



Te Noho Taiapa | Political Neutrality

We act in a politically neutral manner.

What is political neutrality?

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.

A politically neutral and professional Public Service was first introduced through the Public Service Act 1912. It has remained a fundamental principle of our system of government since then.

Why is political neutrality important?

Political neutrality is the foundation upon which:

- a. **We serve current and future governments.** We maintain the capability and institutional memory that allows us to serve governments over time. Political neutrality preserves our ability to serve current and future governments, irrespective of its political composition.
- b. **We maintain the trust and confidence of Ministers and the Government** and help them to develop and implement their policies. Ministers must have confidence that we will provide trusted service to New Zealand and will not use our positions to pursue our own political interests or objectives. Being politically neutral helps us to maintain the distinction between the work of Ministers in making decisions and advocating for policies and our work in providing advice and delivering services.
- c. **We maintain the trust and confidence of the public** in the Public Service as an institution. The public needs to know that regardless of which political party or parties are in power, the Public Service will continue to perform its function for New Zealand. To prevent this trust from being undermined, we need to be careful to remain politically neutral in the public statements we make and the actions we take on behalf of our agencies.



What are our roles?

Our leaders have a responsibility to uphold the principle of political neutrality and ensure the agencies they lead do so too. We need to support our leaders in performing that duty, and each of us needs to make sure that we do not act in a way that would undermine the principle.

These obligations do not generally prevent us from being politically active in our private lives. Expressing our personal political opinions outside of work in our own time is unlikely to undermine the principle of political neutrality, provided that we do not:

- represent or give the impression that we represent our agency; or
- disclose or utilise confidential government information.

For those of us who are senior public servants or who work closely with Ministers, additional caution is required and is explored further in the practical guidance.

Practical guidance

Political neutrality for public servants as individuals

Individual rights, freedoms and responsibilities

Public servants have the same rights to freedom of speech and political activity in their private lives as other New Zealanders under the New Zealand Bill of Rights Act 1990. Like other New Zealanders, public servants are strongly supportive of good government and care about the issues affecting New Zealand.

Public servants also have a responsibility to act in a way that enables their agency to maintain the confidence of its current Minister and of future Ministers.¹

Public sector agencies must ensure that they respect the political rights of their employees and do not unreasonably impinge on these rights. At all times, there must be a proper balance between respect for public servants' democratic and civil rights and the public interest in having a politically neutral and effective Public Service.

Public servants engaging in political activity

Many public servants have their own political views and support particular political parties. Being politically neutral at work does not generally stop public servants from being politically active outside work. For most public servants, participating in politics outside the workplace is unlikely to breach their agency's political neutrality obligations.

¹ [Cabinet Manual 2023](#) paragraph 3.72

In general, there is nothing wrong with having interests or activities outside work that may create a conflict with your agency role, so long as they are identified and appropriately managed. However, there may be circumstances where it is difficult to reconcile personal political interests with performing a public sector role. Te Kawa Mataaho Public Service Commission can help in these situations.

Public servants involved with a political party, or who intend to comment publicly on political matters, including via social media, need to be careful that they do not:

- reveal advice given to Ministers
- disclose information they are not authorised to disclose
- purport to express an agency view when they are giving their own view
- criticise government policy with which they have been professionally involved.

Things to think about

There are some things to think about when engaging in any political activity outside work that might impact your role as a public servant. Whether a particular political interest or activity might impact on a work role, and whether it can be managed, may depend on the:

- seniority of the role
- nature of the role
- scope and scale of the political activity.

The seniority of the role

Working in the public sector is a privilege, involving ready access to government information, status and influence. The more senior the role within the structure of the agency, the greater that person's profile, influence and proximity to Ministers and government is likely to be. Some public servants will need to exercise careful judgement and care when considering political activity outside of work and consider public perceptions if they:

- hold a senior position within an agency
- have regular direct contact with Ministers or represent a public face of their agency
- work in a Minister's office
- are actively engaged in providing advice to Ministers on an issue that is the subject of contested political activity.

The greater the seniority and influence, the less appropriate political activity outside work may be.

The nature of the role

Any potential for overlap or conflict will depend on what the public sector role involves and the requirements of the role. Roles that are more likely to be impacted by a public servant's political activity outside work include those that involve regular, direct contact with Ministers, communication on behalf of the agency or advising Ministers on politically topical issues.

The scope and scale of the political activity

Voting in an election is a democratic right and is always encouraged. However, political expression that involves breaching the law or a code of conduct is never acceptable. For example, the unauthorised disclosure of government information or the misuse of government resources for political purposes is not acceptable.

Public servants should consider whether the scope and scale of the political activity could interfere with their work duties or the political neutrality of the public sector. Questions they could ask are whether the political activity (including the way it is conducted):

- has a negative impact on the confidence of Ministers and the public in the political neutrality of the public sector
- interferes with duties or workplace relationships
- involves a serious breach of the Standards of Integrity and Conduct, for example, involves the unauthorised release of data, other government information, private or personal information, government policy, financial information or criminal conduct
- brings into question someone's ability to perform their role in the eyes of the public
- causes some other kind of harm to the legitimate interests of the public sector.

Public servants as members of unions

Public servants have the right to join and be active in lawful organisations including trade unions. Participating in the lawful activities of unions within government workplaces is acceptable at all times, and managers should work constructively with union representatives to enable this.

As a consequence of this right, it is anticipated there will sometimes be an expression of political views inside the workplace. Political expression and participation should normally be undertaken in the individual's own time. To the extent that union activity leads to political expression within the workplace, this should be carried out in a reasonable way and respect normal business operations. These activities should not be visible to the general public.

Distributing and discussing union material in the workplace does not breach a public servant's obligations around political neutrality. It is important that public servants continue to carry out their job without letting their personal interests or views influence their advice or behaviour and act without bias towards one political party or another.

Public servants as members of a profession or with a statutory role

Public servants who are members of professions with their own professional obligations or code of ethics need to consider how these fit with their political neutrality responsibilities as public servants.

For example, members of a profession may wish to comment publicly in a personal capacity on work-related matters within their areas of expertise. Members should be open and honest in their actions. This will involve raising the matter first with the agency and not disclosing official information that has not been made public. Public servants in this situation should not enter into debate criticising or advocating for particular politicians or political parties or comment on particular political party policies.

Public servants who have a statutory role that involves public advocacy need to consider how to fulfil this role while maintaining political neutrality. This will involve ensuring their comments focus on their statutory role rather than political advocacy. They too should not comment on particular political party policies. Statutory duties that public servants have as members of a profession prevail over these responsibilities, but the public servant should raise any inconsistency with their agency.

A public servant who has a spokesperson role with a professional body or union has fewer constraints when making comments that are critical of the Government or of the management of the agency. It is important in these cases that comments are clearly made on behalf of the professional body or union.

Personal use of social media

Public servants are free to use social media in their private lives. The Standards of Integrity and Conduct, political neutrality obligations and agencies' own policies apply to all media communications outside work, as with other forms of communication. There should be a clear separation between public servants' work role and their personal use of social media. See: [Guidance: Public servants' personal use of social media](#).

Use of agency resources

Agency resources and premises should not be used for activities that could be regarded as party political. Agencies may have a 'reasonable personal use' policy but agency resources such as printers, office supplies and email systems should not be used to support the private political activities of individuals.

Public servants should not provide their workplace contact details to political parties.

Public servants and select committees

Public servants have the same political rights as other members of society, including the right to make submissions to, and appear as witnesses before, select committees. Public servants should be careful, however, that their attendance in a personal capacity is consistent with their professional obligations to the government of the day and that any conflicts of interest are able to be managed. In particular, public servants who appear in a private capacity should:

- make it clear to the committee that they appear in a private capacity
- not use information they have received in confidence through their work role in the submission
- avoid commenting on policy issues related to their own agency or which they have been professionally associated with
- advise their manager that they will be attending.

Political neutrality for public servants in their official role

The Public Service serves the government of the day and successive governments, regardless of their political composition. This means public servants must always act in a way that maintains the confidence of the current government and ensure the same relationship can be established with future governments.

It is never acceptable for a public servant acting in an official capacity to express their personal political views in a way that raises questions about their ability to perform their role in a politically neutral way. Expressing such views can impact the confidence of Ministers or the public in the political neutrality of the Public Service.

Public sector agencies are accountable to their Minister and usually need to work through their Minister when engaging with the legislative branch including Parliament, Members of Parliament and other political parties.

Engaging with Members of Parliament

Members of Parliament (MPs) may interact with agencies from time to time as representatives of constituents in their electorate. Generally, public servants should respond to any approach by an MP in the same way they would respond to an approach by a member of the public.

Any requests for information or services over and above what would normally be provided to the public (e.g. a visit to an agency's premises or a substantial briefing) must be referred to the agency's chief executive. The chief executive will first consider any risks to political neutrality. They can decline a request if the proposal is likely to undermine the political neutrality of the agency, or if a request is otherwise inappropriate for the agency. Following this consideration, the chief executive should refer the request to the relevant Minister, along with any appropriate advice, for their consideration.

Engaging with political parties

From time to time, Ministers may ask officials to attend a meeting of a caucus committee or caucus or provide a briefing to a member or members of Parliament, particularly to support Ministers in briefing their colleagues about a current issue or proposed legislation. Public servants should not attend a caucus meeting of a political party represented in the House without first obtaining the agreement of the agency chief executive and the responsible Minister. Public servants are responsible to their Minister, not to caucus, and should only attend such meetings to support their Minister.

Before attending such a meeting, public servants should obtain clear instructions from their Minister and chief executive on the purpose of their attendance. Public servants should limit their involvement to providing factual information or expert opinion, while avoiding any comment that could be construed as political.

Public servants should not undertake work at the direction of caucuses, nor should they service caucuses or caucus committees. Policy work carried out by officials should not be used to develop party political material or be labelled as party policy. Any instructions that might emerge from caucus discussions should be given to the agency only by the responsible Minister.

Government policy should generally be confirmed through the Cabinet and Cabinet committee decision-making process and then announced by the Minister in their official capacity. In addition:

- Agency premises and resources, including their staff (e.g. photos of or communication with public servants), should not be used for political party purposes.
- A public servant should not attend a political party event in their official capacity.
- Public servants should support Ministers as usual in events such as programme launches but should avoid any political aspects of such an event.

Engaging with select committees

Select committees are the main point of contact between public servants and Parliament. Public servants may appear before select committees as advisers (e.g. when the committee is considering a Bill) or as witnesses (e.g. when the committee is scrutinising an agency's Estimates, reviewing agency performance or undertaking an inquiry). In any case, public servants appear in support of Ministerial accountability, and they are therefore subject to Ministerial direction in terms of questions to be answered and information to be supplied. See: [Guidance: Officials and Select Committees – Guidelines](#).

Advertising and publicity

The Guidelines for Government Advertising define government advertising as “any process for which payment is made from public funds for the purpose of publicising any policy, product, service or activity provided at public expense by the government”. This definition is intentionally broad and can include an authorised public servant speaking to members of the public, a consultation document or putting information out through social media.

Public sector agencies undertake advertising and publicity. There are legitimate reasons for doing so, including informing the public about government policies, the services available, and their rights and responsibilities. Public funds should not be used to pay for publicity for party political purposes.

There must be a clear purpose and an identified and justifiable information need for government advertising and publicity. It must be presented in a manner that is accurate, factual, truthful, fair, honest, impartial, lawful and proper, and comply with all relevant legislation and government policies. See [Guidance: Guidelines for Government Advertising](#) and [Guidance: Interpreting and Applying the Guidelines for Government Advertising](#).

Official use of social media

Agencies must develop a social media policy that sets out how they will use social media, who is authorised to use it in an official capacity, and key responsibilities for using it including under the Standards of Integrity and Conduct.

There should be a clear business purpose for an agency's use of social media that is linked to its role and functions. See: [Guidance: Public servants' official use of social media](#).

Media comment

When corresponding with the media, agencies must take care to ensure that communications material is factual and politically neutral, the Minister is kept informed and information and advice requests are handled promptly by the most appropriate person, agency or Minister.

Public servants need to identify whether issues are primarily political or operational and whether they are most appropriately handled by the Minister or by the agency. Political matters relate to the functions of the Minister. Ministers are responsible for determining and promoting policy, defending policy decisions and answering in the House on both policy and operational matters.

Chief executives are responsible for operational matters. Ministers are generally not involved in agencies' day-to-day operations.

Official Information Act requests

[Chapter 8 of the Cabinet Manual](#) (see paragraphs 8.53 to 8.57 in particular) includes guidance on the release of official information, including the involvement of Ministers in a release. An agency may consult its Minister about any request for official information received. An agency should consult its Minister if the request relates to Cabinet material (as this is related to their activities as a Minister).

Upon being consulted, a Minister may take the view that information an agency considers suitable for release, should not be released. In such cases, agencies should consider whether there is an obligation to transfer the request to the Minister under [section 14 of the Official Information Act 1982](#). The obligation to transfer will arise where the requested information is held by the Minister (but not the agency) or is more closely connected with the Minister's functions. The only reasons for withholding official information are those specified in the Act.

Public servants should not become involved in assessing the political consequences of releasing information. An agency should advise its Minister if it intends to release any information that is particularly sensitive or potentially controversial, in accordance with the "no surprises" principle. A notification for this purpose is not the same as consultation and should not unduly delay the release of information. See: [Agency Guidance: Minister and Agency Official Information Requests](#) and [Solicitor-General's 'No Surprises' Guidance](#).

Political neutrality and the election period

The normal conventions of political neutrality continue to apply at the time of a general election or a by-election. However, there can be heightened sensitivity around political neutrality and greater scrutiny on the actions of the public sector at this time, so some extra care is required.

Te Kawa Mataaho Public Service Commission publishes guidance covering the period before, during and after a general election. Much of this guidance has more general application outside of the election period as well. Topics include public servants at work, public servants outside work, responsibilities of public sector agencies, advertising, publicity and the media and Government processes before, during and after an election. See [Guidance: General Election Guidance](#).