

# The Treasury

## Budget 2017 Information Release

### Release Document July 2017

[www.treasury.govt.nz/publications/informationreleases/budget/2017](http://www.treasury.govt.nz/publications/informationreleases/budget/2017)

Key to sections of the Official Information Act 1982 under which information has been withheld.

Certain information in this document has been withheld under one or more of the following sections of the Official Information Act, as applicable:

[1]	to prevent prejudice to the security or defence of New Zealand or the international relations of the government	6(a)
[4]	to prevent prejudice to the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial	6(c)
[11]	to damage seriously the economy of New Zealand by disclosing prematurely decisions to change or continue government economic or financial policies relating to the entering into of overseas trade agreements.	6(e)(vi)
[23]	to protect the privacy of natural persons, including deceased people	9(2)(a)
[25]	to protect the commercial position of the person who supplied the information or who is the subject of the information	9(2)(b)(ii)
[26]	to prevent prejudice to the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied	9(2)(ba)(i)
[27]	to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information - would be likely otherwise to damage the public interest	9(2)(ba)(ii)
[29]	to avoid prejudice to the substantial economic interests of New Zealand	9(2)(d)
[31]	to maintain the current constitutional conventions protecting collective and individual ministerial responsibility	9(2)(f)(ii)
[33]	to maintain the current constitutional conventions protecting the confidentiality of advice tendered by ministers and officials	9(2)(f)(iv)
[34]	to maintain the effective conduct of public affairs through the free and frank expression of opinions	9(2)(g)(i)
[36]	to maintain legal professional privilege	9(2)(h)
[37]	to enable the Crown to carry out commercial activities without disadvantages or prejudice	9(2)(i)
[38]	to enable the Crown to negotiate without disadvantage or prejudice	9(2)(j)
[39]	to prevent the disclosure of official information for improper gain or improper advantage	9(2)(k)
[40]	Not in scope	

In preparing this Information Release, the Treasury has considered the public interest considerations in section 9(1) and section 18 of the Official Information Act.

**Table 1: Timeframes for reaching a negotiated settlement- two step option**

Action	Timeframe
Ministers meet to discuss options	Week of 5 September-
Ministers provide the Crown negotiator with a mandate to talk to settlement parties now	Week of 5 September
<b>Step 1</b>	
Crown negotiator meets with Settlement parties	Week of 13 September
Negotiation team meets with funders and providers to understand how the settlement will work in practice	Week of 13 September
Officials undertake analysis of: <ul style="list-style-type: none"> <li>• Phasing and impact of conditions</li> <li>• Potential impact of the funder, provider, workforce dynamic on the settlement</li> <li>• Size of funding envelope</li> </ul> This information is used to develop a revised negotiation mandate	Week of 13 September- Week of 3 October
Officials meet with Ministers of Finance, State Services and Health to agree the expanded fiscal parameters	Week of 3 October
Ministers approval sought for fiscal parameters and communicate parameters to the Crown negotiator	Week of 10 October
<b>Step 2</b>	
Crown negotiator meets with Unions to negotiate settlement	Week of 17 October
Crown negotiator reports back to Ministers of the outcome of the negotiations	Week of 14 November
Cabinet paper lodged	Week of 21 November
Cabinet committee	Week of 28 November
Cabinet decision	Week of 5 December

### Steps following Cabinet decision

The terms of settlement will be incorporated in a Settlement Agreement that is signed by all of the parties-the Ministry on behalf of the Crown, the funders, the providers and the unions.

The Settlement Agreement will also include the mechanisms for the funding to flow through the existing contracts between funders and providers and ultimately to the workforce. The existing collective and individual employment agreements would remain in force and be amended to reflect the settlement. They would not be supplanted by a centralised pay mechanism.

Once a settlement is agreed by all parties legislation will be required to:

- extinguish back dating
- enforce the five year moratorium
- extinguish current and future claims
- set the overall rates to be paid to providers
- set the basis for payments to workers

Similar legislation has been developed for the Sleepovers settlement and, most recently, the In-Between Travel Settlement [*Home and Community Support (Payment for Travel Between Clients) Settlement Act 2016*].