

Apologies

He rauemi tātaki ea– A resource for offering an effective apology

Whāia te ara ea– Seek the pathway to a state of balance

People have the right to expect a high standard of administration by central and local government agencies. They expect agencies to act legally, fairly, and in a timely manner, and to be treated with respect in a way that is culturally appropriate.

The Ombudsman may suggest that an apology be made where a wrong is identified as the result of an investigation. All government agencies should have processes in place that provide for effective apologies.

This guide is to assist agencies to make apologies that are appropriate for meeting the needs of a person wronged by that agency.¹

The concepts and principles underpinning Te Ao Māori² provide tools to ensure that any apology is authentic, addresses the complaint, and is delivered in a culturally appropriate way. An effective apology will go some way to restoring the mana, dignity and self-respect of the affected parties.

¹ We would like to acknowledge apologies guidance prepared by the New South Wales and Victorian Ombudsmen, which was very helpful in developing this guide.

² This guide was developed with the assistance of Ombudsman staff, including Rōpū Māori Hononga Hapori (the Māori and Community Engagement Team).

Contents

Whāia te ara ea– Seek the pathway to a state of balance _____	1
Introduction _____	3
Take Seek _____	5
Ngā whāinga ‘Why’ apologise _____	5
Ua whakaritea take Understanding the context _____	8
Agency liability and reluctance to provide an apology _____	8
Utu Implement _____	9
Content _____	10
Ea Resolve _____	14
Good apology practice leads to a new state of balance _____	14
The Ombudsman’s role _____	15
Ombudsman publications _____	16
Appendix 1. Tāpiritanga: Relevant case notes and opinions _____	17

Introduction

The Ombudsman can investigate complaints from people who believe they have been treated unfairly by central or local government agencies. As part of the complaints and investigations process, the Ombudsman may recommend that an apology be made when a deficiency is identified during the course of an investigation. Government agencies should also be open to providing apologies proactively, when they have themselves identified an issue. Apologies do not occur in a vacuum and, if warranted, may be accompanied by other remedies offered by agencies to put the matter right. Other remedies may include:

- undertake a task recommended by the Ombudsman, such as:
 - an omission be rectified;
 - a decision be cancelled or varied;
 - a practice on which the decision, recommendation, act, or omission was based should be altered;
 - any law on which the decision, recommendation, act, or omission was based be reconsidered;
 - reasons be given for the decision;
- reconsideration of a decision; and/or
- that any other steps should be taken such as a monetary ex gratia offer.

The Public Service Act 2020 requires Crown agencies to support the Crown in its obligation under Te Tiriti o Waitangi/Treaty of Waitangi. This includes developing capabilities in engaging with Māori and understanding Māori perspectives.³

Government agencies should develop holistic approaches to apologies that integrate Te Ao Māori. This is fundamental when dealing with tangata.⁴ However, Te Ao Māori principles can be applied when dealing with people from all walks of life. Put simply, Te Ao Māori principles promote trust in the public sector in general by ensuring **‘Tuia kia orite—Fairness for all’**.

The concepts of **Take, Utu**⁵, **Ea** provide invaluable guidance in achieving best practice in public sector apologies. ‘Take’ (tæ/keh) is about defining the wrongdoing. ‘Utu’ is about the settlement of the wrongdoing and ‘Ea’ comes when the matter is resolved and the parties return to the state of **ea-balance** that existed prior to the wrongdoing. **Take, Utu, Ea** requires

³ See section 14 of the State Services Act 2020.

⁴ Tangata are affected parties, including complainants and other stakeholders.

⁵ Utu determines the rights and obligations that exist between individuals and social groups. Utu denotes the process of achieving and maintaining a balance in relationships. This can manifest into a right to seek vengeance or compensation from another party. Utu can also be exacted through peaceful or benign means. TM 428- 439.

each stage of the process to be critically evaluated through meaningful engagement before a resolution is reached. The **Take-Utu-Ea** (TUE) model provides a step-action process for apologies:⁶

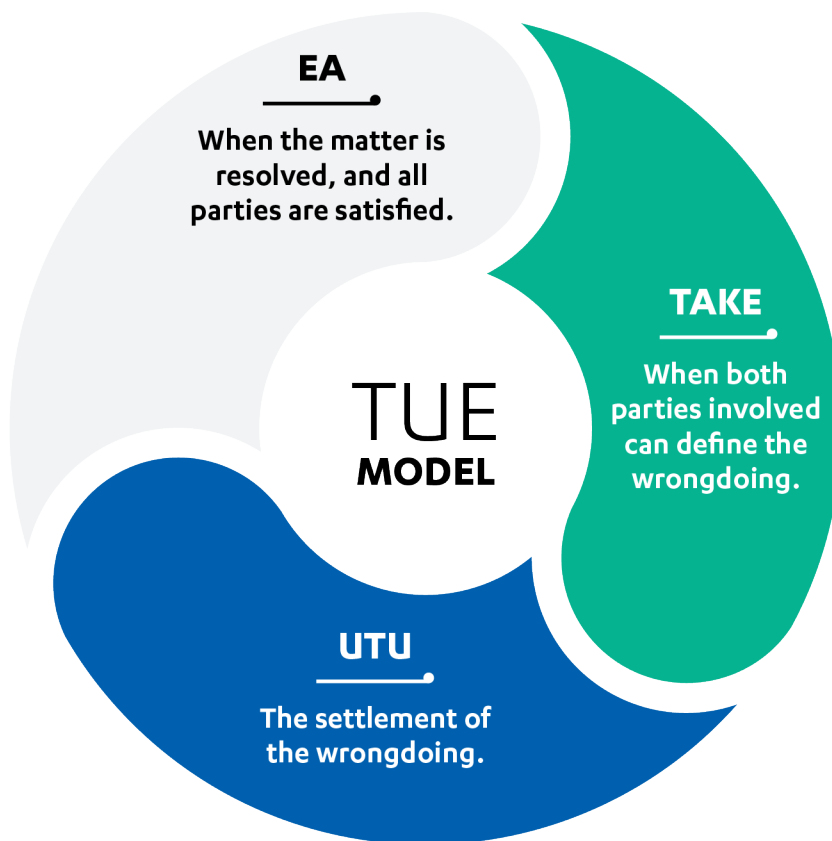


Figure 1: Take-Utu-Ea (TUE) model

‘Ina kite koe tētahi mea hē, whakatikangia. Ina kore ka rite koe ki taua hē.’

*If you see something wrong in front of you, then correct it. Because if you don’t, you will become like it.*⁷

The whakatauki above invites an agency to reflect on the importance and value of providing an apology. This holistic approach integrates Te Ao Māori concepts to restore a state of **ea–balance**⁸.

⁶ Mead, S. M. (2016). Tikanga Māori: living by Māori values. Wellington, N.Z: Huia.

⁷ Quote from Pūkōrero: Dame Naida Glavish (a member of [Pūhara Mana Tangata](#)); given to her by a tupuna kōkā.

⁸ The whakaaro of ea is the process of returning a wrong, back to a state of balance when deficient administration (take) has been acknowledged, and effects and relationships are restored.

Take | Seek

Ngā whāinga | ‘Why’ apologise

Agencies should consider offering an apology whenever deficient administration is identified — irrespective of whether the affected person has actually requested one. However, it is also important to establish whether the person is interested in an apology.

Upholding mana⁹ is critical in Te Ao Māori and the provision of an effective acknowledgement will go some way to restoring relationships with tāngata. In order to ensure that agencies uphold mana, the wrong has to be fully explored and understood. The wrong or “breach” is known as the **take**, which requires an apology in order to restore mana.

Under the Ombudsmen Act 1975, administration will be deficient if it is:

- unlawful, unreasonable, unjust, oppressive, or improperly discriminatory;
- in accordance with a law or practice that may be unreasonable, unjust, oppressive, or improperly discriminatory;
- based on a factual or legal error; or
- just plain wrong.

Administration will also be deficient under the Act if it is related to a discretionary power that has been exercised:

- for an improper purpose;
- on irrelevant grounds;
- taking into account irrelevant considerations; or
- where reasons should have been given.

Examples of deficient administration can include:

- taking an unreasonable amount of time;
- not following policies or procedures correctly;
- providing misleading or inadequate advice, or refusing to answer reasonable questions;
- making an unfair or unreasonable decision;
- following an unfair or unreasonable process—for example, not putting adverse comment to people, or giving them a chance to comment before making decisions;

⁹ Mana is a wide concept. It can encompass a person’s honour, to their ability to have agency and presence. It is also inclusive of respect and a person’s sense of worth. Mana is also a standard of socio-cultural measure with its base in whakapapa and personal merit. Mana is not only a force, a being; it is also an action, a quality and a state. In other words, it is used as a noun, adjective, and a verb.

- providing inadequate reasons for decisions; or
- unprofessional behaviour or misconduct by staff.

Many agencies will have service standards—standards which define the level of service the public can expect to receive. It will be appropriate to offer an apology where standards are not met. An ‘administrative deficiency’ is referred to in the rest of this guide as a ‘wrong’, for short.

The process to reach an acknowledgement of wrongdoing for some people may have been lengthy and include multiple experiences of re-traumatisation, with several agencies. It is very important to bear in mind any history of traumatisation when exploring the issue, and not make matters worse. An apology can avoid re-traumatisation and foster positive relationships.

Benefits of an apology

The benefits of providing an effective apology include:

- The mana of an agency is upheld. Accepting responsibility is a mark of integrity—it shows that an agency is pono¹⁰ and committed to learning from its deficiencies by putting things back to a state of ea. Conversely, not accepting responsibility for a take/wrong can undermine the agency’s credibility and reduce mana.
- Meeting the individual needs of the person who has been wronged by supporting the process of healing. An apology can help to address emotional suffering, stress and trauma; restore dignity, face and reputation; provide vindication or a sense of justice; and provide peace of mind.
- Resolving problems or disputes at the earliest opportunity and avoiding the need for legal proceedings. Apologising can defuse anger, promote forgiveness, and reduce retaliatory behaviour. It can avoid the escalation of a dispute and the associated cost in time and resources that would be required. It can help to rebuild trust and repair a damaged relationship, which is particularly important where there will be ongoing interaction between the parties.

The impact of an effective apology

Case [506066](#) shows the impact that an effective apology—combined with other remedial action—can have on the recipient and agency.

That case concerned a professional organisation’s response to a mandatory report of serious misconduct submitted against the complainant by their employer. The charge of

¹⁰ The concept of pono refers to ‘true’ or ‘genuine’ in terms of the principles of Māoritanga. In the context of an apology, it is about showing genuine commitment to make the change needed. Mead, S. M. (2016). Tikanga Māori: living by Māori values. Wellington, N.Z: Huia.

serious misconduct related to the complainant's disclosure of allegations of serious wrongdoing by their employer to a number of government agencies.

The professional organisation found the complainant had breached professional standards relating to communication and collaboration, and imposed a condition on their practising certificate to restrain them from making similar disclosures in future.

The complainant raised concerns with the Ombudsman, noting their entitlement to certain protections under the Protected Disclosures Act 2000 (PDA).¹¹ The PDA is intended to facilitate the disclosure of information about serious wrongdoing by protecting people who want to 'blow the whistle' from retaliatory action. This includes protections from disciplinary action, such as that taken by the professional organisation.

The Ombudsman considered that the professional organisation had acted unreasonably by failing to consider the effect of the PDA. The professional organisation fully accepted this, apologising to the complainant, and reversing its decision to impose conditions on their practising certificate. It also initiated a comprehensive review of its processes to ensure that subsequent investigations were procedurally fair, and addressed the PDA where relevant. The professional organisation later held a hui with the complainant to explain the improvements it had made to its processes as a result of the review.

The complainant advised the Ombudsman that they had '*felt the hurt lift from [them]*' as a result of the apology and remedial actions. They considered the revised processes to be extremely good and an exemplar for other agencies, and believed implementation of the policies would mean that none of their professional colleagues would face the harm that they faced.

¹¹ Note this has now been replaced by the Protected Disclosures (Protection of Whistleblowers) Act 2022.

Ua whakaritea take | Understanding the context

There is no ‘one size fits all’ way to apologise. Agencies should work with people to establish the nature of the **take-wrong**. An effective apology must be closely tailored to the circumstances of the specific **take-wrong**. For example, alongside Te Ao Māori and general cultural considerations (noted [above](#) and [below](#)), it is important to develop a good understanding of the following:

- The subject matter of the wrong—including underlying/background issues.
- The cause of the wrong—was it intentional or unintentional?
- The harm—the impact on the individual given their situation, cost and any privacy issues.
- Responsibility—evaluate where accountability for the harm lies.
- Parties to the apology—who is impacted by the **take-wrong**.
- Remedy—does the apology align with other remedies.

What the affected person wants

When making an apology it is essential to understand:

- how and why the affected person believes they have been wronged;
- what they want out of an apology—for example, acknowledgment of the wrong, an understanding of why things went wrong, reassurance that the problem has been dealt with and will not happen again, reconciliation with the agency, and/or restoration of their reputation; and
- what action they believe needs to be taken to address the wrong.

Agencies should try to reach a common position on the nature and scope of the wrong that occurred and the details of the harm experienced. They should also ask the affected person what they want, and involve them in deciding the content of the apology and how it should be made.

The more an apology addresses the needs of the affected person, the more likely it will be effective in reducing anger or upset, restoring a damaged relationship, and helping the person to move on.

Agency liability and reluctance to provide an apology

In some instances agencies may be reluctant to apologise for a wrong because it may amount to an admission of liability opening them to a legal action in the future. In New Zealand, unlike

certain other countries such as Australia¹², there is no legislation that ‘creates a statutorily protected space for apologies’¹³, with the exception of the Privacy Act 2020. This Act offers some protection to an agency if it apologises for an ‘an action alleged to be an interference with the privacy of an individual’¹⁴ by ensuring that any apology is only admissible for the purposes of assessing remedies.

The lack of general legal protection in New Zealand associated with apologies (outside privacy breaches), highlights the importance of agencies to establish the ‘**take- wrong**’ that provides the basis of the apology. Agencies should seek their own legal advice if they remain concerned about the broader implications of making an apology.

By an agency placing a qualifier in the apology, such as making an apology ‘without prejudice’, may act to dilute it as the complainant may see the agency as not fully taking ownership of the wrong at issue. Inevitably, it is for the agency to decide how it wishes to apologise.¹⁵

Utu | Implement

This section describes the key steps to deliver an effective apology. Getting it right and implementing an effective apology to restore **ea-balance** through the lens of utu¹⁶ is of significant benefit.

The restoration of mana, trust and the relationship with the agency, ensuring ‘**Tuia kia orite—Fairness for all**’ is the key objective. This requires the agency to have open and frank dialogue with people to **understand** the harm, impact, and the need for improvement. This requires **candour, acknowledgement**, and the willingness to **change**. **Reaching a balance** requires the agency to assess, evaluate and to consider the process of the apology to determine if a state of **ea-balance** has been achieved.

Systemic issues

Agencies should always consider whether an individual wrong points to a wider—or systemic—problem that requires attention.

¹² See: section 69 of New South Wales’ Civil Liability Act 2002.

¹³ See: Nina Khouri “Sorry Seems to Be the Hardest Word: The Case for Apology Legislation in New Zealand” (2015) Vol 2014(4) NZ L Rev 603.

¹⁴ See [section 100 of the Privacy Act 2020](#).

¹⁵ Note, during an Ombudsman investigation, the Ombudsman may recommend that the agency’s apology include certain details before it is considered adequate in the circumstances of the case.

¹⁶ Utu determines the rights and obligations that exist between individuals and social groups. Utu denotes the process of achieving and maintaining a balance in relationships. This can manifest into a right to seek vengeance or compensation from another party. Utu can also be exacted through peaceful or benign means. TM 428- 439.

If other people have been affected by the wrong, they may deserve an apology too.

Other action may also be necessary to prevent a problem arising again, for example, changes in policies or procedures, staff training, or alerting the government to the need for policy or legislative change.

Content

An effective apology through utu will include the following elements of the six Rs:

Recognition Kia mōhio	<ul style="list-style-type: none"> • An adequate description of the wrong. • Recognition that it was wrong and why (for example, it was incorrect, inappropriate or unreasonable).
Responsibility Ka noho haepapa	<ul style="list-style-type: none"> • Acknowledgement of responsibility for the wrong and harm caused.
Reasons Nā konā tonu	<ul style="list-style-type: none"> • An explanation of the reasons or cause, or a promise to investigate the cause. • It may be appropriate to indicate any mitigating circumstances, but be careful not to sound like you are making excuses. • If there is no valid explanation, don't offer one. You could just say that there is no excuse for the offending behaviour.
Regret Ka kōhautia	<ul style="list-style-type: none"> • An expression of sincere sympathy, sorrow, remorse and/or contrition or, at the very least, an expression of regret.
Redress Whakaoranga	<ul style="list-style-type: none"> • A statement of the action taken or proposed to address the wrong, for example: <ul style="list-style-type: none"> - taking action if there has been a delay; - reconsidering or changing a decision; - amending records; - providing a financial remedy for loss; - changing policies, procedures or practices. • An undertaking that measures have been put in place to prevent the wrong occurring in future.
Release (optional) Murunga	<ul style="list-style-type: none"> • A request for forgiveness.

Traps to avoid

Try to get an apology right the first time—second attempts are much more difficult, and less likely to be effective. Some traps to avoid are:

- Describing the recipient's concerns inaccurately, or in terms that are too general (e.g. *'mistakes were made'*).
- Avoiding responsibility (e.g. *'I'm sorry for what I said, but...'*), including by shifting blame to the recipient (e.g. *'I'm sorry you took offence at what I said'*), or questioning whether any harm was done (e.g. *'I'm sorry if what I said was offensive'*).
- Using the passive voice without taking ownership of the problem (e.g. *'An offensive comment was made'*).
- Using form letters or standard words and phrases that are not tailored to the situation, or reflective of the recipient's personal circumstances. This can come across as impersonal and lacking in empathy.
- Using bureaucratic language, acronyms and jargon.
- Apologising to the wrong person, or only some of the people affected.

Cultural sensitivity

Agencies should not presume that all apologies be done in one particular way, as affected people from different cultures may have different expectations. For example, the form of receipt, the brevity and the formality of an apology may differ between cultures, as well as the apology's focus. Certain cultures may value more of a focus on process, and others more of a focus on outcome.

Accordingly, an agency may wish to ask the person wronged, about their expectations of any forthcoming apology, to enable the agency to hit the mark with what they are apologising for and how they do it. The principles in this guide have general application, but should be adapted to each individual case.

People requiring support

Apologies need to be accessible, and support diversity and inclusion. By being accessible, the person receives the apology in a way they can understand. This is particularly important when engaging with disabled people. When apologising, agencies should consider whether the recipient has any access needs due to their disability or requires any reasonable accommodations to ensure the apology is fully understood and delivered in a respectful way.

For example a person who:

- is blind or has low vision may require an apology produced in braille or properly formatted for an electronic screen reader device, and/or the apology to be made in person;
- is deaf or hard of hearing may require a New Zealand Sign Language interpreter to be present at the meeting (in-person or virtually); and
- has a learning/intellectual disability may require the information in Easy Read (very plain language text with illustrations to support understanding), and also be assisted by a support person.

Agencies should also consider whether it is appropriate to have a written apology translated into the first language of a wronged person. This is to ensure that the person actually understands all aspects of the apology.

Overall, an agency should consider whether any part of the apology message is lost in translation due to not reasonably accommodating a person's access needs. You may need to find out what is the best way to provide the apology, this may simply be by asking the person how they would like it to be delivered.

Tamariki and Rangatahi (Children and Young People)

With complaints involving an affected tamariki or rangatahi/child or young person (the child), it is common for whānau/ family, guardians or care givers (the relevant adult) to be the complainants. In some cases, the whānau/ family of the child may have complained on behalf of the child as a group.

An agency should always have the best interest of the child at the forefront of its mind. When an agency acknowledges a wrong, it might apologise directly to the relevant adult on behalf of the child. Agencies should also carefully consider whether it may be appropriate to make an apology directly to the child. This may involve an agency representative meeting together with the relevant adult(s) and the child to apologise in person.

The benefit of an agency making an apology in person, is that the message can be conveyed in a meaningful way in which a child is able to understand. An agency should also consider whether a written apology should also be provided concurrently with a verbal apology to the child. This enables the agency to document the apology for the child to enable them to read it at a later date. An agency may wish to provide the written apology after the verbal one has been given, in order to capture all the important points of what was said.

If however, a child has suffered trauma in relation to an acknowledged wrong, the agency should consider this with a trauma-informed approach. The agency can discuss with the relevant adult and/or the child's health care specialist, whether a direct apology would have the effect of re-traumatising the child. It is also important, when appropriate, that the whānau/family be kept in mind when consulting on the appropriate apology and the safety for the child.

Irrespective of the apology method deemed appropriate by the relevant adults and the agency, the agency should apply [the 6 Rs](#), as they are applicable in any situation for which a person is owed an apology.

Timing

Apologies should be given at the earliest practical opportunity. Ideally, this will be as soon as the wrong is identified.

Sometimes, it will be necessary to delay a full apology to allow time for enquiries or an investigation to establish the nature and cause of the problem. If that is the case, agencies should explain to the affected person that enquiries are being made, and the result will be conveyed at the earliest opportunity. This advice can be accompanied by an expression of sympathy or regret that does not amount to a full apology and acceptance of responsibility.

Undue delay in apologising can increase the damage done, and mean that an apology is less likely to resolve the issue.

Communication

Agencies should think carefully about who communicates an apology, and how they do it. It can help the process to discuss with the recipient of the apology how they would like it to be provided. The complainant's cultural expectations must be considered. These choices will help to determine whether an apology is seen as genuine and sincere, and therefore whether it is effective.

Apologies should be given by the person who was responsible for the wrong, or someone who is clearly perceived as being in a position to speak on behalf of the agency. This could be the agency head or someone else in a suitably senior position. An apology conveyed at this level can send a powerful message about the agency's commitment to putting things right.

Apologies can be made verbally and/or in writing. To do both may help to demonstrate genuine remorse in person and reinforce this with a written message.

A written apology can be carefully prepared and implies time, effort and personal investment in its preparation. A face-to-face apology provides an opportunity for the person apologising to demonstrate their empathy and sincerity, and the recipient of the apology to express their pain, embarrassment, upset or anger directly to the person involved.

A verbal apology should be provided in a safe and culturally appropriate setting, where the recipient is able to have support people present should they wish to do so. The person apologising should be well prepared (talking points can help to ensure that all elements of an effective apology are addressed), and ready to engage in what may be a challenging conversation.

Where the wrong and harm experienced are public, the agency should consider providing a public apology. It is especially important to ensure that a public apology reflects [what the affected person wants](#). Agencies should consult the affected person about the wording of a

public apology. Even if a public apology is given, this may not obviate the need for a personal apology conveyed directly to the recipient.

Recordkeeping

It is important to keep accessible, accurate and complete records of all communications between the parties to an apology (whether by face-to-face conversation, telephone conversations, emails, faxes or letters).

Good recordkeeping:

- helps agencies and organisations to meet their recordkeeping obligations under the Public Records Act 2005;¹⁷
- enables all the proper documentation to be available should it need to be reviewed by staff deciding whether an apology is appropriate in the circumstances; and
- helps an independent third party, such as the Ombudsman, to consider the matter.

Ea | Resolve

Good apology practice leads to a new state of balance

Agency leaders should foster a strong organisational culture that encourages staff to acknowledge mistakes and own them at an early stage. This should come with the full support of management and without fear of negative repercussions or criticism of mana.

This requires:

- effective leadership;
- clear policies and procedures; and
- staff training including an understanding of the historical and cultural issues that potentially impact on a person seeking redress.

Complaint handling policies and procedures should include information about apologies, such as:

- A clear position on apologising, for example: *‘When we identify a mistake, we will consider offering a genuine apology, in addition to any other remedies offered, whether one has been requested or not’.*
- The procedures to follow when staff became aware that a mistake may have been made, for example who to tell and what enquiries should be carried out.

¹⁷ See [section 17 of the Public Records Act 2005](#).

- The [content](#) of apologies, for example a description and recognition of the wrong and an acknowledgement of the harm caused, an acceptance of responsibility, an explanation of the cause, an expression of regret, and an indication of the action taken to address the problem.
- The preferred methods of communicating apologies for different types of problems, for example face-to-face, telephone, email, correspondence; by the chief executive / senior manager / manager / person responsible etc.
- Responsibility for the giving of apologies and any necessary delegations of authority to give apologies or offer redress, and when to seek legal advice.
- The forms of redress that may be relevant to the types of events and circumstances likely to arise where an apology is warranted.
- Responsibility for coordinating the apologies process within the agency.
- The records that are to be made and retained.

Practical guidance should also be provided to staff at all levels on the importance of apologies, and when and how to make them.

The Ombudsman's role

An affected person who is dissatisfied with an apology, or an agency's decision not to apologise, may make a complaint about this to the Agency in question. If the person remains dissatisfied with the Agency's response, the affected person may then make a complaint to the Ombudsman. Much of the Ombudsman's work involves dealing with complaints from people about how a government agency's particular act or decision has affected them.¹⁸

An Ombudsman's investigative powers include assessing the reasonableness, fairness, and legality, of individual decisions made by a government agency. An Ombudsman's jurisdiction under the Ombudsmen Act 1975 does not extend to acts or decisions of ministers of the Crown, even though ministers are subject to the Official Information Act 1982. However, it is also important to bear in mind that an Ombudsman may also assess the reasonableness or fairness of the policy, regulation, or legislation that a government agency's decisions are based on, and an Ombudsman may investigate recommendations made to a minister.¹⁹

If an Ombudsman finds a decision, policy, regulation, or law, is unreasonable they have wide powers of recommendation to remedy the matter. This includes recommending a government agency vary or cancel its decision or amend its policy, or that the applicable law or regulation be reconsidered. The Ombudsman may recommend that the agency provide an adequate apology, and may ask to review the apology first before the agency provides this to the affected person.

¹⁸ See Ombudsmen Act 1975, s [13\(1\)](#).

¹⁹ See Ombudsmen Act 1975, s [22 \(1\)\(b\)](#).

Ombudsman publications

[Appendix 1](#) has a list of relevant case notes and opinions. In some cases, the Ombudsman finds that the apology is inadequate and in other cases the apology is found to be adequate.

Other related guides include:

- [Effective complaint handling](#)
- [Good decision making](#)
- [Managing unreasonable complainant conduct](#)

If you have any further questions about this guide, please contact info@ombudsman.parliament.nz or free phone 0800 802 602.

Appendix 1. Tāpiritanga: Relevant case notes and opinions

Case	Year	Summary
536010	2021	<p>Decision to dispose of farmland used by Taihape Area School; and an omission to reassign this land prior to disposal</p> <p><i>Unreasonable decision to dispose of farm land – previous commitment for land to be reassigned for Area School’s usage – Ombudsman recommended apology and other remedies.</i></p>
515226	2020	<p>Use of incorrect information, lack of trauma-informed practice, failure to assess children’s safety</p> <p><i>Inadequate apology—overlooked some of the recipient’s concerns—minimised the seriousness and impact of the errors—shifted blame back to the recipient—not made to all affected persons—recommended a further apology to all parties</i></p>
511281	2020	<p>Unreasonable actions throughout dealings with custodial caregiver</p> <p><i>Inadequate apology—errors described in general terms (‘failure to follow best practice’)—did not fully address the errors identified or the seriousness of their impact on the recipient—as a result, the apology did more harm than good—Ombudsman recommended a further apology</i></p>
506066	2020	<p>Failure to appropriately apply Protected Disclosures Act</p> <p><i>The complainant made protected disclosures about health and safety issues in their workplace – they left their job after the employer found their disclosures to be serious misconduct – employer reported it to professional body - body found the complainant did not meet professional standards for making the disclosures and put conditions on their practicing licence - Chief Ombudsman found</i></p> <p><i>that the body acted unreasonably and potentially unlawfully – the body apologised, reversed its decision, and undertook a comprehensive process review to the satisfaction of the complainant</i></p>
391893	2017	<p>Adequacy of apology for incorrect benefit reductions</p> <p><i>Adequate apology—recognised poor service and financial disadvantage suffered as a result—accepted responsibility for errors—sincere and repeated expression of regret—outlined steps taken to remedy errors</i></p>
374155	2016	<p>Public apology as remedy</p> <p><i>Absence of acknowledgement/apology concerning unreasonable conduct by regulatory body during its investigation into an unauthorised disclosure of information—criticisms against high profile complainant caused damage to reputation and resulted in adverse consequences—Ombudsman recommended public apology and other remedies</i></p>

Case	Year	Summary
340506	2014	Ministry of Justice made administrative error but it was not unreasonable <i>Whether, having been made aware of an administrative error, the Ministry of Justice's decisions and actions were reasonable—Chief Ombudsman of the view that the Ministry did not act unreasonably</i>