



Review of FENZ's Workplace Culture and Complaint Handling Practices

Background

In July 2018 Fire and Emergency New Zealand (FENZ) commissioned Judge Coral Shaw to do an Independent Review of its workplace policies, procedures, and practices to address bullying and harassment. In her January 2019 report (the Shaw Report), Judge Shaw concluded that bullying and harassment was a feature of the FENZ workplace at all levels and across all regions. The report made 33 recommendations to FENZ to improve its culture and complaint handling practices and stated that their implementation should be monitored and evaluated over a 36-month period. That time-period has now expired.

FENZ has undertaken, and continues to undertake, significant work to address the issues identified in the Shaw Report. But there are questions as to whether sufficient progress has been made to transform FENZ's workplace into a positive and safe workplace for all FENZ employees, including career firefighters, and volunteers (together, FENZ personnel), particularly for women within the organisation. A number of current and former FENZ personnel have raised concerns with the media and public service agencies about FENZ's workplace culture including its complaint handling practices. The FENZ personnel raising concerns say that there is a lack of accountability for inappropriate behaviour, complainant's voices are not being heard in culture change initiatives, and there is limited trust and engagement with complaint handling processes. Notably, there are only a small number of women who are FENZ personnel.

Given these matters, the FENZ Board Chair has requested, pursuant to schedule 3, clause 5(2)(b) of the Public Service Act 2020, that Deputy Public Service Commissioner, Ms Helene Quilter (the Deputy Public Service Commissioner), exercise her powers and functions under clauses 2 to 4 and 8 to 11 of that schedule to conduct a review into FENZ's workplace culture and complaint handling practices (the Review).

Purpose

All FENZ personnel are entitled to work in a safe and inclusive workplace, where people treat one another with respect and work together to deliver for the communities they serve. FENZ recognises that entitlement and is committed to building a workplace culture that promotes respect, inclusion, trust, accountability, and productivity. It wants all its personnel to feel valued, heard and supported. The purpose of this review is to assist FENZ in achieving those goals, by independently assessing the progress that has been made since the Shaw report and identifying what is working, what needs to be fixed, and where there are opportunities to improve or accelerate its culture change programme.

Scope

The Review is to consider, make findings on, and report on:

- whether the recommendations in the Shaw report have been implemented and the intended change realised.

- whether FENZ’s implementation of the recommendations in the Shaw report and other related initiatives have been sufficiently impactful on organisational culture, particularly from the perspective of FENZ personnel.
- any further steps that FENZ should take to strengthen its leadership and improve its systems,¹ policies, procedures, and workplace culture, particularly around better incorporating the perspectives of complainants and the resolution of complaints about inappropriate workplace behaviour. This will include considering the experiences of individuals.
- any other relevant matters identified by the Reviewer and agreed with the Deputy Public Service Commissioner to be necessary to provide a complete report on the above.

Out of scope

The Review will not make findings as to the civil, criminal, or disciplinary liability of any person but may identify further steps that could be taken.

Existing avenues of complaint and support open to current and former FENZ volunteers and employees will not be affected by this Review.

Process

The Reviewer will develop their own process for this Review and may record that process in minutes. This may be done in consultation with potential Review participants. This may include a mix of interviews, focus groups, surveys and document review.

Appointment

The Deputy Public Service Commissioner appoints Ms Belinda Clark QSO to undertake this review (Reviewer).

Functions and Powers

Pursuant to schedule 3, clause 6 of the Public Service Act and, for the purposes of the Review, the Deputy Public Service Commissioner delegates her functions and powers under schedule 3, clauses 2 to 4 and 8 to 11 of the Public Service Act to the Reviewer.

Application of provisions of the Inquiries Act 2013

The Deputy Public Service Commissioner certifies it is reasonably necessary that the provisions of the Inquiries Act 2013, specified in schedule 3, clause 8(2) of the Public Service Act, apply in relation to the Review. This is because:

- the Reviewer should have powers to regulate the procedures of the Review; and
- Given the nature of the Review, and the need to balance the public interest in disclosure with the privacy interests of potential participants, the Reviewer should have the power to restrict access to the information the Reviewer receives.

¹ Including recruitment, training, appointment, and performance management systems.

Deliverables, timeframes, and reporting

The Review will commence immediately and will be completed by 1 November 2022.

Te Kawa Mataaho intends to make the final report public, subject to any appropriate redactions for privacy reasons.