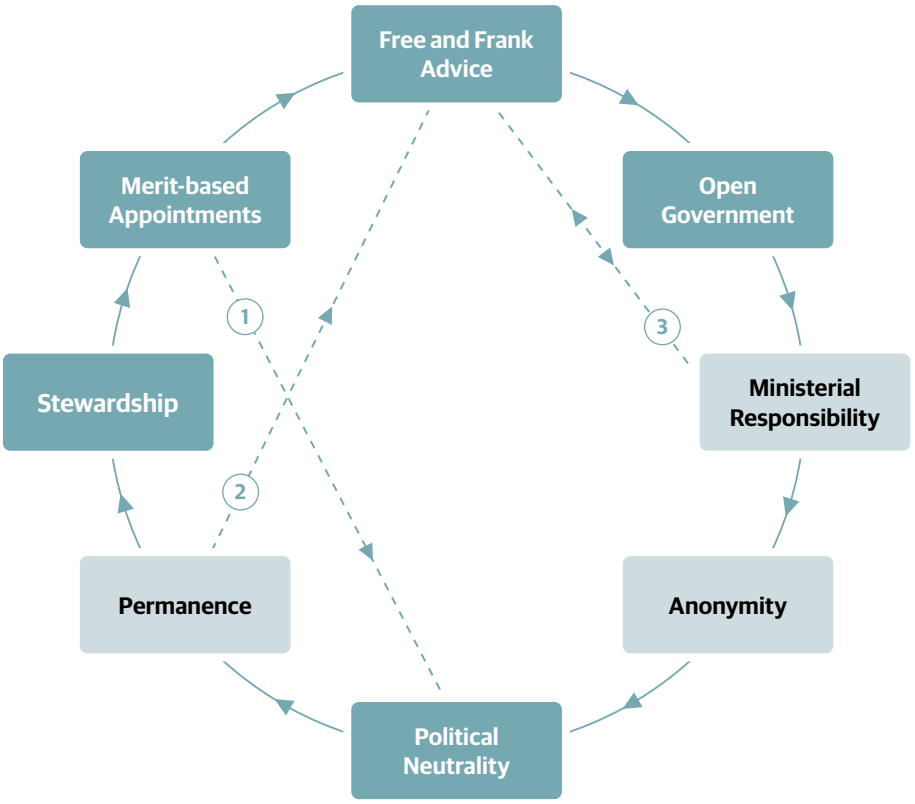
The Westminster ideals can be seen as a bargain between ministers and officials, illustrated as a circular flowchart in Figure 2.1. The outer arrows in the diagram show that one ideal relates to others. The cross-cutting arrows demonstrate some of the ways ideals directly support one another.

Table 2.1: The ideals of the Westminster public service

Ideal	Definition
Written into s 12(1) of the Public Service Act 2020	
Political neutrality	Serving the elected government "to the best of our professional abilities, irrespective of our own personal political opinions".[15]
Free and frank advice	Giving ministers the public service's best professional judgement "without fear or favour": covering all the options, being honest about costs, risks, and gaps in the evidence, and delivering "any hard truths in the most constructive way possible". Ministers may reject the advice, and officials must then carry out the lawful decision.[16]
Merit-based appointments	Giving each job to "the candidate who is best suited to the position", as a safeguard to "political patronage, favouritism and prejudice".[17]
Open government	"Open government is about strengthening democracy in New Zealand by ensuring its people can understand and actively contribute to what government does and how it does it". It focuses on improving transparency, participation, and accountability.[18]
Stewardship	Looking after the service's people and skills, its knowledge, its systems and assets, and the law it administers.
Other values and conventions	
Ministerial responsibility	Ministers answer to Parliament for what their agencies do. *The Cabinet Manual*, the government's rulebook for ministers, says this responsibility extends to cases "when errors are made, even when the Minister had no knowledge of, or involvement in, the actions concerned".[19]
Anonymity	The minister answers publicly, while officials generally do not. Officials appear before Parliament's select committees "in support of Ministerial accountability", while the job of "justifying Government policy, explaining how it was developed or commenting on alternative policy proposals, ultimately rests with Ministers". Officials take neither public credit for good policy nor public blame for bad policy.[20]
Permanence	Officials keep their jobs when the government changes. New governments inherit the old government's officials.[21]

Source: Quotations extracted from the *Public Service Act 2020*, s 12(1); Public Service Commission (PSC) guidance; and Cabinet Office, *Cabinet Manual 2023*. Table made by the authors.

Figure 2.1: The Westminster bargain



1. Taking hiring out of politics is "a safeguard to political patronage, favouritism and prejudice" and a "cornerstone of our professional and politically neutral public sector" (4.2)
2. An official who cannot be sacked for unwelcome advice can afford to give it; advice is offered in private, and the minister's lawful decision is then carried out
3. Ministers owe "fair consideration and due weight" to advice (Cabinet Manual 3.8) and by convention do not punish those who gave it; officials "respect the decisions and the mandate of Ministers" (3.3)

- Written into s12(1) of the *Public Service Act 2020*
- Rests on convention
- One ideal or convention supports the next
- Further links (numbered, see key)

Note: Paragraph numbers refer to the Public Service Commission's *Principles Guidance*.
Source: Graphic made by the authors.

Consider the convention of permanence, at the bottom of Figure 2.1. Why should a new government keep the people who have spent at least the last three years serving its opponents? Under the Westminster bargain, officials are politically neutral. They served the old government loyally and will serve the new one just as loyally. Hence the Public Service Commission's note that neutrality "preserves our ability to serve current and future governments".[22] The link also runs the other way: the public service can only claim to be neutral if it has served governments of different colours, which it can only do if it is permanent.

Neutrality also depends on merit-based appointments. If ministers could hire whomever they liked, the service would be staffed with a government's supporters, and the next government would have every reason to clear them out. Non-political hiring protects neutrality, which in turn justifies permanence.

That is why the 1912 Act gave appointments to an independent Commissioner, and why the Commissioner is still appointed only after the Prime Minister has consulted every party leader in Parliament.[23]

Permanence also helps make free and frank advice possible. An official who can be sacked for unwelcome advice has a strong incentive not to give it. An official whose employment is protected from political interference can afford to tell ministers that their policies have "fundamental problems".[24] Officials give their best advice in private, then carry out a minister's lawful decisions even if they disagree. Ministers, in return, must give "fair consideration and due weight" to advice and refrain from punishing the officials who give it to them.[25]

Stewardship depends on permanence too. Ministers come and go, so someone must look after capability and knowledge for the long term. Officials may plan for the long term and advise on issues the current government has not asked about, provided they do so as advice and not a rival programme.[26]

Under the Westminster bargain, ministers do not have power to stack the service with allies, officials must refrain from undermining ministers they privately disagree with, and both keep one another's confidences.

2.4: Testing the Westminster bargain

The Westminster bargain, as official documents describe it, is a set of ideals that form an interconnected system. On that account, the Westminster service is valuable not only because each of the parts are themselves valuable, but also because they work together to ensure that elected governments govern well.

We test each ideal included in the bargain with three questions:

1. Is the ideal well-defined?
2. To what extent does the ideal actually exist in today's public service?
3. Do the purported connections between ideals function as intended?

The first question is important because, if an ideal is not well-defined, its meaning is open to interpretation. Ministers and bureaucrats would each be apt to interpret it in a way that is advantageous to them. Analysis of each ideal therefore begins with consideration of its proper conception under the Westminster bargain.

The latter two questions address whether the ideals and their connections describe the way the system operates in practice. Addressing these questions comprises the bulk of the report.

For example, we ask: Can the official account of free and frank advice be misinterpreted? (Q1) Are our public servants neutral? (Q2) Does stewardship promote free and frank advice? (Q3).

Part 1: Political Neutrality

Benno Blaschke

CHAPTER 3
What neutral was meant to mean

Forty years after the final episode of *Yes Minister*, the main character, Sir Humphrey Appleby, remains the quintessential public servant in most people's minds. People we interviewed kept bringing him up. Asked whether he believes in anything at all, Sir Humphrey explained that he had served 11 governments in 30 years. If he had believed in all of their policies, he said, he would have been both for and against the common market, for and against nationalising various industries, and have switched economic philosophies in turn.[27] The audience laughs because it knows the other half of the joke: Sir Humphrey believes in nothing his ministers believe in and spends every episode making sure they achieve nothing.

One interviewee called the programme "pretty much an instruction manual for public choice economics… too close to the truth". Another said that advice papers multiplied problems rather than solved any, and the care taken to please a minister were "all very Humphrey, it's all around controlling the minister". A senior official who was living in Britain when the series was first broadcast said the only people not laughing at the time were the civil servants, "because it was for real. It was not a joke. And I remember in [the] public service doing many of the Sir Humphrey things, because that was what was needed to stop ministers from doing stupid things".

What might a 'Sir Humphrey thing' look like when it is not a joke on TV?

Some of the people we interviewed answered with accounts of departments that did not refuse a minister's policy but did not engage with it either, until the programme failed (see Chapter 4).

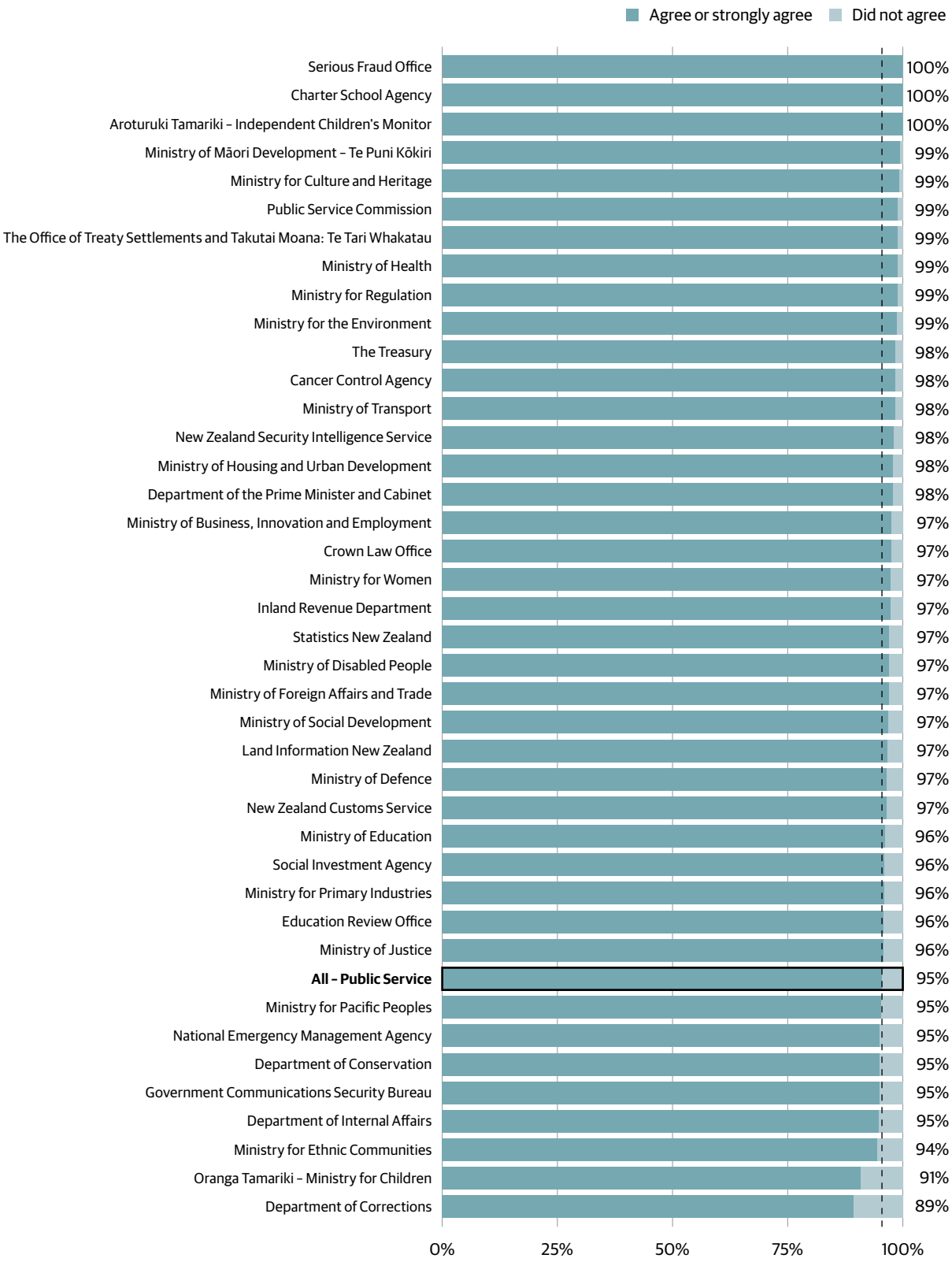
3.1: Knowing the rules

None of the officials in these accounts had broken a rule. Each would likely have said, 'Yes' when the 2025 Public Service Census asked whether they had a good understanding of what it means to be a politically neutral public servant. The survey did not ask respondents whether the public service *is* neutral, or whether they believe it *should* be; it asked whether they believe they know what public service neutrality means. Figure 3.1 shows that, across 40 agencies, 95 percent of respondents to the census said they understood neutrality. No agency fell below 89 percent, and three reached 100 percent. Of the five Westminster principles the census asked about, neutrality drew the highest agreement that it was understood, by a wide margin.

Neutrality in the New Zealand public service is a shared code. Most know what may be said and where, who may be met, what can and cannot be said on social media, and how to sound in front of a minister. A public servant keeping to that code blends in and is at ease among ministers and colleagues alike. Not doing so can be career limiting.

Knowing the rules is not the same as keeping faith with the principle. Those we interviewed who knew the code best were also most ready to express doubt about it in practice. One interviewee with a long view of the system said the service "tries very hard to be neutral… but I think it struggles with inherent beliefs". They did not doubt that public servants can present a semblance of neutrality, but whether they truly adhere to its principle.

Figure 3.1: Percentages of public servants reporting confidence in their understanding of political neutrality. The vertical dashed line is the public service average.



Source: 2025 census. Data downloaded from the Public Service Commission's Public Service Census webpages. Public Service Commission (PSC), "Te Taunaki Public Service Census", Website. Graphic made by the authors.

3.2: The bargain that upholds the Westminster model

Chapter 2 set out the model on which Westminster governments run. A small number of elected ministers direct a large number of officials but do not appoint any of them. Officials at all levels keep their jobs when the government changes. In return, public servants do not take sides on who should govern and serve the government of the day diligently. This includes telling ministers the truth in private, carrying out their lawful decisions, and telling ministers and Parliament's Privileges Committee what they need to know.

The Public Service Commission's guidance on neutrality is the nearest thing to an official definition: political neutrality "is about serving New Zealand's democratically elected government to the best of our professional abilities, irrespective of our own personal political opinions".

Its guidance describes three purposes of neutrality:

- The service must be able to serve successive governments.
- Ministers must be able to trust that officials are not pursuing personal political interests.
- The public must be able to count on the state working the same way whoever is governing.[28]

One senior official we interviewed compared neutrality to a lawyer's practice:[29]

> To be a public servant is to put on a particular professional persona… which requires you to set aside your personal political values and beliefs. [It is]… required for the Westminster system to operate [and] also a pretty big ask for a human being to do. … You wouldn't have a defence lawyer who figured out that their client was guilty as sin and therefore joined the prosecution.

3.3: What the law says

The Public Service Act sits inside a conventional arrangement under which officials serve the Crown through ministers and ministers answer to Parliament. The public is served through this chain of authority and accountability. Our existing statutes are a kind of record of the public service, showing how closely that convention has been codified over time.

According to the *Public Service Act 2020*, "a spirit of service to the community" was "the fundamental characteristic" of the public service. The Act also placed a duty on public service leaders and boards to preserve, protect, and nurture that community-oriented spirit of service.

But the wider Act expanded that focus. Its purpose, set out separately, bound the service to "constitutional and democratic government" and committed the service to enabling "both the current Government and successive governments to develop and implement their policies". Five principles (political neutrality first, then free and frank advice to ministers, merit-based appointments, open government, and stewardship) were codified to achieve that purpose. Chief executives were made accountable to the Public Service Commissioner for upholding the principles, including neutrality.

In June 2026, the Act was amended. The spirit of service was no longer 'fundamental', the duty to nurture it was removed, and its dedicated standalone section was folded into the Act's purpose. The spirit of service was linked more tightly to constitutional and democratic government. Chief executives were explicitly told that they answer to their minister for "implementing Ministers' lawful instructions". Their list of duties was moved to the front of the Act, immediately after the purpose.

That the amendment had to clarify these things means that the original Act might have been vague about what 'service' looks like. How should neutrality and service be interpreted?

3.4: Neutral is not indifferent

Under an everyday definition, 'neutral' can mean 'indifferent'. That definition is accurate in the public service context if it is taken to mean indifference to who is in power, but misleading if it is taken to mean indifference to whether the government is served:

1. **Who governs?** The public service is asked to be indifferent to who governs. Officials' behaviour should not change no matter what their private political views may be.
2. **Is the government served?** The public service is asked to commit to supporting the current government to succeed. Ministers must be told the truth and their decisions implemented with energy and enthusiasm. Parliament must be told what is happening.

That is the "spirit of service". Indifference to these things would not be a virtue but dereliction of duty.

A public service that does nothing to advance a government's policy agenda and lets a minister fail is not neutral. It is failing in its duty to those elected to govern and, by proxy, to the citizens and voters of New Zealand. Public servants who let a minister unknowingly defend a failing programme may have been impeccably neutral on the first question but they have abandoned the spirit of service on the second.

This is not to say that public servants should not have personal political allegiances, but that they must separate those allegiances from their public service roles. That is why it is so hard to enact neutrality in practice.

Table 3.1 shows three ways officials fall away from the standard. Each can be dressed in language that could not be distinguished from compliance with the Commission's guidance.

Table 3.1: Three deviations from neutrality

Deviation	How it fails neutrality	Its alibi	Visible to a neutrality test?
Commitment by political partisanship	Misdirects zeal towards an official's own politics or ideological commitments, against the elected government.	"The public interest" (the official's own reading of it).	**May be visible at a performative level**, through social media posts and other public communications. **Invisible in advice and process** when options and risk framings provided to ministers show little evidence of bias.
Commitment to institution	Misdirects zeal towards an agency's budget, sphere of influence, reputation, or sector relationships.	"The public interest". "Process integrity".	**No.** Loyalty to one's agency looks procedurally proper.
Professional neglect	Withholds zeal altogether. Compliance without commitment; does the 'neutral' minimum; does not inform, correct, or act. Indifferent where service requires engagement.	"Not my role". "My hands are tied". "Commercial sensitivity". "Process".	**No.** Indolence does not usually present as lack of neutrality.

Source: Table made by the authors.

3.5: Spirit misdirected

Political neutrality fails whenever officials' own commitments deflect the lawful direction of an elected government. The public service must not be a political player in its own right. Neutrality is breached whenever the preferences of unelected officials override the direction of elected representatives, no matter the reason.

Setting aside professional neglect, Table 3.1 demonstrates two kinds of commitment that can override neutrality.

- **Commitment by political partisanship** is ideological and directional. An official leans against political neutrality because they disagree with the government. When political partisanship is widespread and skews towards one side of politics or the other, governments of different political leanings are served differently.
- **Commitment to institution** is non-partisan. An official resists ministerial direction because it threatens their agency's 'patch': its budget, territory, orthodoxy, or clients. Governments of every political leaning are resisted alike if they threaten what officials perceive to be the interests of their organisations.

The former type of commitment corresponds to the everyday idea of 'political', but the latter is political too. Every organisation develops interests of its own – agendas its employees believe in, territory it defends, ways of doing things it regards as correct, and relationships it values. When an agency acts on those interests against the direction of its minister, it has entered a contest of power with executive government. A department that defends its budget against a minister looking to cut costs is a classic case.[30]

Both commitments can appear to be service. When "spirit of service" is described loosely, as *devotion to the public interest*, for example, it can seem to give license to officials to put their own readings of the public good above those of ministers. But the wider context of the Act does not support this interpretation. The final judgement on public policy sits with the elected government, not with state employees.

Officials are free, and indeed bound, to say when a course seems wrong. But those who concede no duty to either the minister or Parliament have made themselves unelected, self-appointed servants of their own conception of the public interest, answerable to nobody. Such officials do two kinds of damage. First, they obstruct ministers from acting on the mandate voters gave them. Second, because Parliament cannot typically see the processes through which agencies develop advice, they cannot hold those agencies to account. An official who cannot in good conscience carry out a lawful policy has one honourable course: to leave. Staying and working against the government overrides the wishes of the electorate.

3.6: Spirit withheld

Most people know Jesus' parable of the Good Samaritan. A man is robbed on the road from Jerusalem to Jericho, beaten and left half dead in a ditch. A priest comes down the road, sees him, and crosses to the other side. A Levite, a temple official, comes next, sees him, and does the same. A Samaritan, a despised foreigner, stops, binds his wounds, and pays for his care. Everyone remembers the third man. Christopher Marshall, emeritus professor, Wellington School of Business and Government, is more interested in the first two.

The priest and the Levite were professionals, he argues, the two men on that road best equipped to help and most bound to. But their rules forbade contact with a corpse, and the man in the ditch might have been one. Marshall argues their failure was not cruelty but trained

non-response: the rules of their office had displaced the duty the office was originally instituted to serve.

Marshall calls this "the callousness of professional neglect", adding that "it was a technically lawful neglect at that".[31] Both men "saw" the victim, so neither could later claim not to have known, but then crossed the road so as to look no further. They took shelter "in a narrow kind of role morality", and their roles gave them "convenient means of avoiding the full reality" of what they had seen.[32] A justice conceived "in too narrow or too procedural a sense", he concludes, can "become a mask for oppression and neglect".[33]

Marshall reflects back on an Anglo-American law finding that has long resisted punishing bystanders who fail to enact an easy rescue. In Lord Devlin's words, "the good Samaritan is a character un-esteemed by the English law".[34] The law punishes acts, not omissions.

The machinery that guards political neutrality is similar. It asserts what officials must avoid doing but is silent on what they must not neglect to do. On the road to Jericho, neither the priest nor the Levite broke any rule. Neither do officials, interviewees point out, when they fail to engage or when they allow government programmes to fail. A public servant can hide behind commonly accepted propriety ("not my role", commercial sensitivity, process, and "my hands are tied") and let a duty go unperformed while remaining, by the letter of the rulebook, compliant.

One senior official, who served over 50 ministers and says they never cared which party they came from, described the phenomenon:

> There'd be a bit of nodding your head and then doing what you wanted kind of going on. And that's probably where neutrality can enter the question… We just, like, say yes. But is it really yes? I don't know.

We call this 'counterfeit neutrality'.

3.7: Can we test for neutrality?

The Commission's guidance on neutrality focuses on three things:

- **The individual.** An individual public servant keeps or breaks neutrality through personal conduct. There is no guidance for the conduct of an agency, a role, or the service as a whole.
- **Appearances.** The guidance prescribes rules governing how public servants must act in public. They must "act in a way that enables their agency to maintain the confidence of its current Minister and of future Ministers" with a prohibition on expressing personal political views "in a way that raises questions about their ability to perform their role in a politically neutral way".[35]
- **Party politics.** The guidance implies that 'political' refers to the expression of party affiliations through campaigning, contact with Ministers of Parliament and caucuses, government advertising, and behaviour during election periods.

An interviewee who had served two recent governments put their finger on why a test focusing on appearances and party politics misses much:

> You end up with a lot of focus on political interactions, partly because the rest of it is invisible… you just can't see it.

The code focuses on neutrality defined as a duty to avoid party-political partisanship. Breaches of that nature are visible, attributable, and straightforward to sanction. The guidance imagines the threat to be an individual's private politics finding public expression. The remedy is personal restraint.

Our evidence, however, identifies more serious breaches as happening out of public view.

Examples include departments passively resisting governments with ideological orientations different to their own, a 'quiet quitting' workforce whose views run counter to the government's, agencies advancing their own agendas against Cabinet direction, and mindsets that do not change when the government does, inhibiting officials from understanding a new minister's perspective or goals.

The Public Service Commission's framework offers nothing to counteract such deviations. Under the guidance, ideology that is not aligned with a political party is not 'political' at all. But a public servant could comply with every rule and still resist the government of the day.

One interviewee once told a select committee that the public service struggles to work across different viewpoints. A select committee member responded that they "would like to see some actual evidence of that claim".

> To which I could have said, speaking about public agencies, 'Well, none of them want to do anything around measuring that or even looking at that issue'.

One senior official went further, and doubted the commitment behind the guidance:

> I don't think the Public Service Commission, from what I can see… is doing anything other than a rhetorical commitment to say, 'Oh, yes, we're politically neutral'.

The Commission's guidance is not wrong, but it has shaped a narrow interpretation of neutrality. It explains how the public service can score 95 percent on understanding the principle of neutrality while, on the accounts of some interviewees, officials fail to engage with policies to the point of programmes failing.

Our evidence indicates that neutrality failures are real, recurrent, and run against governments of both political leanings. Outside of officials or media raising their own concerns, breaches of neutrality are not detected or corrected. Even when a breach is proven, there is often little consequence.

CHAPTER 4
The machine strikes back

On 4 March 2026, Parliament's Education and Workforce Committee sat for its annual review of Immigration New Zealand, part of the Ministry of Business, Innovation and Employment (MBIE). The chief executive, Nic Blakeley, six weeks into the job, and the deputy secretary for immigration, Alison McDonald, represented the ministry. Labour MP Phil Twyford brought up the biometric and identity system upgrade, a border technology project begun in 2018 with the Japanese firm NEC. Independent reviews had warned of delivery risks. What were these risks, and had any milestones slipped?

McDonald started, "So the original programme, we still have an identity programme, but we're… 'morphing' is the wrong word… we're working with DIA [the Department of Internal Affairs] and others about what does New Zealand need for identity going forward? We think that there may be a better all-of-Government solution… So that's why it's taking so long". Twyford asked why the review reports had not been released. "I don't know, actually", she said. Blakeley offered to look into it. "As Alison says, we're in the process of working out what the programme looks like going forward". Twyford asked them to come back to him.

In fact, the project had been ended on 9 December, three months earlier, by the then-acting chief executive, after failing user testing, with $31.2 million written off. An independent review was nearly finished. None of that was said at the committee review.[36] Parliament's Privileges Committee found that the ministry had deliberately misled the committee, and that this constituted contempt.

4.1: Beneath the public relations facade

In June, appearing before MPs during Scrutiny Week, Immigration Minister Erica Stanford said it appeared to her that MBIE had "deliberately withheld information" from the Labour ministers who preceded her, and that officials had undertaken "creative accounting practices to keep costs of the project below Cabinet's mandated limit". She called the findings "very serious" and "almost as bad as it gets".[37] An independent review by Greg James, released by Immigration New Zealand the same day, found that the project had been launched in 2018 without ministerial sign-off.[38] Sitting beside the minister, Nic Blakeley apologised to MPs, acknowledged "serious failings in oversight and governance", and said he was "committed to learning from this and implementing change".[39]

The Public Service Commissioner, Sir Brian Roche, opened an integrity investigation of his own. "The complete lack of integrity is an affront", he said on 16 June; those responsible should expect discipline, up to and including dismissal.[40]

On 26 August, the committee reported:

> The ministry knew that the information it provided to the Education and Workforce Committee was incomplete, and… the limited manner in which the ministry answered questions about the BCU project was intentional. The ministry would have been aware that in choosing to answer as it did it was certain that the committee would have been misled as to the status of the BCU project. On this basis, we find that the ministry deliberately misled the Education and Workforce Committee and, in doing so, committed a contempt.[41]

Officials appearing before select committees "have an absolute obligation to tell the truth". It was "alarming" that neither official had known evidence could be given in private. The Commission, the Prime Minister's department, and the Clerk all publish guidance making this clear: "Senior public servants failing to familiarise themselves with the guidance available is negligent".[42]

Blakeley's own account, to Ryan Bridge on *Herald Now*, was guarded:

> Ryan Bridge: "Did you lie?"
>
> Nic Blakeley: "Look, at the time, there were commercial negotiations underway. We felt that we couldn't say that in a public forum. We got that wrong".
>
> Ryan Bridge: "You're saying that, yes, it was intentional, but you were trying to protect some kind of commercial arrangement?"
>
> Nic Blakeley: "That's right. And that's what we got wrong".[43]
>
> Ryan Bridge: "Did you know there was a way to get the information to Parliament so that you weren't essentially lying to them or misleading them?"
>
> Nic Blakeley: "I was aware that these existed, I hadn't seen them used here, but I've accepted that we got that wrong".[44]

The committee recommended, "on the basis of the apologies", no sanction beyond the finding itself: "We intend that our findings will be of sufficient consequence on their own".[45] The same day, Blakeley said, "Accountability rests with me", and twice offered his resignation to the Commissioner Brian Roche, who employs chief executives.[46] Roche declined both times. "I believe Nic is part of the answer, not part of the problem… he was badly let down by his staff".[47] Blakeley's own account of the Commissioner's reasoning was that "given that I had only recently been in the role, he thinks the right response is for me to now… make the changes that are needed".[48] Stanford kept confidence in him. On 1 September, Labour said his position was "untenable".[49]

4.2: The public service answers for itself

The case involves two of the three deviations described in Chapter 3:

- **Commitment to institution.** A project had failed, wasting tens of millions. On the ministry's own account, it put a commercial negotiation ahead of its duty to answer the committee fully.
- **Professional neglect.** The officials had a duty to answer the committee fully. Blakeley has since accepted that the incomplete answer was a choice, made to protect a commercial negotiation, and that he knew of the mechanisms that would have let the ministry say more in private. Neither he nor McDonald told the committee that anything limited their answers, as officials under constraint are required to do. The committee called this negligent. Commercial sensitivity can justify withholding some things from some people; it cannot justify misleading a select committee in a response to a direct question. Blakeley told the Privileges Committee, "At the time, I didn't think I was doing anything wrong."[50] That a chief executive could believe this suggests the problem lies in the culture that stands in tension with its duty to serve.

The case shows how our institutions often respond when a serious breach is proven. A failure was caught, adjudicated by Parliament's own disciplinary body and met with an offered resignation. The committee, on the strength of the apologies, recommended no further action.

It noted that a review by Michael Heron KC, the former Solicitor-General, for the Public Service Commission, of the officials' conduct was under way. After all, Roche had said in June that those responsible should expect discipline, up to and including dismissal. But in August, he declined the resignation of the responsible chief executive and reframed him as "part of the answer". No employment consequence has been reported for anyone at the time of writing.

For good or ill, this is consistent with a culture shift in the Commission. A senior official explained:

> They used to be first and foremost about accountability… 'We're the school monitor… and you are a pass or fail'. Over time the commission realised it actually needed to work in partnership with the chief executives… They want chief executives to be successful. We don't want them to fail.

They drew the same distinction for Blakeley. There was, they said,

> No accountability in the public domain, but what's happening behind closed doors within the commission and conversations with ministers is not the same thing as there being no accountability… It just means it's not appropriate to talk about some things publicly.

Discipline, on this account, is still pursued, but it is pursued out of sight.

Another senior official, once accountable for a large programme of public spending, watched the case as a person reading the news.

> You must always tell the truth as you know it at the time you know it. Always… You have got to give an account to the politicians, to the government of the day, and the account must be unvarnished and complete and timely. The example of the MBIE IT system was: it was incomplete, it was completely varnished and manipulated, and it was not timely.

On accountability, "I do understand that a disciplinary process has a particular meaning in employment law. I get that. But there needed to be some arse kicking going on". At the core of the culture, they said, is "a cultural expectation that you can avoid accountability by not reporting".

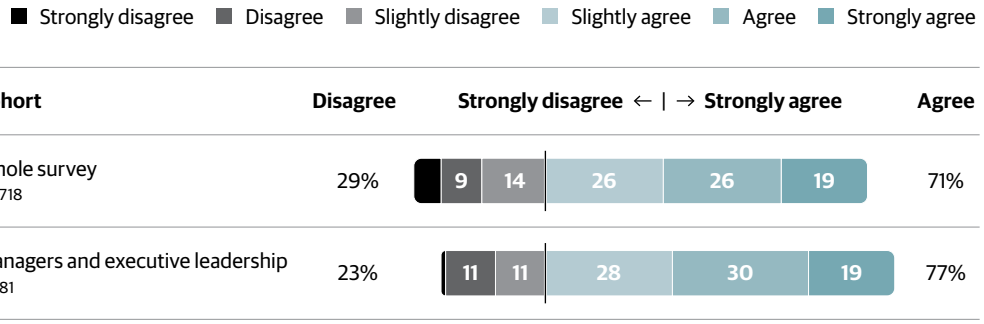
In our view, Roche's decision to decline Blakeley's resignation risks reinforcing the low-accountability culture this report describes. Blakeley's offer shows that he retained some understanding of the convention the ministry had breached. But the refusal may send a message to every other chief executive that misleading a select committee carries no real price.

4.3: Mission first, minister second

Our interviews repeatedly return to this kind of behaviour, covering both ministerial offices and the departments that serve them. 'Bureaucratic politics', the eighth-most prominent of 40 themes identified in our interviews, captures how agencies pursue their own ends against, or around, the direction of elected ministers. Over 30 of our 40 interviewees described situations in which agencies acted as political players. The behaviour includes resistance to anything that contests the agency's position, rivalry between agencies, refusal and delay, empire-building, covert obstruction, gaming the system, and controlling the content creation process of public documents and advice ('holding the pen').

According to one official, agencies "become so wrapped up in their mission, which is perfectly to preserve their agency", that "doing the bidding of the government of the day is a second order consideration".

Figure 4.1: Whom surveyed officials think they serve



Statement	Cohort	Disagree	Strongly disagree ← | → Strongly agree	Agree
The Public Service serves the public, not the elected government	Whole survey n = 718	29%	9 14 26 26 19	71%
	Managers and executive leadership n = 81	23%	11 11 28 30 19	77%

Source: Data from The New Zealand Initiative Survey of Public Servants. Graphic made by the authors.

Our survey suggests that this disposition is widespread. In total, 58 percent of our respondents agreed they should protect the interests of their department even when doing so compromises their personal values. Among managers and executive leaders, it was 65 percent. Figure 4.1 shows that an overwhelming majority also agree that they serve the public directly rather than through the elected government. Again, managers and leaders were the most likely to believe this.

This is concerning because in the Westminster system, officials have no mandate of their own. Their authority to act for the public runs through ministers, who answer to Parliament and can be removed at elections. An official who serves the public directly substitutes a reading of the public interest with no democratic mandate or accountability.

One public servant had worked in and around a large policy ministry and in smaller subordinate agencies. The official had seen the ministry make decisions that belonged to the other agency's expertise on the grounds that, as the policy agency, it was the decision maker. Asked whether spite or personal feeling explained it, they said these were not the primary drivers. To explain why this happens, they noted the character an organisation acquires over time, and the posture it comes to take towards the bodies below it.

> I think the primary driver is just institutional rather than people as such trying to be megalomaniacs. I think the agencies themselves take on a culture and a character, and the ministry's [character] is empire. You [the subsidiary agencies] are our [the ministry's] client state, and so we're going to keep you in your box.

A participant who had served in government described the failure of the public service to "[respect] the constitutional process": if the minister says what is wanted, "you're not meant to fight it. You're meant to present the alternatives". Over the last 10 years, they said, the service had "become a kind of intellectual block", and they agreed with the interviewer's description of it as its "own political entity", adding that "they fight things that threaten it".

Their example was a social bond, through which private investors fund a service and are repaid by the government only if it delivers agreed results, so the risk of failure sits with the investor rather than the taxpayer. One bond was to help people get into work. The agency had agreed to it but controlled the flow of clients in a way that, as our participant saw it, effectively shut it down:

> [The agency] managed to crush that pretty quickly, because they said there was a whole lot of demand, and then they didn't refer anyone

> to it. So, the investors did their money pretty quickly, because there was no referrals.

The agency did not openly defy a ministerial decision, nor overtly break any other operational rule. In the official's view the programme was simply starved of referrals.

> [The agency] just squashing a thing that might work. It shows them up. They're very effective in that.

Whether that outcome was designed or merely permitted, the effect was the same: a programme the government had established went unused, and investors carried the loss.

Beyond defending its patch, an agency can come to see itself as a public actor with its own agenda to advance. One example can be seen in the 2018 PIF Review of the Ministry for the Environment. In a section on challenges the Ministry faces entitled "From science to 'information' – facts don't speak for themselves", the review said that:

> "Positioning MfE as *the single, credible and impartial source of truth about New Zealand's environment* will be critical to MfE's stewardship and leadership role in the wider environmental management system, as well as in building trust and confidence with New Zealanders. It is no longer *simply a matter of communications or managing messaging,* it is about managing meaning to support and *require behavioural change*".[51] (Emphasis added in italics)

This official review envisioned a department becoming the arbiter of truth in a field the review itself recognised as being politicised and using its standing to "require" change. That is a description of an advocate, and the accounts of our interviewees we heard place the ministry among the most determined resisters of successive governments' flagship policies.

An official described what became of teams devoted to diversity, equity, and inclusion work when the government instructed that those resources be redirected. Instead of complying, they continued those programmes in secret. According to the official, they were "just being renamed, moved on org charts. That clearly shows a will that's not aligned with what the government wants to do".

4.4: Degrees of resistance

Non-compliance runs across a spectrum from open defiance to neglect. At one end is refusal to comply with instructions. A senior official described how managers were "non-compliant" with their own chief executive's direction.

> Refusal to implement [CE's] instructions. Outright, blatant, line-in-the-sand refusal… They kind of shrug and go away and don't do it… they just drag the chain for as long as possible.

Another example involved a senior official refusing to comply with a lawful instruction from a minister's office. The minister held a delegation from a more senior minister to drive an area of policy. Requests from the minister to the ministry came back slowly or not at all. A political advisor said the ministry had "pushed a lot further than I had expected", continuing to provide further contrarian advice rather than actioning decisions and feedback. The senior leadership representative responsible for the workstream answered one commissioned request with, "Well, no, we can't do that". Asked whether the work was impossible, the advisor clarified, "No, it's that, 'We won't provide advice'".

The request was met only when the senior minister's authority intervened: "This has been asked for… and this needs to be done!" The advisor allowed that the official may have been acting on their own reading of what the minister and Cabinet wanted, or on other priorities.

Either way, "from a constitutional perspective", they said, "this is clearly an example of getting in the way".

The same phenomenon was evident in other portfolios. "Literally the team refused to provide advice. It is still stuck to their ways of working", another political advisor said. "The operational side does what it wants, essentially".

One of the more serious claims we heard concerned the head of government.

> "I have seen [senior officials] deny strategic intelligence to the prime minister of this nation because they don't think that they should have it", said a participant with long experience at senior levels of government. Asked why, the participant responded, "Because they think they own that decision".

One participant recounted a second instance. One agency's intelligence support, they said, operated at the level of "1960s decision support", which amounted to saying, "retrospectively, three days ago, [an incident occurred]". Because senior ministers were not getting decision-grade intelligence, a competitor began supplying them with a curated product.

> I'll use the term 'product' to refer to information in a curated manner that was being provided to senior ministers. [Senior leaders contacted] the [competitor] that's doing it [providing the product] and said, 'You need to stop doing that because you're embarrassing us'. That's the culture.

Similar behaviour made a political advisor aware of the vulnerability of the Westminster model to perverse interpretations of its requirements:

> "Your chief executives, and leadership of the public service, can work against the will of the government, where they see it as counter to the interests of the public". Why would they? "Because they see they have a higher-order calling".

4.5: Negligent non-compliance

At the other end of that spectrum, there is no outright refusal, just negligent lack of engagement. This is one of three deviations from neutrality – compliance without commitment – set out in Chapter 3. Here, neglect expresses resistance without strategy or intentional action.

The social investment work Bill English headed ran into this, an advisor who worked with him said. The analysts who could do the predictive work were located across several departments. But "the policy advisers in their departments generally did not understand it while their managers saw risks in spite of emerging evidence of real opportunities from data on people rather than services". English called the analysts to his office without their bosses.

The pressure this created drew some policy analysts into work with the data analysts, and some progress followed, but the interest flagged over time and several analytics units were later closed. Policy advisors were just not that interested and saw problems not opportunities, while managers saw risks. Inevitably, this affected the views of ministers, who grew sceptical after the 2017 election. The leadership from the core ministries at the time of the English government was flat-footed with the social investment initiative and did not actively explore its possibilities.

Behind compliance without commitment can sit another deviation from neutrality mentioned in Chapter 3: commitment to institution. Concern about an agency's standing displaces its duty to the government and the public. English described this to an audience of Australian and New Zealand public servants in the 2019 Alf Rattigan Lecture.

> Agency culture is to control all flows of information in the name of reputational risk management, but that control comes at a cost to the customer and to the community.
>
> No public agency offers to share data. They all resist and it takes determined political leadership to succeed. Senior managers don't know about data because they don't use it. When someone comes asking about their data they find out their agency has lots of expensively collected low quality data that no one uses, that it's chaotic and siloed because it's organised around collection not customers. That's when their risk management skill clicks in and they lie low hoping it will all go away.
>
> Eventually agencies can be embarrassed about resisting more knowledge and putting their interest above the collective.
>
> *Bill English, Alf Rattigan Lecture, Canberra, 27 November 2019*[52]

While the control English pointed out is deliberate, it is directed at protecting the agency's reputation. The cost of that behaviour, on English's account, falls mostly on the people the agency exists to serve.

Our survey locates this disposition predominantly in the management and leadership layer. Managers and leaders held two views more firmly than analysts or advisors: that officials should protect their department's interests even when doing so compromises their personal values, and that established procedure matters more than speed.

Resistance does not require a plan. A department can let a programme fail simply by not engaging. The result can be similar to that of refusal, but without any visible lack of compliance. As the advisor explained to us, "initiatives can flounder from indolence and arrogance without a concerted strategy to undermine or divert them".

4.6: Tactics of non-compliance

Most resistance sits between outright refusal and passive neglect. It includes delay, dilution, and 'management' of what ministers are told. A senior official, who had spent over a decade advising the head of a large government organisation, and who contrasted that behaviour with their own experience of implementing a decision they had argued against, described what they see in departments now:

> "No, no, no, no, no, no, no. We're just going to impede, stall, delay, come up with all the *Yes Minister,* 'Oh, that's a very bold choice, minister' kind of crap" – to avoid doing what the minister wants to do.

Another interviewee described a standing forum between government and non-public sector domain leaders that took some decisions out of officials' hands. Officials, they said, "spent a lot of time trying to undermine that process. Papers would turn up late. They'd change the meeting dates. They'd say key officials couldn't come".

An interviewee described how this is done without disobeying: an official who understands what a minister wants can set the work up as 'belts and braces', with wide engagement, full options, and analysis. But there is another way. "Just do a quick Cabinet paper over the weekend and make the decision. That's a choice", they said. "The more senior you are, the more options you have to extend process". This is one way "the wall" to which ACT MP Simon Court referred could be experienced.

Sometimes, agencies fight each other over which options to put to ministers. An official on a large procurement, whose ministers were united, said the ministry "was often at odds with us… But I never saw ministers at odds". At a critical point, that ministry put up a single option when their team wanted two. The second reached the relevant ministers only because a private

secretary asked what was going on and carried the answer to their minister who, in turn, took it to the minister responsible for that ministry. That minister asked their officials why they were "taking options out from ministers". The ministry then put the second option into the advice, but with a note saying it should not be taken (see Chapter 12 for more on this example).

Our survey asked how far public servants think moves of this kind are permissible, including triggering reviews or consultations to create time (procedural steps), presenting information in ways that steer the minister away from a decision (framing), and gatekeeping what the minister sees by leaving options out (filtering), among others (see Chapter 7).

4.7: Against every government

Interviewees described officials who in effect have employed subversive behaviour to stymie governments of both sides of the political divide. A National government's social benefit programme was, according to one interviewee, starved of referrals. The primary objective of a Labour government's flagship housing reform was challenged all the way through by some of the agencies responsible for it (see below). The Privileges Committee found that MBIE deliberately misled a select committee about a failed project. Whether MBIE was also frank with ministers is the subject of the Heron review.

Not all resistance is open defiance, however. Those in roles that intersect between ministers and officials can witness behaviour that becomes difficult to ignore, raising uncomfortable questions. For example, one advisor in a ministerial office, still frustrated about advice from the previous week, put it this way: "at some point you've got to think there's a bad actor in the system, because otherwise how could it be that bad?" But an official in one of the largest departments offered a more charitable explanation. A chief executive with several thousand staff and around 100 general managers "probably doesn't know who all of those people are", so the place runs on delegation, "which means you're very reliant on your GMs either fully aligning, or [they] get into a lot of patch protection, drag [their] feet, give lip service to something but not really make it happen…". Inefficiency explains some of what ministers experience as obstruction.

Some of it is harder to explain that way. Consider Labour's Urban Growth Agenda (UGA), the programme to establish competitive urban land markets, led by the Ardern government's Minister of Housing and Urban Development, Phil Twyford. Over the course of the work, the programme's primary objective (housing affordability) was persistently challenged and then removed. Other objectives took its place.

On one occasion, the officials prepared advice for the minister. It was removed from the pack two hours before the meeting. Officials from other agencies who were in the room, the Treasury among them, later described a meeting in which the minister resorted to using a whiteboard to set out what he wanted officials to understand. What he set out matched the advice that had been removed. Twyford and the officials who prepared the advice have since publicly recounted the episode from their perspectives.[53]

Sometimes, agencies and officials resist ministers because their interests are threatened. Their advantage is that they can outlast the politicians who are democratically elected to direct them. As one official recalled from their policy training during the 1980s at Victoria University of Wellington, "Do not worry too much about the politicians, because politicians come and go, the public service is forever".

> It doesn't actually matter whether it's a left or a right government. The ideology is, 'Do what the public service wants at all costs and just put up with the noise from government'.

> Is my comment fair? Probably not completely fair, but that's what I see.

The MBIE case is different. The Privileges Committee found that the ministry's limited answers were intentional. The chief executive has accepted that they were a choice. Interviewees described a wider culture in which some officials see a "higher-order calling", believe "they own that decision", and regard the service as "forever" while ministers come and go. We do not suggest that the MBIE officials held these views. But the case shows what can happen when the duty to tell Parliament the truth gives way to other concerns.

Our interviews describe such judgements being made at several levels, from a general manager who lets a decision lapse to senior officials deciding what a prime minister should be told.

One official, a subject matter expert in their policy area, once had a conversation with their chief executive. The official raised a concern that advice that had been provided was not what the minister had asked for. The chief executive explained that, irrespective of that, senior officials told the minister that the advice they had provided was what the minister had asked for.

The official was bewildered that the minister could have been told that. In their view, it was a misrepresentation of the advice. At the time, the official put it down to a lack of subject expertise at the top. But, time with senior officials taught the official otherwise, who had to accept the reality that their behaviour was not just based on ignorance. In the official's view leaders were intentionally framing the advice to pursue their own agenda. As a director once told the same official, when challenged for making a policy trade-off without ministerial consent, "I am an unelected power".

CHAPTER 5

Which way does the state lean?

An experienced advisor explained why new governments often wait so long for information and advice from agencies. Some of it, they said, is adjustment to a new minister's requirements and personal tastes: graphs or words, A3s or full-length briefings. But "there's a great amount that is not natural", they said. "For the most part, public servants are probably lefties". Of the officials who served their own minister, "I would guarantee that bugger all of them voted for [that minister's party]".

Another participant who interacts with chief executives and second-tier officials told us:

> Wellington has become increasingly a green-left bubble. Most New Zealanders are not like that. The hiring has become very closed and insider-ish, and it's becoming more and more cut off from the rest of New Zealand.

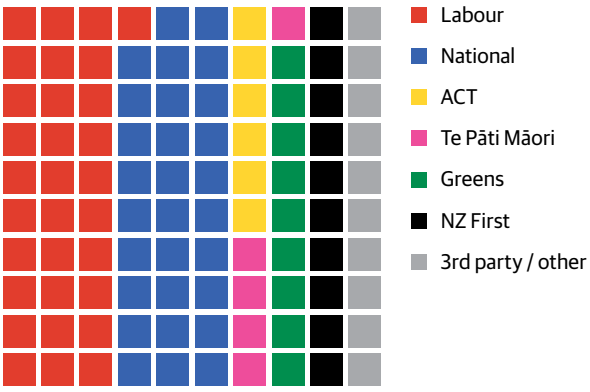
Recall the participant from earlier, who expressed the same view to a select committee. An MP told them there was no evidence for it. The MP was right. The Public Service Census, to which 44,737 public servants responded in 2025, asks officials, among other things, whether they understand what political neutrality means, but not which party they support.

To address this gap in the evidence base, we fielded a survey between June and August 2026. 718 respondents said they were a current (380) or a former (338) public servant. The survey asked how they voted at the 2023 election, what kind of public service work they do or did, how senior they are or were, and their degree of agreement with 23 statements about the role of public servants in our democracy.

5.1: The state is balanced between the blocs

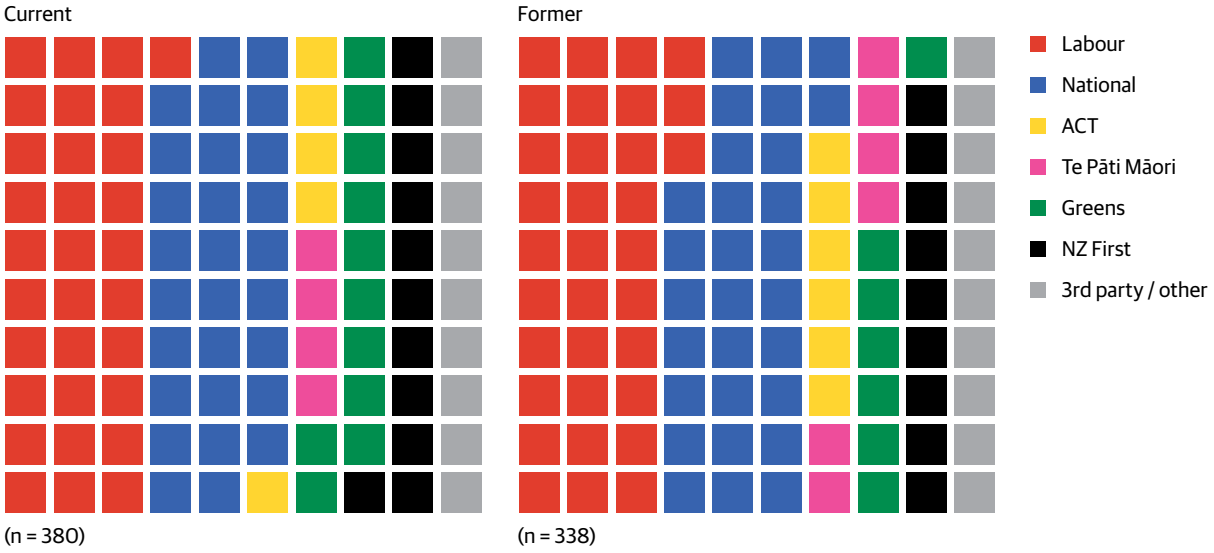
Taken as a whole, our 718 respondents provide moderate support for the political advisor's reckons. As shown in Figure 5.1, Labour is the most popular party among our respondents, at 32 percent, but only by a small margin. National is close behind at 29 percent, with New Zealand First at 10 percent, the Greens at 9 percent, ACT at 6 percent, and Te Pāti Māori at 5 percent. A further 10 percent voted for another party or none.

Figure 5.1: Current and former public servants surveyed by voting behaviour at the 2023 election



Note: Party vote at the 2023 election: each square is 1 percent of 718 respondents; cells allocated by largest remainder.
Source: Data from The New Zealand Initiative Survey of Public Servants. Graphic made by the authors.

Figure 5.2: Party vote at the 2023 election: current and former public servants. Each square represents 1 percent of the relevant group.



Source: Data from The New Zealand Initiative Survey of Public Servants. Graphic made by the authors.

In 2023, the combined centre-right vote (National, ACT, and New Zealand First) was 53 percent, compared with 45 percent of our sample. The centre-left vote (Labour, Green, and Te Pāti Māori) was 42 percent, compared with 46 percent of our sample.[54] Our sample suggests that the public service leans left to a greater degree than the country as a whole, but not overwhelmingly so. Respondents reported voting for parties of the left at a rate 4 percentage points higher, and for parties of the right at a rate 8 percentage points lower, than the percentage captured by each side in the 2023 election. The margin of error (95 percent confidence interval) is ±3.6 percentage points for both estimates. So, while we can reliably conclude that public servants are somewhat less likely to vote for parties of the right than an average voter, the evidence that they are more likely to vote for parties of the left is marginal. These data suggest a less extreme picture than the one described by our political advisor. The voting profile of our sample does not exactly match the national profile, but neither does it greatly diverge from it.

The picture does not change much when we examine current versus former public servants. Figure 5.2 shows similar voting patterns for the two groups.

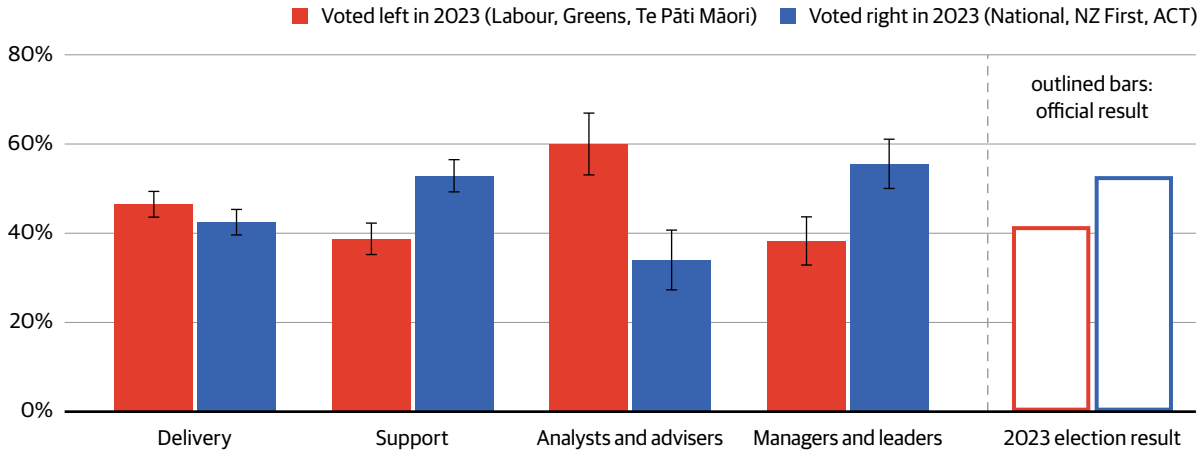
5.2: Public service voting profiles differ by role

Next, we sorted our sample by the kind of work it does. We allocated each respondent to one of four categories:

- **Delivery:** Frontline service delivery, call centres, and inspectors[55]
- **Support:** Corporate services, information technology, communications, and administration
- **Advisory:** Policy analysts and advisors
- **Leaders:** Managers, directors, and executive leaders[56]

Ninety-seven respondents (13.5 percent of our sample) reported not belonging to any of these categories.

Figure 5.3: Percentages of each role type that voted left versus right at the 2023 election, compared with the 2023 election result. Error bars show one standard error either side of each estimate.



Note: Delivery n = 299, support 191, analysts and advisors 50, managers and leaders 81; the 97 respondents who placed themselves in none of the four categories omitted.
Source: Data from The New Zealand Initiative Survey of Public Servants and the Electoral Commission. Electoral Commission, "2023 General Election – Official Result", Website. Graphic made by the authors.

Figure 5.3 compares the different public service role types according to whether they voted for parties of the left or parties of the right in 2023. The figure does not distinguish between individual parties because the numbers in a specific role type who voted for a specific party are usually too small to be reliable estimates of population percentages.[57]

A reliably higher percentage of respondents in management, leadership, and support roles voted for parties of the right at the 2023 election than respondents in the other two role types. Analysts and advisors were strikingly and reliably more likely to have voted for parties of the left than any other role type. They were conversely less likely to have voted for parties of the right, although the difference with delivery staff was not statistically reliable.

The voting behaviour of management/leadership or support roles showed no meaningful difference from the 2023 election result. Delivery staff and, especially, analysts and advisors were reliably more likely to have voted for parties of the left than the country as a whole, and reliably less likely to have voted for parties of the right.

These results make sense of the political lean the political advisor mentioned at the opening of this chapter. While the overall leftward skew of the public service is very modest, among analysts and advisors – the roles likely to have been most visible to the political advisor – it is pronounced. The left-lean in policy-related roles is an important finding. These are the roles that develop advice for ministers.

5.3: How the workforce acquires a political leaning

It does not need a conspiracy theory to explain how the policy workforce, and to a lesser extent the delivery workforce, might have acquired the political skew observed in our data. People self-select to join agencies whose mission they agree with, and selection is reinforced by hiring practices. One official who had worked in several agencies explained the self-selection aspect:

> If you're asking Housing New Zealand, which currently has the houses, to work out the process for passing them on to community

> housing providers… it's going to be a tough thing for them to do. All the internal processes, all the philosophies, all the people attracted to that role are going to find that quite hard… And Treasury might find it very difficult to progress to a communist economy, or the like. It's just going to be the wrong people. The people who are naturally attracted there… have a set of motivations and beliefs that are going to make that hard.

They added that officials are, in general, "trying not to be political", but the difficulty "gets to… professional philosophy". People who spend their lives in environmental regulation, in social service design, or in fiscal economics each tend towards certain political dispositions. An environment ministry does not usually attract people who think the environment is over-regulated, nor does a social ministry attract people who think the state does too much.

Another participant made the same point about the policy job itself: "it is almost somewhat self-selecting that many officials go into that job, wanting to figure out how the government can do something". The opposite approach, "getting the government out of the way, reducing regulation", they said, "tends to come less naturally".

The same logic works on whole departments. A manager in one of the regulatory agencies described the department that administers heritage law: "you don't go to work in the Ministry of Culture and Heritage unless you want to protect the whole thing".

Once an organisation has a character, it tends to keep it. An analyst a few years into the service explained what heavy turnover does. People who leave are more likely to have struggled to have their voices heard, so "the new people that get in will be like-minded people… that's self-reinforcing culture".

A long-serving chief executive described the same thing at the leadership level. Chief executives under pressure "don't look to make a team that'll challenge them; they look to create a team that'll support them, dare I say, agree with them. So, you get birds of a feather in the tier two". They described leaders looking for a "mini me".

Part of the explanation sits outside the public service. A participant who had served in government noted that the population that supplies Wellington with its graduates is "your upper-middle-class sort of university-educated person [who are]… less politically diverse than they used to be".

Others argued that more than self-selection is in play. A participant with 20 years in the service said that officials "get their jobs on the basis of ideological affiliation and activism", and that they had seen "exactly the same thing" within two agencies they had worked for.

Political bias can be hard to recognise from within. Another official with experience in several agencies said that, just as "fish don't realise they're swimming in water", colleagues "don't realise how far left they are".

The 'Overton window' is the range of positions that count as reasonable at a given moment. Ideas inside it can be discussed, whereas ideas outside it are dismissed. A senior advisor to a chief executive suggested that each department forms its own Overton window.

> "There is an Overton-style window amongst public servants within an agency's policy area". In periods of polarisation, they argued, "what is deemed to be mainstream, public-servant-acceptable policies are likely to differ from those of an incoming government whose policies lie elsewhere along the Overton window".

While our sample of current public servants balanced with 45 percent having voted for each of the left and right blocs in 2023, the bureaucrats who draft advice lean strongly left: 60 percent left versus 34 percent right. In this environment, the policy objectives of a centre-right government can clash with the predominant leanings of public service analysts and advisors.

The participant who described Wellington as a green-left bubble said that public servants are "predominantly left-wing" and that a hiring surge under the previous government brought in many left-leaning officials. They said that this is "kind of fine and what you would expect". But they took issue with "the extent of it and the lack of tolerance of alternative voices". An advisor in a minister's office described the effect of self-selection of officials on the advice officials give to ministers.

> It sort of reaches into the advice that's provided. So, you know, all the ways that a department can either slow or sculpt advice. And we spoke earlier about not providing all options… Certainly within operational policy. So there's sort of a… worldview that is ingrained in the department.

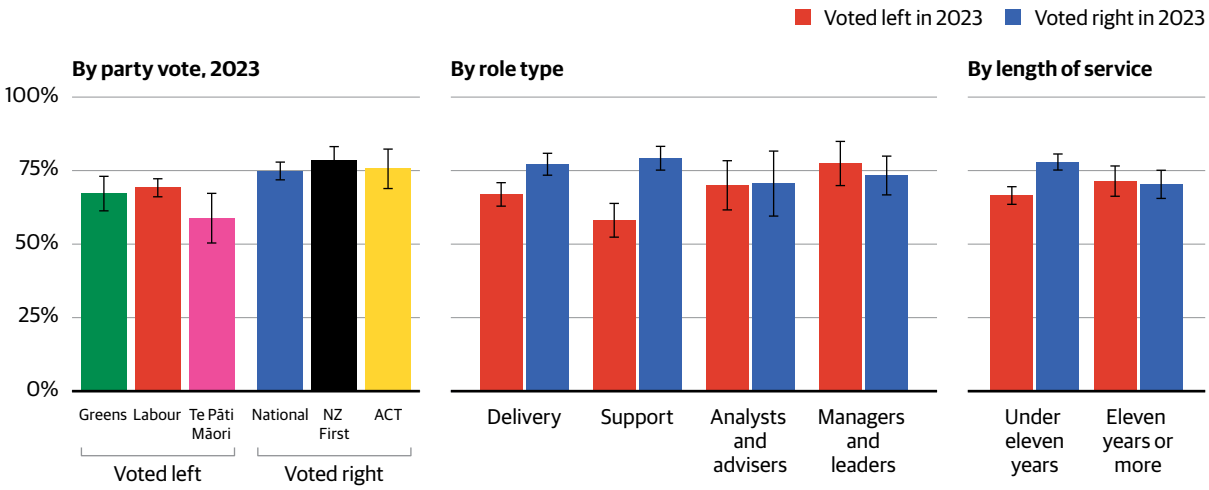
5.4: Whom the service serves

This advisor believed that the politics of the officials "reaches into the advice". If (and only if) that is the case, the mindset of an official, in terms of who they believe they work for, consciously or unconsciously, can impact the way in which they serve elected ministers.

In our survey, we asked officials whether they agreed or disagreed that, "The Public Service serves the public, not the elected government". Seven in ten current and former public servants we surveyed agreed, and one in five agreed strongly. Figure 5.4 shows the profiles of responses according to political leaning, type of role, and length of service.

How they voted has little correlation with these figures, although right-leaning respondents were collectively more likely to agree with the statement than left-leaning ones. Among those who voted Green, Labour, or Te Pāti Māori in 2023 (the left bloc), 68 percent agreed; among those who voted National, New Zealand First, or ACT (right bloc), it was 76 percent. This difference, while modest in magnitude, is statistically reliable.

Figure 5.4: Agreement rates with "The Public Service serves the public, not the elected government", by party vote at the 2023 election, role type, and length of service



Note: Error bars show one standard error.
Source: Data from The New Zealand Initiative Survey of Public Servants. Graphic made by the authors.

Length of service was not directly associated with the likelihood of agreeing with the statement, although among less experienced public servants, those who voted for parties of the right in 2023 were reliably more likely to endorse the statement than those who voted for parties of the left. Political leaning was not associated with the likelihood of endorsing the statement among more experienced public servants.

The breakdown by role type is the most informative in respect of views about whom the public service should serve. While there was little difference between role types overall, agreement with the statement showed different relationships with political affiliation for different role types. Specifically, left- and right-leaning analysts, advisors, managers, and leaders did not differ reliably in agreement with this statement. However, frontline public servants (delivery) and support staff (corporate services, etc.) who voted for parties of the right in 2023 were reliably more likely than their left-voting counterparts to agree with it.

This observation helps make sense of the aggregate finding that right-voting respondents are more likely to endorse the statement than left-voting ones. Delivery staff are likely to have a different view of whom they serve than core public servants. A teacher or a nurse could much more plausibly say they serve the public rather than the government without any implications for public service neutrality. After all, their roles are inherently public facing.

Similarly, support staff who believe they serve the public rather than the government can do their jobs without engaging with ministers. Their roles are not public facing, but neither are they policy roles. It is the analysts, advisors, managers, and leaders who provide advice to ministers, and there is no evidence here that their politics is associated with their views of whom they serve.

Even for policy-facing roles, the affirmation that they "serve the public" may appear innocent. An analyst who says this may imply that the elected government is the public's instrument, and that serving it well is how the public is served. However, the words "not the elected government" in the statement make that a strained reading.

5.5: The lean sits where the advice is written

The advisor in the minister's office had guessed right about the politics of the people who drafted their minister's papers, but that guess does not generalise across the wider public service. While our sample was somewhat more left-leaning than the country as a whole in 2023, the skew is much more predominant among analysts and advisors, who voted for the left over the right by 60 percent to 34 percent. Managers and leaders, like support staff, voted much as the electorate did.

A clear majority of our sample (71 percent) believe the public service serves the public, not the elected government. Right-voting respondents expressed that belief a little more often than left-voting officials we surveyed, but three quarters of analysts, advisors, managers, and leaders agreed with the statement irrespective of their political leaning.

Whether the political skew in the advisory tier affects how officials serve the elected government depends on two things the statement does not address: whose reading of the public's wishes officials trust, the minister's or their own, and whether they accept that an election gives ministers the right to decide policy. Chapter 6 takes up those questions.

CHAPTER 6

Does political leaning undermine neutrality?

A senior official, who had served ministers of different parties, was sure that the public service would do what any government asked of it:

> Every time a new government comes in, they get it completely wrong about thinking that the public service won't serve them… I think the public service will absolutely serve them.

While this official had "no question" that the service would serve any government, they did question "how". A few minutes earlier they had described a service that nodded its head and then did what it wanted, which they thought was "where neutrality can enter the question". The public service that would "absolutely serve" had, over 20 years, they thought, "degraded as an intellectual engine".

To examine how officials serve, we take as our starting point two of the previous chapter's findings. First, seven in ten of our sample of current and former public servants believed they serve the public, not the elected government. Second, analysts and advisors who provide policy advice to ministers lean strongly left. Neither finding suggests that political leaning makes a difference to how officials serve governments of the left and right.

To shed more light on this, our survey examined officials' attitude to service more broadly. Whose reading of the public's wishes do they trust: the minister's, or their own? Do they accept that an election gives ministers a mandate to make policy decisions? What do public servants believe they owe a government whose policy they doubt?

The answers to the first two questions sort officials we surveyed into three orientations to ministerial authority:

- **Trusting servants** have faith in ministers' judgement of what the public wants.
- **The disenchanted** doubt ministers' judgement but accept that ministers should decide because they are elected.
- **The bureaucratic priesthood** doubts ministers' judgement and does not accept that elections should settle who decides.

We allocated survey respondents to these three orientations based on their agreement or disagreement with two survey statements: "Elected Ministers are better suited than Public Servants to determine what the public wants"; and "Because Ministers are democratically elected, they should decide policy and tradeoffs". Trusting servants were respondents who agreed with both statements. Disenchanted respondents agreed that ministers have a democratic mandate to make decisions, but not that they are best placed to decide what the public wants. The bureaucratic priesthood were those who disagreed with both statements.

Having allocated respondents to these orientations, we investigated how each orientation responded to other survey statements. Among surveyed officials in policy-facing roles (policy advisors, managers, and leaders), the disenchanted accepted the duty of the public service to carry out a government's programme nearly as much as trusting servants. Fewer of the disenchanted than of trusting servants accepted that they should work to make a policy they think misguided succeed (65 against 82 percent). Most of the bureaucratic priesthood

rejected the duty (59 percent), and two thirds did not accept that they should make policies they disagree with succeed. At the top of the service, left-voting managers and leaders, even the trusting servants among them, were much less likely than their right-voting colleagues to accept that they should help make a policy they deem misguided succeed. In the following sections we work through these findings.

6.1: Who knows what the public wants

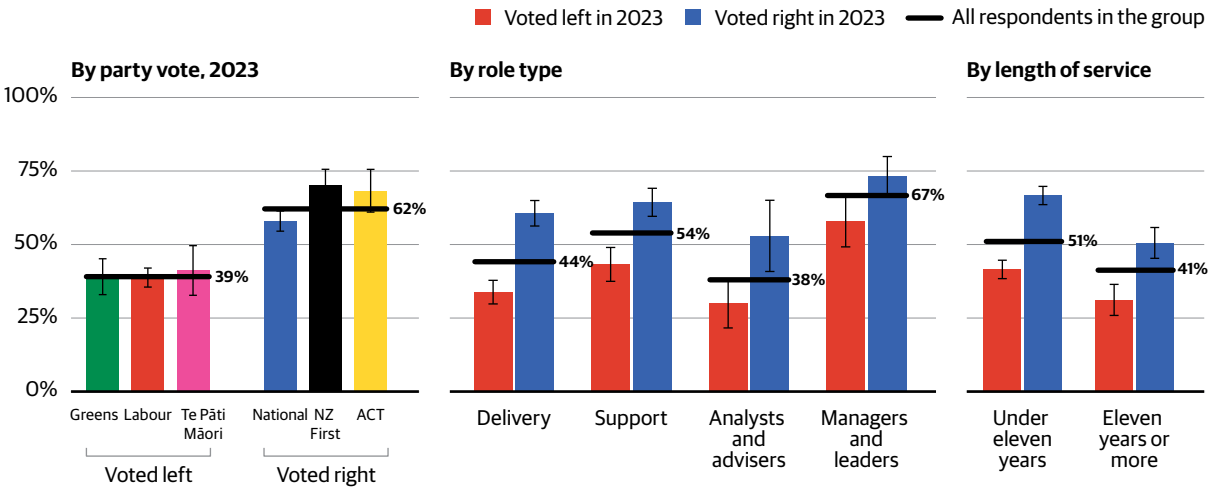
A service that answers to the public must have some reading of what the public wants. Whose reading is better, ministers' or officials'? Our survey addressed this question with the statement, "Elected Ministers are better suited than Public Servants to determine what the public wants". Overall, less than half of all respondents agreed (48 percent). Figure 6.1 shows the percentages who agreed, broken down by party affiliation in 2023, role type, and length of service.

On this question, the two political blocs are clearly and reliably divided.[58] Just two in five respondents who voted left in 2023 agreed with the statement, compared with three in five of those who voted right.

There were no substantial or reliable differences among those who voted for each of the parties of the left, with around 40 percent of supporters of all three in agreement. In contrast, 58 percent of 2023 National voters agreed with the statement, a reliably higher percentage than among those who voted for any of the parties of the left. Agreement was higher still among New Zealand First and ACT voters, at 70 and 68 percent respectively, although only New Zealand First voters were reliably more likely to agree than National voters.

The difference in agreement between right- and left-leaning public servants holds across role types, although for managers and leaders the difference falls short of being reliable. Of right-leaning frontline (delivery) staff, 61 percent endorsed the statement, compared with 34 percent of their left-leaning counterparts. Those in the policy and advisory roles also showed a large difference, with 53 percent of right-leaning analysts and advisors endorsing the statement, compared with 30 percent of their left-leaning colleagues. The latter share is the lowest of any group in the figure. The corresponding shares for support staff were 64 percent and 43 percent respectively.

Figure 6.1: Agreement rates with "Elected Ministers are better suited than Public Servants to determine what the public wants", by party vote at the 2023 election, role type, and length of service



Note: Error bars show one standard error.
Source: Data from The New Zealand Initiative Survey of Public Servants. Graphic made by the authors.

Of those with less than 11 years of experience, 67 percent of right-leaning respondents agreed with the statement, compared with 42 percent of their left-leaning counterparts. For those with 11 or more years of experience, the corresponding figures were 51 (right) and 31 percent (left).

The propensity of more experienced public servants we surveyed to see themselves, rather than elected ministers, as more able to divine the will of the public may be attributable to cynicism about politicians, or to hubris, both of which may increase with experience. Either way, the result is concerning. It suggests that more experienced public servants have less faith than their newer colleagues in the democratic process they are supposed to serve, which uses elections as proxies for what the public wants. This may indicate that the capability and quality of ministers are weaker than we would like (see Chapter 12 for more on ministerial capability).

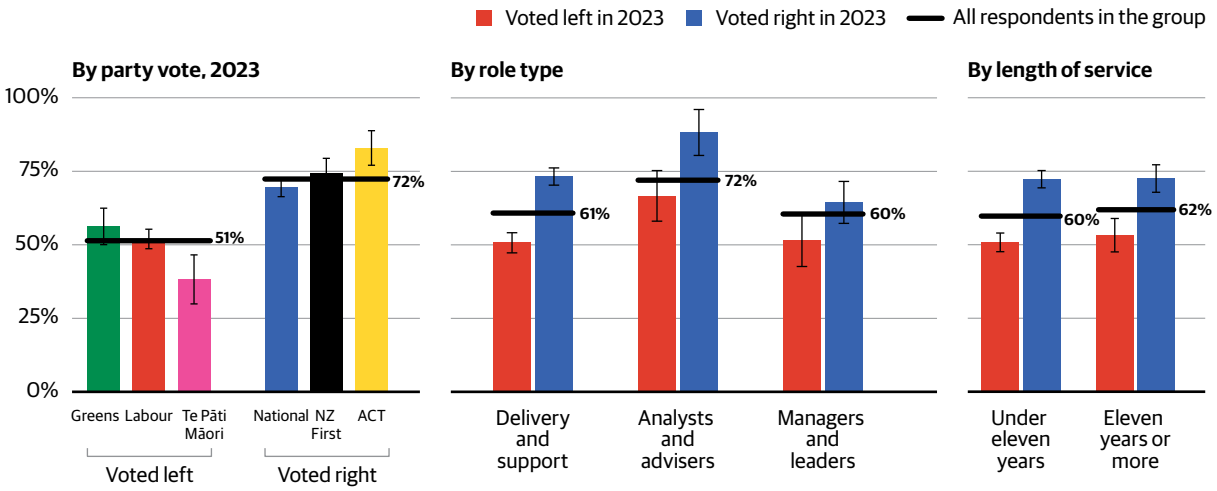
Just over half of all respondents (52 percent) and 44 percent of the analysts, advisors, managers, and leaders disagreed that ministers are the better judges of what the public wants. Doubting ministers' judgement, however, is not the same as denying their authority.

6.2: Who should decide?

A public servant can doubt that ministers know best and still accept that they should decide. The survey statement "Because Ministers are democratically elected, they should decide policy and tradeoffs" probed this question. In total, 60 percent of our respondents agreed with this statement. Of those in policy-facing roles, 72 percent of analysts and advisors and 60 percent of managers and leaders agreed (Figure 6.2).

Acceptance and rejection of a minister's mandate follow a political pattern. Public servants we surveyed who voted for any party of the left were reliably less likely than those who voted for parties of the right to accept that ministers have a mandate to make decisions on policy and associated tradeoffs.

Figure 6.2: Percentages of all respondents agreeing that "Because Ministers are democratically elected, they should decide policy and tradeoffs", by party vote at the 2023 election, role type, and length of service



Note: Black horizontal lines show the overall percentage of each group; role and service totals include those who voted for other parties or did not vote. Error bars show one standard error.
Source: Data from The New Zealand Initiative Survey of Public Servants. Graphic made by the authors.

Overall, 51 percent of those who voted left in 2023 agreed, against 72 percent of those who voted right. Te Pāti Māori voters were the only party's supporters of whom a majority (62 percent) disagreed, and they were reliably less likely to agree than Labour or Green voters. In contrast, 83 percent of ACT voters agreed that elected ministers should decide policy and make tradeoffs, reliably higher than the corresponding percentage of National voters.

The gap between the left and right blocs on the mandate (21 points) was almost as wide as the gap on who best knows what the public wants (23 points, Figure 6.1) and more than twice as wide as on whom the service serves (8 points, Chapter 5).

Length of service was not associated with perceptions of ministers' democratic authority. Newer and longer-serving officials we surveyed accepted it in almost equal measure (60 and 62 percent). Right voters accepted it reliably more readily than left voters irrespective of time served. So, more experience is associated with greater doubt about the quality of ministers' judgement, but not about their authority to make policy decisions and tradeoffs.

- **Analysts and advisors** were the role type most likely to doubt that ministers know best while still mostly accepting that ministers should decide. Only 30 percent of left-voting analysts and advisors agreed that ministers are better placed than officials to know what the public wants (Figure 6.1), yet 67 percent agreed that ministers should decide because they are elected (Figure 6.2). Right-voting analysts and advisors showed the same pattern but from a higher baseline: 53 percent trusted elected ministers to judge the public's wishes, and 88 percent affirmed that ministers should make decisions and tradeoffs.
- **Managers and leaders** showed no such gap: among left voters, 52 percent accepted the mandate and 58 percent trusted ministers' judgement; among right voters, it was 64 and 73 percent. Neither difference was reliable. This was also the only role in which left and right voters did not differ reliably on the mandate.

6.3: The disenchanted and the bureaucratic priesthood

Considered together, the answers to the questions posed in the previous two sections – who knows what the public wants ('judgement') and who should decide ('mandate') – sort current and former public servants we surveyed into the three orientations to ministerial authority mentioned at the outset of this chapter (Table 6.1):[59]

Table 6.1: Three orientations to ministerial authority

Orientation	Description	"Ministers better suited to determine what the public wants"	"Ministers should decide because they are elected"
Trusting servants	Agree that ministers are better suited than officials to determine what the public wants	Agree	Not part of the definition (80 percent agree)
The disenchanted	Doubt ministers' judgement but accept that, because ministers are elected, they should decide policy and tradeoffs	Disagree	Agree
The bureaucratic priesthood	Doubts ministers' judgement and does not accept that ministers' election gives them the right to decide	Disagree	Disagree

Source: Table made by the authors.

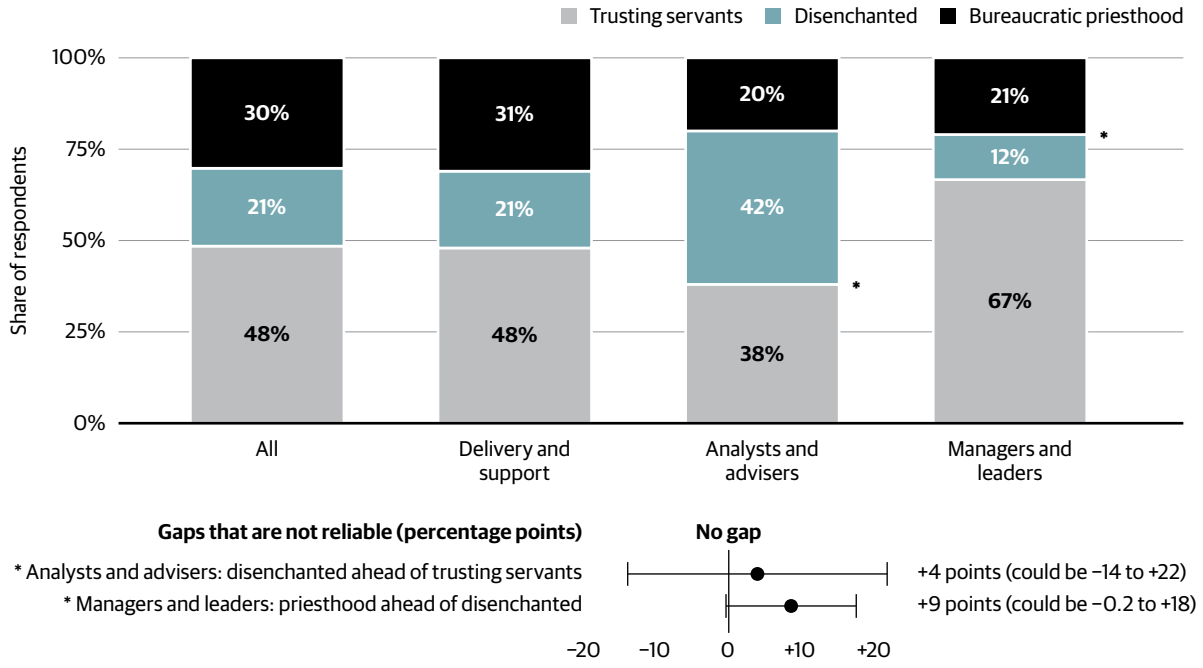
Trusting servants are defined by their answer on judgement alone. Most (80 percent) also accept that ministers should decide because they are elected; the rest, about one in ten, trust ministers' judgement but do not accept that elections give ministers the right to decide. The bureaucratic priesthood comprises officials who would serve the public directly rather than through the elected government because, in their view, officials are the better judges of the public's wishes. However, unlike politicians, they are insulated from the only means the public has to express its will *en masse* – elections. The public can remove politicians but not public servants. The disenchanted share the priesthood's doubt about ministers' judgement but do not share its attitude to authority. They accept that elections settle who should decide policy.

The senior official quoted at the opening of this chapter could have expressed a trusting servant's view that lamented the loss of intellectual capital within the bureaucracy. They were sure that the public service would serve any government but regretted that it had "lost that free and frank [advice] and [being] stewards of the longer view [sic]", and that it had "set aside the notion that the public service had a role in thinking about the future". Service to the government of the day is not in question in this account. What the official regretted was the loss of a judgement of their own that officials, ideally, owe the public.

Respondents who hold either of the two doubting orientations are not necessarily guilty of subversive conduct. They do, however, hold a combination of views that, if widespread, could result in behaviour that subverts the policy intent of elected governments. Our interviews indicate that public servants do sometimes act on such views.

Figure 6.3 shows that the three orientations differ in prevalence and in their spread across role types.

Figure 6.3: Percentages of respondents falling into each of the trusting servant, disenchanted, and bureaucratic priesthood categories across all roles, and disaggregated by role type



Note: The lower panel shows how far apart each starred pair of shares is. The horizontal error bars show how much each gap could vary, given that both shares come from a sample. Both error bars reach the black 'No gap' line, so the survey cannot rule out that the two shares are in fact equal. Orientations as defined in Table 6.1. 'All' includes the 97 respondents who placed themselves in no role type.
Source: Data from The New Zealand Initiative Survey of Public Servants. Graphic made by the authors.

In total, 48 percent of our sample were trusting servants, 30 percent belonged to the bureaucratic priesthood, and 21 percent to the disenchanted. Delivery and support staff looked much like the sample as a whole. The policy-facing roles did not: a small majority – 56 percent – of analysts, advisors, managers, and leaders were trusting servants, 21 percent belonged to the bureaucratic priesthood, and 24 percent to the disenchanted.

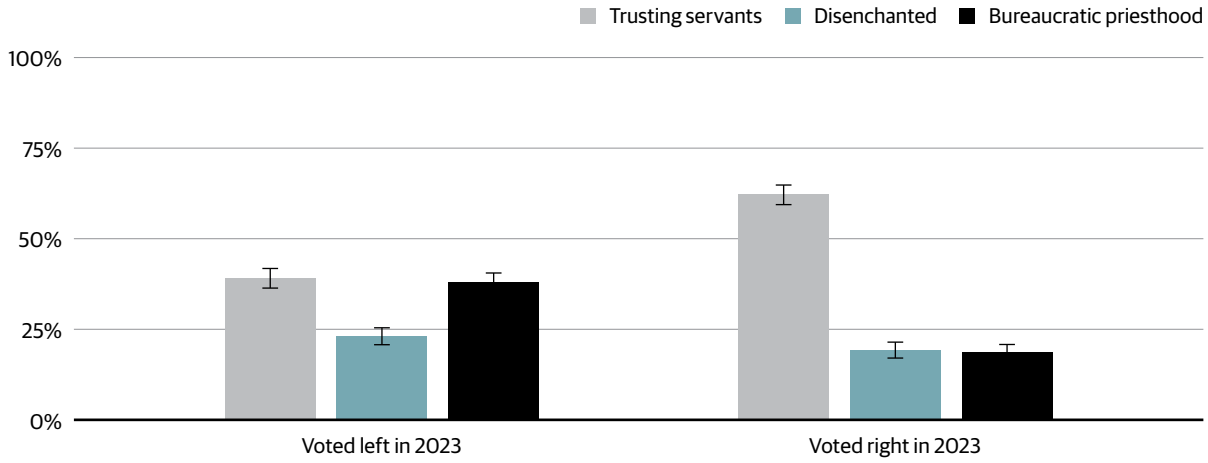
The bureaucratic priesthood was reliably less prevalent in the policy-facing roles than among delivery and support staff (21 against 31 percent). This is reassuring in that analysts, advisors, managers, and leaders in policy-facing roles are the most important for the policy agenda of the elected government. However, the doubting categories were not evenly distributed across different policy-facing roles.

Among analysts and advisors, 20 percent belonged to the self-authorising bureaucratic priesthood and 42 percent to the disenchanted. The people who draft advice to ministers therefore included a majority who doubt ministers' judgement, and about a fifth who also rejected ministers' mandate to decide.

Turning to managers and leaders, 67 percent were trusting servants, 21 percent belonged to the bureaucratic priesthood, and 12 percent to the disenchanted. About one in three managers and leaders (33 percent) therefore doubted that ministers are better placed than officials to judge what the public wants, and about one in five (21 percent) also rejected ministers' authority to make decisions and tradeoffs.

Figure 6.4 shows an association between political leaning and orientation. Of left-voting officials we surveyed, 61 percent doubted ministers' judgement of the public will, reliably more than the 38 percent of right-voting ones. Most of that difference lay in the bureaucratic priesthood, which accounted for 38 percent of our left-leaning sample, a reliably greater proportion than the 19 percent of our right-leaning sample who were members of the priesthood. The disenchanted were similarly represented on both sides, with 23 percent and 19 percent of our left- and right-voting sample respectively falling into each of these categories.

Figure 6.4: Percentages of left- and right-voting respondents who fell into each of the trusting servant, disenchanted, and bureaucratic priesthood categories

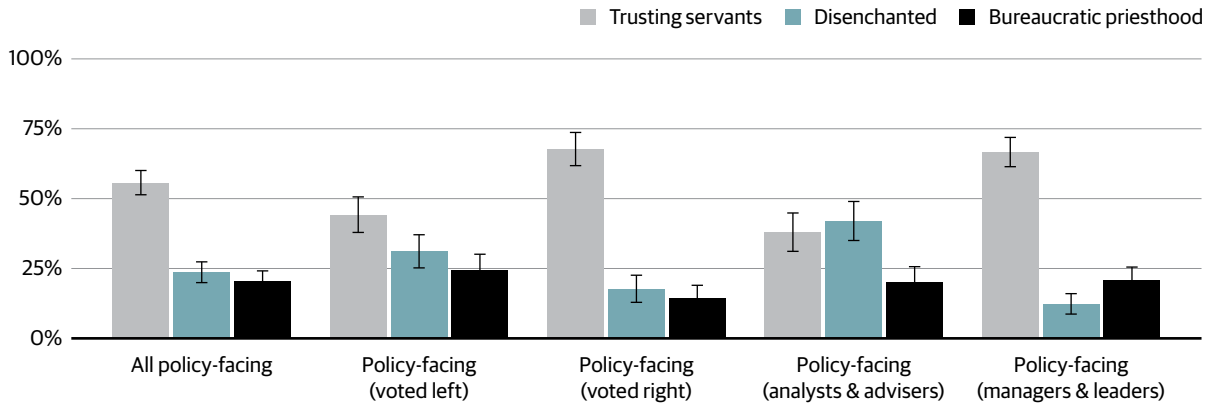


Note: Trusting servants: agree that elected ministers are better suited than public servants to determine what the public wants. Disenchanted: disagree, but agree that ministers should decide because they are elected. Bureaucratic priesthood: disagree with both. Error bars show one standard error.
Source: Data from The New Zealand Initiative Survey of Public Servants. Graphic made by the authors.

Figure 6.5 shows the proportions of policy-facing respondents with each bureaucratic orientation across policy-facing roles, disaggregated by political leaning and specific role type (analyst/advisory and manager/leader). In total, 44 percent of policy-facing respondents held one of the two doubting orientations. The disenchanted were reliably more common among left- than right-voting policy-facing respondents (31 percent against 18 percent), and among analysts/advisors than managers/leaders (42 percent against 12 percent). A reliably higher proportion of left- than right-leaning respondents in policy-facing roles were also members of the bureaucratic priesthood category (25 percent against 15 percent).

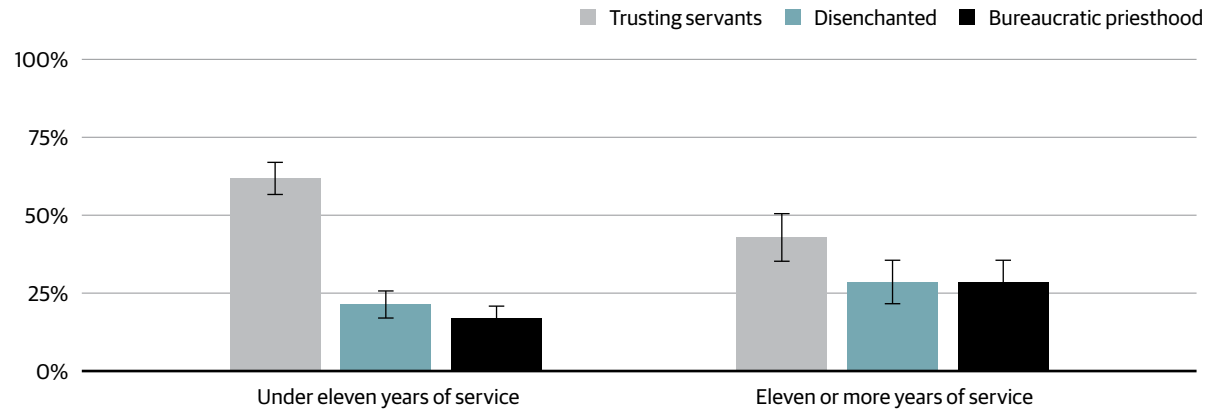
Figure 6.6 suggests that doubt also grows with length of service. A reliably smaller proportion of policy-facing officials we surveyed with 11 or more years of service than of their less experienced colleagues were trusting servants (43 percent compared to 62 percent). Conversely, greater proportions of more experienced officials than of less experienced ones fell into the disenchanted and bureaucratic priesthood categories, although only the latter difference was reliable.

Figure 6.5: Percentages of left- and right-voting respondents in policy-facing roles who fell into each of the trusting servant, disenchanted, and bureaucratic priesthood categories, also disaggregated by political leaning and into analysts/advisors and managers/leaders



Source: Data from The New Zealand Initiative Survey of Public Servants. Graphic made by the authors.

Figure 6.6: Percentages of analysts, advisors, managers, and leaders who are trusting servants, disenchanted, or members of the bureaucratic priesthood, by length of service



Note: Orientations as defined in Table 6.1. Error bars show one standard error.
Source: Data from The New Zealand Initiative Survey of Public Servants. Graphic made by the authors.

6.4: Carrying out the programme

Most public servants accept ministers' democratic mandate to make decisions and tradeoffs. The survey also asked what duty officials believed they owed to the elected government. It asked two questions along these lines.[60]

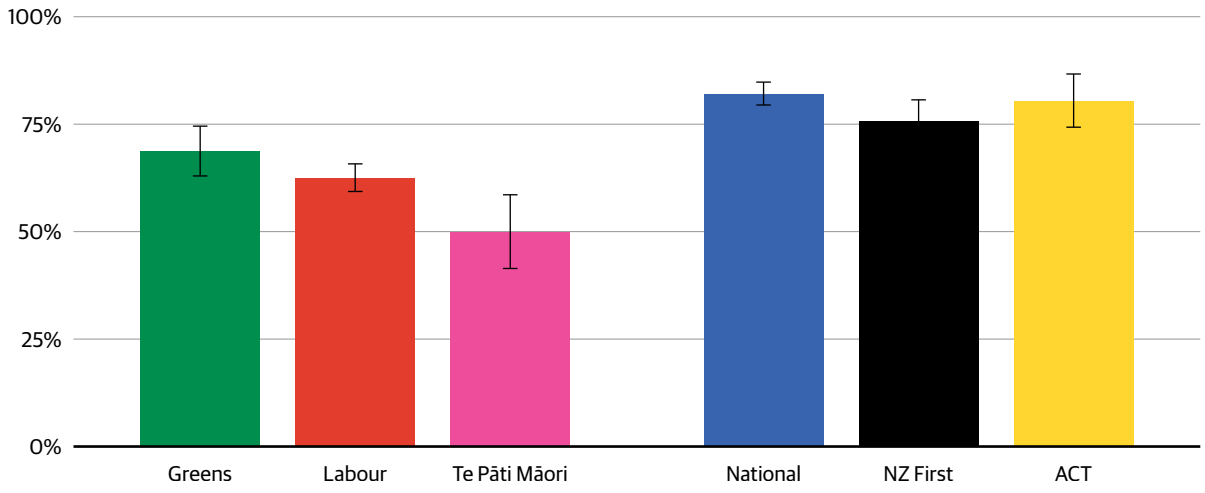
The first separated duty from compliance: "The Public Service should carry out the programme of the elected government, whatever officials privately think of it". Figure 6.7 shows the distributions of responses for this item by 2023 voting. Overall, 70 percent of respondents agreed, including 62 percent of left-voting public servants we surveyed, a reliably smaller proportion than the 80 percent of right-voting officials who agreed. The latter were also twice as likely to agree strongly (19 percent against 9 percent). Te Pāti Māori voters, at 50 percent, were reliably less likely than Green or Labour voters to agree, consistent with their response on the mandate itself (see Figure 6.2).

Figure 6.8 shows the results for this item by role type. Among delivery and support staff, left- and right-leaning respondents showed a reliable gap (58 percent against 79 percent), but that gap was not reliable for analysts and advisors (70 percent against 76 percent) and nearly absent for managers and leaders (81 percent against 84 percent).

Reliably greater proportions of analysts, advisors, managers, and leaders than of delivery and support staff accepted the duty to carry out the elected government's programme (79 percent against 67 percent). Managers and leaders, who run agencies and work most closely with ministers, were also reliably more likely to accept this duty (84 percent) than the democratic principle that elections give ministers the right to decide (60 percent).

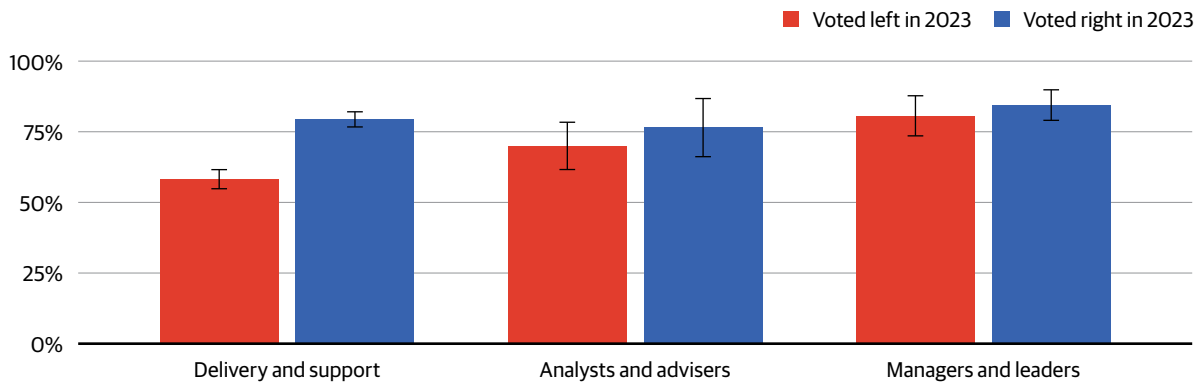
Figure 6.9 shows that longer service is associated with readier acceptance of the duty. Longer-serving respondents were reliably more likely than their less experienced colleagues to agree (75 percent against 68 percent). For both, right-leaning officials were reliably more likely to accept the duty. Since the survey is a point-in-time snapshot, it cannot establish a causal connection between length of service and acceptance. For example, the long-serving may often be those who were always comfortable with the duty and therefore stayed in their roles.

Figure 6.7: Percentages agreeing that "The Public Service should carry out the programme of the elected government, whatever officials privately think of it", by party vote at the 2023 election



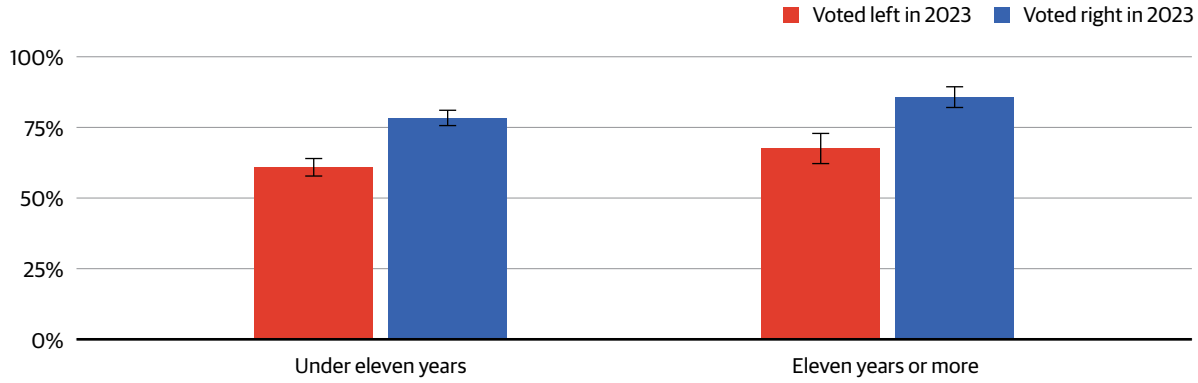
Note: Error bars show one standard error.
Source: Data from The New Zealand Initiative Survey of Public Servants. Graphic made by the authors.

Figure 6.8: Percentages agreeing that "The Public Service should carry out the programme of the elected government, whatever officials privately think of it", by role type



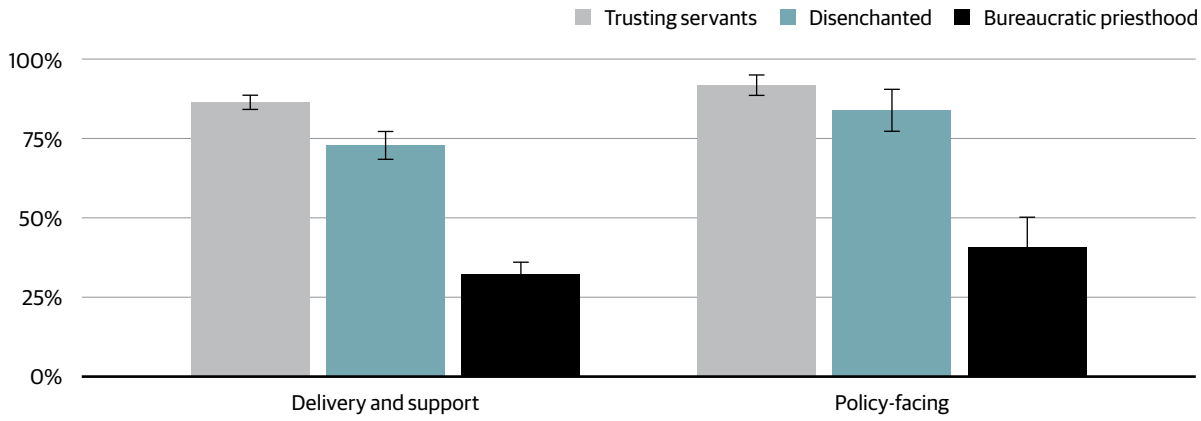
Note: Error bars show one standard error.
Source: Data from The New Zealand Initiative Survey of Public Servants. Graphic made by the authors.

Figure 6.9: Percentages agreeing that "The Public Service should carry out the programme of the elected government, whatever officials privately think of it", by length of service



Note: Error bars show one standard error.
Source: Data from The New Zealand Initiative Survey of Public Servants. Graphic made by the authors.

Figure 6.10: Percentages agreeing that "The Public Service should carry out the programme of the elected government, whatever officials privately think of it", by orientation, across the service, in delivery and support roles, and in policy-facing roles



Note: Orientations as defined in Table 6.1. Error bars show one standard error.
Source: Data from The New Zealand Initiative Survey of Public Servants. Graphic made by the authors.

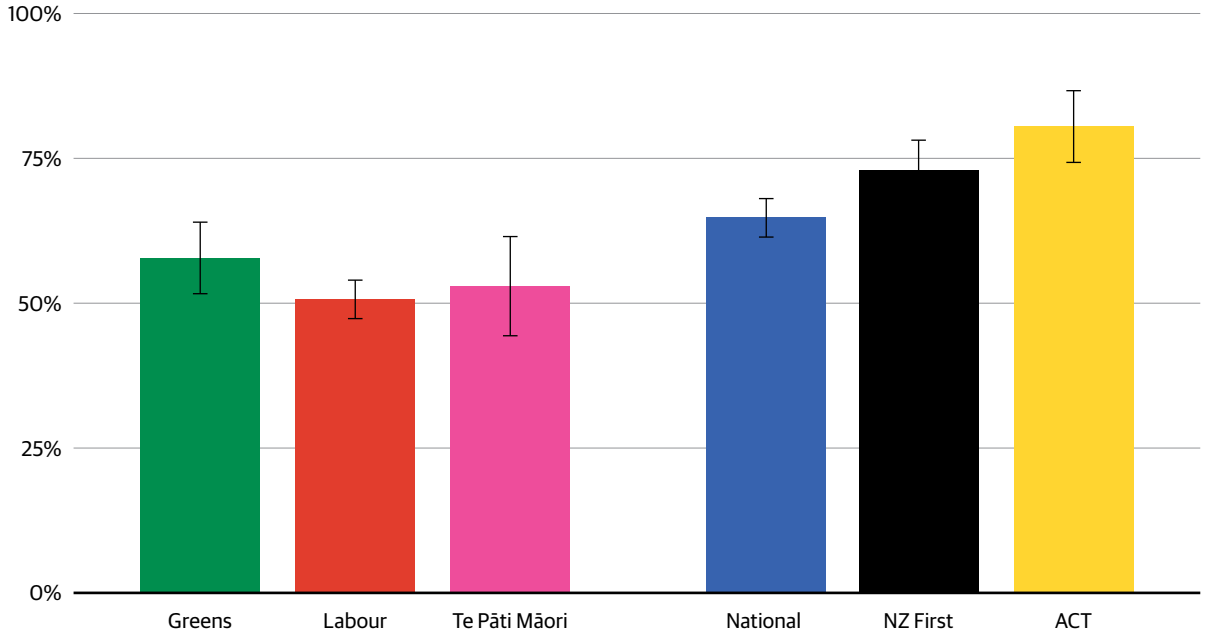
Figure 6.10 shows the responses to the 'duty' item for each of the three orientations (trusting servants, the disenchanted, and the bureaucratic priesthood) with policy-facing and non-policy-facing role types. For both delivery and support roles and policy-facing roles, greater proportions of trusting servants than of the disenchanted, and of the disenchanted than of the bureaucratic priesthood, accepted the duty. All of these differences were reliable except the difference between trusting servants and the disenchanted in policy-facing roles.

6.5: The price of making a policy succeed

The 'duty' item probed respondents' willingness to carry out a government's programme irrespective of their personal views. But as set out in Chapter 3, neutrality asks more of public servants than mere compliance. It requires the *wholehearted* and *enthusiastic* implementation of the elected government's agenda.[61] We therefore now turn to another item probing whether respondents are willing, not only to "carry out" a programme, but to try to make a policy they disagree with succeed: "If a Minister wants to pursue a lawful policy that officials believe is misguided, officials should implement it anyway, and do their best to make it succeed". We refer to this item as 'effort'. It captures what Chapter 3 called the 'spirit of service'. Overall, just 59 percent of our respondents agreed with the 'effort' statement, a reliably lower proportion than the 70 percent agreeing with the 'duty' item.

Figure 6.11 disaggregates agreement rates with the 'effort' statement by 2023 voting behaviour. A reliably higher percentage of right-leaning respondents compared to their left-leaning colleagues agreed with the 'effort' statement (69 percent against 52 percent). Indeed, the percentages agreeing with the statement were higher for all centre-right parties than for any centre-left party.

Figure 6.11: Percentages of respondents agreeing that "officials should implement a misguided lawful policy and do their best to make it succeed", by party vote at the 2023 election



Note: Error bars show one standard error.
Source: Data from The New Zealand Initiative Survey of Public Servants. Graphic made by the authors.

The higher endorsement of the 'duty' item than of the 'effort' item may reflect some respondents accepting that public servants are required to support a government's policy even when they do not agree with it, but believe that they need not do so with zeal (spirit of service). We consider the 'price of service' to be what it personally costs officials to bring that zeal to a policy they disagree with. Under the Westminster ideal of neutrality, paying this price is part of the job. Those who do accept effort as readily as the duty. The higher agreement with 'duty' than with 'effort' shows that some do not.

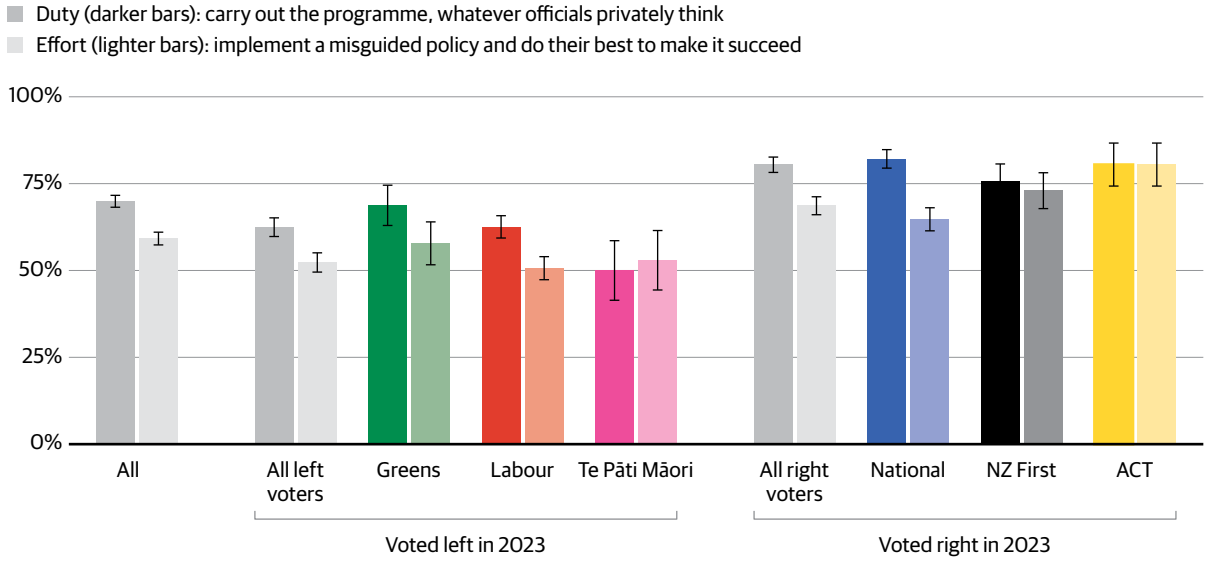
On this reading, endorsing the effort item while rejecting the duty item does not make sense. Yet, some respondents did that. This may reflect noise in the data rather than a different reading of the statement; there is no way to tell. Even so, our interpretation should not be assumed to have been adopted by all respondents. It is, however, broadly consistent with the overall pattern across Figures 6.12 and 6.13.

Figure 6.12 shows agreement rates with the duty and effort statements by 2023 voting behaviour.

Respondents who voted for Te Pāti Māori in 2023 were the only ones to endorse the 'effort' statement more often than the 'duty' statement, and by a margin too small to be reliable (53 against 50 percent). ACT-voting respondents accepted effort as readily as the duty. Voters for each other party (National, Labour, Green, and New Zealand First) endorsed 'effort' less often than 'duty', although only the differences between National and Labour voters were reliable. Agreement with the effort item was reliably lower than agreement with the duty item for both blocs, by 10 points among left-voting respondents and 12 among right-voting ones. On this measure, each bloc has a similar-sized group that is 'performative': those that accept the duty but are not willing to make the effort.

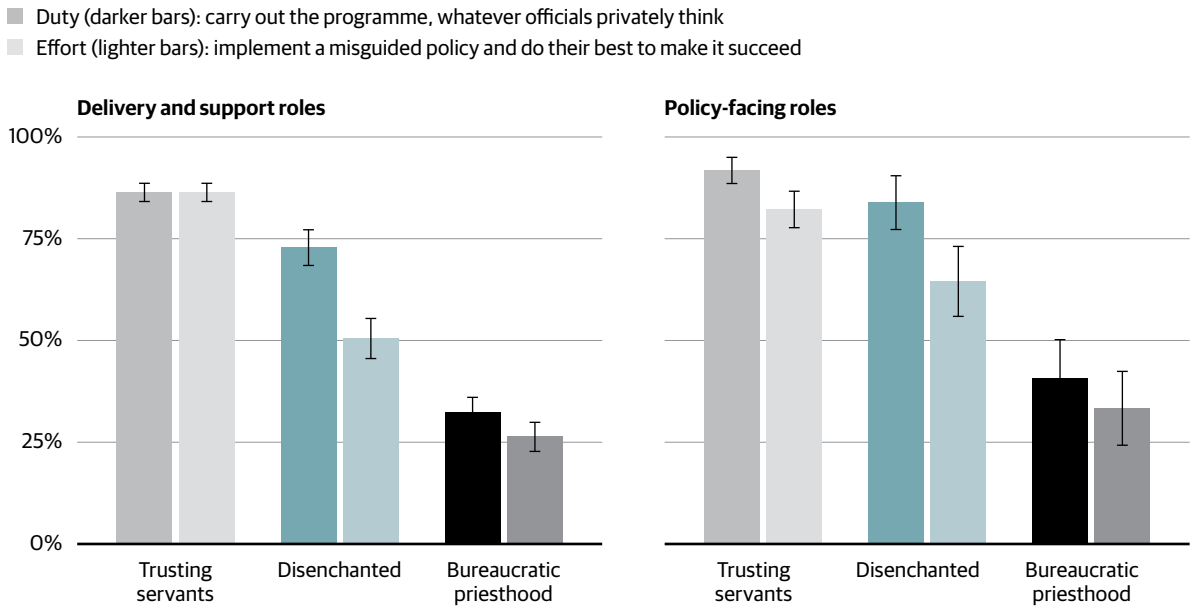
Across our sample, the gap between agreement with 'duty' and agreement with 'effort' is more closely tied to bureaucratic orientation than to voting behaviour. Overall the gap was 23 points among the disenchanted, reliably more than among trusting servants (5 points) or the bureaucratic priesthood (12 points).

Figure 6.12: The personal price of making a policy succeed: percentages agreeing with the 'duty' and 'effort' statements, by party vote at the 2023 election



Note: The same shares as Figures 6.7 and 6.11. Error bars show one standard error.
Source: Data from The New Zealand Initiative Survey of Public Servants. Graphic made by the authors.

Figure 6.13: Percentages of respondents agreeing that the public service should carry out the elected government's programme whatever officials privately think (duty), and that officials should implement a lawful policy they believe misguided and do their best to make it succeed (effort), by orientation, in delivery and support roles (left) and in policy-facing roles (right)



Note: Orientations as defined in Table 6.1. Both statements were answered by the same respondents; the figure above each pair is the fall between them in percentage points. Error bars show one standard error.
Source: Data from The New Zealand Initiative Survey of Public Servants. Graphic made by the authors.

Within each orientation, the gap for left-voting respondents did not differ reliably to the gap for right-voting ones. Figure 6.13 shows the pattern in delivery/support and policy-facing role types. The largest differences were for the disenchanted, with a gap of 23 points for delivery and support roles and 19 points for policy-facing roles. Trusting servants in delivery and support roles accepted the effort as often as the duty (86 percent each); in policy-facing roles, there was a 10-point gap.

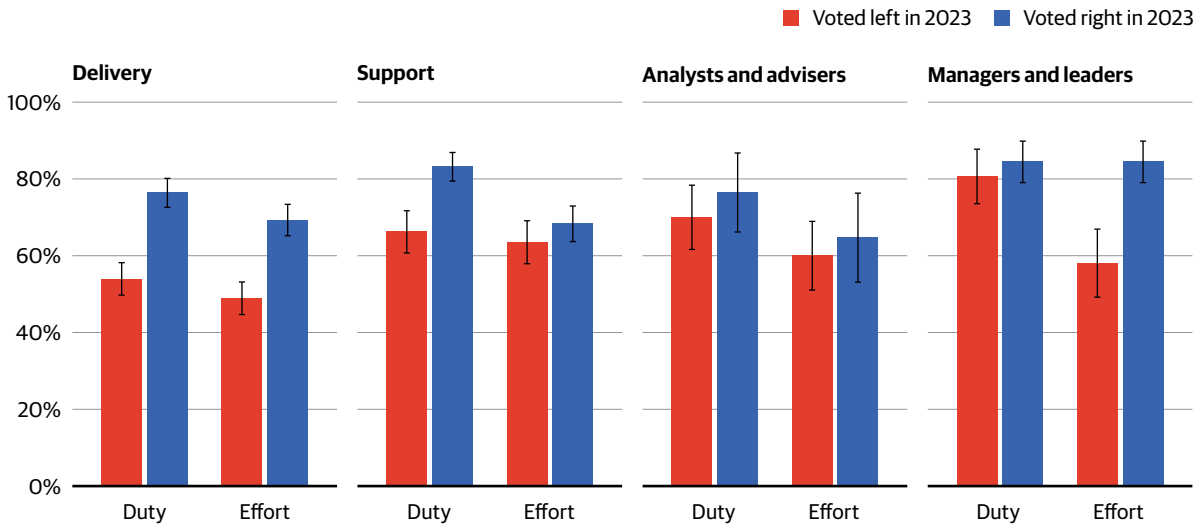
The priesthood's gaps were small and not reliable in either role type, which is unsurprising, since so few of them accepted the duty to begin with (32 and 41 percent). Counted respondent by respondent, however, the priesthood were the least willing to pay the price of service. Of 'priests' who accepted the duty, 61 percent did not accept the effort, reliably more than the disenchanted (41 percent) or trusting servants (15 percent).[62]

Managers and leaders are the exception: among them, the fall from duty to effort does divide by vote, as discussed below (Figure 6.14).

What officials believe they *should* do does not necessarily match what they actually do in practice. Even so, an official who does not accept that they should work to make a policy they find disagreeable succeed has one reason fewer to try.

This kind of defiance – performative compliance – is difficult to detect. It does not require outright refusal to follow ministers' directives, so it is hard to distinguish from limited competence or poor productivity. That makes it a much more likely behaviour than open refusal to comply with ministers' instructions, which would risk disciplinary action.

Figure 6.14: Percentages of respondents agreeing that the public service should carry out the government's programme whatever officials think (duty), and that officials should implement a misguided lawful policy and do their best to make it succeed (effort), by role type and party vote at the 2023 election



Note: Error bars show one standard error.
Source: Data from The New Zealand Initiative Survey of Public Servants. Graphic made by the authors.

Figure 6.14 compares the endorsement of the 'duty' and 'effort' statements by role type and voting behaviour in 2023. Higher proportions of right-leaning respondents than of left-leaning respondents in all role types endorsed each of the 'duty' and 'effort' statements. These differences were reliable for delivery staff in relation to both statements. For support staff it was reliable for the 'duty' statement but not the 'effort' statement. For leaders/managers, it was reliable only for the 'effort' statement, and for analysts/advisors, it was not reliable for either statement.

Right- and left-leaning respondents in leadership/management roles showed very different patterns. Both statements were endorsed by 84 percent of right-leaning leaders/managers. A similar percentage of their left-leaning colleagues endorsed the 'duty' statement (81 percent). But a much lower 58 percent of left-leaning managers and leaders endorsed the 'effort' statement. This is by far the largest difference in agreement with each statement of any of the eight sub-samples represented in Figure 6.14.

6.6: The exception at the top

Several of our interviewees who know the service well, including the senior official who opens this chapter, denied that political leaning affects the way public servants do their jobs. However, each of them qualified that denial.

One interviewee described officials at one department as "the archetypal public servant type, doing the right thing, giving the advice to the minister, the government of the day, leave-their-politics-at-the-door kind of advice". But they also explained that their faith was grounded in there being "that natural check and balance of trusted lieutenants of the minister overseeing" the work. They lamented that such oversight was missing on two of the last government's largest reforms. When asked what check there was on the officials, they answered: "There just wasn't".

An analyst a few years into the public service considered whether the quality of advice is different for centre-left governments than for

centre-right ones: "I don't think there's a big difference… as an internal rule, we have to be politically neutral… so our advice shouldn't be affected by which government". But they also acknowledged that their work is rewritten by managers and directors before being passed to ministers (see Chapter 11 for more on this).

The managers and leaders who rewrite the advice developed by analysts set the standard for the officials who work under them. They also sign off the advice sent to ministers. Yet some 40 percent of our sample of left-voting managers and leaders did not accept that officials should do their best to make a policy they disagree with succeed, compared with about 18 percent of their right-voting colleagues (see Figure 6.14). When acceptance of the spirit of service among managers and leaders divides along party lines, leadership fails the test of neutrality.[63] The spirit of service must be modelled from the top if it is to permeate through an organisation. Leaders who do not accept neutrality are poorly placed to ask it of officials below them.

A general manager we interviewed made a sober observation on neutrality: the public service "tries very hard to be neutral", but it "struggles with sort of inherent beliefs that make it difficult for people to look beyond that".

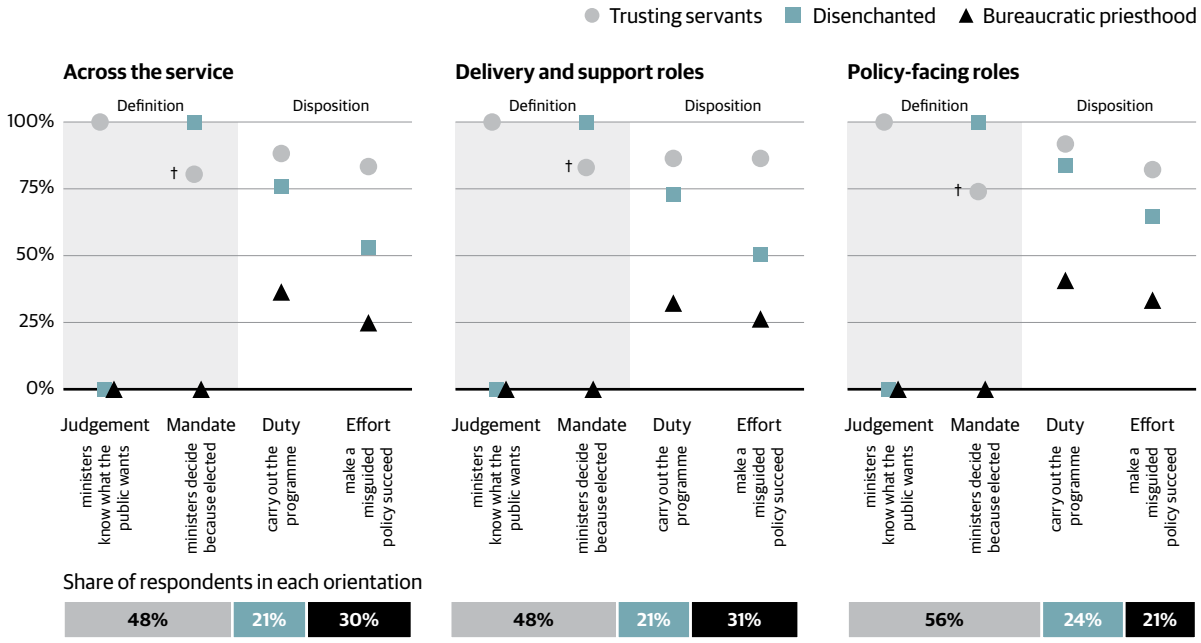
Relevant to concerns over officials' neutrality is our finding that how much officials trust ministers differs along party lines. Our left-voting survey respondents were reliably less likely than our right-voting ones to trust ministers' judgement of what the public wants and to accept that election gives ministers the right to decide. Left voters were more often doubters than right voters (61 percent against 38 percent), especially among the bureaucratic priesthood (38 percent against 19 percent). Doubt was also common among analysts and advisors, who lean left. A majority (62 percent) doubted ministers' judgement.

However, orientation rather than political leaning, with some exceptions, best predicts whether surveyed officials accept the duty and the spirit of service. Figure 6.15 shows how the orientations reveal a 'culture' map across the public service and its relationship to 'duty' and 'effort'. A high proportion of trusting servants accept both. A high proportion of the disenchanted also accept 'duty', though a much lower proportion accept 'effort'. Only a minority of the bureaucratic priesthood accepted either. Within the two doubting orientations (the disenchanted and the priesthood), left and right voters agreed with both statements in similar proportions. In delivery and support roles they answered similarly.

The exception is the top of the public service. Left-voting managers and leaders, even the trusting servants among them, were less likely than their right-voting colleagues to accept that officials should make a policy they disagree with succeed. Orientation explained very little of that difference.

Left- and right-voting managers and leaders accepted the 'duty' to carry out the programme almost equally, but they parted on the effort, the spirit of service. Left-voting leaders were less ready to pay the price of service, whatever they believed about ministers. The problem is not doubt about ministers as such, but a leadership layer in which acceptance of the spirit of service is associated with political leaning. Across our sample, left- and right-voting officials accepted the price of service at similar rates. In the leadership layer, they did not. Such leaders do not model the neutrality expected of the public service.

Figure 6.15: Culture map revealed by orientations: percentages of trusting servants, the disenchanted, and the bureaucratic priesthood agreeing that the public service should carry out the elected government's programme whatever officials privately think (duty), and that officials should implement a lawful policy they believe misguided and do their best to make it succeed (effort), by orientation (as defined), across the public service, in delivery and support roles, and in policy-facing roles



Note: Each symbol shows the share of that orientation agreeing with the statement. A value of 0 percent means 'disagree' (including slight or strong). The shaded columns define the orientations, except † for trusting servants, for whom the mandate is not part of the definition. Orientations as defined in Table 6.1. The bar under each panel shows the share of respondents in each orientation. For the uncertainty around the duty and effort shares by role type, see Figure 6.13. The same respondents answered all three statements.
Source: Data from The New Zealand Initiative Survey of Public Servants. Graphic made by the authors.

A centre-right government must contend with a left-leaning advisory tier in which doubt about ministers is commonplace, albeit with a leadership layer that voted much as the country did. Moreover, left-voting leaders and managers are much less likely than their right-voting colleagues to accept that they should do their best to make a policy they disagree with succeed, and they may be concentrated in specific areas and agencies due to how public servants are hired and how they self-select according to their values (sorting).

A caveat on all this is that the survey results reported here relate to beliefs, not conduct. What officials think they may do when they disagree with a minister, such as framing advice to steer the minister, using procedure to cause delay, or leaking to the media, is conduct. We turn to that in the next chapter.

CHAPTER 7

What public servants think the job allows

In their first days in a minister's office, a new private secretary needed to know whether a programme was working. Not yet knowing the chain of command, the newcomer naturally looked in the directory of their own department, found the analyst who had written the department's paper, and asked them. The author sat "10 layers, 10 approvals deep", the private secretary told us. "But the person knew" that the programme was not working, and the newcomer went back and told the minister so.

"But when the paper came up the next day, it said it was all working, everything was fine, because a few people above said, no, we need this to work, for whatever reason". The minister pointed out that the private secretary had spoken with the author the day before, and the private secretary "got a lot of trouble" for it from their own department. They had gone to the author, they said, "purely through… naivety".

The private secretary's sin was circumventing the department's process. The official who wrote a report "may not have the context or kind of wider lens that the ministry requires", and someone in a minister's office is "not able to make a judgement call about what the ministry is saying or not saying by taking the voice directly from the executor of the task". The private secretary saw it differently:

> There was the truth there, and by the time it came up through the system, it had been sufficiently softened and adapted that it became sort of a nothing topic.

In the interview, we suggested that what had happened was "context management". The private secretary agreed: "That would be right" (see Chapter 11 for more on context management). Asked why senior leaders did not invite the analyst to speak to the issue, they said the leaders "wouldn't be able to manage the narrative" if the analyst "said something that they didn't like".

The private secretary had run into different views of what is appropriate. We revisit the private secretary's situation when we explore the reciprocal duties between ministers and officials in Part 2 (Chapter 12).

7.1: What an official should do

Our survey asked current and former public servants what an official should do when they are convinced a minister is wrong, and how ready the public service should be to respond when a government wants change. More specifically, respondents were asked to imagine an official who is convinced, in good faith, that a minister is on the wrong course, and to say what that official should do. Responses ran from arguing the case with the minister to briefing the media against them. Three further items asked what information officials should provide to ministers in the first place. Together, they form a ladder of escalating approaches.

Table 7.1 shows each step of the ladder.[64] The 'All agree' column aggregates all response categories endorsing the statement (slightly agree, agree, and strongly agree).[65] The first rung, 'free and frank advice', involves arguing openly and putting every option before the minister. Such behaviour may be considered the essence of the Westminster standard.[66] The second rung, 'procedural steps', reopens a debate by bringing

other voices or authority to bear on a decision the minister may have already taken. The next two rungs are covert. 'Framing' aims to shape how ministers see the options, and 'filtering' determines what information a minister receives.

The last rung, 'briefing the media', without a minister's approval completely departs from Westminster protocol. It is a sackable offence. A majority of respondents believed officials should employ all these tactics.

Table 7.1: Ladder of what current and former public servants we surveyed think officials should do

Rung	Statement	All agree categories	Only agree or strongly agree
1 Free and frank advice	Officials should present Ministers with all policy options and analysis, irrespective of their own opinions.	79 percent	54 percent
	The official should try persuading the Minister with advice and evidence.	79 percent	51 percent
2 Procedural steps	The official should use procedural steps, such as triggering a review or consultation, to create time and reopen debate.	74 percent	47 percent
3 Framing	The official should frame information in ways that steer the Minister away from their original decision.	62 percent	32 percent
4 Filtering	Officials should not present Ministers with policy options or analysis that the official believes are unfeasible.	56 percent	30 percent
	Public Servants should not present Ministers with options and analysis that the Public Servants believe will harm the public.	60 percent	35 percent
5 Briefing the media	The official should brief stakeholders and the media so a Minister's policy becomes politically untenable.	55 percent	32 percent

Note: Share of all 718 current and former public servants. All agree categories: slightly agree, agree, or strongly agree. Filtering and procedure first combine several statements: a respondent counts only if they chose one of the agree categories for every part (first column), or agree or strongly agree for every part (second column). Rungs 1 and 2 are the open rungs; 3 and 4 the covert rungs; and 5 the outside rung.
Source: Data from The New Zealand Initiative Survey of Public Servants. Table made by the authors.

Ministers quoted in Chapter 4 can experience these approaches as delay. ACT MP Simon Court referred to "the wall" of officials disagreeing with him.

Insiders also described how the covert rungs work. An official spoke of framing as a source of power in its own right:

> Power through framing. It's not even about the substance. It's just like… you just set it up this way, and suddenly everyone's running down that track.

When the new private secretary, described at the opening of this chapter, got into trouble for openly engaging with the analyst, the ministry "lost it completely" and they were chastised for circumventing managers' opportunity to filter and frame advice to prevent anything substantive from reaching the minister's office. In another example of filtering, described in Chapter 4, a ministry put only one option to ministers when officials from another ministry had wanted two.

The last rung on the ladder, 'briefing the media', resorts to open violation of Westminster protocol.

The private secretary who had gone 10 layers down to find the analyst had not previously worked in the agency themselves. They described colleagues in that agency who "see themselves as the kind of white knight saviour: I'll leak this to make sure that the good, you know, the good wins over evil". Because politicians "don't front the constituency the way they used to", some officials "feel it's their duty to get information out". Some officials who endorsed this behaviour nonetheless said the motive for doing so is an important consideration. In the words of one such participant, there is "a difference between sunlight as a panacea to create a full picture versus 'I'm leaking this with the intent of taking this person down'".

Arguing with a minister, putting every option forward, and insisting on proper process are actions that convention requires of officials. The senior officials took the private secretary to task for circumventing layers of management that might have argued that the analyst who authored the report did not have the wider view that the managers did. This might be true, but understanding context does not necessarily transform a failing policy into a successful one, and appealing to context can be a methodical tactic for hiding the truth.

The real concern begins with covert actions. An official who believes they may mislead, omit the full picture, or use information asymmetries and framing to steer ministers is not transgressing the Commission's guidance. That guidance pertains to officials' conduct in public and in party politics, not to what they do with advice. Nonetheless, these tactics are not in keeping with the spirit of the Westminster ideals. They are a failure of the 'reciprocal duties' the ideal of free and frank advice requires. Here, we focus on how officials can fail to live up to their duties under the Westminster bargain. In Chapter 12 we return to a few tactics discussed here, but focus more on how ministers can fail to live up to their duties as well.

7.2: Learned on the job

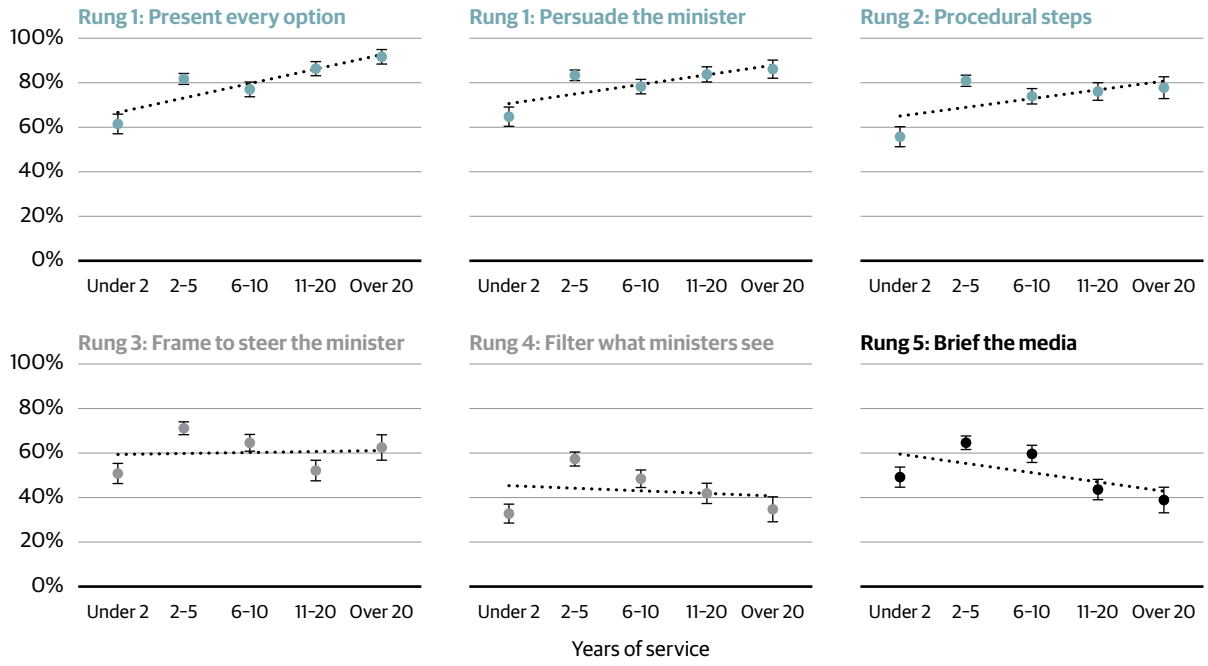
In our survey, officials' mental dispositions towards both open and covert tactics shifted with experience in the job. More experienced respondents were more likely to endorse open approaches and less likely to endorse covert ones.

Figure 7.1 shows the percentages of respondents endorsing statements associated with each rung of the ladder introduced in Table 7.1. Agreement with presenting every option rose from 61 percent within the first two years of service to 92 percent after 20 years of service. Agreement with persuading the minister similarly rose from 65 percent to 86 percent.[67]

Converse trends were evident for the covert tactics of filtering and leaking to the media, although respondents with less than two years of experience had lower levels of agreement than those with two-to-five years' experience, possibly reflecting a lack of confidence. No trend was evident for framing. Respondents' readiness to frame information to steer ministers was 71 percent of those with between two and five years of experience and 62 percent of those with more than 20 years' experience. Those with 11-to-20 years' experience were lower still, at 52 percent. Support for filtering information going to ministers was similarly lower for more experienced respondents than less experienced ones (57 percent against 35 percent). Support for leaking to the media showed a similar difference (65 percent against 39 percent).

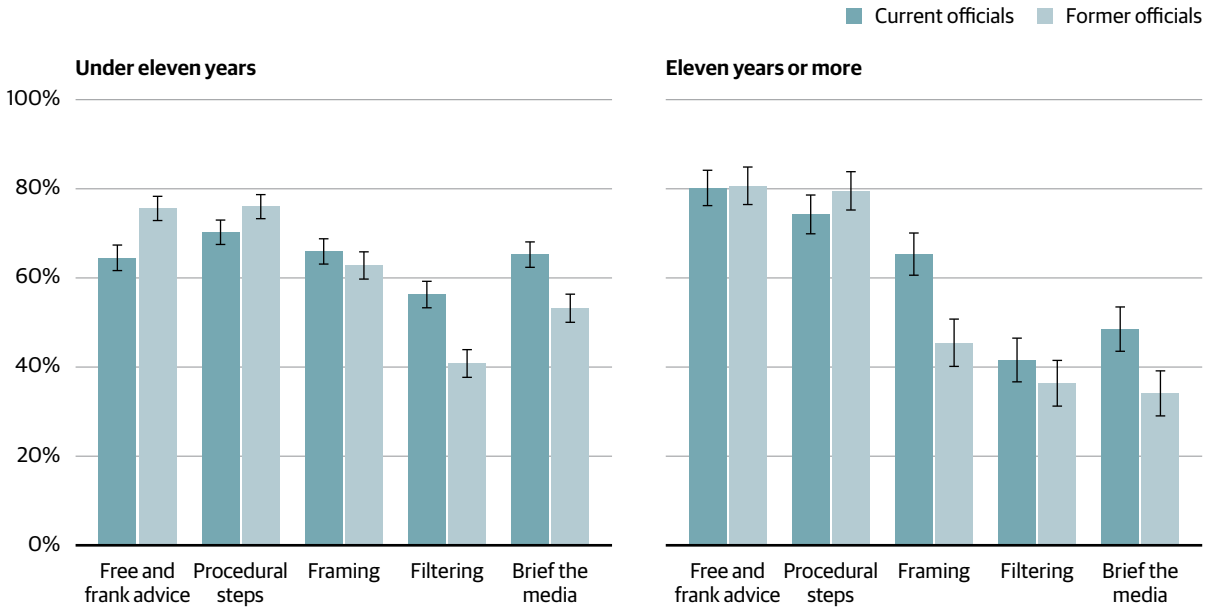
We also split these data for current and former officials, shown in Figure 7.2. Among the long-serving, current and former officials showed similar acceptance of open tactics (free and frank advice and procedural steps).[68] However, respondents with 11 years or more of experience who had left the service were less likely than similarly experienced current officials to endorse the covert tactic of framing or leaking to the media.

Figure 7.1: Percentages of current and former public servants we surveyed agreeing with each rung of the ladder, by years served



Note: Error bars show one standard error. Each panel shows the share agreeing (slightly agree, agree, or strongly agree) with statements. Trendlines fitted with least-squares regression.
Source: Data from The New Zealand Initiative Survey of Public Servants. Graphic made by the authors.

Figure 7.2: Percentages of current and former public servants we surveyed agreeing with each rung of the ladder, reflecting escalating tactics officials think the job may allow, by years served



Note: Error bars show one standard error. Free and frank advice: agreeing both that officials should present ministers with all policy options and analysis, and that an official should try persuading the minister with advice and evidence. Years served: in the service for current officials, before leaving for former officials.
Source: Data from The New Zealand Initiative Survey of Public Servants. Graphic made by the authors.

Among respondents with less than 11 years' experience, former officials endorsed open approaches in higher proportions than those remaining in the service (free and frank advice 76 percent against 65 percent; procedural steps 76 percent against 70 percent). Conversely, lower proportions of former officials supported the covert tactic of filtering (41 percent against 56 percent) and briefing the media (53 percent against 65 percent).

Current officials may describe the job as it is practised today and former officials as it was during their time. Alternatively, the convention of free and frank advice may be learned in the job and the attitude retained when people leave. The survey data do not, therefore, strongly support a conclusion that the Westminster convention has weakened over time, although they are consistent with that interpretation and our interviews suggest it has.

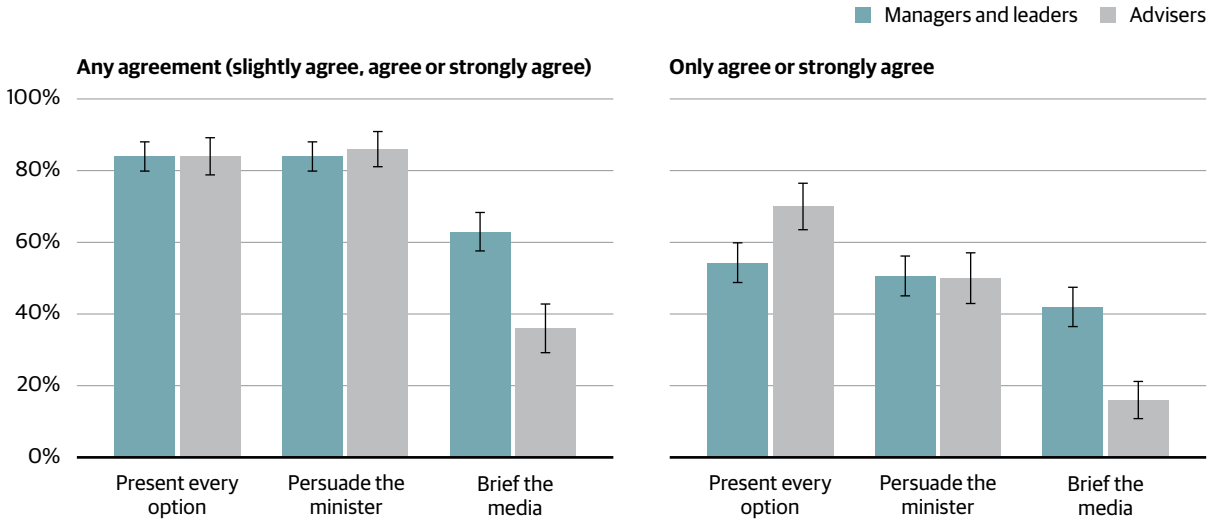
The data do suggest that the convention is weakest among less experienced staff, especially current officials with under 11 years' service. These respondents were readier than their counterparts who had left the service to endorse filtering information going to ministers and briefing the media.

If the Westminster convention were learned over time, the age distribution of the service could be a predictor of how widely it is held. Under this interpretation, adherence to the convention may have weakened over the past decade, during which the proportion of all public service staff under 35 rose from about 26 percent (2016) to 31 percent in 2023, before falling back to 28 percent by 2025.[69]

7.3: Between the desk and the minister

Advice is written by analysts but supplied to ministers by managers. Counting all agree categories, Figure 7.3 (left panel) shows that analysts and managers endorsed presenting ministers with every option in the same proportions (84 percent each) and were equally willing to argue with ministers (86 percent against 84 percent).

Figure 7.3: Percentages of managers and leaders and of advisors agreeing that officials should present every option, try persuading the minister, and brief stakeholders and the media, counting any agreement (left) and only agree or strongly agree (right)



Note: Error bars show one standard error. Both panels show shares of all 81 managers and leaders and all 50 advisors in our survey.
Source: Data from The New Zealand Initiative Survey of Public Servants. Graphic made by the authors.

They did not share the same degree of conviction, however. Counting only those who answered agree or strongly agree (Figure 7.3, right), 70 percent of advisors backed presenting every option, against 54 percent of managers and leaders. On briefing the media, managers and leaders led on both counts: 63 percent against 36 percent across all agree categories, and 42 percent against 16 percent counting only agree and strongly agree.

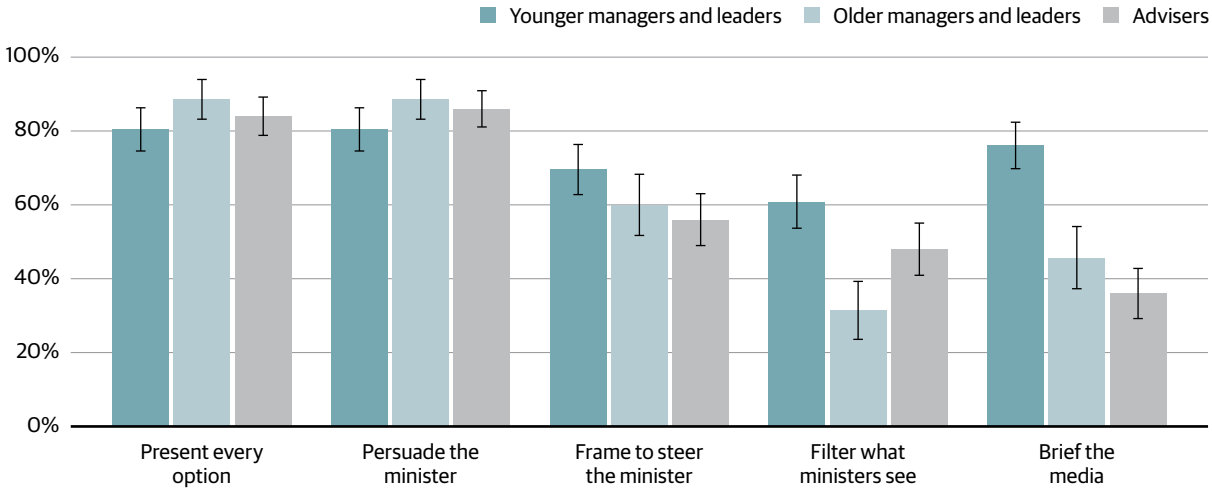
Figure 7.4 compares the role types of analysts and advisors ('advisors' for short) and of managers and leaders ('managers' for short) for agreement with each of our tactics statements. Managers and leaders are further disaggregated by age.[70] The three groups were equally supportive of the open approaches of putting all options before ministers and of using persuasion when they disagreed with ministerial decisions.

None of the three groups reliably differed in endorsement of the covert tactic of framing. Advisors and younger managers did not reliably differ in their endorsement of filtering either, the other covert tactic. Older managers, however, were reliably less likely to endorse this tactic than their younger counterparts or advisors. Younger managers were reliably more likely to endorse leaking to the media than both their older colleagues and advisors. The other two groups did not reliably differ on endorsement of this tactic.

The cohort of younger public service managers grew rapidly between 2017 and 2023, largely under the previous Labour-led government. Between June 2017 and June 2023, the number of public service managers rose from 5,383 to 8,126, a 51 percent increase, while staff in other role types grew less, by approximately 30 percent over the same period.[71] By June 2025, the number of managers and leaders had fallen back to 7,652.[72]

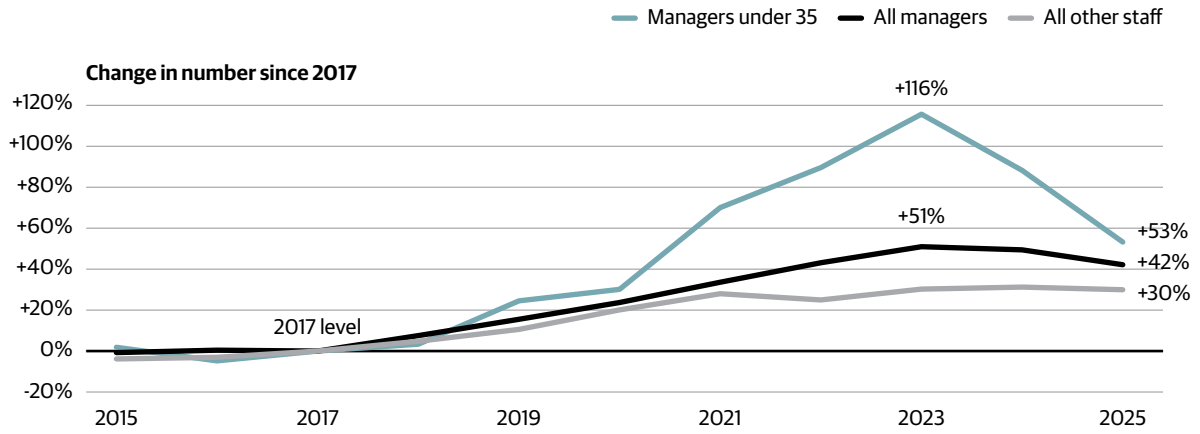
The cohort of young managers grew faster still. Figure 7.5 shows that managers under 35 more than doubled in number, before falling again by 2025.[73] This group, which showed the lowest endorsement of statements consistent with the Westminster convention, and highest endorsement of covert tactics and leaking, has grown even more rapidly than the management layer as a whole.

Figure 7.4: Percentages of advisors, younger managers and leaders, and older managers and leaders agreeing with each rung of the ladder



Note: Rungs as defined in Table 7.1; filtering is agreement with both filtering statements. Younger managers and leaders are those in the youngest age band of their poll (18 to 34 in one polling instrument, 18 to 39 in the others). Error bars show one standard error.
Source: Data from The New Zealand Initiative Survey of Public Servants. Graphic made by the authors.

Figure 7.5: Percentage change in the number of public service managers compared to all staff since 2017



Note: Managers are the three senior tiers 1 to 3 and other managers, as at 30 June each year; public service departments only. The number of managers under 35 is an estimate: the managers occupation group's share under 35 applied to the management headcount.
Source: Data downloaded from the Public Service Commission website. Public Service Commission (PSC), "Workforce data", Website. Graphic made by the authors.

The managers and leaders layer remained older than the wider public service. In 2025, managers and leaders averaged 49.5 years of age against 44.6 for all staff, and about half were over 50.

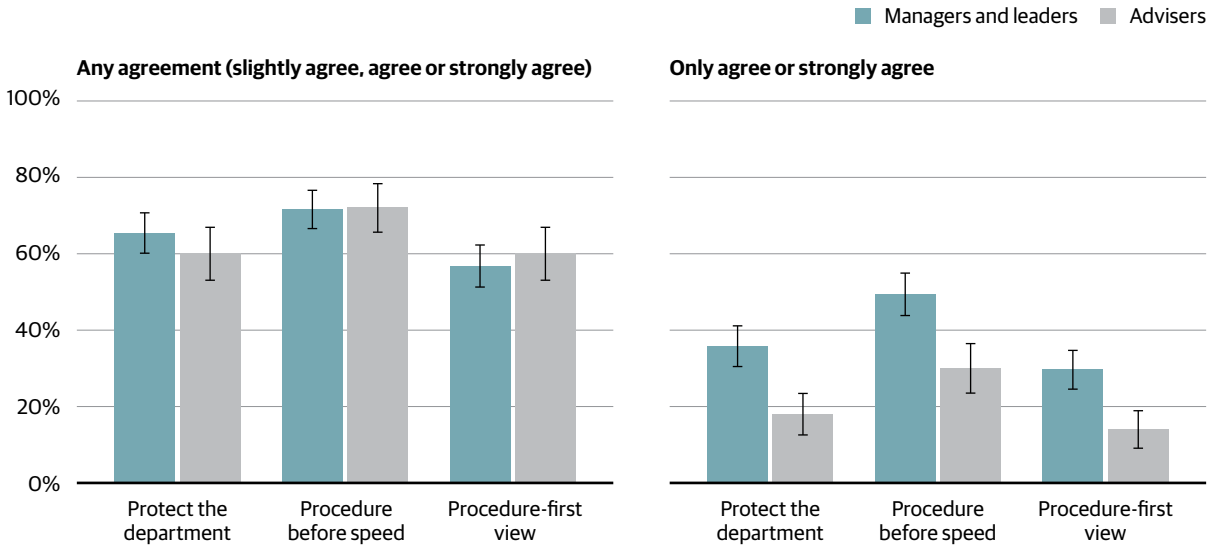
Young managers comprise a greater proportion of our sample than of the service as a whole, likely because our polling instruments were online panels. Of the 81 managers and leaders we surveyed, 46 were in the youngest age band, while the Commission's figures suggest that roughly a fifth of managers are under 40.[74] The finding therefore pertains to younger managers rather than to managers in general, and it did not correlate with their voting behaviour. Younger managers who voted left and right were equally likely to endorse briefing the media.[75]

Figure 7.6 compares advisors and managers/leaders for agreement on protecting their department and how much they value procedure over responsiveness to government. Counting all agree categories (Figure 7.6, left), the advisor and the manager and leader layers of the public service showed similar agreement with all three statements. Among both advisors and managers and leaders, 72 percent agreed that "following established procedure matters more than speed in government", and 60 percent and 65 percent agreed that public servants "should protect the interests of the department they work for, even when doing so compromises their personal values".

The survey included two further statements on process: that "following established process has value in its own right" and that "in public policy, changes from the status quo need stringent justification". Agreeing with all three process statements marks a 'procedure-first view', which 60 percent of advisors and 57 percent of managers and leaders held.

Counting only those who answered agree or strongly agree (Figure 7.6, right), the managers and advisors showed different degrees of conviction. Half of all managers and leaders backed putting procedure before speed, against three in ten advisors (49 percent against 30 percent); 36 percent against 18 percent backed protecting the department; and 30 percent against 14 percent backed all three procedure-first statements (the 'procedure-first view'). On what the job allows, the two layers go in opposite directions: advisors are the more convinced about presenting every option, and managers are the readier to brief the media.

Figure 7.6: Percentages of managers and leaders and of advisors agreeing that public servants should protect their department's interests even at the cost of their personal values, that established procedure matters more than speed, and holding the procedure-first view, counting any agreement (left) and only agree or strongly agree (right)



Note: Error bars show one standard error. Procedure-first view: agreeing with all three process statements, in any of the agree categories (left) or only agree or strongly agree (right): (i) following established procedure matters more than speed in government; (ii) following established process has value in its own right; and (iii) in public policy, changes from the status quo need stringent justification.
Source: Data from The New Zealand Initiative Survey of Public Servants. Graphic made by the authors.

Political leaning made no difference. Among managers and leaders, left- and right-leaning officials we surveyed did not differ reliably on putting the department first, on putting procedure before speed, or on the procedure-first view. Attachment to the department and its procedures, then, are associated with the job itself. The association holds irrespective of the layer and independent from how officials vote. But this disposition, which Chapter 3 calls 'commitment to institution', may override a minister. When commitment to institutions replaces commitment to the government of the day, it may lead to a deviation from neutrality that resists governments of every political leaning alike.

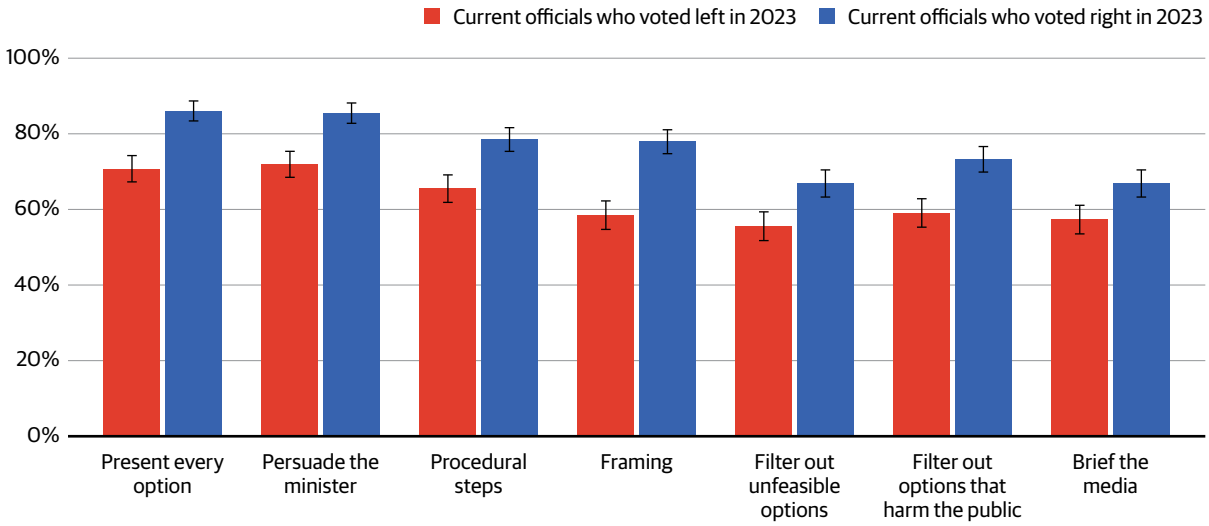
7.4: Political leaning and the ladder

Figure 7.7 compares current officials who voted right in 2023 with those who voted left on each of our 'ladder' statements. Filtering of options an official considers unfeasible is distinguished from filtering of options they believe would harm the public.

Reliably higher percentages of right-voting respondents than of left-voting respondents agreed with every tactic represented in the graph. Nonetheless, majorities of both left- and right-leaning respondents endorsed all the tactics.

The survey was fielded under a centre-right government, and the question named "the Minister". Right-voting respondents, then, were readier than their left-voting peers to accept methods that, in the year of the survey, would mostly be used against ministers of their own side. This includes steering them away from a decision and briefing the media against them.[76] These differences between left- and right-voting respondents may or may not hold under a centre-left government.

Figure 7.7: Percentages of left- and right-voting officials we surveyed agreeing with each tactic, among current officials



Note: Error bars show one standard error. Tactics as defined in Table 7.1; filtering is shown as its two statements. Party vote at the 2023 election, grouped into blocs as in Chapter 5.
Source: Data from The New Zealand Initiative Survey of Public Servants. Graphic made by the authors.

7.5: The appetite for speed

How quickly the service moves when a government wants change came up often in the interviews. Typically, interviewees were concerned that officials lack ambition and sense of urgency. Part of the apparent slowness is caused by political change. An official in one of the largest departments described what a change of minister does to the pace of decisions:

> A new minister comes in, and decisions slow down for a little while because they actually want to know what it is they're signing, and they don't have the background. If you've got a briefing that's part of a chain of three briefings, and it was your predecessor who got the previous two, you're going to want to think about that decision a little bit more. That's totally fair.

Another factor contributing to a perception of slowness is the tempo of the bureaucracy itself. A senior official who had once been accountable for a large programme of public spending worked to a pace the rest of the service did not share:

> So what we had was a two-speed public service… [Their] business processes were much, much slower, ponderous, more deliberate than our ones. By the way, their processes were correct. I'm not saying they're not correct. But the rest of the public service never managed to lift itself to operate at the tempo we had to operate at.

Another official had observed a ministerial directive go unmet for a full year:

> "I'm in meetings where [the minister] says, 'I want this to happen. Please make it happen'. That's over 12 months ago…" The minister, they said, "wants it to happen, but it's just being roadblocked. The current excuse is they don't have enough people in procurement to be able to run a process to show that they've gone wide enough out to the market".

These accounts do not indicate any effect of officials' political leanings. Our survey found that attachment to 'ways of doing things' and 'proper process' were not correlated with officials' voting behaviour.

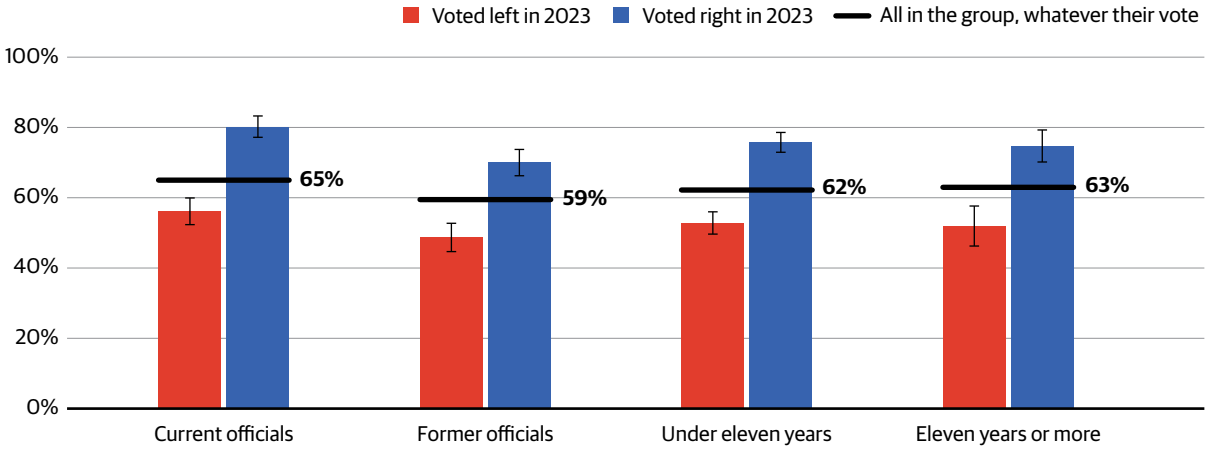
Under three-year terms, governments require pace. A government has little time to turn a political mandate into law. In this regard, the reason for inefficiency is irrelevant. Slowness caused by following procedure is as damaging to a minister's programme as deliberate slowness. Nonetheless, these two reasons would have different implications for neutrality. Neutrality requires officials to be indifferent to who governs, and to *enthusiastically* and *wholeheartedly* move as readily for one government as for another, to help them succeed with their agenda.

Figure 7.8 compares left- and right-voting respondents on agreement that "the Public Service should be willing to take risks and move quickly when a government wants change". Separate figures are reported for current and former officials we surveyed, and for officials with less than 11 years' experience, and those with 11 years' experience or more. Overall, 62 percent agreed. Of right-voting respondents, 75 percent agreed, against 53 percent of left-voting respondents. Similarly sized differences held for current and former officials and for more and less experienced officials we surveyed.

Right-voting officials agreed more often than left-voting ones that both procedure and pace are important, even though procedure and pace tend to be in tension. On procedure, the gap was modest. Right-voting officials we surveyed were 7 to 11 percentage points readier to agree that following established procedure matters more than speed, that process has value in its own right, and that change needs stringent justification. On whether the public service should take risks and move quickly when the government wants change, the gap was 22 points, two to three times as wide: 75 percent of right-voting officials agreed, against 53 percent of left-voting officials.

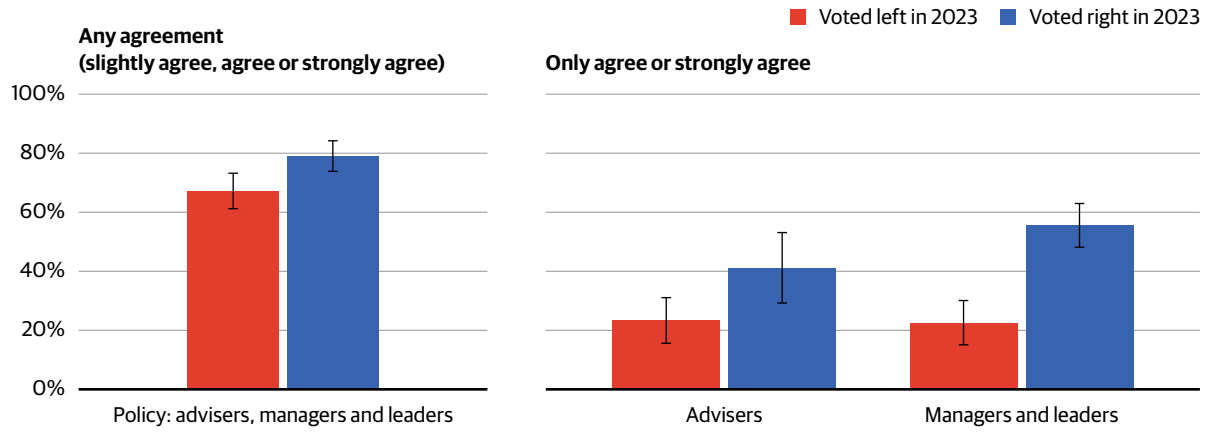
Similar differences were found for agreement that ministers have a mandate (21 points), that they are the best judges of what the public wants (23 points), and that the service has the duty to carry out the government's programme (18 points). In all cases, right-voting officials we surveyed agreed in much higher proportions than left-voting officials. What sets 'moving quickly' apart is that the agreement gap between right- and left-voting respondents did not narrow with years of experience (Figure 7.8).[77]

Figure 7.8: Percentages agreeing that "The Public Service should be willing to take risks and move quickly when a government wants change", by party vote at the 2023 election, by group



Note: Error bars show one standard error.
Source: Data from The New Zealand Initiative Survey of Public Servants. Graphic made by the authors.

Figure 7.9: The conviction gap: percentages of the policy layer agreeing that "The Public Service should be willing to take risks and move quickly when a government wants change", by party vote at the 2023 election, by group, counting any agreement (left panel) and only agree or strongly agree responses (right panel)[78]



Note: Policy: the 50 advisors and the 81 managers and leaders together.
Source: Data from The New Zealand Initiative Survey of Public Servants. Graphic made by the authors.

Figure 7.9 shows all levels of agreement (left-hand panel) and stronger agreement (responses of slightly agree excluded) for policy-facing roles (advisors, managers, and leaders) with the 'move quickly' statement. Results are shown separately for advisors (middle panel) and managers/leaders (right-hand panel). At the level of broad agreement, there was no reliable difference between left- and right-voting respondents. For stronger agreement, however, there was a reliable and substantial difference between the two political orientations in the manager and leadership layer.

To summarise these findings, there is broad agreement between right and left political blocs in the policy layer of the public service on moving quickly when the government wants change. However, left-voting officials we surveyed were less strongly committed to this view than their right-voting colleagues. The conviction gap between political orientations in management and leadership of the policy layer is substantial, with right-voting respondents agreeing more readily than left-voting ones, by margins of more than 30 percentage points.

In Chapter 6, we reported that 84 percent of right-voting managers and leaders agree that officials should implement a lawful policy they believe misguided and do their best to make it succeed. Only 58 percent of their left-voting colleagues agreed with this. The leadership layer of the public service was therefore divided by political orientation both on the effort owed to the elected government and in level of conviction that the public service should take risks and move quickly when a government wants change.

It is possible that either political orientation would respond differently if a left-leaning government were in power. It is clear, however, that there is a deviation from neutrality due to 'commitment by political partisanship' (see Chapter 3) that results in governments of different leanings being served differently. Under this government, officials' willingness to quickly move in service of the government followed how they voted by a wider margin than any other survey statement about officials' conduct. In contrast, what they thought an official may, or even should, do about a minister's decision, especially when they disagree, including how attached officials were to procedure more

generally, was more a function of role type and experience than of political orientation.

How responsive public servants are to elected ministers may depend on their commitment to the rules and on the political commitments of their managers. An entrepreneurial general manager illustrated the point in our interviews. They had to explore new ways of delivering complex policy programmes fast and well after receiving advice from their policy team that a majority of the government's policy ambitions would not be achievable within its term. On close analysis, the advice turned out to be false.

> "The original advice back from policy people was, 'We can't do it in this term… It'll take too long…' [But doing things differently] we have done it".

Asked why the teams had expected it to take so long, the general manager said:

> "This is how we do it, and then we need to go through all these steps and make sure we've talked to all these people". In the end, "We stripped a lot out… we have done it in the quicker timeframe".

The manager credited the policy team for adapting, even though it was uncomfortable for them:

> "I wouldn't have been able to do it if they hadn't got on board".

Asked whether streamlining the process had meant omitting compulsory procedure, the general manager was brief and clear: "We didn't break any rules".

CHAPTER 8
The price of service

8.1: The day the government changes

On *Yes Minister*, Jim Hacker's first day as a minister was a Saturday, two days after the election. The new Minister for Administrative Affairs arrived at his department meaning to keep the pledge he had campaigned on. He told his Permanent Secretary, Sir Humphrey Appleby, that he wanted open government. Humphrey quoted back to him his own speeches in the House, his newspaper interviews, and the manifesto, and then produced draft proposals to implement the policy as a White Paper, already titled "Open Government".

> All of these draft proposals are available to me within thirty-six hours of the new government being elected and within minutes of my arrival at my office. And on a weekend! Remarkable chaps. I asked Humphrey who had done all this. 'The creaking old bureaucratic machine', he replied with a smile. … 'We are just here to help you formulate and implement your policies', he explained. He seems most sincere.
> — *James Hacker, The complete Yes Minister, "Open government"*[79]

House-training is "the Civil Service phrase for making a new Minister see things their way". In Chapter 7, we called this 'framing'. Public servants may lean on this tactic to deliver agendas they favour without ministers seeing any misalignment with their own. The tactic involves presenting the bureaucrats' agenda in language that leads a minister to believe it is what they asked for.

Later, Sir Humphrey explained what house-training was for: "There is an implicit pact offered to every Minister by his senior officials: if the Minister will help us implement the opposite policy to the one to which he is pledged (which once he is in office he can see is obviously undesirable and/or unworkable) we will help him to pretend that he is in fact doing what he said he was going to do in his Manifesto".[80] Accordingly, Sir Humphrey's department appeared to have made a 180-degree turn and adopted language familiar to the new minister within 36 hours. Hacker had yet to learn that the department meant little of what it had said, which was really intended to steer him away from his agenda.

There are New Zealand examples of the public service appearing to have genuinely and effectively reoriented itself to serve a newly elected government. In 2010, a Performance Improvement Framework review of the Ministry of Foreign Affairs and Trade (MFAT) focused on the ministry's work on climate change, which the reviewers called "a contentious area of policy". According to the reviewers, "There has been a seamless transition from the previous government".[81]

A policy official we interviewed served under multiple governments and talked about the general manager of their branch.

> They "served [the] National [party] extremely well prior to [the] Ardern [Labour-led government] coming in, and then very quickly was able to swap. Now [that] Labour's in, what are Labour's priorities? I never knew what way they would vote. So, I think the branches, most of them, had no idea of their leanings, which I think was really good".

As discussed in Chapter 3, public servants are broadly confident they know what neutrality means and can *perform* as if they believe in it,

in professional and public contexts. One element of neutrality is refraining from explicitly displaying one's political leanings.[82] On this point, public servants can appear to meet the Westminster ideal as reflected in the Public Service Commission's guidance.

8.2: Reorienting takes time and may never happen

Contrary to the swift and agile turn MFAT or the general manager made, our interviewees described situations in which the public service took months or years to reorient or never made the transition at all. Over a quarter of our interviews describe the service struggling to adjust after a change of government. Some describe officials waiting a government out or outright refusing to take lawful direction. Ministers and political advisors may experience this as a delay in the public service's willingness or ability to respond. Such lags can last from "six months", according to one advisor, to the rest of a government's term.

A lag can occur for innocent and understandable reasons. Any change of direction, including a change of minister within the same government, requires a period of adjustment. An official who joined the Treasury "to help fix [a national crisis]" described how long it took to get other agencies involved in a cross-government reform agenda the Minister of Finance was pushing. They attributed at least part of the challenge to officials' being attached to familiar ways of thinking. They mentioned how long it took to rewire their own brain to be able to solve a nationally significant policy issue: "To be fair, it takes about two years to reset your mental models, because there's so many aspects to it. Took me two years, really".

The official who called neutrality "a pretty big ask for a human being" in Chapter 3 considered reorienting to be a naturally slow process. They nevertheless believed the public service had lost the capacity for neutrality.

> An agency carries "a kind of momentum that they've got already with a particular policy direction. And then they have to kind of realise, little by little, that's not where we're going anymore… even if it's acting in perfectly good faith and everybody is on board with public service neutrality, et cetera, psychologically that's quite hard to do".

Another official clarified the scale of the required change:

> You've got a couple of thousand people who have had a different view, sometimes underneath you, and you turn up and say, okay, you know, you believed in Jesus last week, but now we're gonna go to Allah.

The causes of delays in changing direction are sometimes less innocent than the natural challenges involved in shifting mindsets. We asked one official to distinguish between an ordinary learning process (relating to a new minister's tastes and subjective preferences) and a reorientation of worldview or ideology required to relate to what a minister is trying to do. We asked how much of the time lags are of the second kind. "I would say 60, 70 percent", the official answered. This echoes the experience of another official, whose job is to monitor Crown entities. They looked back at more than two years since the last election and reflected on the ability of officials to adjust in the wider government:

> It feels like the public service has not adjusted to the fact that we now have a different government than the government that we had for six years. And I constantly come across this in things that Crown entities will publish. And I'll say to them, 'Read the room'. Have you not looked at the coalition agreements? They've said they're going to do X, Y, and Z, and you're coming along going, 'Oh, we're going to do A, B, and C'. That's gone. That's not a priority for this government.

We asked a participant who had worked with chief executives and second-tier senior leaders whether the leadership cohort of the public service had reported finding it difficult to shift and reorient after the 2023 election. They said senior leaders found it difficult to adjust to a different value system between two governments, especially when that involved a 180-degree change in direction. "Partly it was groupthink and… a strong attachment to the past government in some cases… So, they're kind of over-committed to the last government, and they've had trouble backtracking on that".

When an issue would come up, the public service would respond by talking about "free and frank advice. But actually… a lot of it is signalling".

> You can see the issue with how they've resisted [Policy] and stuff like that, which most New Zealanders do not really support, is actually signalling its loss of neutrality… the public service is not really being very honest or realistic about neutrality… When the public service grew a lot during the Ardern government, a lot of motivated left-leaning officials got hired, encouraged to bring their whole self to work. And I think that's one of the reasons why public neutrality, you know, the boom in leaking that happened after the change in government, that there isn't always an understanding of neutrality.

Some of the delay in changing direction is attributable to officials who refuse to reorient. When we asked the official who had recently moved into a minister's office whether some public servants are incapable of making the transition, they said:

> No, I think they never do. They're just the ones that stay around… decide they just don't give a shit while the other guys are in, and then they get excited when the other guys come back. But then, in the middle of it all, they don't have to do much.

Another interviewee who had served in government explained why the pressure for spending restraint only began to bite with agencies at "the back end of last year". One reason was that "prior to that, they [the agencies] thought the government was going to change: 'Okay, we don't have to worry about this constraint, because the other guys will be back'. Now they're not so sure". Officials who will not reorient may prefer to wait and see if they can outlast an elected government rather than reorienting to a new direction.

8.3: Salute and march on

Since June 2026, the *Public Service Act 2020* has required chief executives to answer to their ministers for "implementing Ministers' lawful instructions".[83] In Chapter 6, we explored public servants' relationship to 'duty', which we defined as: "[carrying] out the programme of the elected government, whatever officials privately think of it". Of current and former public servants we surveyed, 70 percent agreed, but fewer (59 percent) agreed that officials should implement a lawful policy they believe misguided *and* do their best to make it succeed.

Over a quarter of our interviewees discussed this duty. A senior official recalled advice against one ministerial decision they had helped compile. The arguments "were very powerful, and they were internationally recognised and everything else. But [the minister] ordered that decision. We saluted, marched on and [implemented] that decision".

So, sometimes at least, officials adhere to the 'duty': they advise against a decision, lose the argument, and then carry out the decision. The price of service asks more, however. It also requires 'effort'. An official with 35 years in government described how officials "may not necessarily agree with the outcome, but they are putting in place what the minister wants. And doing that to the best of their ability".

Some agencies, like the Treasury, register objections on the record. Cabinet's guidance requires agencies to consult the Treasury on "all proposals which have, or are likely to have, economic implications, financial or fiscal (expenditure or revenue) implications".[84] As one of our interviewees recalled, The Treasury once did so in a Cabinet paper, effectively saying, "We think this is a horrible idea."

There is a fine line between advising and obstructing. Some interviewees were forthright about this. A Treasury official described a dilemma of their career:

> If you point out the weaknesses, failings and costs of a proposal, that's going to be seized on by the opposition. I mean, that's the opposition's job, isn't it? And again, at what point is it our job to stop saying 'That's not a good idea', or at least, 'be aware that this idea will have these costs'? At what point is it our job to stop saying that and instead to switch to doing our best to help the minister implement the policy that [they were] elected [for], and [have] been appointed to take through? I could never get to the bottom of that, and I don't think there's a proper answer to it.

The same official recalled a situation in a comparable political system overseas that made them question a public servant's source of authority: "So yes, we're, to a certain extent, working against the instruction of government, but doing so on the belief that that was the right thing to do. And who gave us the authority to do any of that?"

One official offered a rule of thumb for when it is time to stop advising against a minister's direction and switch to doing their best to help them implement it. Asked how many times an official should tell a minister they are wrong, this official answered, "Once. Twice if you really want to put your neck out. You never say the minister's wrong three times". The creed of this official was uncomplicated: "A public servant is neutral. It doesn't have a bent each way, and it's not supposed to follow its own agenda, it's supposed to follow the government's requirements. And if you don't like it, don't work in the public service". Asked whether they found it easy to be neutral, they said, "Yes". We pressed the point further.

> Interviewer: "Do you find that it's the same for others around you? Do people find it easy to do?"
>
> Official: "No, some people don't find it easy".
>
> Interviewer, two minutes later: "Do you feel like the public service actually holds itself to the norm of two – the rule of thumb – or does it sometimes do more than that?"
>
> Official: "I think sometimes they do more… Personally, I would never… I think I've only ever said no twice".

This official's observations about how colleagues behave have been formed through a long career path under multiple governments of both political leanings. To them, neutrality occurs as natural to their professional life. As they also noted, however, "some people don't find it easy".

8.4: Spirit of service and honest exit

Neutrality asks a great deal of public servants. In Chapter 6, we found that how readily officials accept the obligation to serve governments with which they disagree is best predicted by how they see ministerial authority. We defined three clusters, which we called 'trusting servants', 'the disenchanted', and 'the bureaucratic priesthood'. Trusting servants accept that ministers are better placed than officials to judge what the public wants. The disenchanted doubt ministers' judgement but accept that, because ministers are elected, they are the decision makers. The

bureaucratic priesthood rejects both the idea that ministers are best placed to determine the public will and that they have a mandate to make decisions.

The disenchanted comprise some two fifths of analysts and advisors, who draft ministerial advice. Another fifth belongs to the priesthood. In almost every combination of role and orientation, fewer officials were prepared to exercise diligence in making a disagreeable policy succeed than accepted the duty to implement it, irrespective of their personal views. The difference was greatest among the disenchanted. The bureaucratic priesthood did not even accept the duty to carry out the programme, let alone agreeing that they should implement diligently.

Even for some trusting servants, neutrality can be difficult. Among managers and leaders there was a sharp divide between political orientations. Some 40 percent of left-voting managers and leaders did not accept that officials should do their best to make a policy with which they disagree succeed, against about 18 percent of their right-voting colleagues. Even the trusting servants among left-voting leaders and managers were less ready to accept the personal price of service (Chapter 6).

Chapter 4 described officials who resist ministers and work around them. In Chapter 7, we reported that most survey respondents endorsed framing information to steer ministers, and that many employ the tactic of waiting a government out. Neutrality may be a professional ask that is unrealistic in practice. It remains an open question whether training could help; which, in any case, public servants do not typically receive.

An official at odds with the government of the day has three options: accept the duty to serve anyway, attempt to subvert the government's programme, or resign. Getting on with the job in good faith comes readily to some, the trusting servants above all. Many others stand in tension with the government: some push back through free and frank advice, which is part of the job, while others deviate from neutrality in unacceptable ways, misdirecting their zeal towards their own politics or their agency's interests, or by withholding their spirit of service altogether. Those who try to change the government's course can draw on the ladder of tactics in Chapter 7, which runs from not presenting all options to briefing the media to make a minister's policy politically untenable.

The remaining option is to leave. When the Labour-led government announced in April 2018 that it would grant no further offshore oil and gas exploration permits, a group of officials who had worked on petroleum policy faced a direction they could not accept.[85] A public servant of 35 years' experience described what happened:

> "Some people are driven by their own internal belief system, very much so, that they hold that dearly. For example, there was a whole group of people working on the petroleum policy. And the government of the day, Jacinda, comes in and says, '… we're stopping all exploration'. And all these people within MBIE go, 'Oh my gosh, I'm not working for this government. I have to leave, because I believe we should be, you know, drilling for oil'". [We asked, 'Did they leave?'] "They left – it was a big exodus of people. Philosophically, they didn't believe that, you know, that's where the government should go; therefore, they rightly should leave, because they couldn't have put themselves… they felt they couldn't do the job".

Resignation is the honourable course for an official who cannot in good conscience carry out a lawful policy. Officials who stay but do not accept the duty to implement a lawful policy hold back the government and the country it serves. They add cost and delay. Even when they do not actively obstruct a policy, but merely withhold effort, they are failing to implement

the government's decisions "with energy and enthusiasm", which we define to be the spirit of service. It is a necessary part of neutrality. Officials who embody this spirit can push past the momentum of an existing policy direction and entrenched ways of working. Otherwise, delays can last a whole term and end in policy failure.

The petroleum case is the only account surfaced in our interviews in which officials resigned because they could not serve a government's direction. More often, officials who reported resigning did so because they felt their own leadership was undermining their ability to do their jobs.

If every official who disagreed with a government resigned, the service would retain only those who agree with it. Asked where that would leave a neutral public service, the public servant of 35 years' experience said: "It's not a neutral public service then". They valued a service whose chief executives are not politically appointed, "because they're meant to remain free and frank and give you advice, not what you're wanting to hear, but giving your two pieces of 'no'".

A public service that retains officials who disagree with the government also bears a cost. Those who stay but do not care whether an elected government succeeds may withhold energy and enthusiasm even if they do not engage in outright subversion. Thereby, the government loses time to implement the policies it was elected on. In worse cases, officials actively undermine a policy implementation, as the accounts in this chapter and in Chapter 4 show.

Whether relying on a Westminster-style system to deliver free and frank advice to ministers (from officials that may disagree) is realistic depends on whether officials can be neutral. Our findings raise doubt. We may need to ask ourselves whether the cost this system imposes is worth it, and whether competitive alternatives exist.

8.5: Are our public servants neutral?

Chapter 2 set out to put each ideal of the Westminster bargain to the test, beginning with neutrality and free and frank advice. We considered several angles to answer the following:

- Does the ideal of neutrality prevail in today's public service?
- Does neutrality support other Westminster ideals, as intended?
- Are public servants' views and behaviours consistent with neutrality?

Two conditions are required for neutrality. Officials must be indifferent to who governs and they must *wholeheartedly* and *enthusiastically* help the government to implement its policy agenda successfully. Our evidence suggests that neither condition is adequately met by the public service as a whole.

Our survey sample leaned a little, but reliably, to the left of how the country voted in 2023: it was 8 percentage points less likely than the country to have voted for parties of the right (Chapter 5). That, on its own, tells us little, because a government's programme depends primarily on the policy-facing layer of the bureaucracy: analysts, advisors, managers, and leaders. Analysts and advisors voted left over right by a ratio of nearly two-to-one. Unless such a politically valanced policy layer adhered closely to the conditions required for neutrality, centre-right governments would be severely disadvantaged by that degree of political skew.

Managers and leaders leaned the other way, much as the country did in 2023, with a ratio of about three-to-two in favour of the right. Among managers and leaders, how they vote is associated with how they serve. Fewer left-voting than right-voting managers and leaders accepted the obligation to work diligently to make a disagreeable policy succeed. Left- and right-voting managers and leaders also had

different views about how quickly the public service should respond to the government's call for change. A small majority of right-voting managers and leaders agreed or strongly agreed that the public service should move quickly when a government wants change, compared with around a quarter of left-voting ones (Chapter 7).

Political leaning, as measured by the 2023 vote, is also associated with what officials believe about ministerial authority. Across our sample, left-voting officials doubted ministers' judgement of what the public wants much more often than right-voting officials. Among analysts and advisors, who lean left, a majority doubted ministers' judgement.

Other beliefs are more associated with length of service than with political orientation. Seven respondents in ten believed that the public service serves the public directly, rather than through the elected government, with little variation between political leanings. Majorities of both left- and right-voting current officials we surveyed endorsed each of the 'ladder' tactics presented in Chapter 7, with right voters 6 to 15 points more likely to do so than left voters.

Officials' relationship to these tactics appears to be a function of on-the-job experience. Every open rung on the ladder of escalating tactics was endorsed more often by surveyed officials with 11 or more years of experience than by those in their first two years in the job. Covert and outside rungs either had no association with experience (framing) or were less likely to be endorsed by long-serving officials (filtering and briefing the media).

Most managers and leaders agreed that an official convinced a minister is wrong should brief stakeholders and the media so that the policy becomes politically untenable, compared with about a third of advisors. Among younger managers and leaders, three quarters agreed (Chapter 7). Officials who believe they answer to the public directly and doubt that ministers know what the public wants risk giving themselves licence to act independently.

The public service falls short of its duty to work diligently to implement governments' programmes for several reasons, some of which are beyond politics. Inclination to protect one's department and attachment to "proper process" did not correlate with political orientation. Neither did professional neglect, such as leaving programmes to fail for want of effort.

The Public Service Census found that 95 percent of respondents said they understand what it means to be politically neutral. However, their understanding has been shaped by the Commission's narrow definition, prohibiting involvement in party politics and restricting what bureaucrats may say in public. But the Westminster bargain, which grants officials permanent jobs in exchange for their neutrality and free and frank advice, requires more than this narrow definition. It requires officials who are indifferent to who governs and who wholeheartedly help the government of the day implement its agenda (Chapter 3). The understanding of neutrality that prevails in the public service does not cohere with the Westminster ideal.

Some months into the job on *Yes Minister*, Hacker summed up this issue:

> Civil servants see themselves as public-spirited impartial advisers attempting to implement, with total impartiality, whatever policy the Minister or the Government see fit. Except that they don't, do they? There's the rub. Because Permanent Secretaries are always trying to steer Ministers of all parties towards 'the common ground'. [In other words, the Department's policy, a policy they have some hope of being able to pursue uninterrupted, whichever party is in power. Book Editor.]
> — *James Hacker, The complete Yes Minister, "The compassionate society"*[86]

The public service does not hold itself to account for neutrality. When Parliament's Privileges Committee found that a ministry was in contempt, the Commissioner declined the chief executive's resignation and no employment consequence has been reported.

In Part 2, we explore how ministers are given advice and how the public service navigates push and pull forces that act on its ability to be free and frank. But advice begins with the mindset of public servants, and some become political actors with their own views regarding what government should do. The director who, on the official's account, made a policy decision without ministerial consent illustrates the outlook the third orientation (the bureaucratic priesthood) describes: an unelected body of the public service that authorises itself to make decisions that rightfully belong to ministers.

8.6: A pretty big ask

It would be premature to conclude that left-wing skew is a serious problem, even though most left-voting respondents doubted ministers' judgement of what the public wants, against a minority of right-voting respondents (Chapter 6). The survey was fielded under a centre-right government, and right-voting officials we surveyed were the readier to accept tactics that, in 2026, would mostly be used against ministers of their own political persuasion. Majorities of current officials in both blocs endorsed every tactic officials may deploy to engage and disagree with ministers (Chapter 7). The survey data cannot address the question of whether left-voting officials would doubt the ministers of a left-leaning government to the same extent.

Some of the shortfall in meeting the ideal of neutrality may have less to do with politics than with what neutrality requires of people. Several officials we interviewed described neutrality as difficult to live up to. The official in Chapter 3 called the professional persona "a pretty big ask for a human being to do".

One senior official said that neutrality only works under particular conditions:

> "If you've got a strongly developed group of public servants that are dealing with successive governments that are, could I say, fractionally to the left and right of centre, which has been our political sort of milieu, that actually works", but "the oscillations of policy planks between one government and the next are getting greater, and that is pressing great difficulties for the public service in terms of its own definition of neutrality".

On this view, neutrality becomes harder to sustain as politics polarises. The more one government's programme differs from that of the last, the harder it is for officials to reorient and serve the new direction wholeheartedly.

Is neutrality a realistic goal? If it is, the task is to help public servants meet this duty. If it is not, the design of the public service would need to be reconsidered from the ground up.

Many public servants we interviewed care about New Zealand and are frustrated with the state of the public service and its leadership. Former officials have expressed the same commitment in print. In a New Zealand Initiative report, former Treasury official Tony Burton recounts advising ministers in 2011 on abolishing the Housekeeper's Tax Credit, which two of the four officials in the room received and the other two soon would: "Abolishing that tax credit would make all four of us worse off financially". They did it anyway.[87] Another participant expressed their frustration with public service leadership:

> I have friends who are great people, actually genuinely good public servants who are angry, pissed off, and frustrated about what they see happening around them. And a big thematic

> of what I'm going to talk about is not what's happening around them. It's actually what's happening above them. Because the biggest problem you have in the public sector is the quality of leadership.

A future report in our Public Service Series will address factors that affect whether the public service enables talented and motivated people to deliver for elected governments.

Managers and leaders set a standard for the officials they manage and lead, sign off the advice ministers receive, and give officials the authority and backing to act. Yet, in our survey, a far greater percentage of right-leaning managers and leaders than of left-leaning ones accepted that officials should do their best to make a misguided policy succeed.

Taken together, Part 1 maps a culture. At the top, most managers and leaders are trusting servants, yet even among them, left-voting ones are less ready than right-voting ones to pay the price of service. Below them, most of the analysts and advisors who write the advice are disenchanted or belong to the bureaucratic priesthood. The disenchanted accept the duty to serve but are less ready than trusting servants to make a policy they disagree with succeed. The priesthood reject the duty itself. In the policy-facing layer, the spirit of service is under strain.

The law makes chief executives responsible for the political neutrality of their agencies and requires public service leaders to nurture the spirit of service that officials bring to their work.[88] An advice layer that doubts its ministers needs leaders who show what wholehearted service looks like. Too many of the service's leaders accept the duty to serve a government but stop short of working for its success, and so fail to model the spirit of service they should be nurturing. They preside over officials among whom doubt about ministers' judgement is common and effort is often held back.

As Part 2 will show, these leaders also stand between ministers and the officials who write the advice. Analysts and advisors meet the same wall from the other side: their advice can be softened on its way up, and much of what they know of their ministers reaches them through the managers above them. Officials who reach through the wall, on a minister's behalf or on their own, have been reprimanded or sidelined for it. Ministers and officials who know each other mainly through the accounts of managers and leaders inclined to protect their department have little ground on which to build trust.

Neutrality asks officials to set aside their own politics and interests to serve the government of the day. Burton and his colleagues paid that price. If neutrality is a realistic goal, helping officials meet it starts with their leaders. On the evidence of this part, the public service is failing the test of neutrality, especially at the top.

Part 2: Free and Frank Advice

Henry Olsen

CHAPTER 9

Deconstructing free and frank advice

One of *Yes Minister*'s running gags is the stack of red briefcases Minister Hacker receives from time to time. Supposedly, the briefcases contain the advice and background information necessary for Hacker to make decisions. But Hacker rarely finds the information useful and cannot remember the advice when asked by Sir Humphrey. Despite both men knowing that the advice is unhelpful, the briefcases keep coming.

Minister Hacker was, of course, a politician, not an expert. And like our own ministers, his attention was spread across multiple complex issues. The briefcases might thus appear perfectly natural. They should help fill in the knowledge gaps with which most ministers come into office.

Under the Westminster bargain, public officials provide support to ministers in the form of free and frank advice. If asked what is in those red briefcases, Sir Humphrey would likely have characterised it as the free and frank advice of expert officials.

But what do 'free' and 'frank' mean? The *Public Service Act 2020* merely says that advice should be given in a free and frank manner, without defining either term. Other official documents describe the ideal in more detail, forming what we refer to as the 'official narrative' of free and frank advice. In this part of the report, we test that narrative.

9.1: An overview of the official narrative

Our distillation of the official narrative draws on guidance by the Public Service Commission and public documents written by senior officials. Tables 9.1 and 9.2 present what these sources say about free and frank advice, how officials should deliver it, and how free and frank advice connects to other Westminster ideals.

Overall, there are three main elements to free and frank advice:

- **Content:** Free and frank advice is the "best professional judgement" the public service can offer.[89] It covers all options, benefits, costs, risks, and implementation considerations.[90] Advice does not withhold key evidence or information, does not pull punches, and does not second-guess what ministers want to hear.[91] It is politically neutral yet takes "relevant political contexts" into account and is "designed to support Ministers to achieve their objectives".[92]
- **Manner:** The advice is given "without fear or favour". It "delivers any hard truths in the most constructive way possible".[93] It is most useful when it "acknowledges Ministers' and the Government's policy intent" and fits ministers' communication style.[94] It is to be given "in full and in written form" so both ministers and officials can be held to account.[95]
- **Reciprocal duties:** Ministers must give the advice "fair consideration and due weight" but may reject it, in which case officials nonetheless "implement enthusiastically" whatever decision a minister makes.[96] Neither ministerial advisors nor officials may block independent advice from reaching the minister.[97]

As was discussed in Part 1, our interview participants described what this ideal can look like in practice. One recalled an experience with officials giving "every piece of advice" to a former minister to not pursue their policy decision:

> That was the most stupid, inefficient, ineffective strategic decision that [the minister] could ever take. … But [the minister] ordered that decision. We saluted, marched on and made that decision… it's the old Politburo argument: once a decision is made, everyone gets in line.

Here, officials 'advised fearlessly' but also 'implemented enthusiastically' when the minister made a decision that went against their advice.

A different participant described experiences with officials who "may not necessarily agree with the outcome, but they are putting in place what the minister wants":

> And doing that to the best of their ability, understanding that the parameters are what the government of the day wants. So ultimately, when the minister says jump, you ask how high.

Table 9.1: Public Service Commission guidance on free and frank advice

Public Service Commission guidance		
Theme	**Quotation**	**Source**
Definition	Free and frank advice *focuses on the decision-maker's objectives*, while also being honest, politically neutral, constructive and *free from undue influence*. This is particularly important… when *challenging the decision-maker's understanding and initial preference*.	*Principles guidance*, section 3.2, 15
Definition	This means providing advice that:… is politically neutral while also being aware of relevant political contexts;… *is comprehensive, objective and balanced to cover the range of options; is honest about where the opportunities, benefits, costs, pitfalls and risks of all options are* and about the limitations, assumptions and information gaps in analysis; is clear about *any trade-offs involved*… delivers any hard truths in the most constructive way possible; covers implementation considerations.	Commissioner's Guidance (2024), 1–2
Implication for behaviour	Free and frank advice is expected to be *in full and in written form*. A record of key points and decisions should be made of any advice given orally… *This enables Ministers and the Public Service to be held to account.*	Commissioner's Guidance (2024), 2
Implication for behaviour	Free and frank advice is *more likely to be heard and acted on when it acknowledges Ministers' and the Government's policy intent and priorities* and is provided in a form that fits Ministers' communication style preferences.	Commissioner's Guidance (2024), 2
Implication for behaviour	Chief executives are responsible for *building and maintaining expertise*… on: emerging issues that are likely to be important to *long-term public interests; current issues that are important to the public interest now but where the current government does not wish to focus its attention or has not sought advice to date.*	Commissioner's Guidance (2024), 3
Associated ideals	Free and frank advice demonstrates and upholds the *impartiality* that is fundamental to maintaining a *politically neutral Public Service*. Having the *capacity and capability* to provide this underpins the *integrity, legitimacy and performance* of New Zealand's system of government.	Commissioner's Guidance (2024), 1
Associated ideals	The public service has a *duty of stewardship* to look ahead… It is the responsibility of chief executives to *manage agency capability and capacity to offer free and frank advice to successive governments*.	Commissioner's Guidance (2024), 3

Note: Emphasis added in italics.
Source: Quotations extracted from Public Service Commission (PSC), *Principles guidance*, and Public Service Commission (PSC), *Guidance: Free and frank advice and policy stewardship* (Wellington: PSC, 2024). Table made by the authors.

Table 9.2: Writings by senior officials on free and frank advice

Writings by senior officials		
Theme	**Quotation**	**Source**
Definition	The *free* part of free and frank advice means that you *offer your best advice freely to decision makers, without withholding any key evidence or information. … Frank… It is not your job to pull the punches or second guess what [ministers] might or might not have an appetite for.* But… *frank doesn't mean foolish.*	Kibblewhite, IPANZ 2015, 2
Definition	[…] as Minister English puts it, *"tell Ministers what they need to hear, not what you think they want to hear".*	Kibblewhite, IPANZ 2016, 3
Implication for behaviour	*Ours is to advise; Ministers to decide…* my role was to *advise fearlessly and implement enthusiastically.*	Kibblewhite, IPANZ 2015, 5
Implication for behaviour	[Kibblewhite:] "Ministers are here to do things; *public servants are here to help ministers do the best things".*	Billington, 2018, 4
Associated ideals	Our responsibility is to *seek the best outcomes, not the political advantage of a party, faction or particular sector of society.*	Kibblewhite, IPANZ 2016, 1

Note: Emphasis added in italics.
Source: Quotations extracted from Andrew Kibblewhite, "Free, frank and other F-words: Learning the policy road code", address to the Institute of Public Administration New Zealand (IPANZ) Free and Frank Policy Advice Seminar (12 August 2015); Andrew Kibblewhite, "Mastering the art of free and frank advice", address to the Institute of Public Administration New Zealand (IPANZ) (17 August 2016); and Carl Billington, "Free & frank – why it matters", *Public Sector* 41:2 (July 2018). Table made by the authors.

9.2: Clarifying the official narrative

The official narrative of free and frank advice presents a laudable ideal, but there are many questions to ask to see if it holds up in practice:

Does advice really reflect expertise, or merely the views of managers who control the advice going to ministers? Do ministers always give advice due consideration or do they sometimes ignore it for political reasons? How often is the advice even useful, and how often is it akin to Hacker's red briefcases?

We tackle these questions in the following chapters. But first, we want to clarify how the ideal of free and frank advice should be interpreted.

By the official narrative, advice should be substantive expert analysis that, when necessary, challenges ministers. Officials should give ministers honest summaries of such expert analysis, even when it comes from experts outside the public service, and even when it is contrary to a minister's policy position. Ministers should accept criticism of their policies with humility and trust experts and officials.

However, the ideal of free and frank advice embodied in the official narrative can be misinterpreted due to the 'normative' language (i.e., involving value judgements) that permeates some official discourse. On one hand, free and frank advice "is designed to support ministers to achieve their objectives". On the other, free and frank advice helps ministers be "better informed about the '*pros*' and '*cons*'" with policy options, protects "long-term *public interests*", and seeks the "*best* outcomes".[98] As Andrew Kibblewhite, the former chief executive of the Department of the Prime Minister and Cabinet, put it, "Ministers are here to do things; public servants are here to help ministers do the *best* things".[99]

But how do people know what a 'pro' or a 'con' of a policy is, or what the 'best things' are?

Judging which policies are worthwhile requires a normative framework, such as a philosophical, moral, or religious framework. Evidence and expertise can contribute to meeting policy objectives effectively but cannot tell us what those objectives should be. Setting policy goals and determining what tradeoffs are acceptable, such as prioritising lower inflation over higher unemployment, requires value judgements.

Problems arise if officials interpret the official narrative as giving them licence to use their own normative frameworks to evaluate a government's policies rather than those of elected ministers. This could lead officials, for instance, to advise the government against a policy goal it was elected on, regardless of how feasible achieving it is.

Officials are there to help ministers meet their policy objectives effectively, not to tell them what those objectives should be. If advice strays into the latter, public servants fail in their duty to be politically neutral because determining which normative framework to use is a fundamentally political task.

Representative democracy makes a distinction between voting for values and voting on the details of government policy.[100] Voters do not decide how much money goes to each agency or policy initiative. Rather, they decide what kinds of values they want government policies to embody and what goals they should aim for. Elected representatives campaign on policies and voters decide which of those policies are in line with their values and goals and cast their votes accordingly. Officials then help politicians to make those policies work. Politics decides what should be done, while the public service helps craft policies in line with those democratic decisions.

A public servant who challenges a minister's judgement of which policies are worthwhile turns themselves into a political actor. But the official is unelected, anonymous, and permanent, not an elected Member of Parliament representing a real constituency. They are, therefore, neither representative of, nor accountable to, the values of voters.

This clarification is important because, as the prior part of this report on political neutrality showed, a large minority of public servants, the 'bureaucratic priesthood', essentially believe this misinterpretation. Officials like this sacrifice political neutrality in favour of free and frank advice on matters beyond their remit. Without political neutrality, the public service would turn into a second Parliament that is not accountable to the electorate.

9.3: Balancing the domains between ministers and officials

The official narrative, when properly interpreted, gives ministers and officials different duties. Because ministers are democratically elected, they are tasked with making decisions on normative tradeoffs. Because officials are apolitical experts chosen by merit, they help with technical detail to implement democratically approved policy.

However, the distinction between these two domains is not always clear. Technical decisions can implicitly involve making normative tradeoffs, and knowledge of operational detail can change ministers' minds about which policies ought to be pursued. For example, if ministers become aware that a policy would have a negative effect of which they were previously unaware, they may drop that policy in light of this new information.

The distinction between technical and normative advice is essential to our analysis of the relationship between ministers and officials. Intrusions by ministers into the domain of officials, and officials into the domain of ministers, can damage the trust on which free and frank advice rests.

One official we interviewed gave a practical example of the difficulty in reconciling normative decisions with technical detail. The official described how technicians, when analysing building plans for risk of collapse, inadvertently make normative tradeoffs:

> So inherently, what they're doing… is saying, 'We think an element of this structure and integrity is good or bad, and that is based on [whether] there is a risk of failure or not a risk of failure…' And so it's a policy decision: how much risk are we willing to accept? And those things are buried in the technical decision… but okay, at what point is it acceptable, and at what point is it not acceptable, and where do you draw the line?… Because at the moment, it's the technicians that are drawing the line. … And ultimately, it shouldn't be the technicians. The technician should be saying, 'This design meets a level of risk that the public through the government has defined'. But the government never gets to make those decisions.

Experts evaluate technical matters according to their training. In the building example above, technicians made decisions solely based on the risk of structural collapse, ignoring other matters relevant to policy decisions. The same can be true of health experts making decisions solely based on what saves the most lives without concern for cost, or economists not considering the effects of development on the environment.

When political leaders cannot reconcile conflicting advice from different experts, this expert 'tunnel vision' can lead to real-world consequences. The same interviewee described how superficial disagreement between technicians on operational detail delayed a policy decision for years. To get on with it, officials considered incorporating all the different technicians' plans into the policy decision.

Another example came from a political advisor we interviewed. They said that their minister found it difficult to reduce headcounts quickly to achieve their goal of cheaper and more efficient government. Because the necessary decisions involved operational detail, it was difficult to see through.

> There's an agreement between the [agency] and the minister that [the agency] will provide the operational services. All the operational policy and things like that of how things will run, they do it… they think they're kind of a world unto themselves. This provides them an opportunity to create operational policy and ways of working that conflict with [how] the minister wants it done, and if you are not a diligent minister and ask for the detail, they may not volunteer it. This could be too many staff or roles that [the minister] doesn't think need to exist to perform the services. But because [the minister] doesn't control the day-to-day operation of [the agency], [the minister] can't really say, 'eliminate that role or roles immediately'. They [the minister] have very few levers to pull to change it.

Another issue can arise when a minister says they want to achieve certain goals but proposes policies that do not achieve those goals. In this case, officials may need to advise against policy positions they think will not help implement a minister's goals.

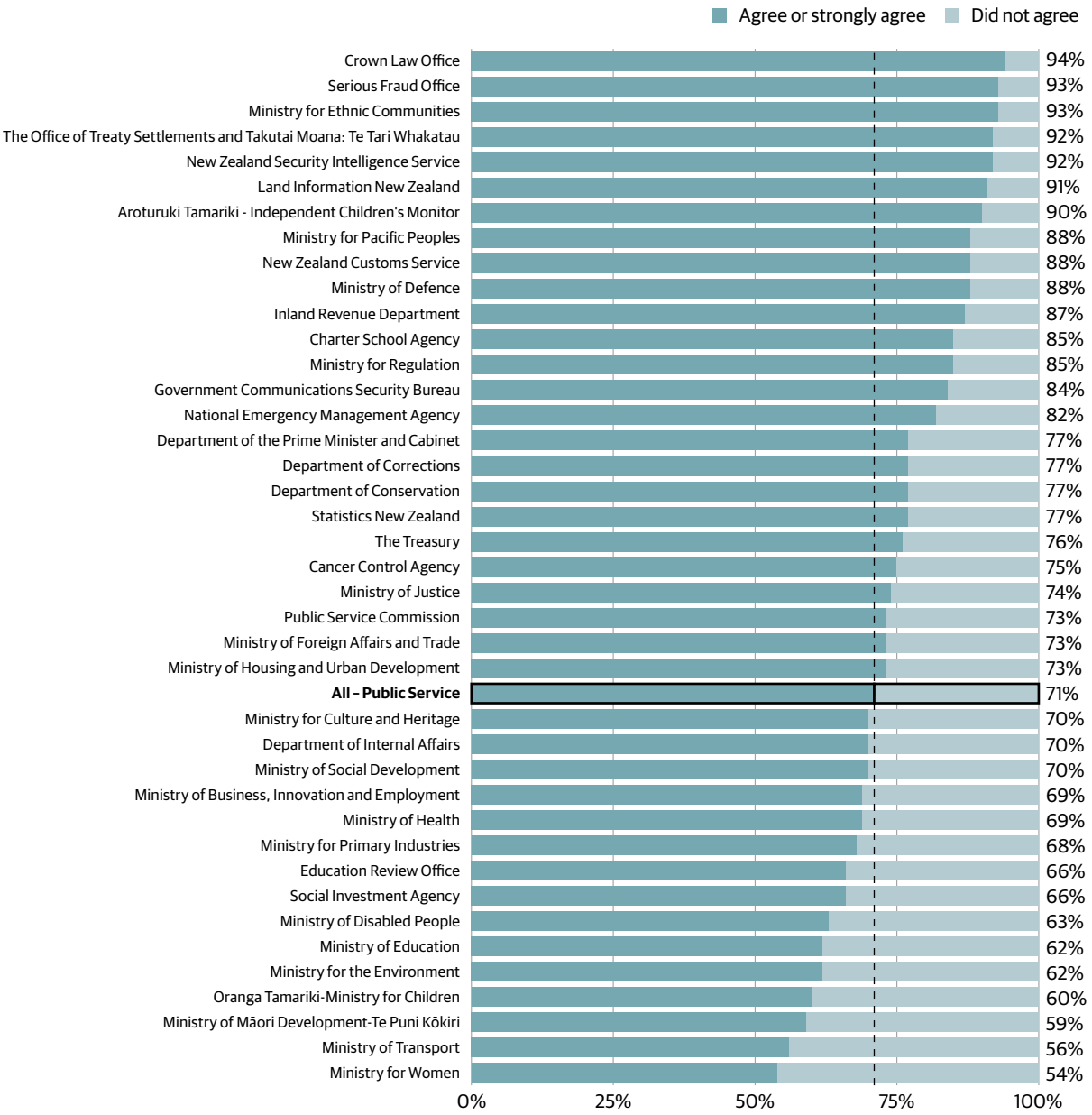
This requires officials to know what goals a minister has, which can be difficult if ministers are not clear about what they want, and impossible if ministers themselves do not know what they want. When goals are unclear or undefined, officials need to be consistently aware that advice on technical detail can change what ministers see as valuable policy. Officials who are aware of this can help their minister achieve aims with which they are genuinely satisfied while avoiding subtly influencing their ministers to adopt officials' normative frameworks.

Getting the right balance between ministers' and officials' respective domains is manifestly difficult and doing so requires sustained effort from both parties. Clarity, openness, and trust make it more likely that a proper balance is achieved.

9.4: Initial warning signs for 'free and frank advice'

The following chapters delve into how, and to what extent, free and frank advice conforms to the official narrative. We find that the current state of free and frank advice is a mixed bag, with its content, the manner with which it is provided, and respect for reciprocal duties differing across and within agencies. But many public servants do not believe their advice to ministers is fully free and frank.

Figure 9.1: Self-perceptions of free and frank advice in the public service



Note: Respondents rated their agreement with the claim, "I am confident that my organisation is free and frank in our advice to Ministers".
Source: Data downloaded from the Public Service Commission's Public Service Census webpages. Public Service Commission (PSC), "Te Taunaki Public Service Census", Website. Graphic made by the authors.

Figure 9.1 shows the extent to which the officials who prepare policy advice think that their advice is free and frank, according to the 2025 Public Service Census. Overall, 71 percent of respondents reported some level of agreement with the claim, "I am confident that my organisation is free and frank in our advice to Ministers". Policy-focused agencies vary widely in their levels of agreement. Agencies dealing with some of the most important policy development processes, such as the Ministry of Transport; Ministry of Business, Innovation and Employment; Ministry of Health; Ministry of Education; Ministry for the Environment; the Department of Internal Affairs; and the Ministry of Social Development, rank below average or near the bottom of the list.

Between about a third and about two fifths of servants focused on policy in those agencies are not confident that they provide 'free and frank' advice to ministers.[101]

While most public servants agree that their agencies provide free and frank advice, a large minority are hesitant to think so. There are many potential sources of this doubt, from the officials and ministers as individuals to the rules and environments in which they operate. We begin by analysing the quality of advice itself and whether it contains the content that the official narrative requires.

CHAPTER 10
The quality of official advice

The previous chapter opened with the running gag of the red briefcases in *Yes Minister*. But perhaps the show's most famous gag was the convoluted, information-free responses officials gave to Minister Hacker's questions.

In one memorable moment, Hacker was kept in the dark about an important issue.[102] When questioned by Hacker about the deceit, Bernard said that "the fact that you needed to know was not known at the time that the now known need to know was known".[103] In another episode, Sir Humphrey presented Hacker with six options to address an international crisis, ranging from doing nothing to declaring war. He then goes on to show how each is undesirable. While the advice demonstrated Humphrey's ability to argue for and against various positions, it did not help Hacker achieve his goals.

Free and frank advice is valuable when it reflects the analysis of expert officials on the options that a minister can feasibly implement and the risks of each. There are many ways advice can fall short of this standard. It can leave out relevant information or fail to provide a level of rigour that the analysis requires. Advice can reflect a compromise stance instead of a conclusive viewpoint a minister can work with.[104] Or, as Minister Hacker frequently experienced, advice can be unintelligible or contain little real information.

In our public service, does official advice help ministers achieve their policy goals?

10.1: Historical quality of advice

To answer that question, we begin with a historical overview of the quality of advice according to the Performance Improvement Framework (PIF) reviews and Performance Improvement Reviews (PIRs). These reviews rated agencies on how well they provide advice and services to their ministers.

We collected 53 PIF reviews from 2010 to 2020 that rated agencies' advice and services to ministers. Forty-two (79 percent) rated agencies as 'Strong' or 'Well placed'. Ten (19 percent) were rated as 'Needing development', a negative rating, and one could not be rated.

The PIRs conducted since 2024 fare much worse than those of the earlier PIFs, albeit across only a small number of reviews. One agency was rated 'Embedding', the lowest positive rating category. The other four were rated as 'Developing', a negative rating. An additional review of the Ministry of Transport review did not ask about service to ministers. However, it did have four ratings related to advice, all of which were rated as 'Developing'.[105]

Five ratings should not be taken as a public service average, and the criteria were reworded and repositioned in the transition from PIF reviews to PIRs. Nonetheless, none of the recent reviews gave a rating in the top category, and the reviewers' findings repeat problematic patterns found in the PIFs (see below).

Ratings take both the content of advice and its presentation into account. It is unclear from the ratings alone how the agencies concerned performed on each of these.[106] To disentangle the two, we analysed the comments of lead reviewers about what ministers, stakeholders, and staff told them about the advice they received or gave.

Tables 10.1 and 10.2 present a selection of comments that we found representative of the kinds of successes and failures in the PIF and PIR reviews.[107] Read together they show that, while the public service was generally good at serving ministers and deserving of the high ratings, it was less consistent in giving ministers substantive advice, although the extent of this is difficult to determine.[108] Some agencies performed well on this area, while others did not.

Agencies were consistently found to be responsive and professional. For example, the Ministry of Social Development (MSD) in 2011 was "highly responsive to the needs and expectations of Ministers". The Department of the Prime Minister and Cabinet (DPMC) in 2013 had "an excellent reputation" for advice to the Prime Minister that was "non-political, independent, formal and professional". And the Ministry of Foreign Affairs and Trade (MFAT)'s strengths in solving problems and sustaining relationships were "reflected in the timeliness, quality and acceptability of its advice".

Table 10.1: Successes with advice in the PIF

Agency and year	Quotation
Ministry of Foreign Affairs and Trade (2010)	"Discussion with stakeholders and peer institutions reveals an organisation highly effective at solving problems, supporting clients, participating in multilateral systems and building and sustaining bilateral relationships. In general, these attributes are reflected in the timeliness, quality and acceptability of its advice".[109]
Ministry of Social Development (2011)	"MSD is highly responsive to the needs and expectations of Ministers. Staff are clear that the Chief Executive puts a lot of emphasis on servicing Ministers".[110]
Ministry of Social Development (2011)	"Policy Advice team is generally well regarded for its ability to support Ministers. In respect to delivery of the Government's directions it is seen as providing fast, pointed and effective advice. A particular strength of Policy Advice has been the way MSD brings other agencies and its own front-line staff into policy development so that proposals are readily implementable. Cabinet committee papers are well structured for decisions by Ministers and contain all the relevant information. The Ministry collaborates well with other agencies and is helping to translate concepts like Whānau Ora into concrete service delivery processes".[111]
Ministry of Economic Development (2012)	"Ministers consulted in the Review were very satisfied with MED, including the calibre of advice and professionalism of the MED personnel they deal with".[112]
Ministry of Justice (2012)	"Finally, on the limited benchmarks that are available on the quality of policy advice, the Ministry is relatively well placed. The New Zealand Institute of Economical Research Inc (NZIER) rating was 'good' and the Ministry was amongst the best benchmarked".[113]
Careers New Zealand (2013)	"Careers NZ has built a good rapport with the Minister of Education and is working on establishing closer links with other Ministers with an interest in its work. Its regular reports to the Minister and Ministry of Education are of a good standard and are routinely copied to a range of stakeholder Ministers".[114]
Department of the Prime Minister and Cabinet (2013)	"DPMC has an excellent reputation for the work it does in meeting both the policy advice needs of the Prime Minister (non-political, independent, formal and professional) and as secretariat to Cabinet, Cabinet Committees and the Executive Council. Its ability to serve successive governments well, to handle transitions of governments and induction of Ministers and Governors-General has been exemplary".[115]
Serious Fraud Office (2014)	"Ministerial satisfaction has been achieved across a range of quality criteria, an excellent result given the lack of an internal policy function and the fact it is an Auckland-based agency".[116]
Ministry for Pacific Peoples (2024)	"MPP's strength lies in its ability to provide reliable and fast advice and support on cultural events and matters. For example, the Minister described MPP's support regarding a request to attend a recent high-profile cultural event as 'outstanding' and wanted this level of advice to continue".[117]

Source: Quotations extracted from the Performance Improvement Framework reviews and Performance Improvement Reviews. Table made by the authors.

Table 10.2: Problems with advice in the PIF

Agency and year	Quotation
Ministry of Social Development (2011)	"A point made by some Ministers was that they wanted to have an independent source of advice on longer-term issues. They did not think that advice from officials, of any department, was giving them incisive advice on the tough long-term issues that needed to be solved".[118]
Ministry of Social Development (2011)	"Most Ministers expressed their sense of a contrast between the speed of MSD response on issues where it was supportive, with a slower response when there was disagreement".[119]
Ministry of Health (2012)	"The Ministry has also recognised the need to improve the overall quality of its policy advice, following a Ministry initiated independent review of its policy capability in 2010. The review identified major problems in the commissioning of advice, poor internal processes and quality control, lack of responsiveness to Ministers, lack of provision of workable policy options and a lack of focus on medium-term stewardship issues of interest to the wider Government".[120]
Ministry of Health (2012)	"Areas of concern in the past have been recommendations being given without basis, lack of international evidence, lengthy papers and advocacy dominating rational analysis".[121]
Ministry of Health (2012)	"During this review some Ministers still remarked to us on the slowness of advice, the frequency of errors, excessively detailed advice and a lack of practical policy options provided by the Ministry".[122]
Ministry of Health (2012)	"However, Ministers still reported at times a relatively slow response to requests for advice, a tendency to provide advice that is overly detailed and short-term in its focus, and some continuing weakness in the provision of options".[123]
New Zealand Customs Service (2012)	"The Policy Group tends to be overstretched and can on occasion have limited resource available for the more strategic work".[124]
Ministry of Social Development (2013)	"In the initial PIF Review recognised the need for more strategic advice on social sector issues. Given the challenge posed in relation to all the changes under way across MSD, and the difficulty in obtaining staff with the required breadth of skills and experience across the entire social sector, it is perhaps not surprising that MSD has made little progress with breakthroughs in this area".[125]
Ministry of Transport (2018)	"The regular strategy discussions were highly valued by the previous Minister, although the linkage of the topics discussed at these engagements to the ongoing work of the Ministry is not as clear or planned as it should be".[126]
Ministry for the Environment (2018)	"Notwithstanding that, it does not have a reputation for consistently undertaking high-quality work".[127]
Ministry of Māori Development Te Puni Kōkiri (2020)	"Its capacity and capability for this lead role has been compromised in recent times by the lack of a clear strategy or framework for its policy work".[128]
Ministry of Māori Development Te Puni Kōkiri (2020)	"The policy function is a core role of Te Puni Kōkiri and the agency has not been delivering on Ministerial or Māori stakeholders' expectations, or been well-placed to fulfil its role, in recent years. Te Puni Kōkiri has become focused on the particulars of issues rather than the overall strategic picture".[129]
Ministry for Pacific Peoples (2024)	"MPP's policy advice quality is inconsistent. Recent statistics show 58 percent of policy papers were rated highly, yet 25 percent did not meet basic policy performance measures".[130]
New Zealand Police (2026)	"Ministers expressed concern that Police do not yet have the 'heft' or influence required to strategically shape policy conversations, and that this absence is felt in forums where decisions with long-term impact are being made".[131]

Source: Quotations extracted from the Performance Improvement Framework reviews and Performance Improvement Reviews. Table made by the authors.

Some PIF reviews lauded the analytical strength of agencies' advice, and some such examples are presented in Table 10.1. The MSD review credited the ministry with bringing other agencies and its own frontline staff into policy development "so that proposals are readily implementable", and with Cabinet papers that "contain all the relevant information". One Ministry of Justice review identified an advice rating of "good", which placed the ministry "amongst the best benchmarked".

Other reviews found problems with the substance of official advice. One complaint is the absence of strategic, long-term advice. For example, ministers interviewed for the 2011 MSD review "did not think that advice from officials, of any department, was giving them incisive advice on the tough long-term issues that needed to be solved", leading some ministers to want independent sources of advice. The 2013 follow-up review found MSD had "made little progress" on strategic social sector advice and attributed this partly to the difficulty of finding staff with breadth across the sector.

The PIF reviews noted other problems. In 2012, the Customs Service policy group was "overstretched" with little resource for strategic work. In 2020, Te Puni Kōkiri lacked "a clear strategy or framework for its policy work" and had "not been delivering on Ministerial or Māori stakeholders' expectations". In 2018, regular strategy discussions at the Ministry of Transport were valued by the minister, but their link to the ministry's ongoing work was "not as clear or planned as it should be".

Similar complaints have surfaced in more recent reviews. For example, in the 2026 review of the Police, ministers said Police "do not yet have the 'heft' or influence required to strategically shape policy conversations", an absence "felt in forums where decisions with long-term impact are being made".

Many recurring problems with substance and timeliness can be found in the Ministry of Health's 2012 review. A 2010 independent review of the ministry's policy capability had found "major problems in the commissioning of advice, poor internal processes and quality control, lack of responsiveness to Ministers, lack of provision of workable policy options and a lack of focus on medium-term stewardship issues". Earlier concerns included "recommendations being given without basis, lack of international evidence, lengthy papers and advocacy dominating rational analysis". Two years later, ministers "still remarked" on the slowness of advice, the frequency of errors, excessive detail, and a lack of practical options. However, the 2017 follow-up review did find that the ministry had successfully transformed and started to provide "robust evidence-based" policy and investment advice.[132]

The PIF reviews found that some agencies were quicker to respond to ministers when it supported their positions than when it did not. For example, the 2011 MSD review recorded that "most Ministers expressed their sense of a contrast between the speed of MSD response on issues where it was supportive, with a slower response when there was disagreement". This is unfortunate, as it is precisely when agencies and experts disagree with ministers that advice is most useful. And helping ministers more when agencies agree with them poses problems for political neutrality, especially when officials' political opinions overlap more with some governments than others (see Chapter 5).

Other problems with advice noted in the PIF reviews can be found in Table 10.2.

10.2: Contemporary quality of advice

The PIF reviews showed that during the 2010s, advice quality was variable across agencies. Agencies were professional but less consistent in providing ministers with real substance.

Both the kinds of successes and failures found in the PIFs during the 2010s have resurfaced in the recent PIR reviews, although there have not been enough of the latter for results to be representative of the public service as a whole.

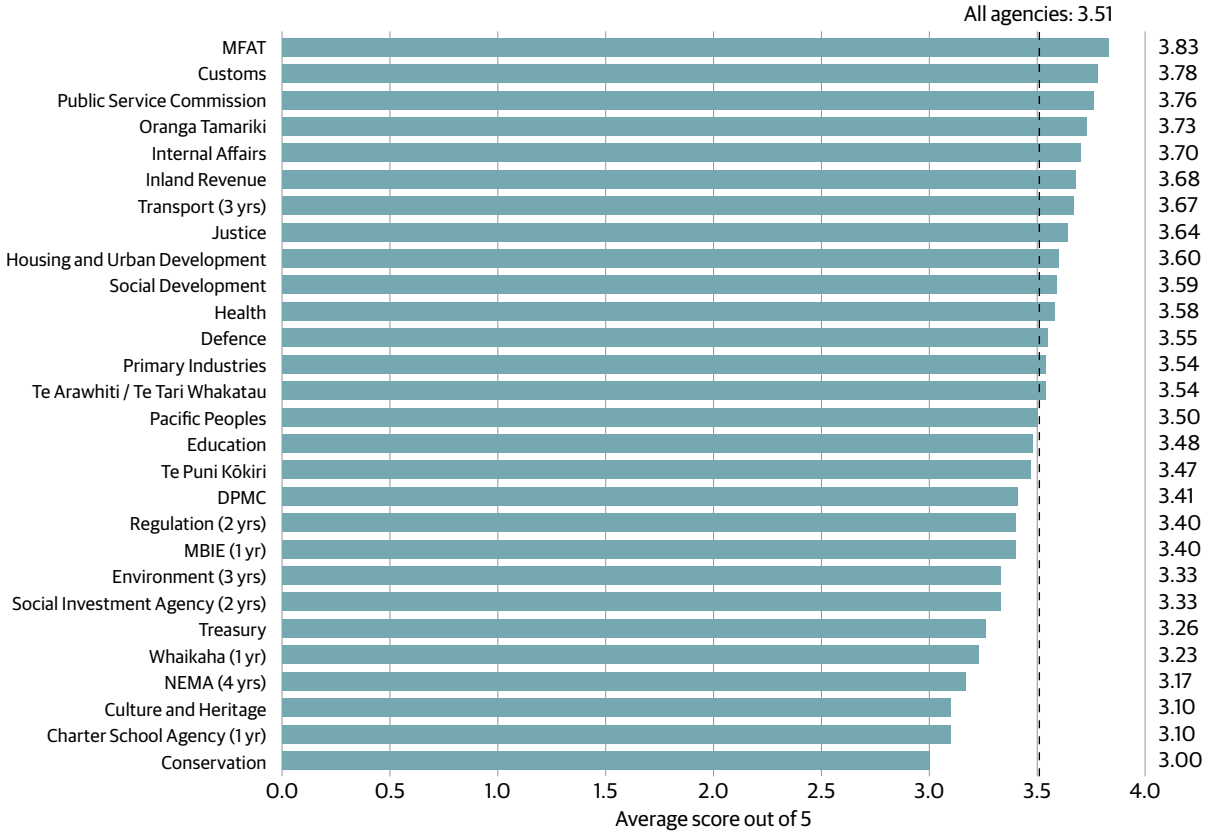
To get a broader and more up-to-date picture of the quality of advice, we analysed the ratings of official advice that were published as part of DPMC's Policy Project.[133]

The Policy Project asks each agency with a policy appropriation to score a sample of its own policy papers against DPMC's Policy Quality Framework (PQF) and to publish the results in their annual reports. Papers are assessed against four standards: Context, Analysis, Advice, and Action.[134] Each paper receives an overall score on a five-point scale: 1 Unacceptable, 2 Poor, 3 Acceptable, 4 Good, and 5 Outstanding.

How papers are rated varies across agencies. Some run internal panels while others contract independent assessors such as the New Zealand Institute of Economic Research (NZIER). For each policy appropriation that gets rated, agencies rate anywhere from five to more than 50 papers. Agencies also set their own standards (targets), such as 'an average of at least 3.5 out of 5' or 'at least 80 percent of papers scoring 3 or higher', and report on whether they meet these standards.

The Policy Project provides a comprehensive overview of the contemporary quality of official advice. To analyse these ratings, we acquired all the agencies' annual reports published during the 2020s. Around 130 were from agencies with policy appropriations, making them relevant to our analysis.[135] We extracted the ratings for average policy quality and the distributions of paper ratings, as well as each agency's personal standards.[136]

Figure 10.1: Average advice quality scores by agency



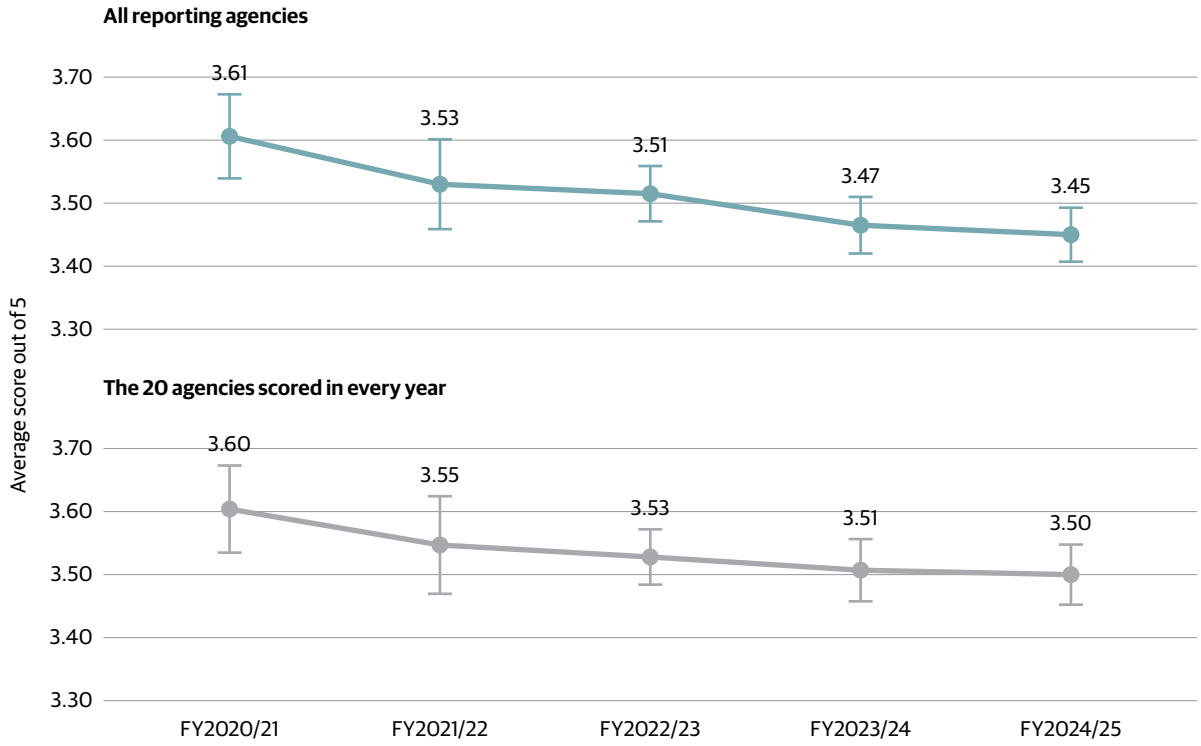
Note: Mean score out of five over FY2020/21 to FY2024/25. Full five years are included in the agencies' scores unless marked otherwise.
Source: Data extracted from agencies' annual reports. Graphic made by the authors.

Our unit of analysis was an agency's results for one financial year (1 July to 30 June). When an overall score was not listed, we averaged results between portfolios or types of advice to get one rating for an agency in a given year.

Across the period FY2020/21 to FY2024/25, the average quality of advice rating was 3.51 out of 5, so average advice across the public service straddled 'Acceptable' to 'Good'. Figure 10.1 shows the average score for each agency. Most scored in the mid-3s. Some agencies, like MFAT and Customs, scored higher. Others, like the Department of Conservation, score closer to an average of 3, indicating that their advice is typically 'Acceptable' but not stellar. Central agencies like the Treasury and DPMC are supposed to lead the service and, in the Treasury's case, prepare public servants to produce high-quality analysis. Both scored below average.

Figure 10.2 shows, from FY2020/21 to FY2024/25, that the average drifted down every year, from 3.61 to 3.45 (the blue line). During this time frame, some agencies were renamed, merged, or created, which may affect the average score if new agencies performed worse. Some agencies also did not report average quality advice figures in all their annual reports. However, the same downward trend in average advice was observed for agencies that did not change or reported average quality of advice every year (the grey line). Due to the uncertainty involved in an agency's score of their papers, however, it is difficult to determine if this decline reflects drops in quality or variations in the sample of papers agencies grade.

Figure 10.2: The quality of policy advice over time



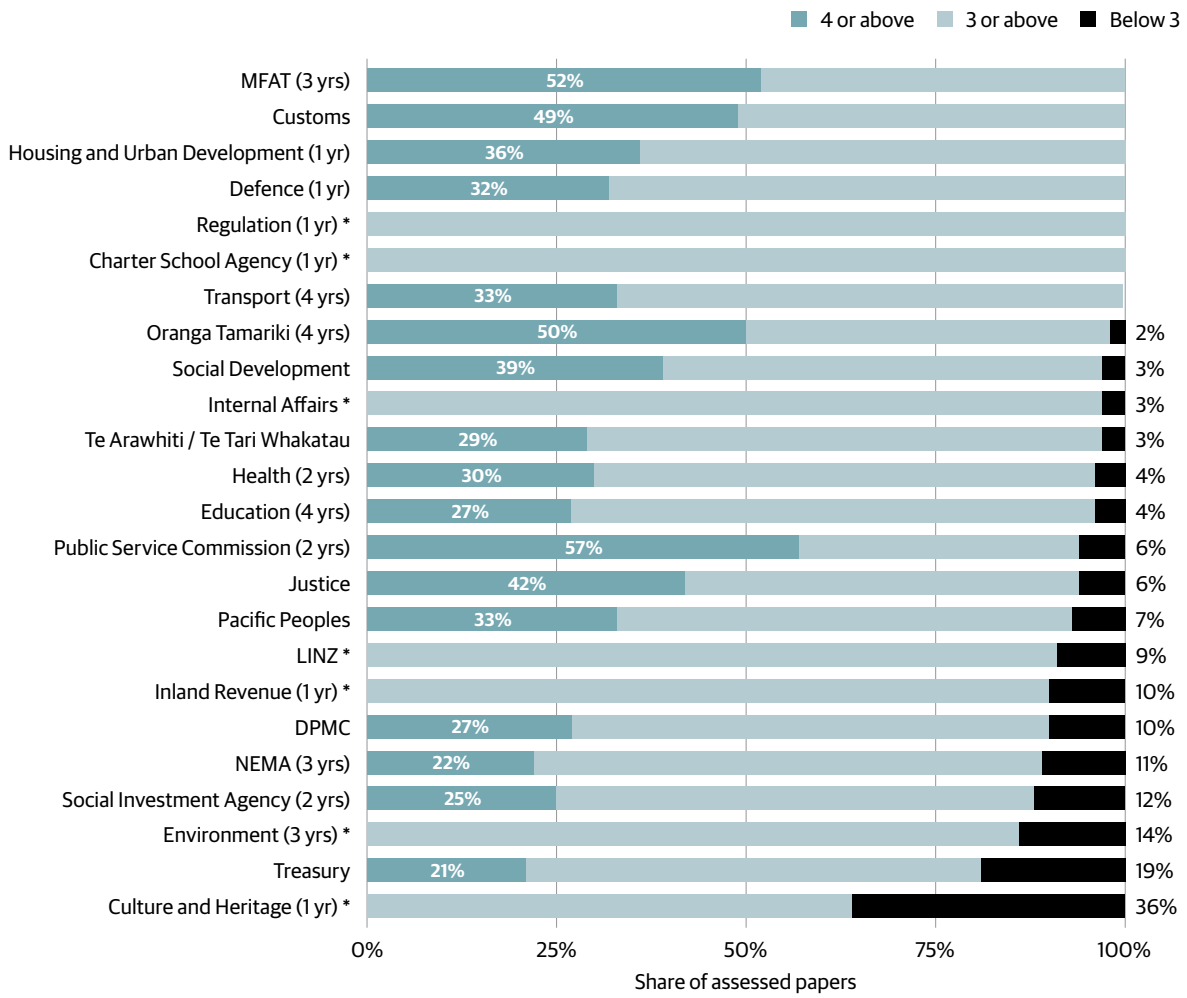
Note: The range of the vertical axis is truncated to be between 3.30 to 3.70 to aid visual clarity of a modest decline. Since each agency's score for a given year is an average over a sample of the agency's papers, the estimate is uncertain. Most agencies did not report how many papers they graded in a year, so we calculated the standard error of the mean for a given year treating each agency-year value as a single data point without weighting by sample size of papers. Error bars show one standard error of the mean.
Source: Data extracted from agencies' annual reports. Graphic made by the authors.

From FY2020/21 to FY2024/25, the average agency had 94 percent of assessed papers scored 3 or above and 35 percent scored 4 or above. The share at 4 or above fell from 42 percent in FY2020/21 to 29 percent in FY2024/25, and since FY2022/23 it has been below the aggregate standard agencies set for themselves. Agencies typically produce acceptable advice but not advice that exceeds this minimum standard.

Figure 10.3 shows the proportions of papers on each score in each year from FY2020/21 to FY2024/25 by agency. Agencies differ dramatically. Some have half of their papers scoring 4 or above, while many others have only a quarter to a third score in this range. The central agencies most concerned with policy advice, the Treasury and DPMC, rank below average on both the share of papers scoring above 3 and above 4.

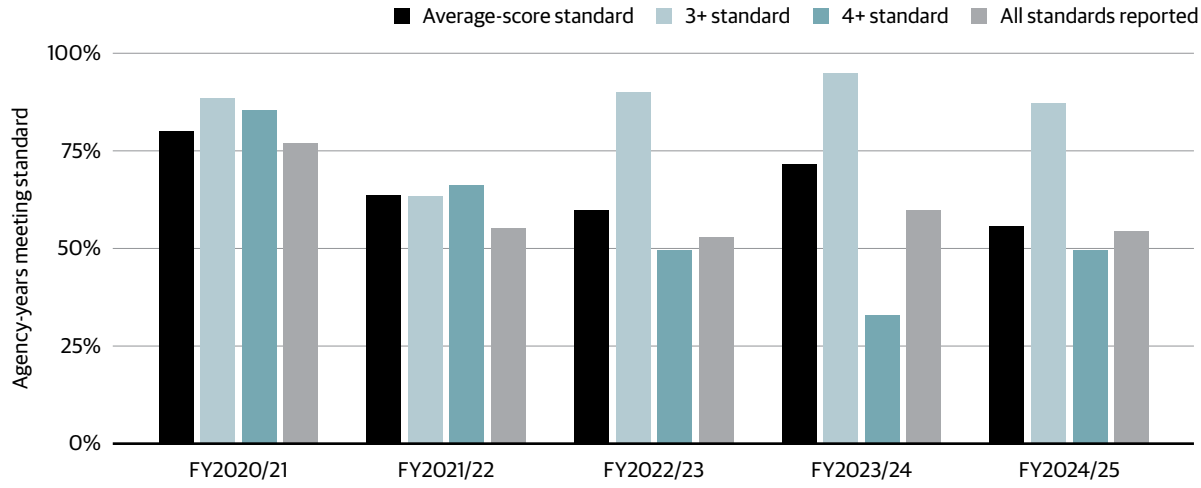
About two thirds of agencies in each year met their own standards for the average quality of their policy papers, but only 56 percent met their standards for the share of papers scoring 4 or above (Figure 10.4). The proportion of agencies meeting their average score standard fell from 80 percent in FY2020/21 to 56 percent in FY2024/25. The share of agencies meeting all their standards fell from 77 percent to 55 percent over that period.

Figure 10.3: Share of papers scoring a 3 by agency



Note: Agencies ranked by share scoring a 3 or above.
Source: Data extracted from agencies' annual reports. Graphic made by the authors.

Figure 10.4: Fewer standards are being met



Source: Data extracted from agencies' annual reports. Graphic made by the authors.

Different agencies set different standards, and some increase their standards over time, while others keep them constant. Figure 10.4 shows that either agencies are attempting to raise standards over time, but struggling to meet them, or have found it increasingly difficult to meet the same standard. The data suggest the latter, with aggregate standards having been roughly flat since 2020. In aggregate, the declining share of agencies meeting their standards is explained more by poorer performance than by rising standards.

Some agencies average 'Good' quality advice, while others average in the merely acceptable range. Ratings of the quality of advice have moderately fallen over time, especially the share of advice that is rated highly, although this may be due to noise in the sample of papers agencies rate and not represent a genuine decline in the quality of advice. Nonetheless, the quality of free and frank advice is variable and has much room to improve.

10.3: 52 shades of grades

The reliability of these results depends on review panels scoring papers reliably. Two independent reviews of the Policy Project have been conducted, and both found issues with the ratings agencies and NZIER originally gave.[137]

An interim evaluation by Allen & Clarke, published in September 2021, "highlighted concerns about the confidence that agencies have in the policy quality review results, particularly the consistency of scoring policy papers".[138] DPMC responded by commissioning an independent panel from NZIER to re-score a sample of papers by a blind Panel. The Panel took 52 papers from the 2021/22 cycle, 25 that had scored 3 and 27 that had scored 4, and reported their results in October 2023.

Table 10.3 shows average scores from the Panel against the original score ranges. The Panel consistently scored the papers lower than their original scores, with the gap largest for the papers originally rated most highly. Across the whole sample, the Panel average was 3.14 against an original average of 3.51. For papers originally scored 3, the Panel's average was 3.06; for papers originally scored 4, the Panel's average was 3.22.

Table 10.3: Review panel re-scores versus the original scores

Papers	Number	Average panel score	Median score	Minimum score	Maximum score	Standard deviation
Originally scored 3	25	3.06	3	2	4	0.485
Originally scored 4	27	3.22	3	2.5	4	0.487
Whole sample	**52**	**3.14**	**3**	**2**	**4**	**0.488**

Source: C. Scott, *Policy Quality Framework: Independent panel review of papers*, report to the Department of the Prime Minister and Cabinet (DPMC) (Wellington: New Zealand Institute of Economic Research (NZIER), 2023), 15.

Differences between the original and panel scores varied with the kind and complexity of paper. Half the sample that the Panel reviewed were policy briefings. Sixty-five percent of these scored within half a mark of the original, in line with the sample as a whole.[139] A quarter were Cabinet papers, which "typically scored lower than the original score – on average by half a mark".[140]

The most complex papers were marked down by two fifths of a mark, on average. Conversely, papers of medium and low complexity were scored similarly between the Panel and the original reviewers.[141]

The Panel offered various explanations for inflated grades. One was reluctance to fail a paper. "From our experience, we know it can be hard to give a score less than a 3, i.e. that a paper didn't meet the standards, as feedback needs to be carefully managed. It may also impact an agency's reputation and credibility".[142] The Panel added that scoring systems in general often show a "centrality preference" and that "a leniency bias might be in play, i.e. a tendency to rate papers as meeting the standards even when there are a number of shortcomings".[143]

A second explanation is unevenness within papers. The Panel saw "a number of papers which had done well in one area of the PQF and poorly in another", including cases in which "the analysis was comprehensive, but the paper wasn't well written and contained a range of typos and other simple errors, so it was hard to understand the analysis and its conclusions".[144] A single overall score gives a reviewer room to let the strong parts of a paper compensate for weaker parts.[145]

The Panel also discussed systematic blind spots in papers and how these attracted lower scores. While the review overall found that "papers were largely fit for purpose and would allow Ministers to make informed decisions", the problems they identified clustered around things that are essential for free and frank advice to ministers.[146]

One frequent shortcoming was lack of context: "It was unclear how papers fitted in the wider strategic context and how they built on previously made or foreshadowed future decisions".[147] Analysis of different options was also subpar. The Panel "saw very few examples where there was a systematic assessment of a range of options against a clear set of criteria". While it acknowledged that options are often missing from Cabinet papers "as some Ministers only want the paper to focus on the preferred way forward", it observed that "this doesn't explain why they are lacking in other papers".[148] Only a handful of papers made "a decent effort" at a Treaty of Waitangi analysis.[149]

"With the odd exception", diverse views were rarely reflected.[150] Papers listed the agencies and stakeholders who were consulted "but often no indication of their views", and "even different agency views often weren't outlined".[151] The Panel

warned that "key judgements, trade-offs and implementation risks may be hidden".[152]

Further issues concern the inability of papers to communicate their results well or form actionable plans for ministers. Papers "were overly long, making them hard work for busy Ministers".[153] Executive summaries repeated the background instead of summarising the analysis and recommendations. The Panel described this as "a trap we saw many papers falling into".[154] Officials made too little distinction between writing for a responsible minister, who may know a subject well, and writing for a group of ministers with varied understanding. Moreover, they made "limited use of other means of communication – diagrams, charts, tables, A3s, slide packs etc".[155]

Implementation was another blind spot. Papers often said what further reporting was planned, but "the basics of implementation weren't discussed".[156] This included what an agency would need to do to deliver, financial implications, the capacity of other parties involved in delivery, communications with stakeholders, implementation risks and how they would be managed.[157]

The review indicates that published Policy Project scores, which themselves show that most papers typically meet but do not exceed standards, may overstate the quality of policy advice. Papers originally certified as exceeding a standard often failed to say what the alternatives were, who disagreed and why, or what would happen when the minister had made a decision. The issues that the PIF reviews found in the 2010s are still present in today's public service.

Even though papers were largely "fit for purpose", good advice requires more than clearing the minimum standard. If paper quality varies across agencies and kinds of papers, then so does the quality of the free and frank advice based on those papers.

Case study: One minister's experience with variable advice quality

The historical and contemporary reviews present a mixed bag, with serious deficiencies at the lower end. The quality of advice is variable across agencies, type of advice, and many other factors.

One of the political advisors we interviewed concurred, saying that assessing the quality of advice their minister receives is a "case by case" business.

The advisor discussed variability in policy advice and its impact on meetings between ministers and officials. They said that, in the "best-case scenario, you don't need a meeting. The policy document will come across. Tick, tick, tick, this is great". A good meeting would be conversational, where the minister just needs extra context or more advice on next steps. Unfortunately, "good meetings are sort of few and far between".

In an average meeting, an official "might have asked for 10 decisions", but finds that the minister has made only about seven: "Three issues that [the minister] needs to work through. Probably an odd comment in the briefing being like, 'This doesn't make sense. I need more info on this'". In their experience, 70 percent of meetings were like this.

Meanwhile, in a bad meeting, the "briefing's just full of [critical] comments about the quality of it. 'Didn't ask for this'. Huge sort of crosses out… No decisions on it, unsigned. … Minister starts the meeting, 'I'm extremely disappointed with this advice'". In their experience, about 30 percent of meetings were bad, although they said that bad meetings were more common at the start of a minister's term.

In the worst-case scenario, "it's a letter to the CE being like, 'You need to sort out your policy'. We've written a few of those".

10.4: Why is the quality of advice so variable?

Writing advice is difficult, so it is no wonder that some agencies perform better than others. As we discuss in the following chapters, ministers play their part in the production of policy advice. As one participant put it, "you have politicians who both want lickspittles and then bemoan the poor quality of their advice".

In general, the reasons for the variable quality of advice are connected to other factors that diminish the freeness and frankness of advice. For instance, officials in our interviews mentioned difficulty in communicating across agencies, excessive control by managers instead of subject matter experts, low risk appetite, focus on appearance over substance, perpetual restructuring, and more.[158]

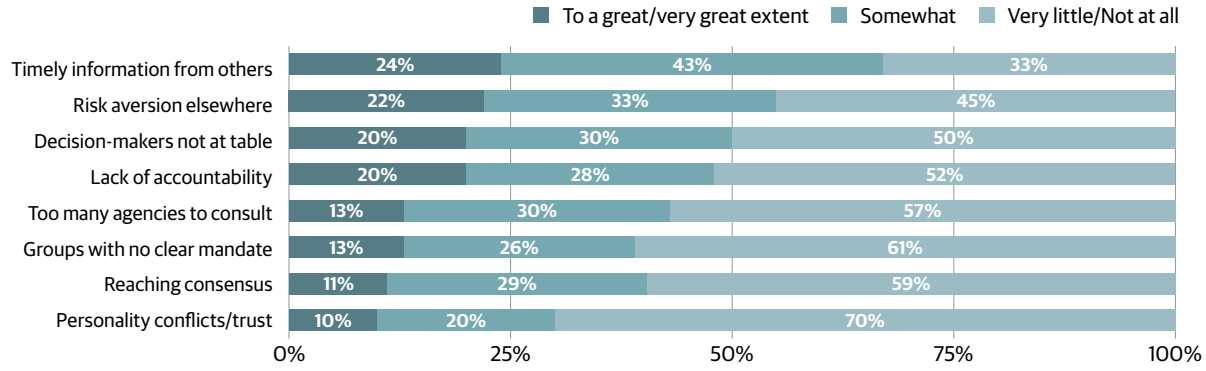
However, our interviews reflect the experiences of our participants, which tell us what kinds of problems arise but not their extent. To get a service-wide overview of challenges public servants face, we look to the Public Service Census. It asks respondents the extent to which they think certain potential barriers harm their agencies' work. These questions serve as a measure of what public servants broadly see as a problem for getting their work done, which can include producing advice.

Figure 10.5 shows the prevalence of problems that public servants frequently working with other agencies listed as barriers to successful collaboration. Figure 10.6 does the same but for public servants generally and for problems within agencies. Comparing the two figures, public servants who work with other agencies demonstrate a lower propensity to find problems. In other words, public servants say they generally experience within-agency problems more frequently than cross-agency problems.

Overall, the most frequently cited within-agency problems are too few staff and too much work,[159] overly complicated procedures, inefficient decision making, and poor communication across teams. The most frequently cited cross-agency problems are difficulty getting information from other agencies, risk aversion, difficulty in getting decision makers to meetings, and lack of accountability.

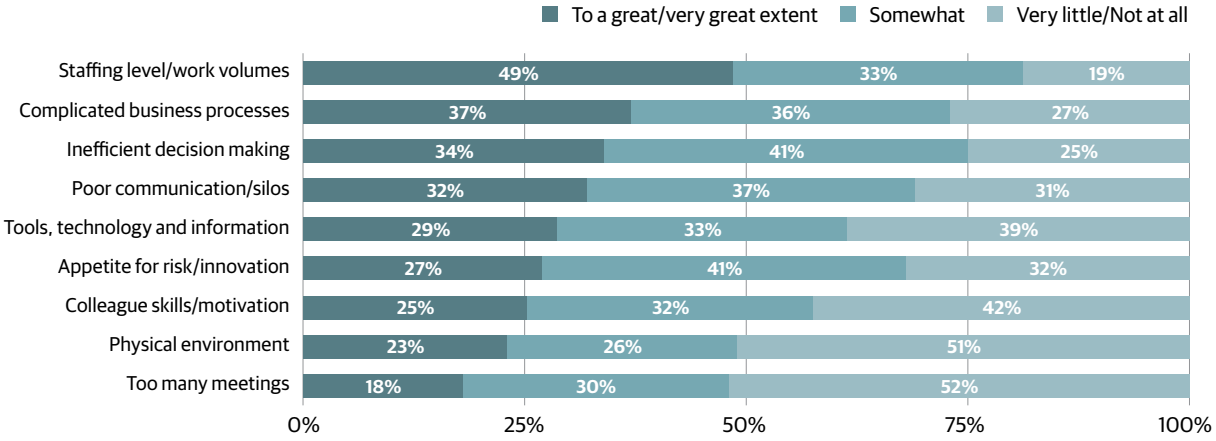
Moreover, most of the within-agency problems achieved supermajorities of respondents agreeing that the problems harm the public service at least "somewhat". Similarly, majorities of respondents said that many cross-agency problems impede their work either "somewhat" or "to a great / very great extent".[160]

Figure 10.5: Self-perceptions of cross-agency problems



Note: Respondents answered the question, "How much do these interagency challenges impact your ability to get work done?"
Source: Data downloaded from the Public Service Commission's Public Service Census webpages. Public Service Commission (PSC), "Te Taunaki Public Service Census", Website. Graphic made by the authors.

Figure 10.6: Self-perceptions of within-agency problems

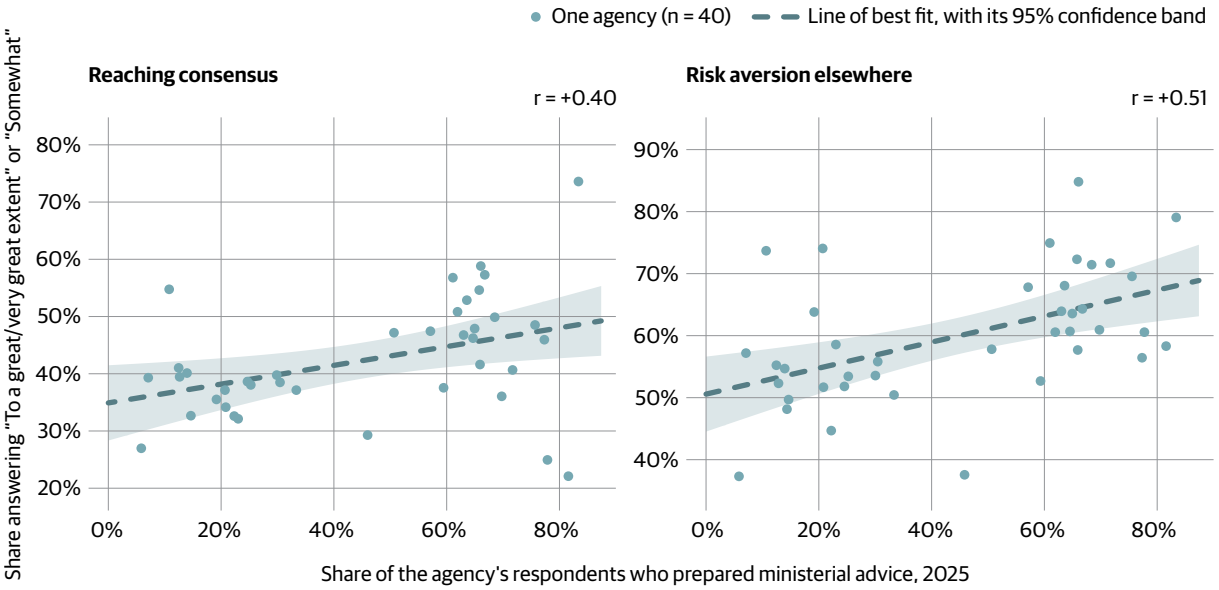


Note: Respondents answered the question, "How much do these issues below prevent you and your team performing at your best?"
Source: Data downloaded from the Public Service Commission's Public Service Census webpages. Public Service Commission (PSC), "Te Taunaki Public Service Census", Website. Graphic made by the authors.

Policy-heavy agencies do not rate internal problems as barriers more than agencies that deal primarily with operations or service delivery. This is also true of most cross-agency problems, although policy-heavy agencies tend to rate consensus decision making and risk aversion as problems more than more operational agencies.[161]

Figure 10.7 shows the positively correlated relationship between the proportion of agency staff involved in preparing ministerial advice and the reported prevalence of these types of problems. These were also issues frequently cited by our interview participants who dealt closely with the production of policy advice.

Figure 10.7: Issues correlated with policy-heavy agencies



Source: Data downloaded from the Public Service Commission's Public Service Census webpages. Public Service Commission (PSC), "Te Taunaki Public Service Census", Website. Graphic made by the authors.

What do some of these problems look like in practice?

Some of our interview participants described how excessive desire to reach consensus can diminish the quality of advice. We saw in the previous chapter the example of disagreements among technicians leading to a multi-year delay on a policy decision. Another example came from one participant who experienced a months-long attempt from officials at multiple agencies to produce advice:

> And so went through this process of trying to get all these different groups and different people with very different intellectual kinds of backgrounds – in terms of the disciplinary background, not intellectual background, disciplinary background – to advise the government on how to reform [a law]… And that was just a circus that went on for months: these huge working group sessions that, in the final analysis, didn't actually produce any advice to, 'Here are the steps you should take'… all these officials were running around producing all this paper that was just completely internal and disagreeing over the fundamental premise of why we even have [the law]. … It was just that, and no political leadership saying, 'This is what we want. We have this clear picture. Go and tell us how to do it'.

One interviewee recounted how they once had to "go three times through" another official, "who may take two weeks each time to consider the paper. There's a month lost in that process". And as discussed in Part 1, another described having to demonstrate to a private secretary that options were missing from advice provided by another agency:

> Private sec gets in touch and says, 'What's going on?' I said, 'Look, there's a dispute over options. We think there's two options; [agency A] only wants to put up one'. … The private sec relays that to the minister, the minister goes to [the minister of agency A], and [the minister of agency A] goes to [their] officials and says, 'Um, I heard there's a briefing with options. Why are you taking options out from ministers?' Which, combined with [agency B] building up steam, forces [agency A] to go, 'Well, shit. We have to put the [agency B] option in, and we'll just add a comment to the [agency B] option saying how we think it's terrible and you shouldn't do it'. Minister [was] subsequently, like, 'Oh yeah, that [agency B] logic's pretty good. Saving billions of dollars'.

This example connects to other cases we heard in our interviews, in which officials appeared not to realise what counts as an option. For example, one of our interviewees described having to force officials to add a 'do nothing' option to advice.

10.5: The bigger picture

The PIF reviews showed that, in recent history, the quality of advice has been variable across agencies, usually presented professionally but sometimes lacking the substance that ministers need. The more up-to-date reviews of policy quality, as measured by DPMC's Policy Project, confirm this variability, bringing many issues with the quality of advice to the fore. These range from difficulty communicating findings to ministers, to lack of consideration of alternative viewpoints. Lastly, given the self-perceptions of public servants and our interview participants, the causes of this variability in policy quality likely connect to dysfunctional elements in the core functions of the public service.

These issues cast doubt on the notion that the advice ministers receive is the substantive advice idealised in the official narrative of free and frank advice. For free and frank advice to be of use, it must be substantial enough to help ministers make decisions and implement policy. Quality advice depends on many factors, each with its own difficulties and insufficiencies, so it is perhaps unsurprising that quality advice, and the content of free and frank advice itself, is as variable as we find it to be.

CHAPTER 11

The importance of being earnest

"I don't want the truth! I want something I can tell Parliament!"[162] So said Minister Hacker when his claim of a bloated civil service was questioned by Sir Humphrey.

Hacker, as a politician, knows the importance of appearances. Governing requires working with people and maintaining their trust. Hence Hacker's emphasis on appearing to promote efficiency regardless of how called for such programmes were. What mattered most was having others around him see him as having issues under control.

Unlike Hacker's relationship with Parliament, the relationship between officials and ministers should prioritise truth over appearances.

Free and frank advice is supposed to be given to ministers "without fear or favour".[163] Officials should tell ministers what they need to hear, not what they want to hear. Advice should not be softened to please ministers. Relationships between senior bureaucrats and ministers are essential, but if they come at the expense of fearless advice, the very purpose of those relationships is undermined.[164]

Not all attempts to preserve a relationship put appearances ahead of substance. Relationships need trust, and there are many ways relationships can be preserved without undermining their purpose.

In this chapter, we look at two ways in which bureaucrats seek to preserve relationships with ministers: context management and the doctrine of 'no surprises'. Both are desirable in theory but, in practice, they can be misused (context management) or undermined ('no surprises') to produce situations they were trying to avoid. We do not have data indicating the extent to which these practices are misused or undermined. Instead, we focus on the experiences of our interview participants. These illustrate ways in which these practices can go wrong and the consequences when that happens.

11.1: "The primary skill of a civil servant"

The first way officials can try to improve their relationships with ministers is through "context management", a practice of presenting information or advice (the 'context') in ways that a minister would be more receptive to or would be more palatable for public opinion. One official we interviewed described this as a "buzzword" in their agency, and that:

> Now, if you were to say, 'What is the role of a senior civil servant?' you would think you should be able to understand your subject matter and understand the risks and the challenges and whatever. But context management is about – is anything gonna blow up, telling the minister it's gonna be okay, making sure that your colleagues are all informed… It's the primary skill of a civil servant. It's just about how much do you understand that that is your skill… I say to people that we're in the business of comms, and people joke, laugh, but I'm half serious, because it's actually how the organisation sells itself, how it constructs the advice and does all the framing. It's all communications exercises.

The participant remarked that context management can be "necessary" for a public sector organisation that serves ministers and competes with other agencies.

Uncomfortable information needs to be presented frankly, but, as the former chief executive of DPMC Andrew Kibblewhite remarked in a seminar on free and frank advice, "frank doesn't mean foolish".[165] The way in which crucial but unwelcome information is conveyed to ministers is likely to impact how it is received. Context management, then, can ensure that frank advice to ministers is actually heard and understood.

However, if context management becomes an end in itself, rather than a means of communicating important advice, it can obscure the substance of what officials are trying to communicate. In attempting not to be 'foolish', officials may end up not being 'frank'. Context management softens advice so that it does not produce backlash, but softening should not weaken its meaning. If officials put context management ahead of clarity, then they risk producing advice to please rather than to inform ministers.

One senior leader we interviewed recalled other leaders whose "mantra" was "We are here to please the minister". Reflecting on the advice their agency provided, the official said, "in terms of the free and frank advice, I think what I discovered is some of that policy analyst stuff, in the end, morphed into 'We know what's going to fly with a minister, and we are going to provide advice that we think the minister is likely to go with'".

Our participants told us that this is most likely to happen when advice produced by analysts is reviewed by management. As discussed in Part 1, one interviewee discovered discrepancies between advice a minister had received and the conclusions the analyst had drawn from evidence. This required going "10 layers deep" in the organisational structure to talk to the analyst in person. Another official described how editorial alterations can lead to such situations:

> [An] analyst writes a report, and their manager makes some changes, and then they hand it to their manager, makes some more changes, and then it goes up, and they say, 'Well, this isn't really quite right, is it?' And then it comes back down again, and the analyst doesn't recognise their original work.

Some interviewees involved in writing advice noted the difficulty of working with managers who alter or do not understand that advice. One recalled how their minister "was constantly asking to be scared and alarmed by… public sector advice. And I never managed to do it 'cause it always kept getting watered down". That same participant recalled telling one of their senior managers, "'[I] do not like being told to cast advice in the way the ministers will like'". The manager's reply, as they recalled it, was that "there's a difference between being politically neutral and being stupid".

Another described the culture at their agency as focused less on providing substantive analysis than on pleasing the minister. When we asked if officials used 'difference-in-difference analysis' to evaluate policy,[166] they said that the "last time I heard it was three years ago… If you're talking about econometrics, people just think you're from France. That's the technical side. For economic topics, people don't really want to engage".

> They don't use supply and demand. It's too economic for them. I think most of the people's objective, is: we have a request from the minister, for example – how do we respond to that?… How do we do our best to brief the minister? How to make our recommendations safe and can't be attacked or pushed back from ministers? They think more like this. They don't really focus on the analytical part. Analytical part is good to have, but if it doesn't fit my story, take it out. It's very political within [the agency], which is very ironic, because your reputation is gained by your analysis.

Case study: One advisor's experience with context management

From one political advisor's experience, the job of a senior leader "is essentially to sanitise things to not appear as bad in the agency as they are". The advisor also described how it is easier for them to talk to subject matter experts than senior leaders because "they know what they're talking about. Whereas the sort of potentially sanitised product that's been delivered will be the managerial [speak] by a DCE who's well-trained in comms".

The advisor went on to say that while they felt content with the number of experts they talk to in meetings, they were usually accompanied by "one or two tourists", referring to managers and senior officials. From their perspective, the "tourists" typically "try to make things smoother or better" when a meeting goes south:

"Part of a CE, DCE [job] is keeping the minister happy, maintaining a good relationship".

What do such interactions look like in practice when officials make a mistake? If the issue is serious, sometimes senior officials call the advisor or hold a meeting. "And if it's something's gone wrong in the policy, then a GM". But in general, this depends on the severity of the issue, such as "if it's a department cock-up and they had missed a deadline through negligence or they didn't find the pathway forward".

According to the advisor's experience, a meeting would have an "apology at the start if it's an agency issue. 'It won't happen again, minister. We've put all these steps in place to make sure that it never happens again'".

We asked if these general 'problem acknowledgements' were empty promises or produced genuine change. They answered that their meetings typically lead to real change:

"There'll be another briefing or advice that comes across. 'We had this problem. We said to you we would do these things. This is how they're done, have been done, or why they're not done because it seemed like a good idea at the time'. There's usually a follow-up".

One consequence of 'watering down' advice is that ministers, while on the surface being pleased, will lack the analysis they need to achieve their policy goals. One official recalled how they were told to stop and "stand down" by senior officials after demonstrating the "key, thorny, substantive matters of analysis and policy thinking that needed to happen". They described their disagreements with other officials thus:

> And [the minister] will ask substantive policy questions, such as, 'Are my reforms delivering the outcome I seek?' And me being the only expert in there able to advise on that, everyone else would put their heads down solemnly and just ignore the question. … And then I would say, on a rare occasion, 'No, Minister. Nothing in here addresses the funding and financing issues…' This would upset the agency. They would later claim 'We have work to do… in this table, on this A4 piece of paper, that ticks our work agenda, and this has been approved by the minister'. And I'm like, "That's beside the point. The list of tasks on your table are insufficient to deliver the outcomes the Minister seeks. There are further tasks required that are not on your list. The Minister wanted to know if that was the case." And they're like, 'But this table's been approved by a minister. And of course, therefore, by definition, it's what the minister wants'. I was not well supported by my agency to call out these gaps in the policy programme and felt less able to respond to the Minister asking such questions again in future.

Relationships between ministers and officials are often fragile and even small breaches of trust can be quite damaging. Officials therefore have

a natural and rational interest in being aware of anything that can harm their relationships with ministers. While this sometimes manifests in 'minister-pleasing' advice, as discussed above, it can also make both ministers and officials overly cautious of what they say to each other.

Context management is a form of relationship management, which need not happen through officials alone. For example, one interviewee recounted a time when a minister had to change the tone of their communications with officials. The communications were already harsh, but what the minister originally wanted to say "was much more ruthless than what was actually published". Another interviewee discussed how they sometimes give advice to managers to help them figure out how to frame issues so that ministers would be more receptive. They also described how they influence the advice that reaches ministers:

> My job essentially as an advisor is to get advice put up to the minister which is in a good space for [the minister] to make decisions… it's essentially the first screening. They may send across advice and private secs will do their bit to look at it to see how the minister would interpret it. And then it will come to me and I may ask for rewrites or edits or information that could be useful that hasn't been considered.

Context management need not be limited to advice. Indeed, it may be one reason for the inflated quality of advice ratings described in the previous chapter. Independent reviewers' ratings were consistently lower than those the agencies or NZIER originally gave. The reviewers remarked that "From our experience, we know it can be hard to give a score less than a 3, i.e. that a paper didn't meet the standards, as *feedback needs to be carefully managed. It may also impact an agency's reputation and credibility*".[167] Officials, either consciously or unconsciously, may be influenced by how their ratings would alter the appearance of their agency in the eyes of others. The reviewers "wondered about the extent to which this bias has played out" and if it diminished the accuracy of policy quality ratings.[168]

According to interview participants familiar with the Performance Improvement Framework (PIF) process, context management has impacted the language and tone of PIF reviews as well. One said that reviews could contain "flowery, soft language" that "would have been a way to make it more politically acceptable":

> If you're going to do a PIF and you say underperforming instead of needs development, you're going to deal with a lot more resistance. And so it was a way of sugarcoating the rankings… and maybe it's a New Zealand thing as well – it was a way of getting harder messages across with some face-saving language in a small society.

11.2: No surprises, or no bad news?

The second approach officials can use to improve their relationships with ministers is the 'no surprises' doctrine, under which ministers should never be surprised by an issue arising or by the status of a project. Officials should inform ministers if issues arise or if they need certain information to do their jobs.

One official told us that the 'no surprises' doctrine was emphasised when they first entered the service:

> I'd grown up in an environment where there were a couple of core values: accuracy, integrity, honesty, no surprises. When things go wrong, you had to tell the boss. The worst thing to do was not tell the boss about bad stuff.

The emphasis on 'no surprises' was affirmed by a political advisor we interviewed, who characterised the doctrine as the "principal tenet that we all adhere to". They also clarified that surprises include "good news" in addition to "bad stuff".

Good news is always nice to hear, so it is bad news for which the doctrine is most needed. Bad surprises can be politically damaging for ministers and can impact the quality of their work. For instance, one participant told us of a minister who first learned of a controversial programme in their portfolio when it was leaked, and who then got "a real shoeing" from Cabinet colleagues.

Besides needing to be informed so as to be able to address situations, ministers need to be able to take responsibility for the actions of their agencies. If they do not know about issues or decisions, they cannot defend them in public. As one participant described it:

> If you think how sensitive politics is to the messaging that's put around, the same issue can be spun multiple ways, and you're going to want the first go at saying, 'Well, this is why it's important, and this is why it's a good thing'. And you don't want sensitive, controversial things getting out before you've had a chance to do that. And I think that is the legitimate part of the process, that communication of the reform.

The media side of governing can be particularly sensitive for senior officials and ministers. One deputy chief executive we interviewed described it thus:

> What was I most worried about? Actually, I think I was more worried about media. I mean, that was my nightmare. It was media. It was a complete nightmare. I spent so much time managing the messaging… I always had my eye on what would be the headline in [the newspaper].

It is thus 'no surprise' that official documents routinely promote the 'no surprises' doctrine. It is explicit in one of the PIF review questions, asking "Does the agency maintain a culture of 'no surprises' with Ministers?" when assessing an agency's service to their minister.[169] Table 11.1 presents a selection of quotations from the reviews that laud agencies for following the 'no surprises' doctrine.

Table 11.1: 'No surprises' in the PIF

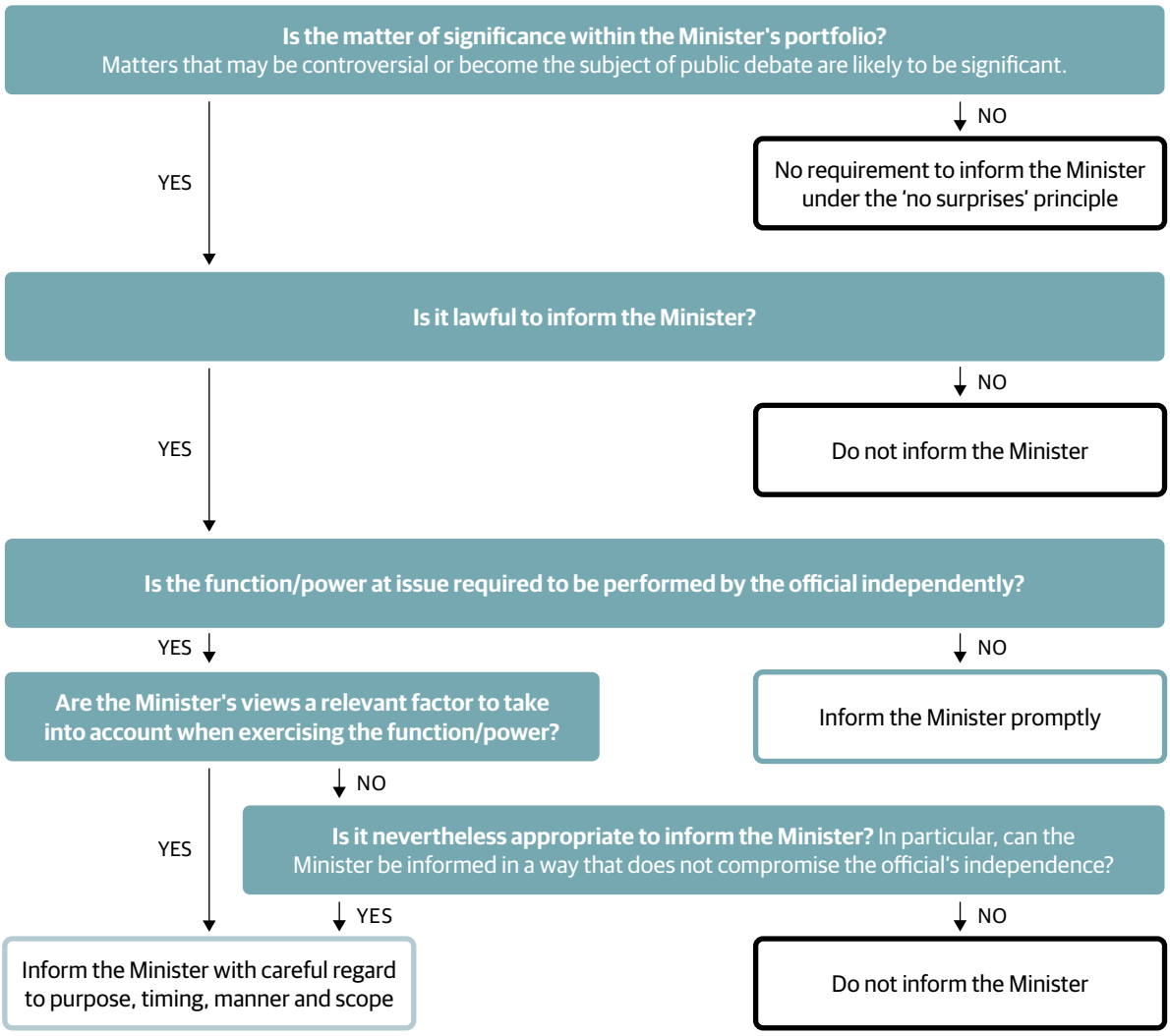
Agency and year	Quotation	Page
Ministry of Social Development (2011)	"Risk management is an ever present thread running through the day-to-day functioning of MSD. There is a strong and mature risk management framework based on a 'no surprises – ever' principle. This is particularly the case for Ministers and there is a commonly held belief that MSD should '…never let a Minister down'".	45
New Zealand Police (2012)	"Consistent with the Commissioner's independent constitutional role, the Commissioner and Executive have a 'no surprises' approach and keep the Minister informed as issues arise, through regular alerts, phone contact, weekly meetings and reporting".	60
Department of the Prime Minister and Cabinet (2013)	"The relationship with the Prime Minister is 24/7 as DPMC staff are expected to be able to be contacted at all times. Importantly, they work on a 'no surprises' basis where the advice is provided with awareness of a need for a high degree of accuracy, timeliness and attention to the need to provide robust advice".	39
Ministry of Health (2017)	"Ministers felt the Ministry was pretty responsive and timely in providing advice and generally delivered advice consistent with the 'no surprises' expectation".	70
Land Information New Zealand (2018)	"Engagement with the Chief Executive is regarded as constructive and positive with very good levels of trust and confidence. LINZ is perceived to operate on a 'no surprises' basis, providing good advice and communicating effectively".	39

Source: Quotations extracted from the Performance Improvement Framework reviews. Table made by the authors.

Given the commendations agencies receive for keeping ministers informed, it may seem that the 'no surprises' rule would be easy to implement. However, the doctrine requires determining when a minister needs to know certain information. In some cases, ministers should not be given information. For example, information may be protected by privacy laws, or it might be needed for actions officials independently perform. As one official we interviewed put it, in certain cases, "ministers need not be told stuff". The official had refused to name a staff member who had breached protocol to a minister: "You said to me, 'Tell me who did [something]'. I said, 'No, that's my business to deal with. It was wrong, and I will deal with it, because you shouldn't'".

Flexibility and subjective judgement will always be involved in determining what information a minister needs to know, and when. But too much 'wiggle room' enables officials to keep information from ministers that should be shared. To avoid unnecessary ambiguity, the Crown Law Office publishes guidance on how to properly apply the 'no surprises' doctrine, which is presented in Figure 11.1.

Figure 11.1: Crown Law's guidance for applying the 'no surprises' rule



Source: Crown Law Office, *Chief executives and the 'no surprises principle*' (Wellington: Crown Law Office, October 2023), 4.

Not all officials are aware of guidance like this or know how to navigate difficult situations. Indeed, our interview participants discussed cases in which officials fear providing ministers with information that is likely to be unwelcome. One long-standing public servant described how advice is sometimes withheld to avoid putting ministers in potentially compromising positions:

> The public service legislation, as it currently is, creates this accountability chasm, I think, where on the one hand, the politicians are encouraged not to be too curious because [if] they find out something, they should do something about it. And on the other hand, I think it encourages the senior public servants not to report everything. And I can understand because we're all fearful. We want to try and avoid getting blamed and fired and stuff because we all want to do a good job.

A political advisor noted that ministers sometimes signal that they do not want to hear bad news, which can lead officials to perpetually reframe their advice:

> The countervailing signal coming from politicians is, 'I don't want to hear bad news'. So [you] couch it in ways that doesn't make it sound like bad news, or that a journalist might not read it as catastrophic failure. Or you can send advice back infinitely and say, 'Oh, it's not of the standard I want', or, 'It didn't capture'…

The advisor went on to describe the process as a series of stages, each subtly altering how bad news is presented:

> It depends on how you define a surprise. So, in the first instance of this, the governors say to the policymakers, 'We don't want to be surprised'. You run through the first cycle of that. That's great. You then run through the second cycle of it, and it's like, 'Is a surprise something that the minister doesn't know? Or is a surprise something that the minister dislikes?' And then you run through another iteration of it. And so it becomes this kind of doctrine that gets built into how we communicate with ministers. … And it happens repeatedly. And then you run through the cycle of no surprise again. 'Oh, my God. We just got bollocked by the minister by saying [their] idea was shit. How about we say suboptimal?' 'This is a suboptimal outcome'. 'Oh, suboptimal. Fuck. Cabinet hauled me over the coals, because it's suboptimal. They only want optimal. Oh, okay. So we can't use suboptimal'.

Context managing 'surprises' is legitimate when the important information is preserved in the managed communication with a minister. However, this may prove difficult if that minister, or more senior officials, are unreceptive to bad news. One official described their difficulty with telling others, officials included, bad news regarding increasing costs to policy programmes:

> I think you get both elements in there, but it's probably the first one – that they don't want to be chewed out when they see the costs go out. So we always get bound by the first cost we ever give someone. And so then someone says, 'Oh, now it's more expensive'. Well, actually, no, the scope has changed, or time has changed. The costs are therefore going to increase since the first time. But the first time I say that this is going to cost you $32, next time I come to you and say it's $45, they go, 'But you told me it was $32'.

One manager we interviewed said that they noticed cultural changes in this 'no bad news' and 'don't upset the minister' direction during their many years in the service. They described how the focus shifted to "nodding your head and doing whatever the minister talks about neutrality, but not really. That's not how it worked. [How] it worked was, 'Whatever you want, we will make it happen. No one in the machine is going to question anything, and we

will get it done. And hide anything that was looking broken'".

'No bad news' is what 'no surprises' is trying to avoid. Instead of wanting to be on top of everything, officials and ministers might want to keep issues out of sight, perhaps to maintain deniability or avoid punishment. The consequences of this can go beyond breaching the trust in the minister-official relationship. One long-standing official said how they saw how agencies' focus on 'no surprises' sometimes "took an organisation that was prone to be disinclined to innovate and basically told it not to".

'No bad news' can also impede improvement over time. One official recounted a time when a minister had told them that they did not want a 'lessons-learned' report on a nationally significant programme because "they didn't want the learning to be documented". In the official's view, "We sometimes repeat the poor things that we've made, because there is no opportunity to learn lessons".

'No bad news' can also lead to poor financial management. The logic for how this can happen was laid out by an advisor:

> We're spending money on the system. That doesn't work. Don't worry. Keep running the project. Eventually, we'll find money from somewhere. We'll keep it below the thresholds. We'll put a thumb on the project reporting. And eventually, this thing will be stood up. Yes, we would have paid five times over for this thing, and it doesn't meet all the objectives. It'll be stood up, and the minister will never know. They won't get surprised.

Many of our interviewees pointed out that bringing up controversy or 'bad news' can be damaging for an official inclined to speak frankly because their career and social prospects depend on relationships with other officials:[170]

> It's just about managing your kind of personal reputation. And the way that you manage it is just by not making waves, never point out anything that's in any way controversial, downplay things, soft pedal.

11.3: Implications for free and frank advice

The two ways in which officials can improve relationships with ministers described here – context management and the 'no surprises' doctrine – have reasonable goals. Relevant information should be shared with ministers, but information may need to be explained diplomatically to make them more receptive. 'Managing the context' of information may mean ensuring that relevant contextual details are presented so that ministers do not misinterpret advice. But our participants' comments show how this can go wrong, when 'managing the context' distorts either the true context or the information itself. The 'no surprises' doctrine is laudable indeed, but it can be undermined when officials keep the 'bad surprises' from the minister instead of informing them.

We do not know how frequently subversions of these ideals happen. Our interviewees' experiences show that officials and advisors have experienced these phenomena at different points in time across the public service, often with grave results.

When advice is softened or managed to please ministers, problems may go unaddressed and ministers may lack information necessary for them to be accountable to the public. Frank advice need not be given foolishly, but 'foolish' actions include producing advice solely to please the minister or keeping bad news from ministers' ears. Neither of these things are consistent with officials giving advice "without fear or favour".

CHAPTER 12

It takes two to tango

Just as in our private lives, so too in public affairs is it easy for relationships to sour. When they do, ministers may stop considering their officials' advice, and officials may start to withhold information.

A humorous example of the latter comes, yet again, from *Yes Minister*. When Hacker wanted more information about data a local council reported, he tried finding and talking to the analyst responsible. However, he was discouraged from doing so and had to evade Sir Humphrey to meet the analyst in person. When Humphrey found out Hacker was talking to the analyst, he rushed to interrupt their conversation.[171]

Such 'information gatekeeping' is not harmless. One of our interview participants described how insufficient access to information had led councillors to commit to a policy option that they would not have had they "actually had the full package of advice". Regarding access to information in general, the participant said:

> Well, so I caught up with a district councillor, and [they were] just saying, 'Look, I've kind of had enough of local body politics'. And I sort of said, 'Well, talk me through it'. And [they] said, 'Look, we just can't get the information to make good choices that our names are held accountable for'. … But there's [officials] who would take [councillor] out for a coffee and tell [them], 'Hey, this paper exists, you need to go and find it'. So that's happening everywhere in local government, all the way through to ministers' offices… I ring ministers, I text ministers all the time saying, 'There's a document'.

Information gatekeeping, in conjunction with context management, can also conceal the frank opinions of expert officials, as we saw in our example of the official who went "10 layers deep" to meet an analyst in person, only to find that the analyst's advice was not what reached the minister's office.

Information gatekeeping is but one potential cause of relationships between ministers and officials souring. Ministers and their political advisors also play their part in making advice less free and frank.

One long-serving public servant told us of a useful way of thinking about relationships between ministers and officials. They described a good relationship as a balanced mix of influence from both sides.

> Politicians have got their realm they work in, public servants as administrators and advisors have a realm they work in, and there are different bases to those realms. If that goes well, you get great policy-making over time. If it goes badly, you get the worst of both worlds. You get arbitrary political decisions taken without care and attention from professional policy advisors, and you get policy advisors who stop giving decent policy advice and revert to protecting their patches and playing all these bureaucratic games.

Today's public service and government often fail to strike this balance. The normative preconditions for public service neutrality were called into question early in this report, and our discussion of free and frank advice has shown a mixed bag regarding the quality of advice and the manner in which advice is given.

Restoring the trust needed for the minister-official relationship to work requires closer

understanding of how both sides can fail to uphold their reciprocal duties the official narrative of free and frank advice requires.

Here, we look at other ways ministers and officials can support or undermine each other. We start with factors that can improve the capability of ministers. Then, we return to the theme of information withholding and the role stewardship plays in helping officials live up to the Westminster ideal.

12.1: Ministerial capability

The official narrative of free and frank advice requires ministers to take an active yet respectful role during the policy process. They must give "fair consideration" and "due weight" to the advice that officials provide, offer substantive feedback, provide direction and clarity surrounding points of confusion, and take ownership when things go wrong. Ministers must be capable of leading their agency.

Since there is no conclusive or comprehensive data on how capable ministers are in supporting and working with officials, we rely on our interview participants' experience with the ministers they served. Their experience suggests (unsurprisingly) that ministers vary in ability to fulfil their duties. When there are serious deficiencies in this regard, there can be serious consequences.

12.1.1: Ingredients for ministerial capability

One factor relevant to ministerial capability is whether a minister can trust and devolve responsibility to officials. Many participants stressed that ministers need to know which officials have the expertise and willingness to work in support of their goals. Within a trusting but devolved authorising environment, officials are able to conduct expert analysis and craft the details of a policy while keeping the minister informed.

One official gave us a successful example of this. They recalled that a minister had once wanted to quickly make new legislation by the end of the year:

> And then we went, 'oh, we don't think we can do this'. And the minister said, 'make it work'. And so they did. But how that worked was [the minister] recognised the request… which was effectively three months of time to do policy development before you start the PCO process and the legislation process. It's like, 'okay, I need to trust these guys'. And so [the minister] knew we were on board with [their] objectives, so we'd come with briefings saying: this is what we've heard you want, this is how we think this is the best way to do it. And [the minister would] be like, 'sweet'. So there wasn't that micromanagement that some newer ministers would have, trying to get into the details and going, 'oh, should it be 97.3 or 97.2?' It was very much: 'I want a bill, you're telling me this is the best way to do the bill. Have you ticked off some broad quality tests, is this consistent with what's done in successful regimes overseas? Do you have independent experts on board?' It wasn't just a do-what-you-want, [the minister] was very clear: I'm not micromanaging.

Another official contrasted two ministers' ways of overseeing organisations within their agency's purview. They recalled one former minister who had made it clear to an organisation that the minister's officials were "my people. And when you're talking to them, you're talking to me".

> And I've never had a minister since who's been so clear. And so the problem is you have a minister like [minister B] who will say to [their] officials, 'I'm unhappy with [the organisation], and I wish that they would do this or that or that'. And then when [minister B] is sitting there in front of the chairperson of the organisation's board, [they] are not saying that to them.

To make this devolved authority work, officials need clear direction and input from ministers on their goals and expectations. Giving clear direction requires the minister to be familiar with the material they are asking officials to work with. While capable ministers rarely dictate all the details, they need to understand them and judge when officials' work aligns with their goals. Our participants remarked that ministers do not always have subject matter familiarity but described two ways ministers can gain the familiarity necessary to fulfil their duties.

The first is simply putting in the time and effort required to understand the analysis officials provide them with. One official described an experienced minister who "reads every single paper. [They] will sit on the plane next to you, ask you deep questions about the topic that you've prepared extensively for [them]; [they] will turn up and shake exactly the right order of people's hands". Another participant contrasted two ministers they were familiar with. One got "way more into the detail than previous ministers" and would have details "down to the penny", while the other would quickly sign off papers officials handed them and could have briefings "skate" past them.

The second way ministers can gain the requisite familiarity is through preparatory research done before taking office, typically in an opposition role in the same policy area. New ministers can rely on experienced ones to help them navigate the legal and administrative environment of the public service, but ultimately, they have to engage with experts in their portfolio areas. The political advisors we talked to described how their ministers, when in opposition, researched the policies they wanted to reform and how they would go about it. One minister based a first draft of a Cabinet paper largely off their opposition-era research.

A third factor explaining why some ministers are capable and others are not, besides a qualified willingness to devolve and subject matter familiarity, is the variability in the support they receive. One advisor complained that policy managers in their agency were consistently reshuffled or left the service during organisational changes.[172] This slowed down their policy development because of the time it took new managers to get up to speed, both in terms of what the minister is doing and how they like to work.

The time it takes to become familiar with how an agency works and how ministers like to operate is an important factor. As discussed in previous chapters, one advisor said that it takes six months for an agency to adjust to a new minister. The first month or two is devoted to helping a new minister learn the procedures and who to talk to. The rest is explained by officials adjusting to the new minister's mindset and preferences.

However, according to another participant, there is not always a time delay. They described a policy initiative that had hundreds of officials, contractors, and consultants working "to get [the ministers' reform] through". When new ministers came in, "it was like they turned on a dime. All of a sudden, it was probably 10 experienced civil servants that were getting the government of the day's policy in train".

Ministers' political advisors were described as a particularly crucial source of support by many of our interviewees. Ministers cannot be everywhere all at once, and advisors often communicate with officials to determine if their work is aligned with political directives. According to one participant, the best advisors across multiple governments "just had this angle of attack they kept coming back to, so they kept bringing all ministries back to the same message, same focus, same mission". Capable ministers provide clear direction, while capable advisors follow through on the direction a minister wants.

12.1.2: Situational awareness

Subject familiarity, preparation before taking office, qualified trust in experts, an ability to understand the detail, consistent clarity, and strong support all improve ministers' success and capability. So too can 'situational awareness', which includes awareness of the need to coordinate, of the limitations of officials, and of the disadvantaged situation that ministers find themselves in when they take office.

One of our participants remarked that "ministries' people are articulate" and "they'll run rings around [new ministers]". A political advisor said ministers feel at a disadvantage when dealing with officials, as the latter have much more familiarity with procedure and the subject matter of ministers' portfolios.

Capable ministers must quickly acquire knowledge of the complex issues with which their ministries are already familiar. This makes the consistent support and preparation mentioned in the previous section all the more important.

One participant noted that, if ministers are unfamiliar with a policy area and are not supported well by those who share their goals, then they are at risk of being led astray:

> I think a useful thing to think about a minister is that the circumstances and nature of their job's so hard that they're best thought of as not being sober, clear-minded, working in their very best decision-making framework. So they often need a lot of support and hand-holding, like a drunk, to get home safely. So what is it that they want? If you're the drunk being hand-held, and the person's speaking sweet nothings into your ear, then what you think you want is probably going to be guided by these sober few who are guiding you. If the sober few have a different set of objectives, [if] they're not established by the same people that have put the minister in their position, then you have a real conflict there.

The need for political advisors and the "sober few" is an operational necessity, as ministers often have multiple policies and projects across multiple portfolios. Many, but not all, ministers lack the attentional capacity, expertise, and mental acuity to engage with policy on a deep level. Capable ministers understand their deficiencies, the kinds of blind spots they need to fill, and how to fill them.

Interviewees emphasised the importance of capable ministers mastering the process of consultation with other agencies. One minister's agency should not make unreasonable demands of other ministers' agencies.

One official gave an example of poor coordination when one agency's requests for complex information were sent in late December. Only a few officials returned from holiday leave in time to see the email, "so there might have been a manager or a GM who was acting up several levels who suddenly got a, 'We need your organisation's [report] in three weeks' time'". Concern over this short deadline was acknowledged and the situation resolved, but the officials requesting the information and their minister should have been aware of the constraints on the agency asked to provide it.

Officials often face difficult situations when they have to answer to multiple ministers, or when their policy areas overlap with ministers of different parties. Several interviewees discussed how coalition politics and unclear chains of command compound difficulties for officials in aligning policy with ministers' aims. How can officials implement the policy goals of different ministers when those goals are irreconcilable? As one participant put it:

> There's too much in-coalition jostling. Even if the ministry was to suddenly decide to change its stripes and be effective, they don't really know who, where they get their leadership from.

Another participant gave us a concrete example of how competing policy goals among different ministers and officials lead to policy paralysis. They described a time where one minister directed the agency to stop implementing a programme. The other minister, however, spent months "trying to get that to be restarted, because it provides an absolute return".

12.1.3: Political animals

Proper oversight and intervention from ministers can avoid these problems. However, excessive political oversight creates risk. Interviewees gave examples of politics impacting policy decisions in ways that hurt the official-minister relationship.

Of course, there are times when free and frank advice must give way to broader political considerations. Here ministers may give "fair consideration and due weight" to the advice but still decide against an official's recommendation. For example, a minister may decide that a policy option an official advised against has better distributive implications an official is not in the position to consider. Officials are also not ministers' only source of advice. Officials thus need to make peace with providing advice without expecting that it will necessarily be followed. Ministers' consideration of this advice can involve legitimate political considerations, while other times political considerations can lead a minister to not give any consideration to official advice at all. One of our participants, a long-serving public servant, described a generic official's conundrum thus:

> 'You're a rooster today and a feather duster tomorrow'. You have to put up with humiliating experiences. Your best work will sometimes be chucked in the garbage can. And so, in your own realm, you might be running a government agency with 1,000 employees. So, in that realm, you're the leader. You have a lot of prestige, a lot of power, all of that. But you can go and take your best advice into a cabinet committee, and some clapped-out farmer from somewhere or other, who doesn't understand a word of the paper, says, 'I'm not going to do it', because one of his constituents got at him.

Other examples include politics leading ministers' decision making with little consideration of relevant official advice. Sometimes ministers determine what they would do before receiving advice from officials. This left many of our interviewees feeling that their work was performative. One described their experience advising a minister against a proposal they considered "a completely terrible investment" with "no real market need or failure":

> The decision was probably already made. We just went through the motions. But my report had no impact. It didn't matter if it was amazing or one page or ten pages or it was crap.

Some interviewees were more direct. One said they were told by senior officials that "a political decision has been made", so their agency would not consider their development proposal. Another had this to say about how officials and ministers coordinate:

> Because the officials come in, they sit on the table, and the minister buttons them up – but a lot of the work's already done. There's no magic that happens in the room. Everyone's already had the argument in the shadows. And by the time you come to where common sense should prevail, they just make each other more angry. There's not a consensus-building collaboration.

Another official, when asked if any of their analysis ever made a minister change their mind, told us:

> No, I am not able to think of a minister being presented with a regulatory impact statement, reading it, and saying, 'Ha ha. Yes. So I was inclined towards A, but having read the analysis, I've decided you're quite right. We should go for B instead'. I can't give an example of that. It would be lovely if I could.

Case study: The consequences of not considering expert analysis

Politicians can fail to give "fair consideration and due weight" to official advice when they determine what areas of the economy to invest in or regulate. One long-serving official described this as a "more fundamental problem in how governments make decisions". When governments decide to focus on a particular sector or technology, the choice of where to focus was described as a "finger-in-the-air exercise".

"Wood processing, aquaculture, ICT, biotechnology or space may attract attention because they are politically salient, fashionable or intuitively promising, rather than because government has undertaken detailed analysis of the capabilities already present in the economy, emerging market opportunities, competitive dynamics and where New Zealand has a realistic prospect of succeeding".

Decisions in these spheres directly relate to how governments can achieve their objectives, such as productivity growth or full employment. If investment and research decisions are made based off political considerations without regard to expert analysis, then the free and frank advice of expert officials would not be utilised precisely where it is most needed.

The official said that the same problem arises when government sets broad objectives instead of sector priorities.

"A goal such as doubling exports ought to provoke detailed investigation of where additional exports could plausibly come from: which products and firms are growing, what capabilities underpin them, which adjacent opportunities are emerging, what constrains expansion, and where New Zealand has or could develop comparative strengths. Yet the public service has relatively little systematic, granular intelligence of this kind. As a result, genuinely promising activities can remain largely invisible to policymakers… Government has a strong reason to understand the economic system into which it is committing public resources".

The deeper issue, in the official's view, is therefore not poor analysis by individual public servants. It is an "institutional deficit in economic intelligence. Government does not know enough about what is happening within the economy at a granular level and, more importantly, often does not recognise the extent of what it does not know. Decisions consequently rely heavily on aggregate statistics, established sector categories, stakeholder advocacy and judgement. Those decisions may be broadly sensible, but opportunities that fall between existing categories or are only beginning to emerge can remain invisible".

These kinds of experiences led a long-serving official to cast doubt on the extent to which public servants can influence policy:

> I wouldn't have spent my life doing what I've done if I was that cynical about it, but I do think it's easy to exaggerate what people like myself, who think a lot about better governments, can actually do in the realm of public management, public administration, public policy advice. All these things are enormously important. But if you look back over the history of New Zealand as to what were the great eras of reform, they've always got the name of some politician on them.

Not all of our interviewees attested to ministers failing to give "fair consideration" and "due weight" to advice. Indeed, one official contrasted the production of advice in New Zealand favourably with the process in Australia. In Australia, they had found it difficult to understand the authorising environment, whereas:

> in New Zealand, once you work out what you want to say, it is easy enough to call up the advisor, the public servant at the other end, to kind of go, 'Is this likely to land?' as in you wouldn't change the advice, but you would just think about how to make it land, how to communicate it. And I think it's only ever one situation where we had heard that the minister or someone in the minister's office wasn't happy with a piece of advice where we were landing. … And I was so happy that all the [agency] managers and directors were like, 'Nope, we're not changing [agency] advice'.

12.1.4: Concluding remarks

Just as ministerial capability is variable across ministers, so is the willingness to give "fair consideration" and "due weight" to officials' advice. Whether ministers were successful in forging a good relationship with officials depended on a variety of factors, from subject familiarity to a willingness to devolve responsibility when officials are capable and willing to implement a minister's policy. Our interviewees described tangible things ministers can do to fulfil their reciprocal duties, but not all ministers uphold these duties.

12.2: Connecting free and frank advice to other Westminster ideals

Capable ministers cannot fix all the problems agencies may have – officials have responsibilities too. They need to discuss points of confusion with their minister, inform ministers of operational considerations, and be willing to tell ministers unpleasant news. But officials, like ministers, have variability in how they fulfil their reciprocal duties.

We discussed in previous chapters ways in which officials can live up to the Westminster ideal and the different processes and ways in which the public service can undermine them. Part 1 also discussed a variety of tactics that officials can use to obstruct or resist the ministers' decisions; these tactics are inconsistent with the reciprocal duties idealised in the official narrative of free and frank advice. We return here to a brief look at one such tactic mentioned at the start of this chapter: information withholding.

Table 12.1 shows four statements from our survey relating to what information officials should withhold and in different situations.

Table 12.1: Questions on information withholding in our survey

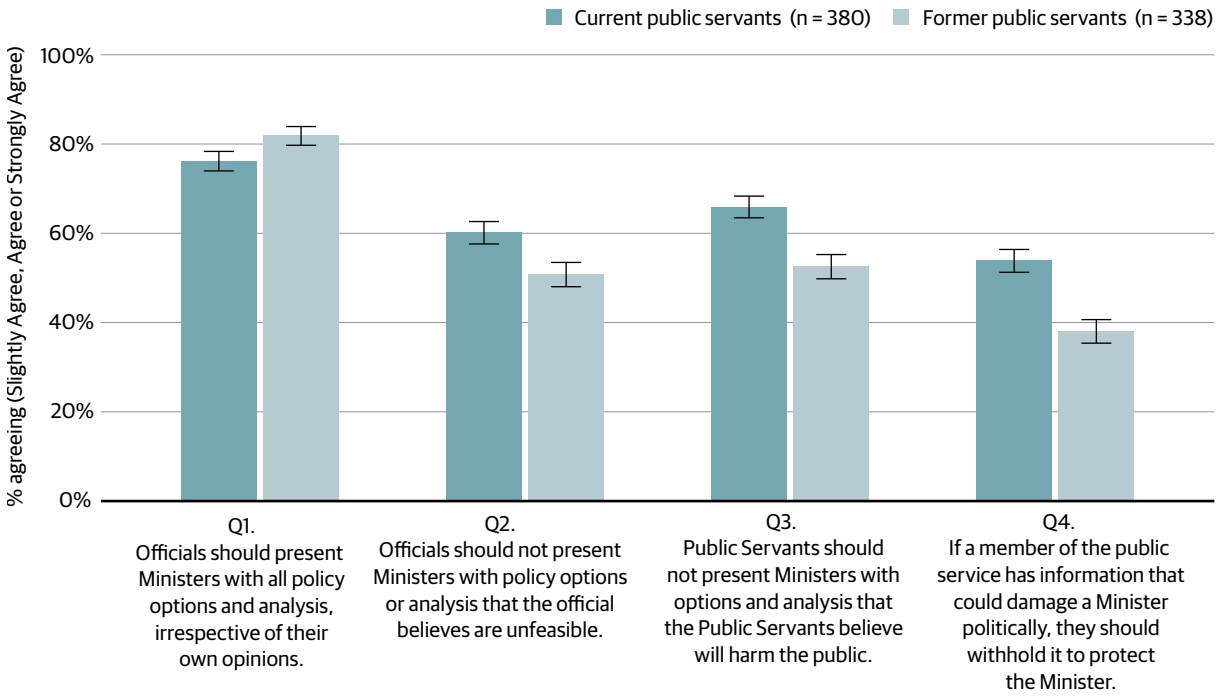
#	Question
Q1	Officials should present Ministers with all policy options and analysis, irrespective of their own opinions.
Q2	Officials should not present Ministers with policy options or analysis that the official believes are unfeasible.
Q3	Public Servants should not present Ministers with options and analysis that the Public Servants believe will harm the public.
Q4	If a member of the public service has information that could damage a Minister politically, they should withhold it to protect the Minister.

Source: Questions from The New Zealand Initiative Survey of Public Servants. Table made by the authors.

Overall, 79 percent of respondents agreed that officials should present ministers with all options and analysis, the 'free and frank advice' option. However, 56 percent agreed that options officials see as unfeasible should be withheld in official advice, and 60 percent thought that options considered harmful should be withheld as well. A much greater proportion of respondents expressed a pro-openness position on the general statement than when they were presented with potential negative implications of openness. The same pattern held when removing those involved in service delivery.

Figure 12.1 compares respondents' answers to the items in Table 12.1. There were consistent and reliable differences.

Figure 12.1: Respondents currently in the service express more support for information withholding



Note: The bands on the bars represent +/- one standard error.
Source: Data from The New Zealand Initiative Survey of Public Servants. Graphic made by the authors.

Respondents currently in the service expressed views supporting the withholding of information at higher rates than respondents who have left the service on all three relevant items. And as we saw in Chapter 7, the length of service was the key explanatory factor for which kinds of officials promote tactics that undermine their minister. The experienced servants who stay for a long time are the most committed to the Westminster ideals of free and frank advice and being open with their minister.

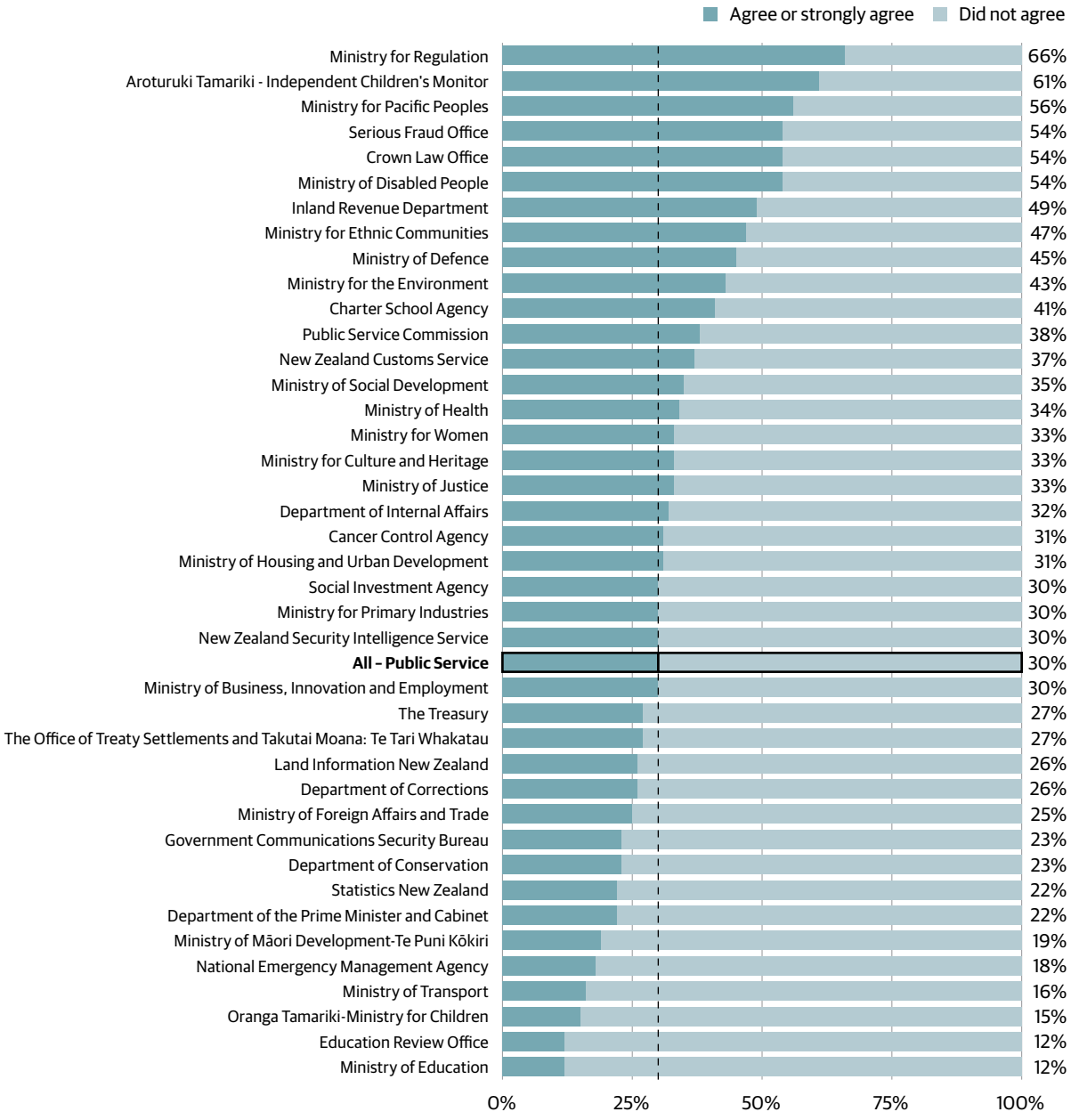
These findings are important in light of the tendency of the public service to churn through officials. When agencies experience high staff turnover and restructures that force the best officials out, the public servants that replace them are likely to be newer servants with less experience in the Westminster bargain.

A recent study by Naschitzki et al. (2025) analysed at least 356 distinct restructuring events in the New Zealand public service between 2018 and 2021; they found at least 484 events in total. The authors characterised the restructures as "symbolic" and a "performance" that pose major problems for the public service.[173] They also found a "widespread absence of measurable outcomes or post-restructure evaluation" – only 7 of the 484 restructures had a formal assessment – and frequent use of restructures for personnel management.[174]

A report recently released by the Public Service Association surveyed thousands of public servants on their experiences with restructures. They found that "78 percent do not think the restructures that have occurred over this term of government have helped them to deliver better for New Zealanders. Only 5 percent agreed that restructurings had helped public sector organisations deliver better".[175] Of the many negative effects their respondents mentioned, one of importance for this discussion is that restructures lead to "Loss of institutional knowledge and expertise as highly qualified and experienced people leave".[176]

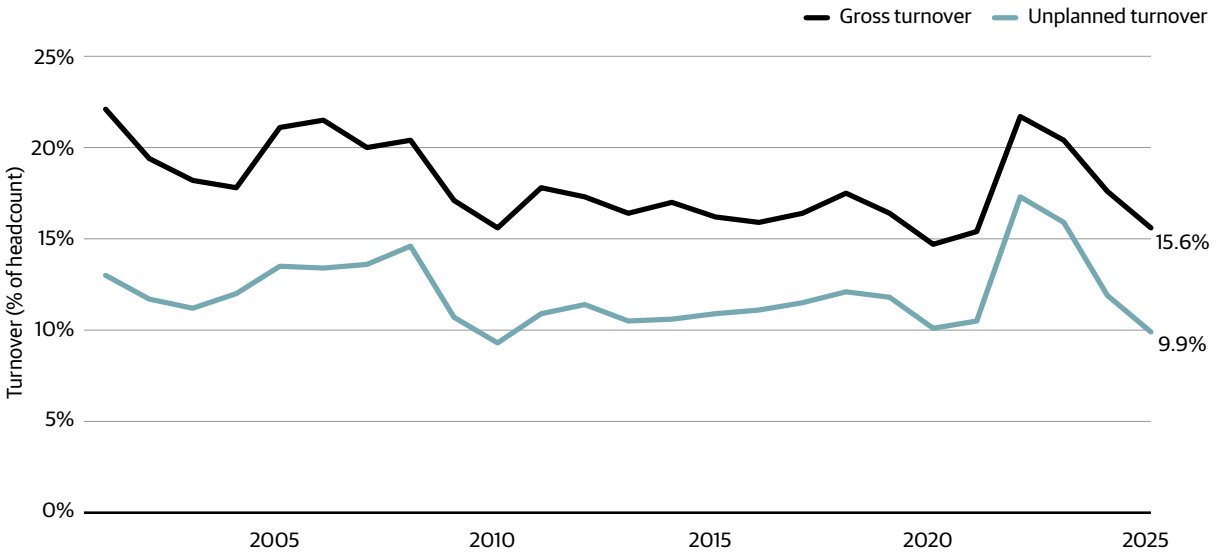
These findings are consistent with the experiences of our interview participants as well as broader surveys of public servants. The Public Service Census asks public servants the extent to which they think change processes are managed well in their agency. Across the service, only 30 percent indicated agreement with the statement, "I feel that change is managed well within my organisation". Figure 12.2 shows the percentage of respondents to the census who indicated some level of agreement in different agencies.[177] These low rates of satisfaction were particularly acute for large agencies, such as the Ministry of Education, where only 12 percent indicated that they felt change processes were managed well.

Figure 12.2: Public servants express widespread dissatisfaction with change processes



Note: Respondents answered the question, "I feel that change is managed well within my organisation".
Source: Data downloaded from the Public Service Commission's Public Service Census webpages. Public Service Commission (PSC), "Te Taunaki Public Service Census", Website. Graphic made by the authors.

Figure 12.3: Turnover rates over time



Source: Data downloaded from the Public Service Commission website. Public Service Commission (PSC), "Workforce data", Website. Graphic made by the authors.

Data from the Public Service Commission show that gross and unplanned turnover consistently sits between 15–20 percent and 10–15 percent respectively each year (Figure 12.3). Surveys by the Commission found that "Staff are leaving to both private and public sectors, without any clear consensus". It is not clear how much turnover results in internal shuffling versus exit from the service.[178] Moreover, turnover rates may be similar to those found in the private sector. Nonetheless, high turnover is particularly important to mitigate in the public service.

Neutrality and free and frank advice require officials to behave in ways that are counterintuitive to most people. A requirement to enthusiastically implement a policy an official disagrees with is one example. If agencies cannot preserve officials and distil in them through years of experience what being a good public servant requires, then they risk losing the dispositions that enable them to uphold the Westminster ideals.

Ministers need support to oversee the implementation of their policies, to lead their agencies, and to fulfil their duties under the Westminster bargain. In theory, ministers get this support from officials genuinely committed to the Westminster ideals. To ensure that public servants embody these ideals, committed and experienced staff need to be retained, with new officials trained in an environment in which experienced officials are influential.[179]

Free and frank advice depends on public service stewardship. Poor change processes and restructures demonstrate failures in stewardship that can bleed into failure to uphold neutrality and to provide free and frank advice.

12.3: Final thoughts on free and frank advice

We began our discussion of free and frank advice with a description of how that ideal is understood in official documents. The official narrative of the ideal, when interpreted properly, is highly desirable. Officials and ministers have duties to one another to make their relationship work. They are supposed to be honest with each other and work together so that officials understand and work towards the goals and preferences of

the government of the day. Officials are supposed to give substantive feedback on issues ministers need to know about, and ministers give this advice "fair consideration and due weight".

We have described cases in which this has gone well, but also many cases in which the practice of officials and ministers does not live up to the official narrative. The quality of official advice is typically acceptable enough for ministers to work with but may be declining over time and underperforms in many respects. At times, pressure from managers and ministers to soften advice can undermine the substance of free and frank advice.

In this chapter, we saw how the relationship between officials and ministers requires a lot to make it work. Ministers need to be capable of understanding the subject matter they are working with, all while providing clear direction to officials. They need to be aware of the environments in which they operate. Officials need to be frank with ministers about points of unclarity and present all relevant information. Officials may feel a diminished sense of trust, a quality on which this relationship relies, when they believe ministers have not given officials' advice the fair consideration it is due. Fair consideration may result in ministers accepting or rejecting recommendations. It can be difficult for officials to view ministers as fulfilling their duty when they believe ministers consideration to officials' advice has been cursory, especially when they make decisions for political reasons.

As elected representatives, politicians have a broader purview than officials. They may appropriately make political decisions weighing the views of the public against evidence. However, disregarding official advice can have consequences ministers should be aware of, both on the quality of the official-minister relationship and their policies' outcomes. Trust is also undermined when officials withhold information they do not want ministers to know.

The state of free and frank advice is a mixed bag, with some agencies and teams genuinely supportive of their ministers and capable of getting policy done well. One official contrasted their experiences with poor minister-official relationships in some teams with one team in which they were effective. They described how their general manager (GM) was able to work closely with a minister and coordinate to resolve issues across the agency:

> Our GM was the closest I've ever seen an official with a minister. They would text each other jokes and stuff. They were really close and trusted. And so [the minister] was basically like, 'tell me what you need and I will help you get it'. And that also meant that you had regular check-ins with the minister. So it wouldn't necessarily be, 'we're going to do a formal briefing, we've got to get it signed off and peer reviewed'. It would be [GM] going, 'hey minister, giving you an update, here's where we're at'. … So it meant that where we would have trickiness with officials from other agencies, we could go to the minister, and the minister would go, 'I'll talk to my colleagues and I'll sort this out'. So we were really in lockstep, and both ministers and officials had the same objective.

Another official described a "stand out" senior leader who was "always quite honest and open and straightforward".

> They haven't been too terribly political, and they just sort of speak their mind and seem to be responsible. … [they are] an example of someone who could create some common ground when the ministry didn't agree with the minister. … We're not just having the minister roll over us, but we've also got to find common ground. It's just people's ability to listen and talk at the same time.

Yet another official described how their team wanted to be innovative and inform ministers of new solutions to nationally significant issues.

This "forward thinking" meant that officials were "proactively" engaging ministers on an issue the agency would not normally cover. According to that official, ministers found the advice very helpful and the proposed policy saved taxpayers many millions of dollars.

Officials and ministers are not caught up in a primordial conflict that cannot be resolved. Our interview participants discussed various examples of officials and ministers working together to achieve ministers' goals. These success stories, however, required ministers and officials who both want to succeed and help each other. They also involved officials working against the grain and standard processes within their agency, as well as ministers who care for the details but are supportive and trusting of officials.

Nonetheless, many of our interviewees expressed frustration at obstacles that prevent them from helping their ministers. One described being brought into ministerial meetings without the agenda or papers, leaving the minister believing there was more work behind the scenes than there was. They recalled saying, "You think that you're seeing the tip of an iceberg, and that the actual substantive stuff's ten times bigger behind the scenes? No, you're seeing the entire iceberg".[180] They felt that the lack of support for analytical substance led to poorer policy results for the minister.

Our analysis of the state of free and frank advice indicates that, to make success stories more common, we need to reevaluate aspects of the public service as it currently stands. These include, but are not limited to, the extent of managerial decision making in how advice reaches officials, the capability of ministers and senior leaders to understand and care for critical advice, and consensus decision making processes delaying the production or implementation of advice.

The relationship between ministers and officials is evidently difficult to get right. As one experienced interviewee remarked, "these are just human beings behaving in an entirely predictive way, given their capacity they've got, the data that's available to them, the roles they've got, their accountabilities, and the incentives they're under. You will never get rid of bureaucratic behaviour in a bureaucracy".

An effective public service is crucial to New Zealand's capacity to address the challenges currently facing the country, from housing unaffordability to declining trust in government. Reform will have to take many issues into account. One interviewee with decades of experience remarked that getting the relationship between politicians and bureaucrats right is an "endlessly repeated game, in which both parties are learning how to make this work". Perhaps the next round of the game will see the changes New Zealand needs and deserves.

CHAPTER 13

Conclusion

We opened this report with a debate between Simon Court and Chris Bishop about the need for major public sector reform. Court, based on his perceived difficulties with passing reforms while in office, felt that the public service needed to fundamentally change its relationship with ministers. Bishop, while agreeing that some concerns are valid, felt that Court's characterisation of the public service as resisting ministerial direction was overblown. He warned against changes out of line with our "constitutional traditions" – the norms underpinning the Westminster public service.

In this report we have investigated how well the public service lives up to two Westminster values: political neutrality and free and frank advice. We find that the public service has much room to improve on both fronts. While Bishop is right to be cautious – any constitutional change would engender controversy and carry risk – the evidence presented in this report makes a strong case for reform.

13.1: How neutral is the public service?

Neutrality has two elements. Officials must be indifferent to who governs and must commit wholeheartedly to helping the government of the day succeed in its policy agenda. The willingness of officials to do their very best and put in effort to help make the government's policies succeed, even when they disagree, is the hallmark of the spirit of service.

The Public Service Commission's guidance defines neutrality narrowly. It prohibits public servants from public expression of partisan political views. It is thus no surprise that in the 2025 Public Service Census, 95 percent of public servants said they understand what political neutrality means. But if neutrality is to safeguard the Westminster model, a broader definition is required. Public servants must not only refrain from political expression in public but also insulate the advice they give ministers from their own politics.

Our survey data suggest that the public service as a whole leans a little, but reliably, to the left of how the country voted in 2023. However, those who work most closely with ministers lean to the left. Among analysts and advisors, 60 percent reported having voted for left-wing parties in 2023, while 34 percent reported having voted for the right.

Just because analysts lean to the left does not mean that right-wing governments cannot get good advice, as long as those analysts maintain neutrality. But our survey results indicate that the public service fails to uphold neutrality in the broader sense required to serve governments of any political persuasion equally. Agencies sometimes act as political players against their own ministers, through open refusal, delay, dilution, filtering of options, or plain neglect. Most of our interviewees described such cases.

We categorised three kinds of public servants on the basis of their responses to our survey: trusting servants (48 percent), who accept ministers' judgement; the disenchanted (21 percent), who doubt ministers' judgement but accept that they should nonetheless decide policy; and the bureaucratic priesthood (30 percent), who reject both ministers' judgement and their elected mandate. Among analysts and advisors, a majority of our survey respondents doubted ministers' judgement and a fifth also rejected their mandate.

Most survey respondents also accepted a theoretical duty to serve more readily than they did its implications for their behaviour. Overall, 70 percent agreed that the public service should carry out an elected government's programme whatever officials privately think, but only 59 percent agreed that officials should do their best to make a lawful policy that they consider misguided succeed. Among members of the priesthood who accepted the former duty, 61 percent rejected the latter, against 41 percent of the disenchanted and 15 percent of trusting servants.

Among managers and leaders, political leaning is associated with how respondents say they should serve ministers. And many surveyed officials think actions other than providing apolitical, free and frank advice are acceptable. Sixty-two percent of our respondents endorsed framing information to steer ministers away from decisions they disagree with, and 55 percent endorsed leaking information to stakeholders or the media to make a minister's policy untenable. Managers and leaders backed leaking far more often than advisors (63 percent against 36 percent). Fully three quarters of younger managers and leaders endorsed this tactic.

Overall, the public service fails the test of neutrality, especially at the top. Leaders set the standard for everyone below them and sign off advice to ministers. Yet an alarming proportion expressed views inconsistent with neutrality.

13.2: Is advice free and frank?

Free and frank advice has three elements. First, officials provide their best professional judgement on how to achieve their minister's goals, covering every option and risk. Second, it is to be given without fear or favour, in full and in writing. Third, ministers have a duty to give advice fair consideration, while officials must enthusiastically implement a minister's decision, even if it goes against their original advice.

Many officials themselves doubt that the ideal for free and frank advice is met. In the 2025 census, only 71 percent of public servants were confident their organisation gives free and frank advice, ranging from 94 percent at the Crown Law Office to 54 percent at the Ministry for Women. The agencies most responsible for developing policy ranked below average, with more than a third of respondents not confident that their agencies provide free and frank advice.

Agencies are responsive and professional, but the quality of their advice is uneven and declining. On average, policy papers were rated somewhere between acceptable and good on DPMC's common standard. While there is variation in the sample of graded papers that can distort yearly averages, ratings have drifted downwards between FY2020/21 and FY2024/25. The average share of papers rated as good or better fell from 42 percent to 29 percent over that period, and the share of agencies meeting their own standards for quality fell from 77 percent to 55 percent. When an independent panel re-scored a sample of papers blind, the average rating across the sample fell to barely acceptable. The papers agencies had self-rated the highest were marked down most for missing options, context, dissenting views, and implementation detail.

The manner in which advice is given is also uneven. We investigated two ideals that are meant to protect the official-minister relationship and the substance underpinning it: context management and the 'no surprises' convention. Both are meant to make the communication of difficult advice and information easier. The first can become a goal in itself, where officials soften advice solely to please a minister. The second can be subverted when bad news is kept from ministers' ears, sometimes because ministers do not want to hear bad news, and sometimes because officials fear being punished.

On the reciprocal duties upholding the minister-official relationship, both sides fall short. Some

ministers fail to give fair consideration to officials' advice by ignoring advice altogether or failing to court official advice when it can help them make better decisions. And while 79 percent of our survey respondents agreed that ministers should see every option and all the analysis, 56 percent would withhold options they judge unfeasible and 60 percent would withhold policy options they believe would harm the public. Among current officials, 54 percent would withhold information to protect a minister politically, against 38 percent of former officials. More experienced respondents showed more commitment to these duties.

The gap between current and former officials, and between inexperienced and experienced ones was greatest in policy-facing roles, those most responsible for the provision of free and frank advice. There were at least 484 restructures between 2018 and 2021. These typically motivate more experienced officials to leave the service. Restructures, then, risk replacing the officials most committed to the ideal.

Free and frank advice is most likely to be given and heeded when capable and willing ministers and officials collaborate. We heard cases in which this has happened, but it often involved working against the grain of the system, through close communication outside formal channels and working around convoluted management structures.

13.3: What is to be done?

The public service, as it currently operates, has persistent issues with political neutrality and the provision of free and frank advice. So, where do we go from here? Should we, as Simon Court argued, replace the current form of independence the public service enjoys by having CEs appointed by ministers? Or should we heed the warning of Chris Bishop and try to make the Westminster ideals work to the best we can?

It is unclear whether either approach would be enough. The issues we found connect to a variety of problems that go beyond agency leadership. We have touched on some of these in this report, such as poor handling of restructures and staff retention undermining neutrality. Others, such as hiring practices that fail to adhere to merit-based standards, we will delve into in future reports.

Having ministers appoint CEs directly would be a reform aimed at one part of the wider problem, but reform worth its name requires going beyond the surface. A politically appointed CE would still have to deal with convoluted communication within and across agencies, a system that does not know how to change itself, policy and Cabinet papers that are subpar, management systems that can act as a gatekeeping layer between analysts and ministers, and more.

Reform cannot rest on rare and exceptional ministers who work around their departments and triple-check the advice they receive, to make sure it is sound and serves their goals in substance as well as in form. A public service fit for purpose serves the government of the day with the same alignment and capability whether its minister is exceptionally able or still learning the portfolio.

Any reform must avoid simplistic thinking. Just because the current system has faults does not mean that a new system will avoid those same faults, or new ones. There will likely be no easy fixes or simple levers to change behaviours ingrained by deeply held beliefs and longstanding practice. To that extent, Minister Bishop is right to express caution.

Nonetheless, Court is also right that we may need to rethink our constitutional traditions as they pertain to the public service. Is neutrality too much to ask for in senior leaders? Can public servants be neutral if they do not believe in the burden such neutrality imposes on their behaviour? Can public servants be trained to

be neutral? Are the Westminster ideals good in theory but unattainable in practice and, if they are attainable, to what extent? What would a system that does not rely on some of these ideals look like?

Whatever the answers, showing that the public service falls short of neutrality and struggles to give free and frank advice does not by itself justify any particular remedy, including ministerial appointment of chief executives. Each remedy has to be weighed for its costs and benefits against the full range of alternatives. Downsizing or restructuring the public service may have value in its own right. However, restructuring carries costs, since it risks driving out the experienced officials most committed to the Westminster ideals and creates uncertainty and stress for public servants. Neither downsizing nor restructuring can by itself resolve the failures this report identifies.

We do not draw conclusions regarding these questions. Instead, we point out that they are discussions that the nation must have. If New Zealand wants to fix its pressing issues, today and in the future, it must have a machinery of government that effectively implements democratically approved policies. Without reform, governments will continue to take office without the ability to straightforwardly implement the policies on which they campaigned. As the 2026 infrastructure debate pointed out, what good are policies if they falter before they are even implemented?

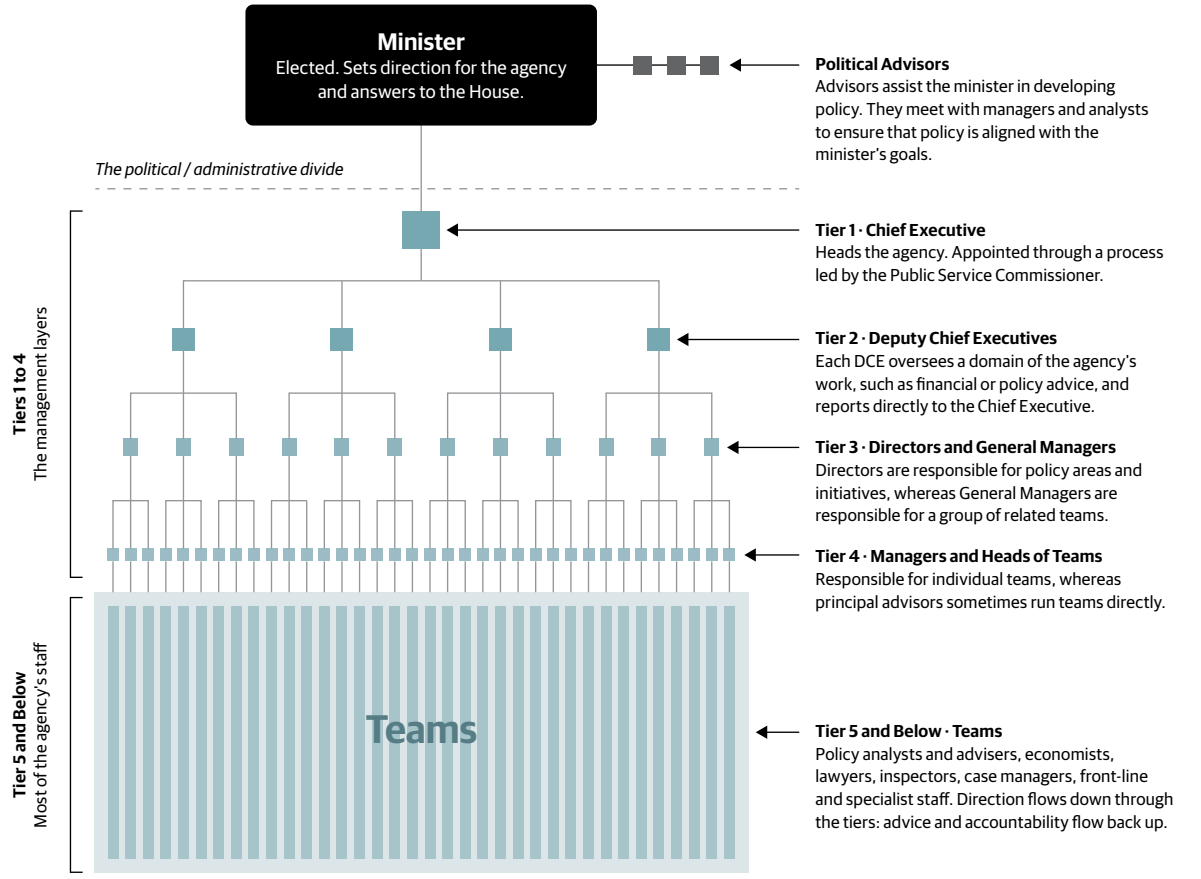
APPENDIX 1

Anatomy of the public service

Testing whether today's public service holds up the Westminster bargain requires knowing how the service itself is structured.

Figure A.1 shows the structure of a typical agency. The minister sits at the top, setting direction and determining policy. The minister also has political advisors, who help keep the agency's policy work in line with the minister's priorities. Below the minister and their advisors is a series of managerial positions. The chief executive (CE) is responsible to the minister for the agency's advice, services, and conduct. Below the CE are the deputy chief executives (DCEs), directors and general managers, and the managers who run individual teams. At the bottom are the teams they manage, comprising the analysts and associated specialists who do the detailed work. Direction and priorities flow down this chain, while advice and accountability flow up. Experts do not directly talk to ministers. Instead, their advice goes through a tier of management.

Figure A.1: Inside a public service agency



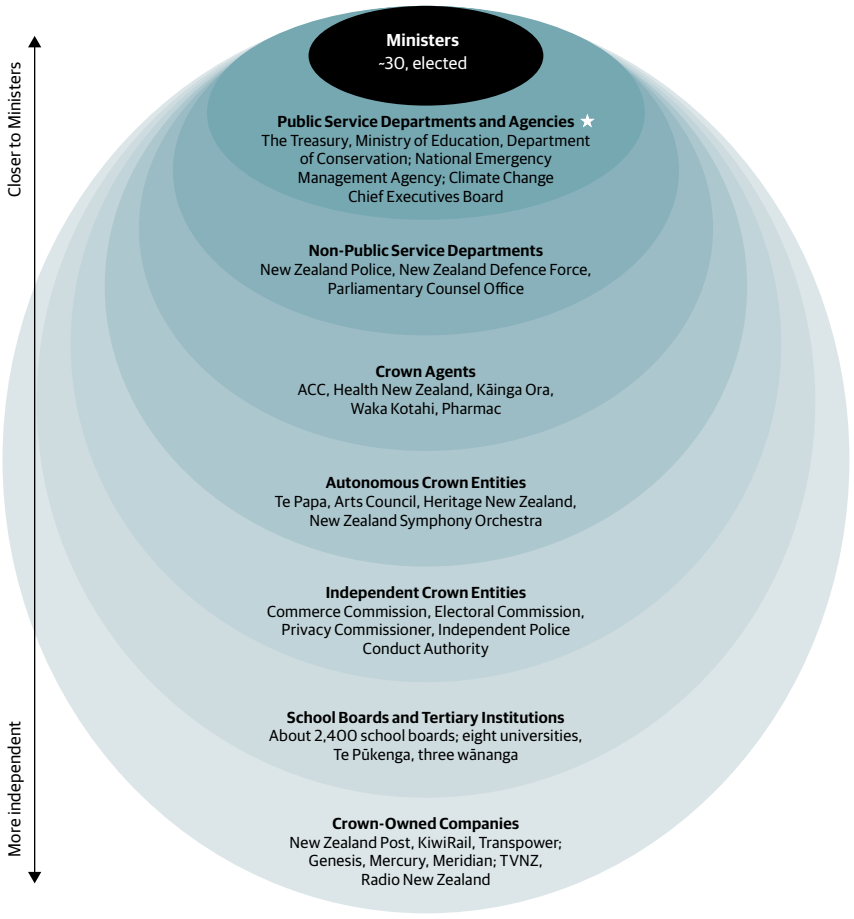
Source: Structure adapted from Tony Burton, *Demystifying the state* (Wellington: The New Zealand Initiative, 2024), 20 (Figure 1). Tier labels follow common public service usage; exact titles vary by agency.

Such layers of management are but one complication for a minister. Another is that they deal with many kinds of organisations, each with its own relationship to ministers and special legal status. Figure A.2 arranges the main organisations ministers deal with by how much influence a minister has over their operations.

At the centre sit the ministers. The first ring represents the public service proper: about 32 departments, the departmental agencies housed inside them, and the boards of CEs that work across agencies. Here the minister directs, and the five principles of the *Public Service Act 2020* apply in full. Most state policy advisors work in these organisations.

Figure A.2: The layout of the public service

The kinds of state organisation, arranged by how much say a Minister has over them



Outside the ovals: Offices of Parliament
The Controller and Auditor-General, the Office of the Ombudsmen and the Parliamentary Commissioner for the Environment belong to Parliament and "act as a check on the Executive branch's use of power."

What each ring means

- **Ministers**
  Around 30 of the 120 elected Members of Parliament. Each Minister answers to the House for the agencies in their portfolio.
- **Public Service Departments and Agencies**
  "The Public Service Act 2020 defines Public Service agencies as departments, departmental agencies, interdepartmental executive boards and interdepartmental ventures." Each is headed by a Chief Executive appointed by the Public Service Commissioner.
- ☆ Where most policy advisers and analysts work
- **Non-Public Service Departments**
  "A department that is not included in the list of Public Service departments in the Public Service Act 2020."
- **Crown Agents**
  "Most like departments in function. Although they are at arms' length from government, ministers have the power to direct Crown agents to give effect to government policy."
- **Autonomous Crown Entities**
  "Often have cultural or funding-related purposes and ministers may direct them to have regard to government policy."
- **Independent Crown Entities**
  "Usually established to fulfil investigatory or inquiry roles where independence from ministers is seen as paramount."
- **School Boards and Tertiary Institutions**
  School boards are a "category of Crown entity under the Crown Entities Act, although their relationship with government is largely through the Ministry of Education." Polytechnics, universities and wananga "are explicitly excluded from the definition of State services in the Public Service Act 2020."
- **Crown-Owned Companies**
  State-owned enterprises are "wholly owned by the Crown" and their "principal objective is to operate as a successful business"; mixed ownership model companies are "only majority owned by the Crown and are publicly listed." "Ministers generally have very limited influence."

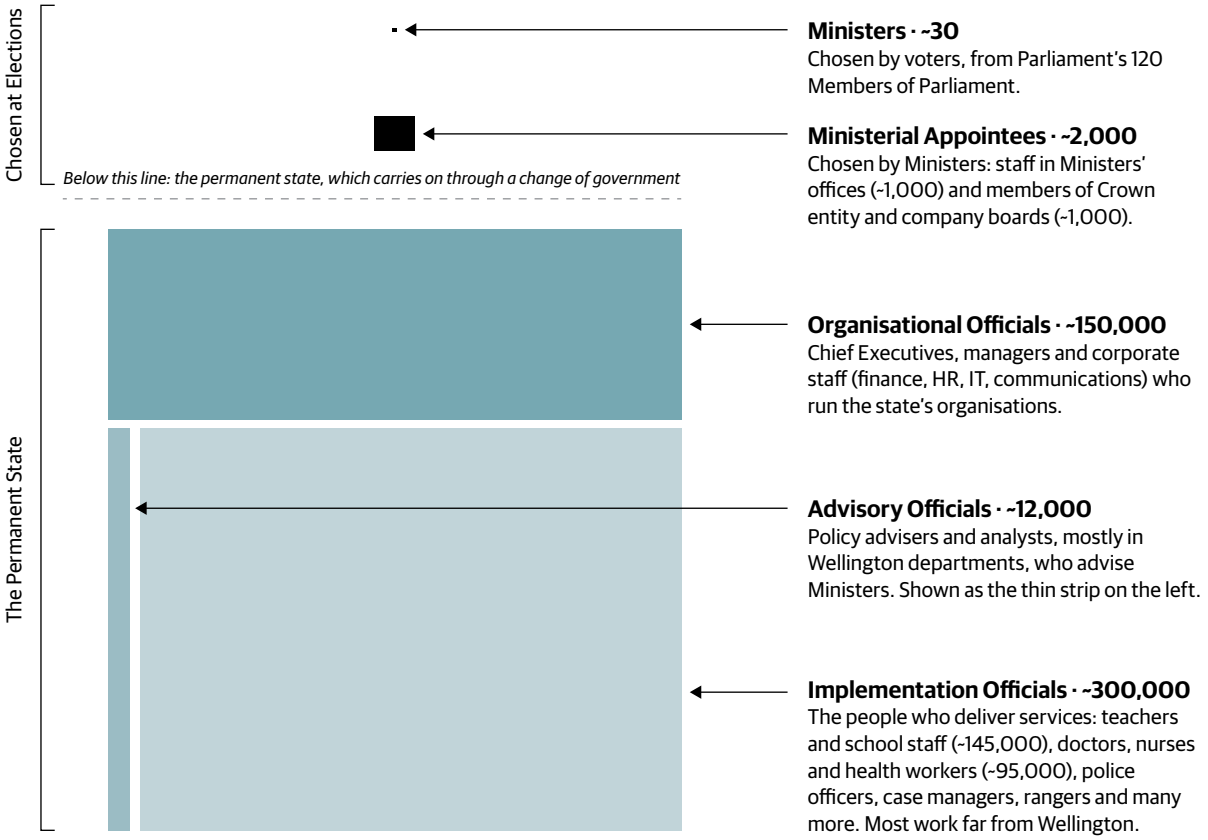
Source: Public Service Commission, "Glossary: system architecture and design" and "How the public sector is organised", Website.

The next ring includes the Police, the Defence Force, and the Parliamentary Counsel Office, which sit outside the public service proper. Beyond them lie Crown agents and entities, each at arm's length and run by ministerially appointed boards. Whereas ACC and Health New Zealand (both first-tier organisations) can be directed to "give effect to" government policy, Te Papa (a Crown entity) can only be directed to "have regard to" ministers' desires; other organisations are completely independent. This trend of decreasing influence continues down Figure A.2, terminating with offices like the Auditor-General that answer to Parliament only.

Ministers' influence, then, is concentrated among a few dozen organisations. While we primarily focus on these kinds of organisations, we occasionally discuss Crown entities, Crown agents, and the like when doing so helps explain how ministers and officials interact.

Figure A.3 shows the sizes of different parts of the public service. Of the roughly half million people who make up the New Zealand state, about 30 are ministers, drawn from the Members of Parliament (MPs) that voters select. Ministers appoint around 2,000 more, including their office staff and members of Crown entity and company boards. Everyone else is a permanent state employee and carries on through changes of government. Around 150,000 hold organisational roles, including the CEs, managers, and corporate staff who run the state's organisations. About 12,000 are policy advisors, mostly in Wellington agencies. The remaining 300,000 or so deliver services, such as education, healthcare, and police work.

Figure A.3: The tiers of the New Zealand state



Source: Burton, *Demystifying the state*, 25–26 (Box 1) and Figure 3. According to Burton, these figures are ballpark estimates of scale and include local government staff; there is no single official count.

APPENDIX 2

List of survey questions

About You

This section asks for background information specific to your situation.

1. Are you a current or former public servant?
   a. I am a current public servant [Branch to Question 2]
   b. I am a former public servant [Branch to Question 3]
   c. I have never been a public servant [End Survey]

2. How long have you worked in the Public Service for? [Branch to Question 5]
   a. Less than 2 years
   b. 2 to 5 years
   c. 6 to 10 years
   d. 11 to 20 years
   e. More than 20 years

3. How long has it been since you worked in the Public Service? [Branch to Question 4]
   a. Less than 2 years
   b. 2 to 5 years
   c. 6 to 10 years
   d. 11 to 20 years
   e. More than 20 years

4. How long did you work in the Public Service when you worked there? [Branch to Question 6]
   a. Less than 2 years
   b. 2 to 5 years
   c. 6 to 10 years
   d. 11 to 20 years
   e. More than 20 years

5. Which best describes your level / work in the Public Service? [Proceed with Main Survey Questions]
   a. Service Delivery with Direct Public Engagement (e.g., Nurse, Teacher, Police)
   b. Call Center Worker
   c. Inspector / Regulatory Officer
   d. Departmental IT / Information / Communications Professional
   e. Departmental Assistance / Administration (e.g., Legal, HR, Clerical)
   f. Policy Analyst / Advisor (All Levels)
   g. Manager / Director / General Manager
   h. Executive Leadership (CE / DCE)
   i. Other

6. Which best describes the highest level / work you did in the Public Service? [Proceed with Main Survey Questions]
   a. Service Delivery with Direct Public Engagement (e.g., Nurse, Teacher, Police)
   b. Call Center Worker
   c. Inspector / Regulatory Officer
   d. Departmental IT / Information / Communications Professional
   e. Departmental Assistance / Administration (e.g., Legal, HR, Clerical)
   f. Policy Analyst / Advisor (All Levels)
   g. Manager / Director / General Manager
   h. Executive Leadership (CE / DCE)
   i. Other

What/Who the Public Service Serves

Response scale: Strongly Disagree, Disagree, Slightly Disagree, Slightly Agree, Agree, Strongly Agree

1. The Public Service should carry out the programme of the elected government, whatever officials privately think of it.

2. The Public Service serves the public, not the elected government.
3. Elected Ministers are better suited than Public Servants to determine what the public wants.
4. Elected Ministers are better suited than Public Servants to determine what policies will protect the public interest.

Information to Ministers

Response scale: Strongly Disagree, Disagree, Slightly Disagree, Slightly Agree, Agree, Strongly Agree

1. Public Servants should present Ministers with all policy options and analysis, irrespective of their own opinions.
2. Public Servants should not present Ministers with policy options or analysis that the Public Servants believe are unfeasible.
3. Public Servants should not present Ministers with options and analysis that the Public Servants believe will harm the public.
4. If a member of the Public Service has information that could damage a Minister politically, they should withhold it to protect the Minister.

Values and Technical Matters

Response scale: Strongly Disagree, Disagree, Slightly Disagree, Slightly Agree, Agree, Strongly Agree

1. Ministers lack expertise about technical matters, so Public Servants should make decisions on policy and tradeoffs.
2. Because Ministers are democratically elected, they should decide policy and tradeoffs.
3. Ministers should decide the technical details as well as the tradeoffs of policy.
4. When Ministers and Public Servants see a problem differently, the expertise of Public Servants should bind any decision.
5. Public Servants should protect the interests of the department they work for, even when doing so compromises their personal values.

Process and Procedure

Response scale: Strongly Disagree, Disagree, Slightly Disagree, Slightly Agree, Agree, Strongly Agree

1. Following established procedure matters more than speed in government.
2. The Public Service should be willing to take risks and move quickly when a government wants change.
3. Following established process has value in its own right.
4. In public policy, changes from the status quo need stringent justification.
5. Officials should follow established policy even if doing so delays the implementation of good policy.

Interventions

Imagine an official is convinced, in good faith, that the Minister's preferred policy would harm the public interest. What should the official do?

Response scale: Strongly Disagree, Disagree, Slightly Disagree, Slightly Agree, Agree, Strongly Agree

1. The official should try persuading the Minister with advice and evidence.
2. The official should use procedural steps, such as triggering a review or consultation, to create time and reopen debate.
3. The official should frame information in ways that steer the Minister away from their original decision.
4. The official should brief stakeholders and the media so a Minister's policy becomes politically untenable.
5. If a Minister wants to pursue a lawful policy that officials believe is misguided, officials should implement it anyway, and do their best to make it succeed.

Endnotes

1 Engineering New Zealand Te Ao Rangahau, "New Zealand's big infrastructure debate with Stuff", *YouTube* (6 August 2026).

2 Engineering New Zealand Te Ao Rangahau, "New Zealand's big infrastructure debate with Stuff", remark at 21:22.

3 Engineering New Zealand Te Ao Rangahau, "New Zealand's big infrastructure debate with Stuff", remark at 22:20. Emphasis added in italics.

4 We explain New Zealand's special history with the Westminster system, and the many underlying ideals and assumptions of this system, in the following chapter.

5 Engineering New Zealand Te Ao Rangahau, "New Zealand's big infrastructure debate with Stuff", remark at 23:00.

6 State Services Commission (SSC), *100 years of public service: A centenary celebration of New Zealand's State Services Commission* (Wellington: SSC, 2013), 9.

7 Midday Report, "Ex-politician Kiri Allan says public service bloated, slow and overpaid", RNZ (14 August 2026).

8 We discuss these ideals in more detail in the following chapter.

9 At the time, the PSC was called the State Services Commission.

10 The agencies that were reviewed are Inland Revenue, the Ministry of Transport, the Ministry for Pacific Peoples, Police, the Treasury, and the Crown Law Office.

11 As with any self-report of this kind, the census measures employees' perceptions of their own organisation, not independent verification of what advice actually reaches ministers.

12 Seddon styled himself 'Prime Minister' although his successor, William Hall-Jones, was the first to be sworn in under that title.

13 State Services Commission (SSC), *100 years of public service: A centenary celebration of New Zealand's State Services Commission* (Wellington: SSC, 2013), 7–8. Seddon had earlier earned the nickname "the Chief Executioner" for his readiness to dismiss civil servants and appoint his own men.

14 *Public Service Act 2020*, s 11. An amendment in force from June 2026 added a list of what chief executives owe their ministers, as well as a redefinition of the purpose of the public service.

15 Public Service Commission (PSC), *Principles guidance,* section 2.1.

16 Public Service Commission (PSC), *Principles guidance*, sections 3.1–3.2; Public Service Commissioner, *Guidance: Free and frank advice and policy stewardship* (2024), 1–2; Andrew Kibblewhite, "Free, frank and other F-words: Learning the policy road code", address to the Institute of Public Administration New Zealand (IPANZ) (12 August 2015), 4–5.

17 Public Service Commission (PSC), *Principles guidance*, sections 4.1–4.2.

18 Public Service Commission (PSC), *Principles guidance*, sections 5.1–5.2.

19 Cabinet Office, Department of the Prime Minister and Cabinet (DPMC), *Cabinet Manual 2023*, section 3.31, 46.

20 Public Service Commission (PSC), *Officials and select committees guidelines*, 2.

21 Exceptions exist for senior officials; for example, chief executives serve terms of up to five years.

22 Public Service Commission (PSC), *Principles guidance*, section 2.3.

23 *Public Service Act 2020*, s 42(2).

24 Carl Billington, "Free & frank – why it matters", *Public Sector* 41:2 (July 2018), 4, quoting Andrew Kibblewhite.

25 Cabinet Office, *Cabinet Manual*, section 3.8, discussed in Andrew Kibblewhite and Peter Boshier, "Free and frank advice and the Official Information Act", *Policy Quarterly* 14:2 (2018), 4. On the duty to carry out decisions regardless of the advice given, see Kibblewhite, "Free, frank and other F-words", 5.

26 Public Service Commission (PSC), *Principles guidance*, section 6.3(a); Public Service Commissioner, *Guidance: Free and frank advice and policy stewardship*, 3.

27 The Right Hon. James Hacker MP, *The complete Yes Minister: The diaries of a Cabinet minister*, ed. Jonathan Lynn and Antony Jay (BBC, 2020), Chapter 19, "The whisky priest"; series 3, episode 6, first broadcast on BBC2, 16 December 1982.

28 Public Service Commission (PSC), "Political neutrality", *Public Service Commission Te Kawa Mataaho,* Website (7 September 2026 accessed). See also its companion pages for public servants as individuals and in their official role.

29 A second senior official reached for the same analogy unprompted: ministers were their clients, in "a lawyer-client relationship", and "I believed in democracy over and above anything else".

30 William A. Niskanen, *Bureaucracy and representative government* (Chicago and New York: Aldine-Atherton, 1971), 42.

31 Christopher D. Marshall, *Compassionate justice: An interdisciplinary dialogue with two gospel parables on law, crime, and restorative justice* (Eugene, OR: Cascade Books, 2012), 107–108.

32 Marshall, *Compassionate justice*, 107–108.

33 Marshall, *Compassionate justic*e, 146.

34 Marshall, *Compassionate justice*, 155–156, quoting Patrick Devlin, *Samples of lawmaking* (Oxford University Press, 1962), 90.

35 Public Service Commission (PSC), "Political neutrality for public servants as individuals", *Public Service Commission Te Kawa Mataaho*, Website (9 September 2026 accessed); Public Service Commission (PSC), "Political neutrality for public servants in their official role", *Public Service Commission Te Kawa Mataaho,* Website (9 September 2026 accessed).

36 Privileges Committee, *Question of privilege concerning evidence given by the Ministry of Business, Innovation and Employment to the Education and Workforce Committee* (Wellington: New Zealand House of Representatives, August 2026), 4.

37 Craig McCulloch, "Immigration officials 'deliberately withheld' information on failed technology upgrade", RNZ (17 June 2026); Louis Dunham, "From 'achievable' to 'unlikely' in nine days: Immigration NZ's botched $35m project", RNZ (22 July 2026).

38 Independent review by Greg James, released by Immigration New Zealand, 16 June 2026, as reported in McCulloch, "Immigration officials 'deliberately withheld' information".

39 Nic Blakeley, chief executive of the Ministry of Business, Innovation and Employment (MBIE), appearing before MPs during Scrutiny Week, 16 June 2026, as reported in McCulloch, "Immigration officials 'deliberately withheld' information".

40 Lauren Crimp, "Heads could roll at Immigration NZ as Public Service Commissioner investigates integrity", *RNZ* (17 June 2026).

41 Privileges Committee, *Question of privilege*, 7–8. Blakeley had told the Privileges Committee that the ministry did not set out to mislead MPs, and that it had held a sincere view that commercial sensitivities limited what it could say. Giles Dexter, "MBIE Boss Denies Deliberately Misleading Parliament over Axed $35m IT Project", *ODT* (28 July 2026).

42 Privileges Committee, *Question of privilege*, 8.

43 "'Did you lie to Parliament?' Ryan Bridge grills MBIE boss Nic Blakeley", *Herald Now: Ryan Bridge TODAY,* Herald (27 August 2026), 00:55–01:41.

44 "'Did you lie to Parliament?' Ryan Bridge grills MBIE boss Nic Blakeley", 05:53.

45 Privileges Committee, *Question of privilege*, 9.

46 Craig McCulloch, "Top officials found in contempt by Parliament for 'misleading' MPs about bungled IT project", *RNZ* (26 August 2026).

47 Bryce Edwards, "Democracy briefing: The ten key questions about MBIE's contempt of Parliament", *The Democracy Project* (28 August 2026).

48 "'Did you lie to Parliament?' Ryan Bridge grills MBIE boss Nic Blakeley", 05:01–05:22.

49 Craig McCulloch, "MBIE head Nic Blakeley's position now 'untenable' – Labour", *RNZ* (1 September 2026).

50 Blakeley had told the Privileges Committee that the ministry did not set out to mislead MPs, and that it had held a sincere view that commercial sensitivities limited what it could say. Giles Dexter, "MBIE Boss Denies Deliberately Misleading Parliament over Axed $35m IT Project", *ODT* (28 July 2026).

51 Jenn Bestwick and Lester Levy, *Performance Improvement Framework: Report for the Ministry for the Environment* (Wellington: State Services Commission (SSC) and Ministry for the Environment, 2018), 19 ("Challenge 3: Communication, persuasion and influence").

52 Bill English, "Alf Rattigan Lecture: Bill English on data customers and the limits of universal public services", Australia and New Zealand School of Government (ANZSOG), The Shine Dome, Canberra, Australia (27 November 2019), Website.

53 Benno A. Blaschke et al., hosts, "From heresy to reform", *Housing affordability: New Zealand at the global policy frontier,* Part 2, The New Zealand Initiative podcast (2025), 1:28:27.

54 Electoral Commission, "2023 General Election – Official Result", Website (19 October 2026 accessed).

55 The survey's delivery option read "Service Delivery with Direct Public Engagement (e.g., Nurse, Teacher, Police)", and 179 of the 299 respondents in this group chose it; the other 120 were call centre workers and inspectors or regulatory officers. The sample therefore includes frontline staff of the wider state sector as well as of the core public service.

56 The survey's options were "Manager / Director / General Manager" and "Executive Leadership (CE / DCE)". In the New Zealand public service, a director usually heads a major policy programme as its thought leader. The role ranks above a principal advisor and a manager but below a general manager. Directors have no direct reports for people management, but others report to them on policy work.

57 Throughout this chapter, a difference between two groups is called reliable when the error bars in the figure, which show one standard error either side of each estimate, do not overlap. This is a rule of thumb rather than a formal test, and it is somewhat more permissive than the conventional 95 percent test, so a few of the smaller differences called reliable here could be chance. It is used because most of the groups compared are small and because it lets the reader check every such claim against the figure. Where a sentence describes a difference without calling it reliable, the bars overlap.

58 Throughout this chapter, as in Chapter 5, a difference between two groups is called reliable when the error bars in the figure, which show one standard error either side of each estimate, do not overlap. This is a rule of thumb rather than a formal test, and it is slightly more permissive than the conventional 95 percent test. It is used because it enables the reader to visually check each claim against the graph. Where no graph shows the comparison, the same rule is applied to the counts given in the notes. Where a sentence describes a difference without noting it as reliable, the standard error ranges overlap.

59 Trusting servants: agreed ("slightly agree", "agree", or "strongly agree") that "Elected Ministers are better suited than Public Servants to determine what the public wants". Disenchanted: disagreed with that statement and agreed that "Because Ministers are democratically elected, they should decide policy and tradeoffs". Bureaucratic priesthood: disagreed with both. Each respondent holds exactly one orientation: 348, 153, and 217 of the 718 respondents, and 73, 31, and 27 of the 131 analysts, advisors, managers, and leaders. Most of those holding each orientation also agreed that the public service serves the public, not the elected government: 81 percent of trusting servants, 72 percent of the disenchanted, and 55 percent of the bureaucratic priesthood.

60 The second statement is discussed in the next section: "If a Minister wants to pursue a lawful policy that officials believe is misguided, officials should implement it anyway, and do their best to make it succeed".

61 The statement names a minister and a lawful policy rather than a government, although some respondents in 2026 may have read it as a question about the present government. Whether an official may act against a decision once a minister has made it, by slowing the policy, steering the minister, or briefing the media, is taken up in Chapter 7.

62 "Respondent by respondent" follows the same people across both questions. Of the 217 respondents in the priesthood, 79 accepted the duty. Of those 79, 48 did not accept the effort: 61 percent.

63 We can interpret this in multiple ways. First, left-leaning respondents, specifically, withdraw their spirit of service on ideological grounds. Second, left-leaning respondents are currently disposed to withdrawing their spirit of service because the National-led elected government of the day stands in opposition to their commitment by political partisanship. Third, and this follows from the second, this is a more generalisable phenomenon that leaders are more likely to not accept an elected government counter to their own commitments due to their spirit of service being conditional, such that this could just as well be the case in a reversed scenario. The problem, however, is that no matter how we frame this, it is a failure of leadership to meet the neutrality condition of the Westminster model: a neutral and professional public service.

64 The ladder does not order tactics by how many respondents accepted statements about said tactics.

65 As in Chapters 5 and 6, a difference between groups is called reliable when the error bars, one standard error either side of each estimate, do not overlap, and no finding rests on a group of fewer than 30. Some respondents agree with most statements put to them, and that habit is more common among right voters and among managers and leaders than among left voters and advisors. The figures do not control for it, so where those groups are compared the differences are likely smaller than drawn.

66 Part 2 of this report explores 'free and frank advice' as a convention in greater depth. Here, it is measured by two statements: "Officials should present Ministers with all policy options and analysis, irrespective of their own opinions" and "The official should try persuading the Minister with advice and evidence". A respondent counts as 'committed' to this convention if (and only if) they agreed with both statements.

67 Years served are years in the service for current officials and years served before leaving for former officials. Figure 7.2 uses the survey's five bands: under 2 years (122 respondents), 2 to 5 (246), 6 to 10 (161), 11 to 20 (117), and more than 20 (72). Eleven years or more combines the two longest bands: 189 respondents fell within it and 529 below it.

68 Among those who had served less than 11 years, former officials accepted every open rung more often than current officials: presenting every option 80 percent against 72 percent, persuading the minister 81 percent against 74 percent, and procedural steps 76 percent against 70 percent; and fewer of them accepted filtering (41 percent against 56 percent). On framing the two did not differ reliably (66 percent against 63 percent); on the media, current officials were again the more accepting (65 percent against 53 percent). Among those who had served 11 years or more, no open rung differed.

69 Public Service Commission (PSC), "Age profile", Website (28 September 2026 accessed). Staff under 35 were 25.7 percent in 2016, 30.5 percent in 2023, and 27.8 percent in 2025.

70 Younger managers and leaders are those in the youngest age band of their poll. The youngest band was 18 to 34 in two polls, while it was 18 to 39 in the others. This gives 46 younger managers and leaders and 35 older ones. The media difference ran the same way in both sets of polls. In the two polls with the youngest band being 18 to 34, 78 percent of younger managers and leaders accepted briefing the media, against 42 percent of older ones (14 of 18 against 10 of 24). In the other polls, the shares were 75 percent and 55 percent (21 of 28 against 6 of 11). With only 11 older managers and leaders in those polls, that gap is not reliable on its own.

71 Public Service Commission (PSC), "Senior managers", Website (28 September 2026 accessed); figures summed from the Commission's "Senior leaders trends" data file, which splits headcount by tier, region, and full- or part-time status. Managers are tiers 1 to 3 plus other managers, as at 30 June each year: 5,383 in 2017 (1,025 in tiers 1 to 3 and 4,358 other managers), 8,126 in 2023 (1,361 and 6,765), and 7,652 in 2025 (1,231 and 6,421). Other staff rose from 43,488 to 56,645 between 2017 and 2023.

72 Public Service Commission (PSC), "Age profile".

73 The managers occupation group's share under 35 was 7.7 percent in 2017, 11.0 percent in 2023, and 8.3 percent in 2025. Applied to the management headcount, that is about 415 managers under 35 in 2017, 895 in 2023, and 635 in 2025.

74 The Commission reports age at 35 and 50, not 40. With 8 percent of managers under 35 and 49 percent over 50 in 2025, a fifth under 40 is an estimate. Four things may explain the difference, and the survey cannot separate them: how the polling panel drew its respondents; the survey's category "Manager / Director / General Manager", which includes directors who may not manage staff and may include team leaders; respondents from the wider state sector, which the Commission's data do not cover; and chance.

75 Among younger managers and leaders, 74 percent of left voters and 76 percent of right voters accepted briefing the media. On presenting every option, they differed (68 percent against 88 percent), but with 19 left and 25 right voters these groups are too small to carry a finding of their own.

76 The contrast here compared to Chapter 6 is one of size. On tactics, right-leaning respondents agree more readily by 6–15 points. But on whether elected ministers should decide policy and tradeoffs, Chapter 6 found left and right voters depart by 21 points.

77 The split held in both families of polls at both lengths of service. Among those with under 11 years, 82 percent (right) against 50 percent (left) in one of the political polls. The other polls showed 66 percent (right) against 56 percent (left). Among the long-serving, 70 percent (right) against 55 percent (left), and 83 percent against 46 percent, respectively.

78 The middle advisor panel has a small group so has wide error bars. Only 7 left-voting advisors agree or strongly agree (23 percent) of 30 advisors who agree across all agree categories; and 7 of 17 right-voting advisors (41 percent).

79 James Hacker, *The complete Yes Minister: The diaries of a Cabinet minister,* ed. Jonathan Lynn and Antony Jay (BBC, 2020), chapter 1, "Open government", diary entry for 24 October.

80 Hacker, *Complete Yes Minister,* chapter 13, "The quality of life", Sir Humphrey's private note of 14 September.

81 Murray Horn and Debbie Francis, *Performance Improvement Framework: Formal review of the Ministry of Foreign Affairs and Trade* (Wellington: State Services Commission (SSC), the Treasury, and the Department of the Prime Minister and Cabinet (DPMC), 2010), 15.

82 Chapter 3 describes neutrality as 'a shared code': "Everyone knows what may be said and where, who may be met, what can and cannot be said on social media, and how to sound in front of a minister of either political leaning".

83 *Public Service Act 2020*, s 11A(1)(a) and (b), inserted by the *Public Service Amendment Act 2026*.

84 Department of the Prime Minister and Cabinet (DPMC), "Financial implications in Cabinet papers", *CabGuide* (3 April 2024), Website.

85 Radio New Zealand (RNZ), "Oil, gas exploration move a 'kick in the guts' for Taranaki – mayor", *Scoop* (12 April 2018), quoting Energy and Resources Minister Megan Woods: "There's no offshore in this 2018 round and there won't be any further offshore permits". The government's release of the same day is New Zealand Government, "Planning for the future – no new offshore oil and gas exploration permits", media release (12 April 2018).

86 Hacker, *Complete Yes Minister,* chapter 8, "The compassionate society", diary entry for 10 March, 222–223.

87 Tony Burton, *Demystifying the state* (Wellington: The New Zealand Initiative, 2024), 10–11.

88 *Public Service Act 2020*, ss 11A(1)(h), 12(1)(a), and 12(2), as amended by the *Public Service Amendment Act 2026.*

89 Public Service Commission (PSC), *Principles guidance,* section 3.1, 15.

90 Public Service Commission (PSC), *Guidance: Free and frank advice and policy stewardship* (Wellington: PSC, 2024), 1–2.

91 Andrew Kibblewhite, "Free, frank and other F-words: Learning the policy road code", address to the Institute of Public Administration New Zealand (IPANZ) Free and Frank Policy Advice Seminar (12 August 2015), 2. Restated in Andrew Kibblewhite, "Mastering the art of free and frank advice", address to the Institute of Public Administration New Zealand (IPANZ) (17 August 2016), 3.

92 Public Service Commission (PSC), *Free and frank advice and policy stewardship,* 1–2.

93 Public Service Commission (PSC), *Free and frank advice and policy stewardship,* 1–2.

94 Public Service Commission (PSC), *Free and frank advice and policy stewardship,* 1–2.

95 Public Service Commission (PSC), *Free and frank advice and policy stewardship,* 2.

96 Cabinet Office, *Cabinet Manual 2017*, section 3.8 ("to give fair consideration and due weight to free and frank advice provided by the public service"), as quoted in Andrew Kibblewhite and Peter Boshier, "Free and frank advice and the Official Information Act: Balancing competing principles of good government", *Policy Quarterly* 14:2 (May 2018), 5, and Andrew Kibblewhite, "Free and frank advice in the context of open government – why it matters", speech to the Institute of Public Administration New Zealand (IPANZ) (28 September 2018), 3. "Advise fearlessly and implement enthusiastically": Kibblewhite, "Free, frank and other F-words", 5.

97 Kibblewhite, "Mastering the art of free and frank advice", 8: "The no go zone for me is when Ministerial advisors act in ways that prevent officials' independent advice getting through to the Minister".

98 Emphasis added in italics. Public Service Commission (PSC), *Free and frank advice and policy stewardship*, 2–3; Kibblewhite, "Mastering the art of free and frank advice", 1.

99 Carl Billington, "Free & frank – why it matters", *Public Sector* 41:2 (July 2018), 4–5, quoting Andrew Kibblewhite.

100 Not all democratic theorists accept this distinction, but voters abrogate almost every technical decision to government, meaning all that is left for voters to decide are values and policy goals. The distinction, then, is operational reality. If we support representative democracy, then we also must support a system that in practice allows voters to determine the values but not the technical detail of public policy. We accept the former, so we also accept the latter.

101 The data we web-scraped from the Public Service Commission (PSC) website reports percent agree and does not directly contain data on the different kinds of 'did not agree' statements. However, most agency-level reports from the PSC's Public Service Census webpages do contain such data, which shows that the 'did not agree' percentages are typically split equally between 'neither agree nor disagree' and sharp disagreement. Since both show hesitancy with the claim that there is free and frank advice, we report the agreement versus non-agreement figures contained in the PSC's spreadsheets.

102 This occurred in the sequel, *Yes, Prime Minister.* The authors apologise for spoilers.

103 Antony Jay and Jonathan Lynn, "The tangled web", *Yes, Prime Minister*, series 2, episode 8 (BBC2, first broadcast 28 January 1988).

104 The ability of agencies to coordinate well is taken up in future reports in this series, where we look at the unity and stewardship functions of the public service. Since this is a problem that came up a lot in our interviews, we provide a few examples towards the end of the chapter for demonstration.

105 This includes two developing ratings for the Impact and Value for the Ministry of Transport's "Core Function: Policy and funding advice", as well as two more for "Core Function: Advice and assurance on long-term infrastructure investment".

106 For example, the 2015 PIF model looks at whether the agency maintains "a culture of 'no surprises' with Ministers", whether "good advice" is offered "in a timely manner", how well information flows between ministers and Crown entity boards, whether "the agency's stewardship obligations [are] reflected in advice to Ministers", etc. See State Services Commission (SSC), the Treasury, and the Department of the Prime Minister and Cabinet (DPMC), *Core guide 1: What is the Performance Improvement Framework?* (Wellington: SSC, December 2015), 22.

107 One route of analysis we originally tried was keeping a track record of each problem mentioned in an agency's PIF review and whether it was addressed (positively or negatively) in the agency's follow-up review, if the latter existed. However, this proved too unruly, and so we could not get a quantitative summary with counts of the number of times a certain issue was mentioned or addressed. We instead had to rely on the general narrative across reviews, and so our selection of quotations and interpretation thereof may rely on our subjective judgement. We thus limited our presentation in Tables 10.1 and 10.2 to a typology of success and failure cases, showing some ways agencies succeeded and other ways they fell short. We invite other researchers to analyse the PIF and PIR reviews and see whether our interpretation matches theirs. Regardless, the tables identify a range of problems with the quality of advice that was present in the PIF reviews. The only conclusion on the relative frequency of successes and failures we can draw based on our current analysis is that the substance behind the advice was uneven and less consistent compared with the professionalism agencies typically showed.

108 All quotations in this section are taken from the PIF and PIR reviews listed in Tables 10.1 and 10.2, except where noted. The agency and year of each review are given in the text, with citations matched to the full quotations in the tables.

109 State Services Commission (SSC), the Treasury, and the Department of the Prime Minister and Cabinet (DPMC), *Performance Improvement Framework: Formal review of the Ministry of Foreign Affairs & Trade (MFAT)* (Wellington: SSC, September 2010), 17.

110 State Services Commission (SSC), the Treasury, and the Department of the Prime Minister and Cabinet (DPMC), *Performance Improvement Framework: Formal review of the Ministry of Social Development (MSD)* (Wellington: SSC, May 2011), 36.

111 State Services Commission (SSC) et al., *Formal review of the Ministry of Social Development,* 26.

112 State Services Commission (SSC), the Treasury, and the Department of the Prime Minister and Cabinet (DPMC), *Performance Improvement Framework: Formal review of the Ministry of Economic Development (MED)* (Wellington: SSC, March 2012), 39.

113 State Services Commission (SSC), the Treasury, and the Department of the Prime Minister and Cabinet (DPMC), P*erformance Improvement Framework: Formal review of the Ministry of Justice (MoJ)* (Wellington: SSC, July 2012), 29.

114 State Services Commission (SSC), the Treasury, and the Department of the Prime Minister and Cabinet (DPMC), *Performance Improvement Framework: Review of Careers New Zealand (Careers NZ)* (Wellington: SSC, November 2013), 32.

115 State Services Commission (SSC), the Treasury, and the Department of the Prime Minister and Cabinet (DPMC), *Performance Improvement Framework: Review of the Department of the Prime Minister and Cabinet (DPMC)* (Wellington: SSC, June 2013), 29.

116 State Services Commission (SSC), the Treasury, and the Department of the Prime Minister and Cabinet (DPMC), *Performance Improvement Framework: Review of the Serious Fraud Office (SFO)* (Wellington: SSC, May 2014), 30.

117 Public Service Commission (PSC), *Performance Improvement Review of the Ministry for Pacific Peoples* (Wellington: PSC, May 2024), 29.

118 State Services Commission (SSC) et al., *Formal review of the Ministry of Social Development,* 36.

119 State Services Commission (SSC) et al., *Formal review of the Ministry of Social Development,* 36.

120 State Services Commission (SSC), the Treasury, and the Department of the Prime Minister and Cabinet (DPMC), *Performance Improvement Framework: Formal review of the Ministry of Health* (Wellington: SSC, December 2012), 24.

121 State Services Commission (SSC) et al., *Formal review of the Ministry of Health,* 24.

122 State Services Commission (SSC) et al., *Formal review of the Ministry of Health,* 24.

123 State Services Commission (SSC) et al., *Formal review of the Ministry of Health,* 42.

124 State Services Commission (SSC), the Treasury, and the Department of the Prime Minister and Cabinet (DPMC), *Performance Improvement Framework: Formal review of the New Zealand Customs Service (Customs)* (Wellington: SSC, October 2012), 30.

125 State Services Commission (SSC), the Treasury, and the Department of the Prime Minister and Cabinet (DPMC), *Performance Improvement Framework: Follow-up review of the Ministry of Social Development* (Wellington: SSC, May 2013), 11.

126 State Services Commission (SSC), *Performance Improvement Framework: Review for the Ministry of Transport* (Wellington: SSC, January 2018), 38.

127 State Services Commission (SSC), *Performance Improvement Framework: Report for the Ministry for the Environment* (Wellington: SSC, July 2018), 35.

128 State Services Commission (SSC), *Performance Improvement Framework: Review for Te Puni Kōkiri (Ministry of Māori Development)* (Wellington: SSC, August 2020), 39.

129 State Services Commission (SSC), *Review for Te Puni Kōkiri*, 43.

130 Public Service Commission (PSC), *Performance Improvement Review of the Ministry for Pacific Peoples*, 30.

131 Public Service Commission (PSC), *Performance Improvement Review of the New Zealand Police* (Wellington: PSC, April 2026), 51.

132 State Services Commission (SSC), *Review for Manatū Hauora, the Ministry of Health* (Wellington: SSC, December 2017), 25.

133 DPMC's Policy Project also requires agencies to report ministerial satisfaction with policy advice in the form of a Ministerial Satisfaction Survey. This, however, is too subjective to give a reliable rating on advice quality, as different ministers can have radically different standards. We instead focus on the ratings agencies give against the PQF.

134 See the forthcoming methodology appendix for a fuller account of the Policy Project.

135 See the forthcoming methodology appendix for what reports made up our sample, how we extracted and analysed the ratings found in the reports, and how we aggregated the data into the figures in this chapter.

136 Different agencies held themselves to different standards, and these standards changed over the years and between portfolios. Agencies set an average-score standard of 3.49 on average, and 3.5 is by far the most common target. Distribution standards average 88 percent of papers at 3 or above, 33 percent at 4 or above, and no more than 15 percent at 2.5 or below.

137 Around half of the papers the Panel reviewed were originally reviewed by intra-agency panels; the other half was reviewed by NZIER. C. Scott, *Policy Quality Framework: Independent panel review of papers,* report to the Department of the Prime Minister and Cabinet (DPMC) (Wellington: New Zealand Institute of Economic Research (NZIER), October 2023), 2.

138 Scott, *Independent panel review of papers,* 1.

139 Scott, *Independent panel review of papers,* 5.

140 Scott, *Independent panel review of papers,* 5.

141 Scott, *Independent panel review of papers,* 5–6.

142 Scott, *Independent panel review of papers,* 7.

143 Scott, *Independent panel review of papers,* 7.

144 Scott, *Independent panel review of papers,* 8.

145 Scott, *Independent panel review of papers,* 7–8.

146 Scott, *Independent panel review of papers,* i.

147 Scott, *Independent panel review of papers,* 9.

148 Scott, *Independent panel review of papers,* 10.

149 Scott, *Independent panel review of papers,* 10.

150 Scott, *Independent panel review of papers,* 10.

151 Scott, *Independent panel review of papers,* 10.

152 Scott, *Independent panel review of papers,* 9–10.

153 Scott, *Independent panel review of papers,* 10.

154 Scott, *Independent panel review of papers,* 10–11.

155 Scott, *Independent panel review of papers,* 11.

156 Scott, *Independent panel review of papers,* 11.

157 Scott, *Independent panel review of papers,* 10–11.

158 The following chapters and reports explain these phenomena in more detail.

159 Our interviews indicated that this could arise because of unequal work distributions between employees, superfluous work due to excessive consultation or elaborate procedure, or underfunding in general.

160 This indicates that the issues brought up by our participants, which will be elaborated on as further reports come out, are shared by the public service at large.

161 These correlations hold, though to a lesser extent, if you measure how policy-heavy an agency is by the share of full-time employees that are policy analysts. Since the share we report in the text incorporates other kinds of public servants involved in the policy process besides analysts, we found it the more meaningful of the two measures.

162 Antony Jay and Jonathan Lynn, "The writing on the wall", *Yes Minister,* series 1, episode 5 (BBC2, first broadcast 24 March 1980).

163 One way this plays out is through transparency. Whether open government always protects free and frank advice will be taken up in a future report.

164 We saw in the prior chapter how this substance is variable and frequently absent, though not always so.

165 Andrew Kibblewhite, "Free, frank and other F-words: Learning the policy road code", address to the Institute of Public Administration New Zealand (IPANZ) Free and Frank Policy Advice Seminar (12 August 2015), 2.

166 Difference-in-difference is a statistical method frequently used to estimate the effects of economic policies, such as increases in the minimum wage, on economic variables, like employment.

167 C. Scott, *Policy Quality Framework: Independent panel review of papers*, report to the Department of the Prime Minister and Cabinet (DPMC) (Wellington: New Zealand Institute of Economic Research (NZIER), October 2023), 7. Emphasis added in italics.

168 Scott, *Independent panel review of papers,* 7.

169 State Services Commission (SSC), the Treasury, and the Department of the Prime Minister and Cabinet (DPMC), *Core guide 1: What is the Performance Improvement Framework?* (Wellington: SSC, December 2015), 22.

170 We expand on and return to the social elements of the service in future reports.

171 Antony Jay and Jonathan Lynn, "The skeleton in the cupboard", *Yes Minister,* series 3, episode 3 (BBC2, first broadcast 25 November 1982).

172 Restructures will be a major theme in our future reports on unity, coordination, stewardship, and ethics. It was frequently remarked by our participants that restructures are almost universally handled poorly, leading to stress for public servants and encouraging the best officials to leave. For our purposes here, it is enough to note that frequent and poorly handled restructures diminish the quality of support ministers get and thus lead to further variability in ministerial capability. We foreshadow our future research when we talk about change processes in the penultimate section of this chapter.

173 Annika Naschitzki, Karl Löfgren, and Geoff Plimmer, "Performing change: The institutional logics of internal restructuring in the public sector", *Public Management Review* (December 2025), 1–32.

174 Naschitzki, Annika (2026). Performing change – The reasoning, procedure and after-effects of restructuring in public service organisations. Open Access Te Herenga Waka-Victoria University of Wellington. Thesis, p. 98. https://doi.org/10.26686/gfb9-5k44

175 Public Service Association (PSA), *Reckless restructures: How to stop the damage caused by restructuring* (Wellington: PSA, 2026), 8.

176 Public Service Association (PSA), *Reckless restructures*, 9.

177 The Public Service Commission (PSC) data on its website does not break down non-agreement by neutral and sharp disagreement responses.

178 Public Service Commission (PSC), *OIA response: Information request relating to attrition, turnover and movement between roles across the Public Service* (Wellington: PSC, 11 August 2022), 26.

179 We return to this point in our future reports on the state of merit, expertise, and stewardship.

180 Our future reports on merit, expertise, and government effectiveness look at whether there is indeed an iceberg of analytical substance in the public service.

Every three years, we elect politicians to represent us in Parliament. While governments come and go, a permanent public service helps governments of different political persuasions implement their democratically approved policies.

Our constitutional traditions promote many ideals to which the public service should aspire. This report investigates the extent to which the public service lives up to two such ideals: political neutrality and the provision of free and frank advice.

We consolidated existing public data and conducted original research, including a survey of 718 current and former public servants and interviews with forty current and former officials, ministers, political advisors, and others with experience of the system.

On both counts, there is much room to improve. Our survey indicates that many normative beliefs required of neutral public servants are not widely held and are often rejected, especially by managers and leaders. The provision of free and frank advice is hampered by layers of management that controls what advice reaches ministers. The quality of the advice that does get through varies widely. Advice to ministers frequently lacks information necessary for it to be of use.

There is a growing sense among politicians on both the left and the right that the public service is not fit for purpose. The evidence in this report makes a strong case for reform.

$25.00

ISSN
2624-0092 (print)
2624-0106 (online)

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