

Learning Assessment Guide

Unit Standard 25052 – Version 2

Demonstrate knowledge of New Zealand’s government and the State sector

Level 3 – 6 Credits

Assessment Summary			
Learner to complete			
Learner’s name:			
Employer:			
NSN no. (ROL):		DOB:	
Signed:		Date:	
Assessor to complete			
<input type="checkbox"/> Meets requirements <input type="checkbox"/> More training required <input type="checkbox"/> More evidence required			
Assessor’s name:		Assessor’s No.	
Signed:		Date:	

Statement of Authenticity

I confirm that all written work produced as evidence for assessment of:

Unit Standard 25052 V2; Level 3

Demonstrate knowledge of New Zealand’s government and the State sector

is all my own work.....
(Learner’s name & signature)

Date:

Instructions

- Read through all the information contained in this Learning Assessment Guide.
- Make sure you understand what is required for each assessment task.
- Complete all tasks
- Clarify anything you are unsure about with your assessor, trainer or supervisor.
- It is important that you read and are familiar with, the terms and definitions contained in the special/explanatory notes.
- Sources of evidence may include:
 - Written evidence
 - Oral answers recorded by the assessor.
- For written evidence, please complete your answers in a single assessment document.
- Make sure to keep a copy of the completed assessment for your own records.
- All evidence provided for assessment for this unit standard, must be your own work.
- Any material copied or taken from another source must be properly acknowledged and referenced.
- Make sure you have put your name on the front page and if necessary name any other attached documents
- You may download this document from the Learning State website and
 - complete your answers in the spaces provided or
 - complete your answers on a separate document.
- Make sure all tasks and answers are clearly numbered or identified

Special notes

- 1 This unit standard is intended for New Zealand State sector employees.
- 2 You may wish to consider the following legislation:
 - State Sector Act 1988
 - Judicature Act 1908
 - Legislature Act 1908
 - Human Rights Act 1993
 - Treaty of Waitangi Act 1975
 - New Zealand Bill of Rights Act 1990
 - Official information Act 1982.

Assessment Task One – Elements 1, 2, 3 and 4

Introduction

The tasks in this assessment are designed for you to demonstrate knowledge of:

- the main features of New Zealand's constitutional arrangements
- the institutional mechanisms and legislation that protects the rights and interests of New Zealand citizens
- the structure and role of New Zealand's government
- the important features of the State sector and the machinery of government.

Instructions

- Complete all tasks.

Part 1

Main features of New Zealand's constitutional arrangements

1 a) What is the main purpose of a constitution?

b) What are the general characteristics of a constitution?

New Zealand does not have a written constitution. The country is governed by a set of rules set out in Acts of Parliament or embodied in 'conventions' (customary rules).

2 Describe at least **four** main features of New Zealand's constitutional arrangements.

You must include reference to at least **four** of the documents that make up how New Zealand is structured and ordered - Te Tiriti O Waitangi/Treaty of Waitangi; court judgements; constitutional conventions; English and New Zealand legislation; any other features

i)

ii)

iii)

iv)

3 Choose **three** from the list below and briefly describe their responsibilities

- The Sovereign
- Governor General
- Chief Justice
- Parliament
- Prime Minister
- Cabinet
- Minister of the Crown.

i)

ii)

iii)

There are some key elements describing the connection between the Treaty of Waitangi and New Zealand's constitutional arrangements.

They include such elements as the relationship between the Crown and Māori; the exchange of promises and the Treaty as New Zealand's founding document

4 Describe the connection between the Treaty of Waitangi / Te Tiriti o Waitangi and New Zealand's constitutional arrangements.

The description must include at least **three key elements**.

Part 2

Institutional mechanisms and legislation that protect the rights and interests of New Zealand citizens

Institutional mechanisms are those such as

- The Ombudsmen
- Auditor General
- The Privacy Commissioner
- Race Relations Commissioner
- Human Rights Commissioner
- Health and Disability Commissioner
- High Court
- Employment Court

5 Choose **three** institutional mechanisms.
Briefly describe how they protect the rights and interests of New Zealanders

i)

ii)

iii)

There are three Acts of Parliament protecting the rights and interests of New Zealanders.

Examples of rights and interests are:

- **Civil and political rights of the individual citizen**
- **Freedom from discrimination**
- **Due process of law**
- **Fairness**
- **Respect for individual rights**
- **Access to official information**
- **Any other rights and interests**

6 Briefly describe how the legislation listed below protects the rights and interests of New Zealand citizens. Choose **three** rights and interests from the list for each Act

Human Rights Act 1993

i)

ii)

iii)

New Zealand Bill of Rights Act 1990

i)

ii)

iii)

Official Information Act 1982

i)

ii)

iii)

Part 3

The structure and role of New Zealand's government

There are many features of New Zealand's system of government.

- democracy
- proportional representation
- representative government
- constitutional monarchy
- separation of powers
- trusteeship of public resources
- serving the public good
- standing orders
- rule of law
- Ministerial responsibility
- other features

7 Choose **three** from the list and describe the main characteristics of each

i)

ii)

iii)

New Zealand's system of government has three branches

8 Name the three branches of government and describe the role of each one

The Three Branches of Government

Name

Role

Part 4

Important features of the State sector and the machinery of government

Government agencies fit into one or more of the following categories: the 'Public Service'; 'State Services'; or 'public sector'. These are all separate and refer to a variety of different sets of agencies

Each separate subset varies in its structure and role (governance and legal requirements, accountability; activities and the way it is set up – its structure.)

For example, the Public Service is made up of departments with particular responsibilities and activities. They have chief executives who are appointed by the State Services Commissioner

The main role of the Public Service is to carry out the business of government efficiently, effectively and collectively (there are several other roles)

THE SUBSETS OF GOVERNMENT AGENCIES AND EXAMPLES OF THE AGENCIES THAT FIT INTO THEM TO CARRY OUT THE ACTIVITIES OF GOVERNMENT

Public Sector

Public sector refers to the State sector (see below) and all local authorities (local government).

State Sector

Examples

Offices of Parliament
Office of the Ombudsmen
Tertiary education institutions

State Services

Examples

New Zealand Defence Force
The Reserve Bank of New Zealand
Transit New Zealand

Public Service

Examples

Ministry of Agriculture and Forestry
Department of Conservation
Ministry of Health

Please note:

- This diagram does not show all agencies of government.

Diagram from *Democracy and You*. Module 1 of the State Sector Induction Programme, Learning State Ltd

9 Choose **three** from the following list. Describe at least one main role for each and how each is structured (how they are made up and who runs them)

- State sector
- State services
- Public service
- non-Public service departments
- Crown entities
- State owned enterprises
- any other component of the State sector

i) Name:

Role:

Structure:

ii) Name:

Role:

Structure:

iii) Name:

Role:

Structure:

10 What does the term “*machinery of government*” mean?

11 What is the role played by the State Services Commission in the machinery of government?

There are three central agencies in the State Sector

- **The Treasury**
- **State Services Commission**
- **Department of the Prime Minister and Cabinet**

12 What is the main role for each agency?

i)

ii)

iii)

The State Sector Act 1988

Public Service departments operate under the State Sector Act 1988. The Act was designed to introduce many of the positive features and incentives of the private sector into the Public Service. The Act made the heads of departments 'chief executives', employed by the State Services Commissioner under fixed term contracts. These chief executives became fully responsible for running their departments. Each chief executive became responsible to the appropriate Minister for:

- *carrying out the functions and duties of the Department (including those imposed by Act or by the policies of the Government)*
- *tendering advice to the appropriate Minister and other Ministers of the Crown*
- *general conduct of the Department*
- *efficient, effective, and economical management of the activities of the Department*

13 a) Summarise or list the six main purposes of the State Sector Act 1988

-
-
-
-
-
-

b) Choose **three** provisions of the State Sector Act 1988 and briefly describe how these key provisions affect the State sector. You can choose from this list or consider other provisions

- Functions and powers of the State Services Commission
- Integrity and conduct
- Equal employment opportunities
- Common personnel provisions

i)

ii)

iii)

The Treaty of Waitangi

The Treaty of Waitangi is regarded as New Zealand's founding document. It is the exchange of promises for a mutually beneficial relationship between Māori and the Crown. Today the Treaty still influences the relationships between the Crown (government) and Māori. The rights proclaimed by the Treaty are enforceable by law in certain circumstances

14 Provide **one** example of how the Treaty is applied in your own State Sector organisation.

You can choose aspects from the list or select others as appropriate for your organisation:

- Principles of the Treaty of Waitangi
- Employment in the State sector
- The Government's expectations of the State sector

Assessment Guide

This is the assessment guide your assessor will use to assess your competence in unit standard 25052 v2.

Element / Task	Evidence required	Checklist
<p>Element 1 Task 1 Part 1</p> <p>Learner should demonstrate knowledge of the main features of New Zealand's constitutional arrangements.</p>	<p>1. a & b The purposes & characteristics of a constitution are described</p> <p>2. Four features of New Zealand's constitutional arrangements are given. Four documents referenced</p> <p>3. Three positions chosen and their responsibilities described</p> <p>4. Three key elements of the Treaty of Waitangi and their connection to New Zealand's constitutional arrangements are described</p>	<p>Yes / No</p> <p>Yes/No</p> <p>Yes/No</p> <p>Yes/No</p>
<p>Element 2 Task 1 Part 2</p> <p>Learner to describe the institutional mechanisms and legislation that protects the rights and interests of New Zealand citizens.</p>	<p>5. Three institutional mechanisms are chosen from the list and described</p> <p>6. Three rights and interests from each of the three Acts are described</p>	<p>Yes / No</p> <p>Yes/No</p>
<p>Element 3 Task 1 Part 3</p> <p>Learner to describe the structure and role of New Zealand's government.</p>	<p>7. Three features of New Zealand's system of government are described. The three should be from the list provided. Others maybe chosen - an explanation maybe required to clarify the answer in this case.</p> <p>8. The three branches of government are named and at least one role is described for each.</p>	<p>Yes / No</p> <p>Yes/No</p>
<p>Element 4 Task 1 Part 4</p> <p>Learner to describe the important features of the</p>	<p>9. Three government agencies are chosen. At least one main role is identified for each. A brief description of the structure is supplied.</p>	<p>Yes / No</p>

Element / Task	Evidence required	Checklist
<p>State Sector and the machinery of government.</p>	<p>10.A definition of “<i>machinery of government</i>” is given</p> <p>11. The role of the State Services Commission is briefly described</p> <p>12. The main role for each of the three central government agencies is briefly described</p> <p>13.a) Six main purposes of the State Sector Act 1988 are listed or summarised</p> <p>b) Provisions of the State sector Act 1988 and how they affect the State sector, are described. Three provisions required</p> <p>14. One example of the way in which the Treaty of Waitangi is applied in the learner’s organisation is supplied. The example must be from the learners organisation</p>	<p>Yes / No</p> <p>Yes / No</p> <p>Yes / No</p> <p>Yes / No</p> <p>Yes / No</p> <p>Yes / No</p>