



## FINAL REPORT

Systems Audit Team

### **Audit Report**

South Taranaki SPCA

April 2012 Audit.

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## Summary

The objectives of this audit were to;

- To assess the systems and procedures used by South Taranaki RNZSPCA in the area of selection, appointment, training and other matters relating both to Inspectors and Auxiliary Officers ,
- To evaluate the effectiveness of the South Taranaki RNZSPCA in its enforcement of the provisions of the Animal Welfare Act 1999 (the Act), and
- Where appropriate, to report on the effect of the content and application of the Memorandum of Understanding between MAF and RNZSPCA (MOU), dated December 2010, and RNZSPCA Performance and Technical Standards for Inspectors (PTS), dated June 2007.

In order to achieve the objectives the South Taranaki branch of the RNZSPCA was visited; the branch personnel were interviewed, and the branches procedures and documentation reviewed. The audit focused on sections 93-99 of the MOU which are required to be audited annually.

The South Taranaki branch is satisfactorily complying with its responsibilities regarding its powers in relation to injured or sick animals (sections 138 & 139 of the Act) and its disposal of animals in custody of approved organisations (sections 141 & 142 of the Act).

The auditor has made a number of recommendations pertaining to some improvements in documentation.

Overall, the quality of the animal welfare services provided by the South Taranaki branch was very good and complied with the Animal Welfare Act 1999 requirements.

The auditees were very approachable and committed to their work.



## Important Note

This report may discuss Topics, i.e. subjects of particular interest. The discussion can include positive and negative elements. In some cases, the negative elements are such that Non-compliances result.

All deficiencies discussed as Non-compliances are expected to be resolved by auditee or the auditee's organisation, whether or not they are described as Serious Non-compliances. Serious Non-compliances constitute a system failure. They have a profile such that the effectiveness of the corrective actions will be measured in subsequent CEG audits. Inadequate resolution can lead to failure of the subsequent audit.

Recommendations may appear in the report. These are non-binding, and do not affect subsequent audits. Their implementation may provide efficiencies for both the auditee and MAF. The presence of recommendations to change existing specifications does not excuse the absolute requirement to conform to the existing specifications. Changes to specifications that may result from these recommendations will be promulgated officially.

The Auditee is reminded that audit reports are subject to the Official Information Act 1982. The Auditee may highlight any information considered confidential during the course of the audit however the Auditor cannot provide any assurance to the Auditee that the information considered confidential will not be disclosed as a result of an enquiry under the Official Information Act.

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# Terms of Reference

## Goal(s)

1. To assess the systems and procedures used by the Royal New Zealand Society for the Prevention of Cruelty to Animals Incorporated (RNZSPCA) through its South Taranaki SPCA branch, in the area of selection, appointment, training and other matters relating both to Inspectors appointed by the Minister and Auxiliary Officers appointed by the Director-General under the Animal Welfare Act 1999.
2. To evaluate the effectiveness of the South Taranaki SPCA in its enforcement of the provisions of the Animal Welfare Act 1999. Specifically sections 138, 139, 141 and 142, however not limited to these sections of the Act.
3. Where appropriate, to report on the effect of the content and application of the Memorandum of Understanding (MoU) between the RNZSPCA and Ministry of Agriculture and Forestry (MAF) of 22 December 2010 and the RNZSPCA Performance and Technical Standards for Inspectors (PTS). *(Note: the MoU and PTS are currently being revised).*

## Scope

1. Shall examine the procedures used by the South Taranaki SPCA for recruitment, training and appointment of both Inspectors and Auxiliary Officers.
2. Shall include an evaluation of methods used by the South Taranaki SPCA for monitoring the performance of its appointed Inspectors and Auxiliary Officers. *(Note: currently the South Taranaki SPCA only has an Inspector).*
3. Shall include interviews with South Taranaki SPCA Inspectors, Auxiliary Officers and Complaint Recipients to assess its policies, procedures and records relating to animal welfare complaints. *(See 2. above).*
4. Shall include an examination of interactions between the South Taranaki SPCA and other animal welfare enforcement agencies (e.g. MAF Animal Welfare Inspectors, local Police, neighbouring branches or member societies) this may include interviews with appropriate personnel within these organisations.
5. Shall include a review of records, and interview with relevant staff, pertaining to the obligations of approved organisations under the Animal Welfare Act.

## Standards / Legislation

1. Animal Welfare Act 1999
2. Memorandum of Understanding between the RNZSPCA and MAF (Version signed: 22 Dec 2010)
3. RNZSPCA Performance and Technical Standards for Inspectors (dated 22 June 2007)

## Initiator

The Initiator of this audit is Mark Fisher, Manager Animal Welfare Team, MAF Standards

## Specialist / Observers

The auditor may call upon the services of other parties as deemed appropriate to facilitate the audit. The Initiator or auditor may determine if observers will attend any part of the audit.



## Response to Critical Situation

If a critical situation is identified, the provisions of MAF Systems Group Audit procedure referenced as CEG Procedure REV-04 shall be implemented. The initiator shall be contacted immediately.

## Other Terms of Reference

The mechanism for resolving any identified serious non-compliances will be recorded in the Serious Non-Compliances, Corrective Action Requirements section of the audit report.

The audit will be conducted according to MAF Systems Group Audit procedure referenced as CG-REV-02. Location findings may be used. Upon completion of the audit the lead auditor will submit a draft audit report to the Initiator and to the Manager (Systems Audit) for comment.

The final report will be distributed to the Director, Market Assurance MAF, and the Initiator.

The auditee is reminded that audit reports are subject to the Official Information Act 1982. The auditee may highlight any information considered confidential during the course of the audit however; the Auditor cannot provide any assurance to the auditee that the information considered confidential will not be disclosed as a result of an inquiry under the Official Information Act.

All travel associated with this audit (IL2982) and undertaken by the lead auditor is approved by the Manager (Systems Audit) on approval of these terms of reference.

The auditor will provide interviewees with a copy of these Terms of Reference prior to or at the outset of audit visits.

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## Audit Date (Last Day)

26 April 2012

## Audit Number

2982

## Location(s)

South Taranaki Branch of the RNZSPCA, 62 Beach Road, Hawera

## Auditor(s)

Wendy Sarjeant, MPI, Systems Auditor

## Auditee(s)

9(2)(a) [REDACTED], South Taranaki SPCA, Inspector/Centre Manager

9(2)(a) [REDACTED], South Taranaki SPCA, Centre Supervisor

## Audit Type

Allocated Audit

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## Background

The Ministry for Primary Industries administers the Animal Welfare Act 1999 and its Regulations.

Under section 121 of the Act, the Minister is able to declare an organisation to be an approved organisation for the purposes of the Act. The Royal New Zealand Society for the Prevention of Cruelty to Animals (Inc) (RNZSPCA) is an approved organisation. In this capacity, the RNZSPCA is able to make recommendations through MPI to appoint a person to be an Inspector or Auxiliary Officer to enforce the provisions of the Animal Welfare Act 1999.

A Memorandum of Understanding (MOU), dated 22 Dec 2010, between MAF (now MPI) and the RNZSPCA defines the requirements to be met by MPI and the RNZSPCA, its branches and member societies. These requirements are to ensure that any Inspector or Auxiliary Officer appointed under the Act has relevant technical expertise and experience to be able to exercise competently the powers, duties and functions conferred or imposed under this Act and also stipulated in the MOU.

The RNZSPCA has produced Performance and Technical Standards (PTS) for its Inspectors (22 June 2007) as required by clause 122(2) of the Animal Welfare Act and the MOU. The RNZSPCA through its National Council is responsible for ensuring that all SPCA Inspectors associated with its branches or member societies comply with these standards.

The National Council has produced an initial draft PTS for Auxiliary Officers (dated November 2010) which is being reviewed by MPI Animal Welfare Standards. Both the PTS for Inspectors and the MOU are also being reviewed.

Sections 93-99 of the MOU requires annual auditing of the RNZSPCA enforcement activities at selected branches, member societies and the RNZSPCA National Office relating to:

- Selection and training of Inspectors and Auxiliary Officers;
- The recommendation process for appointment of, or renewal of the appointment of, Inspectors and Auxiliary Officers;
- Compliance with the Act and this Memorandum of Understanding;
- The RNZSPCA's National Office accountability arrangements, financial arrangements and management (RNZSPCA National Office shall be responsible for auditing the performance of Branches and Member Societies in this regard); and
- Documentation relating to animal welfare complaint investigations.



## Topics

### South Taranaki SPCA

This is the second MPI audit of this branch. Because of the recent name change many documents have not yet been updated to reflect the new Ministry. Any documents referred to in the report will be as per their titles.

The first audit was conducted in January 2001 by this auditor and another. No Key issues or non-compliances were raised at the 2001 audit, although a number of recommendations were made to the South Taranaki Branch.

### Personnel

The South Taranaki branch has approximately 7-10 fully paid up members who form the core of the Executive Committee. The Branch has two paid employees, primarily funded from its Op Shop takings.

A larger number of volunteers (14-18) offer their time and services to assist in the day-to-day running of the shelter and an unknown number of volunteers assist at the Op Shop.

This audit was undertaken with 9(2)(a) [REDACTED], Inspector & Animal Shelter Manager, 9(2) [REDACTED], Animal Shelter Supervisor, from the South Taranaki SPCA Branch, and Wendy (a) Sarjeant, Systems Auditor for MPI.

### 1. Shelter Management

#### Shelter Facilities

The Shelter remains located on Council land adjacent to the pound. It has a maximum capacity for about 30 cats on site. Other small animals may be kept in a hutch at the inspector's home, where necessary.

A small number of foster homes can be called on, primarily for cats, to assist when numbers in the shelter are high. Contact is made through the local veterinarian practice.

Dogs are not held in the shelter however, there is an MOU with the Council for limited access to the Pound for dogs that are suitable for re-homing. The Branch supplies the food for any seized or surrendered dogs but only Council staff have access to feed the dogs.

Similarly, small grazing animals may be held temporarily on adjacent Council paddocks. The MOU places some restrictions on how long dogs or other animals may be held in the Council facilities, and this is at the convenience of Council staff.

The shelter is open from 11.00 am until 2.00 pm weekdays and Saturdays.

The Inspector receives any after hours calls.

#### Animal Register

Section 142 of the Animal Welfare Act 1999 requires an approved organisation to hold a register of the numbers and types of animals sold, re-homed, destroyed, or otherwise disposed of under section 141.

The Branch uses the AWSOM (Animal Welfare Systems Operations Manager) database to register all incoming animals (surrendered or seized) and how they were disposed of, including dates custody of the animals were received, through to dates of disposal.





Surrender forms are completed upon receipt of animals from the public and these make up the bulk of how the Branch obtains custody. Very rarely animals are seized as part of inspectorate work.

The database is backed up at least weekly with a portable hard drive held by the inspector. The database has the ability to run various reports including the statistics required by National Office.

### **Duties of an Approved Organisation**

Section 141 deals with the duties of an approved organisation.

It requires that where an owner of animal is not known that the approved organisation must take reasonable steps to identify the owner of the animal.

The Branch firstly checks for any micro chips, checks on its database against the reported location details, and ascertains how long the animal has been seen around the area.

The Branch has a website where it advertises animals for sale, including any lost and found animals.

The local radio station runs a 'Petline' and is also contacted to broadcast any notices of found animals. The local newspaper runs an adoption page, in addition to any other notices.

Section 141 also requires that where an owner is known that the approved organisation must give written notice to the owner that it is holding the animal and cannot dispose of the animal until 7 days since receipt of the notice has passed. This situation has happened only once in the time the inspector has been with the Branch.

The auditor finds the Branch is in compliance with the requirements of section 141 and 142 of the Act.

### **Register Summary**

Although not a documented requirement in either the MOU or PTS the provision of statistics on animals handled by Shelters are supplied to the National Office annually.

It is in effect a summary of the register and outlines the numbers and types of animals received by the shelter and the avenue of disposal.

### **Other documentation**

The shelter holds the most recent copies of the MOU and PTS. There was a hard copy of the Animal Welfare Act however there were no amendments.

The auditor recommends that a copy of the most recent Act be made available. We discussed the possibility of creating a shortcut icon on the computer directly to Legislation on line so that all access would be to the most up to date Act.

## **2. Euthanasia Policy**

The Branch holds and maintains a Shelter manual outlining work instructions for animals in its care. It also contains a decision table to assist in deciding whether to treat or euthanize any animal. 9(2)(a) explained that there is a balancing act that considers costs, contagious conditions, behaviour, and likelihood of re-homing. Where there are any concerns about an animal the local vet will be consulted for advice.

In the past two years 9(2)(a) has also undertaken an active trapping campaign of feral cats.



A number of colonies in the area have been removed through this campaign and this explains the high euthanasia rate (around 68%) of the Branch. Where there are people actively feeding and caring for feral cats then a programme of trap, neuter, release is considered.

Euthanasia of shelter animals is undertaken by the local vet. The vet combines any shelter euthanizing with the Council animals once a week. Where an emergency euthanasia is required then animals are transported to the vet clinic.

Sodium pentobarbital is used to euthanize and carcasses are disposed of on Council property.

9(2)(a) holds a firearms licence and is occasionally required to destroy animals in the field. The auditor will discuss with National Office if there is a national policy regarding the use of firearms by its inspectors, in addition to compliance with Arms Act 1983 requirements.

### 3. Media Policy

The Branch does not have a documented media policy. 9(2)(a) explains that anything to do with investigations remains confidential.

There is a requirement in the MOU (section 81) that inspectors refrain from making any public comment on any specific animal welfare investigations.

Public relations articles and educational material are regularly published in the local newspaper.

The auditor recommends to the Branch that it develops a media policy for inclusion in its Shelter Manual for the benefit of its volunteers.

#### **Recommendation - to South Taranaki RNZSPCA**

The auditor recommends that consideration is given to including a media policy within the SPCA shelter manual.

### 4. Liaison with Other Agencies

#### *South Taranaki District Council*

The development and implementation of the MOU with the council has improved the strained historical relationship between the two organisations. 9(2)(a) contacts the Council Compliance manager if she has any concerns over any processes or animals and has found him particularly responsive to her concerns. The day to day contact between the Council and Shelter is amicable although there remains some tension around the housing and re-homing of dogs for the SPCA.

#### *Police*

9(2)(a) has a good relationship with the local police.

#### *Adjacent SPCA's*

South Taranaki is bordered by the Wanganui and North Taranaki SPCA's. Both branches have their own inspectors.

Contact with other SPCA's is on an 'as needed' basis.

#### *Other agencies*

9(2)(a) has had historical contact with 9(2)(a), MAF Animal Welfare Investigator, and would call MPI if she believed she required assistance.

DOC is contacted for any matters pertaining to native birds.

### 5. Selection, Training and Appointment of Inspectors/Auxiliary Officers.

The Branch currently has 9(2)(a) as its only inspector. 9(2) was, until recently, an Auxiliary



Officer but has not renewed his appointment as he is intending to move away.

9(2)(a) was appointed as an inspector in August 2010 and prior to that was an Auxiliary Officer.

The PTS section 3.1 requires selections of inspectors and auxiliary officers to be affirmed in the minutes of its committee meetings. 9(2)(a) does not hold copies of the minutes at the shelter and it is a recommendation of this audit that copies are held.

Many committee decisions are made upon the recommendation of the inspector so it would be prudent to have copies at the shelter.

PTS section 3.3 requires paid employees to have a written employment agreement. It further requires that the agreement should include a provision stating that eligibility for and timely completion of the prescribed inspector training is a condition of employment and that this is disclosed in the letter offering employment to the applicant.

Because 9(2)(a) was initially appointed as an auxiliary officer there was no formal employment agreement containing the clause requiring her to complete the inspector training in a timely manner.

The auditor recommends that the Branch considers reviewing its contract to ensure inclusion for any future appointments. The clause is a safeguard for the Branch as well as being a requirement in the PTS.

9(2)(a) completed the inspector training within the required time and found the course excellent.

Should any person consider becoming an inspector it would be expected that they first involve themselves at the shelter. 9(2)(a) will then take them to observe work in the field before considering their suitability as an inspector.

#### **Recommendation - to South Taranaki RNZSPCA**

The auditor recommends that copies of committee meeting minutes are held at the animal shelter to confirm committee decisions.

#### **Recommendation - to South Taranaki RNZSPCA**

The auditor recommends that the Branch reviews its employment contracts to ensure inclusion of the requirement for inspectors to complete training in a timely manner. (PTS 3.3)

#### **Resignation or transfer of appointment**

The recent resignation of 9(2) as an auxiliary officer was managed by 9(2)(a) and the branch secretary. His Warrant of Appointment was passed to the branch secretary to return to National Office.

This has been the only resignation in recent times and there have been no recent transfers.

#### **Supervision of inspectors**

9(2)(a), as centre manager and inspector, has a lot of autonomy to carry out the various roles her positions entail.

The PTS Section 5.6 requires general daily supervision of inspectors to continue to be under the control of the local SPCA Branch secretary or manager, or a person delegated by the local committee for the task.



9(2)(a) was unsure of who this delegated person was but believed it to be the Secretary.

9(2)(a) provides monthly reports to the committee so, in practice, there appears to be no issue around supervision. However the auditor recommends that the roles and responsibilities is documented in the shelter manual, including the 'supervisor'.

#### **Recommendation - to South Taranaki RNZSPCA**

The auditor recommends that the Branch includes 'roles and responsibilities' within its shelter manual, including the supervisor of the inspector (PTS 5.6)

#### **Renewal of appointments**

9(2)(a), Regional Manager: Inspectorate and Centre Support, Lower North Island interviewed 9(2)(a) as part of the assessment for renewal purposes.

As part of a renewal of an appointment PTS section 5.7 requires an assessment of continued suitability. National evaluations and attendance at courses is part of that assessment.

The National Office runs annual training courses. 9(2)(a) did not attend last year because of family commitments but intends to attend any training this year.

The auditor notes in a recent draft PTS for inspectors that there may be a stipulated requirement as follows; 'Attendance to at least one workshop or training course biennially is compulsory'.

#### **6. Complaints against Inspectors/Auxiliary Officers**

The branch received one official complaint against 9(2)(a) in the past year. This complaint was referred to and managed by 9(2), via National Office. He requested a report of the incident from 9(2)(a) and provided her with a copy of the concluding letter. 9(2)(a) has retained her own file regarding the incident.

Other minor complaints have been raised (<2 per year); primarily over the phone to the Centre Supervisor. Callers are advised to put any complaints in writing and only the one has done so in recent times.

#### **Jurisdiction**

Both the MOU (section 64) and PTS (5.3) discuss the matter of jurisdiction. It requires inspectors and auxiliary officers to not work outside their jurisdiction unless there is an emergency or the affected branch has approved the work.

9(2)(a) stated there had only been one occasion when she had worked outside her jurisdiction. The Wanganui branch inspectors had an incident to attend to in another area and agreed that 9(2)(a) could attend to a call in Waverley.

The approval was not obtained in writing and the auditor recommends that the branch considers that any future approvals are obtained in writing; even an email just after the event to confirm temporary jurisdiction with an update on outcome would be sufficient.

#### **Recommendation - to South Taranaki RNZSPCA**

The auditor recommends that the Branch considers confirming, in writing, any incidences that require the inspector to work outside the Branch's jurisdiction.

#### **7. Animal Welfare Complaint Investigations**

All complaints are initially recorded into 9(2)(a) notebook, and when sufficient details are known, are transcribed into the AWSOM database. Checks are made in the database as to any previous history prior to doing a site visit.



Complaints are graded as required but, because of the sole nature of the inspector's position, the reactive nature of the position, and unpredictability, calls are responded to well within the required time frame to prevent any back log of calls. Travel time needs to be factored in to site visits due to the large area of jurisdiction.

Anonymous complaints are acted upon as experience has indicated that a large proportion have some validity.

The inspector has not had any occasion to require a search warrant. National Office and local police would be called upon to assist should she believe the situation warranted it.

Transfer of investigations to and from MPI has occurred and been managed by 9(2)(a). 9(2)(a) does not have any written confirmation of transfer and assumes 9(2) has this. The auditor recommends that this confirmation is sought in future and held by the Branch as well.

Enquiries with the Animal Welfare Co-ordinators for MPI confirm two complaints (ID 6335 & 6841) transferred from South Taranaki to MPI in May and Dec 2011 respectively. MPI transferred one complaint to South Taranaki (SPCA ID 7102) in December 2011.

Assistance in investigating any difficult complaints would be sought from 9(2) in the first instance. There have been no incidents requiring MPI assistance since 9(2)(a) has been an inspector.

The Branch has not taken any prosecutions in recent times although 9(2)(a) was listed as a witness in a local dog neglect case managed by the police.

Any consideration of prosecution would be initially vetted by 9(2) prior to gaining committee permission to pursue.

### Annual statistics

Every year the National Office is required to supply MPI national statistics relating to animal welfare investigations as required by MOU section 89, and vice versa.

The current PTS section 8.2 places the onus upon Inspectors to collate the annual statistics including the number of complaints received (by species) and the number of prosecutions taken in the preceding year, including the outcome of each prosecution. The PTS requires the inspector to supply the local SPCA Secretary this data by 1 Feb each year.

The auditor received a copy of the 'Annual Statistics' template required to be completed by the Branches and Member Societies.

The statistics required included;

- Complaints received per Species,
- Animals Handled (Register summary as mentioned previously),
- Prosecutions, and
- Membership

The template also read as follows;

*Please complete for the period 1 January 2011 – 31 December 2011 and return to SPCA National by **13th January 2012***

The auditor notes that the date required is different to that stated in the PTS. The auditor will discuss with National Office at their annual audit.



## Conclusion

The auditor found the South Taranaki branch to be managed by committed and professional staff. A number of recommendations are made to the branch for its consideration.

The auditor would like to thank the auditees for their time and cooperation during the audit.

## Recommendations

### **to South Taranaki RNZSPCA**

The auditor recommends that consideration is given to including a media policy within the SPCA shelter manual.

### **to South Taranaki RNZSPCA**

The auditor recommends that copies of committee meeting minutes are held at the animal shelter to confirm committee decisions.

### **to South Taranaki RNZSPCA**

The auditor recommends that the Branch reviews its employment contracts to ensure inclusion of the requirement for inspectors to complete training in a timely manner. (PTS 3.3)

### **to South Taranaki RNZSPCA**

The auditor recommends that the Branch includes 'roles and responsibilities' within its shelter manual, including the supervisor of the inspector (PTS 5.6)

### **to South Taranaki RNZSPCA**

The auditor recommends that the Branch considers confirming, in writing, any incidences that require the inspector to work outside the Branch's jurisdiction.

## Appendices

Appendix A - Auditee Response - comments attached

Appendix B - Checklist - MPI use only

## Distribution

Mark Fisher, Manager (Animal Welfare Team), MPI

Tim Knox, Director, Market Assurance, MPI

Jane Lawrence, Chairperson, South Taranaki SPCA

Robyn Kippenberger, Chief Executive Officer, RNZSPCA

Wendy Sarjeant  
Systems Auditor  
MPI

*Electronically Signed by Wendy Sarjeant, Auditor on the 14 Jun 2012 11:16 am*

## Auditee Response

21/5/2012

Hi Wendy

I have presented the draft audit to the committee at the monthly meeting = on Wednesday 16/5/12, there are no corrections to be made.=20

Your recommendations have been well received and action has already been = taken on a number of them.

Thankyou for making the audit process an easy one.

Regards

9(2)(a)

----- Original Message -----

**From:** [Wendy Sarjeant](#)

**To:** 9(2)(a)

**Cc:** 9(2)(a)

**Sent:** Wednesday, May 16, 2012 11:43 AM

**Subject:** Draft audit Report -South Taranaki SPCA

Dear 9(2)(a) and 9(2)  
( )

Please find attached the draft audit report for my audit of 26 April 2012.

You now have the opportunity to make comment or corrections to the attached draft. Your comments will be considered and, if appropriate the draft amended. If you have no comment a nil return is requested as confirmation of receipt.

Comments are required within 6 working days.

Thank you once again for your time during the audit. It was much appreciated.

Yours sincerely

Wendy Sarjeant

Wendy Sarjeant | Systems Auditor, Systems Audit Team

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**SPCA Branch/Member Society** \_\_\_\_\_

**Date:** \_\_\_\_\_ **Time:** \_\_\_\_\_

**Auditees:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Number of members:**

**Number of:**      **Inspectors** \_\_\_\_\_

**Auxiliary Officers** \_\_\_\_\_

**Volunteers** \_\_\_\_\_

**Animal Shelter capacity – dogs** \_\_\_\_\_

**Cats** \_\_\_\_\_

**Other** \_\_\_\_\_

**Foster homes used** \_\_\_\_\_

**Any paid staff** \_\_\_\_\_

**Volunteers** \_\_\_\_\_

**Hours of operation** \_\_\_\_\_

**Has branch ever needed to turn animals away** \_\_\_\_\_

**Who are neighbouring branches (relationship? no. of inspectors)**

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\_\_\_\_\_

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What documented system does shelter use (Key Docs Folder, work instructions, other etc)

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**Animal Register**  
**Manual / computerised / AWSOM**

Section 142 of AWA

A register will be kept of **number** and **types** of animals sold, re-homed, \_\_\_\_ destroyed, or otherwise disposed of under section 141  
And include in that register, in relation to each animal  
Particulars of the **dates** when custody was obtained and disposed of \_\_\_\_  
And a record of whether animal was sold, re-homed etc \_\_\_\_\_  
Records must be kept for at least one year. \_\_\_\_\_

Section 141 duties of approved organisation

Where SPCA obtains custody from person other than owner  
SPCA to take reasonable steps to identify owner of animal and (what's done)  
\_\_\_\_\_

May take reasonable steps to prevent or mitigate any suffering \_\_\_\_\_

Where owner cannot be identified, an **inspector or AO** may  
After animal has been in custody for at least 7 days;  
Sell, re-home, destroy or otherwise dispose of

Where animal is diseased or suspected of being diseased and there are reasonable grounds to believe that the welfare of other animals would be compromised

Sell, re-home, destroy, or otherwise dispose of

Where owner of animal and address of owner is known SPCA must give owner written notice that it is holding the animal and that, unless owner, within 7 days of receipt of that notice, claims the animal and pays any costs associated with its care may sell, re-home, destroy or otherwise dispose of.

View written notice \_\_\_\_\_ is 7 days observed \_\_\_\_\_

Where animals are sold the SPCA must apply the proceeds, once direct costs are deducted, towards the cost of the animal welfare work of the SPCA

Explain how this works \_\_\_\_\_

**PTS 8.2 Inspector** to supply secretary, by 1 Feb, each year with annual statistics of number of complaints received and number of prosecutions taken including outcome of each prosecution. (reporting period, 1 Jan – 31 Dec)

Who is responsible \_\_\_\_\_

What were shelter numbers for last year ( euthanasia %)

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**Annual statistics (MOU 89)**

Number of complaints received

Number of prosecutions (and convictions)

Number of persons charged with or proceeded against under the Act

Who is responsible for collecting this information?

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Are timeframes for reporting to National Office met?

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**Euthanasia**

Does branch have its own euthanasia policy? \_\_\_\_\_

Saving lives programme? \_\_\_\_\_

How often is euthanasia required –for shelter animals

- for seized animals
- for severely injured or sick animals

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S138

Inspector, AO, or vet, in their opinion animal should be destroyed because reasonable treatment will not be sufficient they must, asap,

Consult owner

And allow owner to obtain second opinion

How often is a second opinion requested \_\_\_\_\_

If owner of severely injured or sick animal cannot be found or does not agree to destruction and does not obtain within a reasonable time a second opinion The Inspector, AO or vet must destroy that animal (or cause to be destroyed)

Does this happen?

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S139

Despite 138, if inspector, AO, vet certifies in writing that an impounded animal is so diseased etc that it is in a state of continual suffering and the TA is unable to find the owner within a reasonable time the TA must destroy that animal

Are there any issues with TA?

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S140

If an inspector, AO, or vet finds a severely injured or sick marine mammal they must asap report the matter to a marine mammals officer

Who is your nearest marine mammals officer? \_\_\_\_\_

What method is used for destruction of animals?

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What process is used for disposal of animals?

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**Media policy**

Does branch/MS have its own media policy? (vetted by National Office?)

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Is this documented?

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**Liaison**

Liaison with MAF AW Investigators – does this occur? Do you know who the closest investigator is to your branch/MS?

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Liaison with other agencies

(Police, TA, DOC, other organisations?)

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**MOU**

Has Branch got a copy of current MOU? \_\_\_\_\_

Has Branch got a copy of current PTS? \_\_\_\_\_

Has branch got copy of updated Act? \_\_\_\_\_

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## **Selection, training and appointment of inspectors/AOs**

### **Selection procedures**

Initial selection of inspectors and AOs undertaken by branches/MS in accordance with PTS.

### **PTS 3. Selection of candidates**

Local SPCA selects and minutes the affirmation of candidate

Local then recommends to National Office

Local should confirm eligibility for student subsidy

What is branch policy/process for selecting candidate

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Application forms sent from National Office to Local SPCA

Applicants employed by local SPCA to have written employment agreement – should contain a clause requiring timely completion of inspector training as a condition of employment (View, wording as below)

Any termination should be done after advice sought from legal adviser to ensure correct process is followed.

National Executive assesses candidates suitability – reserves right to interview applicant, referees etc.

RNZSPCA will ensure written authorisation has been obtained from every applicant for collection, use etc of personal information relevant to appointment and reappointment.

View written authorisation

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### **Agreement between RNZSPCA and Inspectors/AOs – view copy**

Enter into an agreement that the person shall

Comply with all obligations pertaining to inspectors and AOs set out in the MOU

Person acknowledges RNZSPCA intends to fulfil the requirements of this MOU

That the person shall be accountable to the RNZSPCA for their compliance with all the requirements of the PTS, including own performance standards and procedural correctness

That the person authorises RNZSPCA, MAF to collect, use, and disclose relevant information about that the person for any purpose set out in the Act or PTS.

That person shall take all steps as the RNZSPCA reasonably considers necessary and requires of him in order for the RNZSPCA to fulfil these requirements

## Training Programme

No person shall be appointed as inspector/AO until training has been undertaken in accordance with an inspector training programme approved by DDG or AO training programme approved by D (AW)

RNZSPCA to provide evidence to D (AW) that training has been completed to an acceptable standard prior to appointment as inspector or AO.

What evidence is produced?

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Is the training programme appropriate in your opinion?

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### PTS 4. Training

Students must comply with Training providers instructions in regard to attendance at courses and specified time limits set for assignments  
Must be assessed as competent – (View records)

Students invited to provide feedback to National Office around training

Once training provider has advised student is competent local SPCA can apply to National Office for an initial 18 month appointment (12 months in MOU)

When approved further training weekends/assignments issued by training provider must be undertaken – how often do these occur? \_\_\_\_\_

Must complete training within 18 months (unless D (AW) agrees)

Is this a reasonable timeframe?

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Once training has been completed satisfactorily an application can be made to National Office for a 3 yr appointment.

### Appointment of inspectors and AOs.

Recommendation for inspector/AO appointment to be made through National Office to MAF.

RNZSPCA will provide following information to D (AW)

- Inspector/AO application form
- Assessment of applicants ability
- Details of reference checks carried out
- Supporting evidence of completion of MAF approved training programme, ( certificate etc)
- Completed ID applicant form, including applicants signature and photograph.

MAF shall process within 7 working days – does this occur within time frame?

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MAF reserves the right to interview any applicant and request further information. MAF Reserves the right to apply conditions to the appointment. Has this occurred?

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MAF may withdraw initial appointment for incapacity affecting performance of duty, neglect of duty, or misconduct. (Includes failure to complete the course)

**PTS 5. Appointment**

The SPCA may supply the following information... (Should this not be 'shall')?

Every inspector must sign Terms of appointment (agreement between inspector and SPCA) – signed on the issue of every instrument of appointment must have a valid certificate of Appointment.

Local SPCA responsible for ensuring all inspectors hold a valid certificate of appointment at all times.

How does SPCA manage this? \_\_\_\_\_

**Jurisdiction**

64. Inspectors/AOs shall not generally work outside jurisdiction of branch unless emergency or approval from affected branch obtained

How often does this occur?

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Is approval obtained in writing?

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**PTS 5.3 Jurisdiction** of appointment – are there any limitations on inspectors?

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Inspectors can operate outside local jurisdiction if it is an emergency, agreed with local SPCA or have approval from National office

**Resignation/Transfer**

If inspector/AO ceases to work for, volunteer at or be affiliated with SPCA they must forward their certificate of appointment and instrument of appointment to National Office through branch secretary. (Forward these to D(AW))  
How does branch determine if person is no longer affiliated? Is this a formal process?

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Transfer also possible – through National Office  
Surrender/retrieval - through National Office  
Failure or refusal to surrender shall be advised to D (AW).

Have there been any transfers or refusals to surrender?

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**PTS. 5.4 Transfer** of Inspectors – does this happen often?

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There are some limitations as to what complaints an inspector can act on. What situations do these relate to?

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Animals being exported, animals in zoos, or used in research etc.

General daily supervision of inspectors is under the control of the local SPCA secretary, manager, or delegated person – who is the person at this branch?

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What sort of issues has this person had to deal with? (terms of appointment, policies, procedures etc)

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Have there been any complaints against inspectors that have not been passed on to National Office and what documentation is held about these?

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### Renewal of appointments

National Office responsible for ensuring inspectors/AOs hold valid appointments

Does Branch/MS keep a track of appointment expiry dates etc?

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Applications to be accompanied by assessment of inspector/AO performance by National Chief inspector (or delegate).

Who carries out assessment for renewal purposes? What form does assessment take?

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Applicants to sign a declaration re: no criminal offence/conviction since last appointment – view form

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Applications to MAF at least 15 working days prior to the expiry of appointment.

Are these made in a timely manner and are they processed according to timeframe?

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RNZSPCA to establish a review procedure where National Executive declines to recommend an applicant for appointment, renewal, or revocation.

Has branch/MS got a copy of the review procedure and has it been used?

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**5.7 Renewal** is dependent upon an assessment/evaluation for continued suitability

Who carries out this assessment? \_\_\_\_\_

What documentation is held about this assessment and what criteria was individual assessed against?

(should be a review of nature of work, temperament, physical ability, any problems, National Office evaluations, attendance at courses and disclosure of criminal convictions)

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How are Returns of Appointment managed?

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Have there been any issues with this?

What happens?

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**Review process**

Where an individual has been declined by National Executive to forward an application, recommend renewal or revocation there is a review process. Has this process ever been activated? If so what happened?

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Have there been any removals of appointment due to incapacity, neglect, or misconduct?

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**Procedures for referral of complaints against inspectors/AOs**

All complaints against inspectors/AOs forwarded to National Office – and dealt with according to procedures established and maintained by SPCA

How many complaints in past year?

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Who dealt with these?

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How are these documented?

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What was the outcome of these complaints?

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Serious complaints to D (AW) – how many in past year

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How many complaints against inspectors/AOs forwarded to MAF?

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Where MAF wishes to follow up must be done after consulting with National Chief Inspector and report its findings to NCI within 5 working days

Complaints against inspectors

Have any complaints about inspectors been received by this branch; trivial or otherwise?

What process was adopted in managing this complaint?

Did local branch notify National Office?

How were details recorded?

Was inspector invited to respond to complaint?

Was the welfare of any animals part of the complaint?

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**Animal Welfare Complaint investigations**

- 59. Procedures in PTS to be followed
- 60. National Chief inspector to provide details to MAF on written request
- 61. MAF to stipulate reason information required
- 62. MAF to report to NCI n outcome of any actions it takes.

Inspector must document all information relevant to a complaint – describe process followed. (complainant details or sufficient to enable traceback of complaint, file number allocated within 3 days, confirmation of receipt of complaint)

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What difficulties are experienced in anonymous complaints and how frequent are they?

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Is grading of complaints into response categories manageable?

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Does SPCA manage to respond within required timeframes and how does SPCA demonstrate compliance with this requirement?

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Does SPCA have access to a database? \_\_\_\_\_  
Who manages this?

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Does SPCA provide response packs? Who manages these?

Minimum equipment requirements; Certificate of appointment., AWA, notebook, appropriate forms, appropriate clothing, animal care equipment, camera, tape measure, Codes of Welfare

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Is this list adequate, what else do you hold, and what else should be on the list?

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Does Branch issue warning letters (are subjects required to acknowledge receipt?)

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### Search Warrants

Has branch/MS executed any search warrants in past year?

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Did application refer to any information held by MAF (And was this confirmed in writing, and attached to affidavit)

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Has branch/MS transferred any investigations to MAF or vice versa in recent times? View written confirmation of transfer.

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Does National Office assist?

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Are police/TA involved in the execution?

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**Assistance**

65. Inspector may request assistance from MAF investigator – and must advise of exact nature of assistance required at the time of the request.

First agency to retain full responsibility, unless otherwise agreed

How have interactions with MAF investigators been recently?

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**\*Supersession policy** (Where complaint has been made to both agencies)

How often are complaints duplicated?

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PTS has a supersession policy – usually the first agency notified has precedence unless complaint transferred. If both agencies wish to pursue the same complaint D (AW) and RNZSPCA National President to resolve. Transfer of complaints to be recorded in writing and signed by transferring and receiving party. Copies of documentation to be kept by both parties. Written feedback on outcome to be provided upon request.

Have there been any in the past year or so and what was the outcome?

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Is feedback provided in a timely manner?

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**Prosecution Policy**

Branch to adhere to PTS procedure for prosecutions

Has branch/MS undertaken any recent prosecutions?

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Who provides assistance in these matters?

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Does branch have any special policy regarding prosecutions?

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**Welfare priorities**

Instructions to prevent or mitigate must be in writing – view forms  
Inspector must have reasonable grounds to believe animal is suffering or likely to suffer – how do you record those reasonable grounds?

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How often does seizure occur or is surrender the usual way of removing animals?

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How often is veterinary advice sought in relation to conflict between owners and SPCA?

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How often are animals euthanized by the inspector? Who else performs them?

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Investigations

How often does inspector carry out investigations with a view to prosecution?

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How does inspector maintain competency where only few investigations required?

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**8. Records**

Information files. An **Inspector** must ensure

Complaints /investigations must contain;

Name, address, and phone number of complainant

Sufficient details to identify and locate alleged offender

Date complaint received

Location of problem

Nature of complaint, (species, number, and age of animals)

Name of inspector handling complaint

Records of investigations include, as applicable;

Relevant details relating to initial response, including animal ID and examination record

Interview notes

Copies of any directions given

Details of any organisation involved

Details of whether the complaint was received or transferred

Copies of any educational or warning letters

Prosecution records must contain

Information laid

Prosecution file

Court dates

Decisions

Sentencing data

Copies of infringement notices

Records must be stored in a manner that respects confidentiality of information

Must be retained for 5 years

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**FINAL REPORT**

Systems Audit Team

**Audit Report**

Dannevirke SPCA

April 2012

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## Summary

The objectives of this audit were to;

- To assess the systems and procedures used by Dannevirke SPCA in the area of selection, appointment, training and other matters relating both to Inspectors and Auxiliary Officers ,
- To evaluate the effectiveness of the Dannevirke SPCA in its enforcement of the provisions of the Animal Welfare Act 1999 (the Act), and
- Where appropriate, to report on the effect of the content and application of the Memorandum of Understanding between MAF and RNZSPCA (MOU), dated December 2010, and RNZSPCA Performance and Technical Standards for Inspectors (PTS), dated June 2007.

In order to achieve the objectives the Dannevirke member society of the RNZSPCA was visited; personnel were interviewed, and the procedures and documentation reviewed. The audit focused on sections 93 - 99 of the MOU which are required to be audited annually.

The Dannevirke member society is satisfactorily complying with its responsibilities regarding its powers in relation to injured or sick animals (sections 138 & 139 of the Act) and its disposal of animals in custody of approved organisations (sections 141 & 142 of the Act).

The auditor has made a number of recommendations pertaining primarily to some improvements in documentation.

Overall, the quality of the animal welfare services provided by the Dannevirke member society was very good and complied with the Animal Welfare Act 1999 requirements.

The auditor was encouraged by the recent application of four individuals to become auxiliary officers. The auditor would especially like to thank the Centre Manager, 9(2)(a) , for her time and cooperation during the audit.



## Important Note

This report may discuss Topics, i.e. subjects of particular interest. The discussion can include positive and negative elements. In some cases, the negative elements are such that Non-compliances result.

All deficiencies discussed as Non-compliances are expected to be resolved by auditee or the auditee's organisation, whether or not they are described as Serious Non-compliances. Serious Non-compliances constitute a system failure. They have a profile such that the effectiveness of the corrective actions will be measured in subsequent CEG audits. Inadequate resolution can lead to failure of the subsequent audit.

Recommendations may appear in the report. These are non-binding, and do not affect subsequent audits. Their implementation may provide efficiencies for both the auditee and MAF. The presence of recommendations to change existing specifications does not excuse the absolute requirement to conform to the existing specifications. Changes to specifications that may result from these recommendations will be promulgated officially.

The Auditee is reminded that audit reports are subject to the Official Information Act 1982. The Auditee may highlight any information considered confidential during the course of the audit however the Auditor cannot provide any assurance to the Auditee that the information considered confidential will not be disclosed as a result of an enquiry under the Official Information Act.

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# Terms of Reference

## Goal(s)

1. To assess the systems and procedures used by the Royal New Zealand Society for the Prevention of Cruelty to Animals Incorporated (RNZSPCA) through its Dannevirke Member Society SPCA, in the area of selection, appointment, training, and other matters relating both to Inspectors, appointed by the Minister, and Auxiliary Officers, appointed by the Director-General under the Animal Welfare Act 1999.
2. To evaluate the effectiveness of the Dannevirke SPCA in its enforcement of the provisions of the Animal Welfare Act 1999. Specifically sections 138, 139, 141 and 142, however not limited to these sections of the Act.
3. Where appropriate, to report on the effect of the content and application of the Memorandum of Understanding (MoU) between the RNZSPCA and Ministry of Agriculture and Forestry (MAF) of 22 December 2010 and the RNZSPCA Performance and Technical Standards for Inspectors. (*Note: The MoU and PTS are currently being revised*).

## Scope

1. Shall examine the procedures used by the Dannevirke SPCA for recruitment, training, and appointment of both Inspectors and Auxiliary Officers.
2. Shall include an evaluation of methods used by the Dannevirke SPCA for monitoring the performance of its appointed Inspectors and Auxiliary Officers. (*Note: currently there are no Inspectors or Auxiliary Officers at the Dannevirke SPCA*).
3. Shall include interviews with Dannevirke SPCA Inspectors, Auxiliary Officers, and Complaint Recipients to assess its policies, procedures and records relating to animal welfare complaints. (*See 2. above*).
4. Shall include an examination of interactions between the Dannevirke SPCA and other animal welfare enforcement agencies (e.g. MAF Animal Welfare Inspectors, local Police, neighbouring branches or member societies) this may include interviews with appropriate personnel within these organisations.
5. Shall include a review of records, and interview with relevant staff, pertaining to approved organisations obligations under the Animal Welfare Act.

## Standards / Legislation

Shall include the consideration of relevant legislation, standards, and requirements, including but not limited to:

1. Animal Welfare Act 1999
2. Memorandum of Understanding between the RNZSPCA and MAF (Version signed: 22 Dec 2010)
3. RNZSPCA Performance and Technical Standards for Inspectors (dated 22 June 2007)

## Initiator

The Initiator of this audit is Mark Fisher, Manager, Animal Welfare Team, MAF Standards.

## Specialist / Observers

The auditor may call upon the services of other parties as deemed appropriate to facilitate the audit. The Initiator or auditor may determine if observers will attend any part of the audit.



## Response to Critical Situation

If a critical situation is identified, the provisions of MAF Systems Team Audit procedure referenced as CEG Procedure REV-04 shall be implemented. The initiator shall be contacted immediately.

## Other Terms of Reference

The mechanism for resolving any identified serious non-compliances will be recorded in the Serious Non-Compliances, Corrective Action Requirements section of the audit report.

The audit will be conducted according to MAF Systems Team procedure referenced as CG-REV-02. Location findings may be used. Upon completion of the audit the lead auditor will submit a draft audit report to the Initiator and to the Manager (Systems Audit) for comment.

The final report will be distributed to the Director, Market Assurance MAF, and the Initiator.

The auditee is reminded that audit reports are subject to the Official Information Act 1982. The auditee may highlight any information considered confidential during the course of the audit however; the Auditor cannot provide any assurance to the auditee that the information considered confidential will not be disclosed as a result of an inquiry under the Official Information Act.

All travel associated with this audit (IL2983) and undertaken by the lead auditor is approved by the Manager (Systems Audit) on approval of these Terms of Reference.

The auditor will provide interviewees with a copy of these Terms of Reference prior to or at the outset of audit visits.

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## Audit Date (Last Day)

27 April 2012

## Audit Number

2983

## Location(s)

Dannevirke Member Society of RNZSPCA, Easton Street, Dannevirke

## Auditor(s)

Wendy Sarjeant, MPI, Systems Auditor

## Auditee(s)

9(2)(a) [REDACTED], Dannevirke SPCA, Centre Manager

## Other Personnel

Nicki Cross, MPI, Technical Adviser, Animal Welfare Team

## Audit Type

Allocated Audit

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## Background

The Ministry for Primary Industries administers the Animal Welfare Act 1999 and its Regulations.

Under section 121 of the Act, the Minister is able to declare an organisation to be an approved organisation for the purposes of the Act. The Royal New Zealand Society for the Prevention of Cruelty to Animals (Inc) (RNZSPCA) is an approved organisation. In this capacity, the RNZSPCA is able to make recommendations through MPI to appoint a person to be an Inspector or Auxiliary Officer to enforce the provisions of the Animal Welfare Act 1999.

A Memorandum of Understanding (MOU), dated 22 Dec 2010, between MAF (now MPI) and the RNZSPCA defines the requirements to be met by MPI and the RNZSPCA, its branches and member societies. These requirements are to ensure that any Inspector or Auxiliary Officer appointed under the Act has relevant technical expertise and experience to be able to exercise competently the powers, duties and functions conferred or imposed under this Act and also stipulated in the MOU.

The RNZSPCA has produced Performance and Technical Standards (PTS) for its Inspectors (22 June 2007) as required by clause 122(2) of the Animal Welfare Act and the MOU. The RNZSPCA through its National Council is responsible for ensuring that all SPCA Inspectors associated with its branches or member societies comply with these standards.

The National Council has produced an initial draft PTS for Auxiliary Officers (dated November 2010) which is being reviewed by MPI Animal Welfare Standards. Both the PTS for Inspectors and the MOU are also being reviewed.

Sections 93-99 of the MOU requires annual auditing of the RNZSPCA enforcement activities at selected branches, member societies and the RNZSPCA National Office relating to:

- Selection and training of Inspectors and Auxiliary Officers;
- The recommendation process for appointment of, or renewal of the appointment of, Inspectors and Auxiliary Officers;
- Compliance with the Act and this Memorandum of Understanding;
- The RNZSPCA's National Office accountability arrangements, financial arrangements and management (RNZSPCA National Office shall be responsible for auditing the performance of Branches and Member Societies in this regard); and
- Documentation relating to animal welfare complaint investigations.



# Topics

## Introduction

This is the first Ministry for Primary Industries (MPI) audit of this member society. Because of the recent name change from MAF to MPI many documents have not yet been updated to reflect the new Ministry. Any documents referred to will be as per their titles.

## Personnel

The Dannevirke member society has approximately 13 fully paid up members who form the core of the Executive Committee. There are no paid employees, and there is currently no Inspector or Auxiliary Officer.

A number of volunteers (9 - 10) offer their time and services to assist in the day-to-day running of the shelter.

This audit was undertaken with 9(2)(a), Centre Manager, and Wendy Sarjeant, Systems Auditor for MPI. Nicki Cross, Technical Adviser, Animal Welfare Team, MPI was present as an observer.

## 1. Shelter Management

### Shelter Facilities

The Shelter is located on Council land adjacent to the pound. It has a maximum capacity for about 9 cats on site and up to 5 dogs. Other small animals may be kept in a hutch or aviary on site.

A number of foster homes can be called on to assist when numbers in the shelter are high.

There have been times when the centre has had to turn animals away because it is operating at capacity but will always take animals if there is an immediate threat to the welfare of the animals concerned. A list is maintained of people with animals for surrender, in these cases and the animals are retrieved as space become available.

Similarly, small grazing animals may be held temporarily on an adjacent Council paddock.

The shelter is open to the public from 5 - 6 pm Monday to Thursday and 8.30 – 10.30 am on Saturdays.

### Animal Register

Section 142 of the Animal Welfare Act 1999 requires an approved organisation to hold a register of the numbers and types of animals sold, re-homed, destroyed, or otherwise disposed of under section 141.

Dannevirke relies on a manual system to register all incoming animals (surrendered or seized) and how they were disposed of, including dates custody of the animals were received, through to dates of disposal.

Surrender forms are completed upon receipt of animals from the public and the information from these is transcribed into the register including methods and dates of disposal.

A review of the register by the auditor confirmed all required details are recorded.

The Dannevirke centre has a computer but this does not appear well used. The auditor





discussed with 9( the 'AWSOM' (Animal Welfare Systems Operations Manager) database for recording of all 2) animal transactions including complaints. 9( has only been centre manager since September 2011 and was unaware if consideration 2) had been given to the database in the past.

While the manual system is acceptable there may be advantages in transferring to the computer system. Over time as more data is entered, the value increases. For example, found micro-chipped animals can be identified quicker. The programme links clients, animals, and complaints into one database.

The auditor recommends that Dannevirke gives consideration to exploring a database to see if it can provide benefits to their centre.

#### **Recommendation - to Dannevirke SPCA**

The auditor recommends that consideration is given by the Dannevirke Member Society to exploring a computerised database.

#### **Section 141 Duties of Approved Organisations**

Section 141 deals with the duties of an approved organisation.

It requires that where an owner of animal is not known that the approved organisation must take reasonable steps to identify the owner of the animal.

Dannevirke firstly checks for any micro chips, then will hold the animal for 7 days providing there is no immediate requirement for veterinary attention.

Dannevirke maintains a 'lost and found' book and will place advertisements on the local New World supermarket notice board, and with the local radio station. Both veterinary practices in town also hold 'lost and found' books and contact is made with them regarding any animals reported.

After 7 days the behaviour of the animal will have been observed and a decision will then be made as to disposal. The animal will be vet checked, vaccinated, and de-sexed if appropriate for re-homing.

Section 141 also requires that where an owner is known that the approved organisation must give written notice to the owner that it is holding the animal and cannot dispose of the animal until 7 days has passed since receipt of the notice.

9( recounted a situation where the council removed a dog from a property, believed to be 2) neighbouring the owners. The animal was emaciated and required vet intervention. Several weeks later the council animal control officers removed 4 other dogs. Dannevirke took responsibility for the dogs, feeding them and providing care. Ownership of the animals was questionable; but a surrender form was eventually completed and the animals re-homed at later dates.

The auditor finds the Branch is in compliance with the requirements of section 141 and 142 of the Act.

#### **Register Summary**

Although not a documented requirement in either the MOU or PTS the provision of statistics on animals handled by Shelters are supplied to the National Office annually.

It is in effect a summary of the register and outlines the numbers and types of animals received by the shelter and the avenue of disposal.



The register summary provided to National Office was for the period 1/7- 31/12/11. The reporting system at Dannevirke had previously run over different months and the recent report was to bring the system into line with National Office reporting requirements. Future reports will cover the required time frames.

During the 6 months in questions 56 animals were received by Dannevirke with 20 euthanized (15 for health reasons and 5 for behavioural reasons).

#### **Other documentation**

The shelter holds the most recent copies of the PTS. The most recent copy of the MOU was dated 6/6/2002.

There were hard copies of a number of Codes of Welfare but there was no copy of the Animal Welfare Act 1999.

The auditor recommends that a copy of the most recent Act and MOU (dated 22/12/2010) be made available.

If the centre is internet linked the auditor recommends that consideration is given to creating a shortcut icon on the computer directly to Legislation on line so that access would be to the most up to date Act.

#### **Recommendation - to Dannevirke SPCA**

The auditor recommends that the Dannevirke Member Society obtains the most recent MOU between MPI and RNZSPCA, and the Animal Welfare Act 1999.

### **2. Euthanasia Policy**

The Branch holds and maintains a Centre manual outlining work instructions for animals in its care.

91 was unaware of any formal euthanasia policy. In practice animals are observed and if thought not to be suitable for re-homing then veterinary advice is sought.

When Dannevirke had an Inspector he made the call as to disposal.

Euthanasia of shelter animals is undertaken by the local vet.

There is a limited programme of trap, neuter, release but most trapped animals (cats) are feral and therefore euthanized.

Sodium pentobarbital is used to euthanize and carcasses are disposed of on a member's property.

The auditor recommends that a euthanasia policy is developed and documented. Consideration could be given to the creation of a decision table to assist in determining outcome and nomination of a named person/position to sign off the decision.

#### **Recommendation - to Dannevirke SPCA**

The auditor recommends to the Dannevirke Member Society that consideration is given to developing and documenting a euthanasia policy.

### **3. Media Policy**

The Branch does not have a documented media policy.



There is a requirement in the MOU (section 81) that inspectors refrain from making any public comment on any specific animal welfare investigations.

In practice, at Dannevirke, if there is anything contentious the matter is forwarded to National Office.

Comments regarding public relations articles and educational material are published in the local newspaper.

The auditor recommends to the Branch that it develops a media policy for inclusion in its Shelter Manual for the benefit of its volunteers.

#### **Recommendation - to Dannevirke SPCA**

The auditor recommends to the Dannevirke Member Society that consideration is given to developing and documenting a Media policy.

#### **4. Liaison with Other Agencies**

##### *Tararua District Council*

The pound is adjacent to the SPCA property and the land the SPCA building sits on is on a free lease from the local council. The relationship with the animal control officers is good and there is discussion where impounded dogs may be suitable for re-homing.

##### *Adjacent SPCA's*

Dannevirke is bordered by the Central Hawkes Bay and Palmerston North SPCA's. Both branches have their own inspectors and on occasion they will assist if an inspector is required to attend to any complaint. 9(2)(a), Regional Manager will also assist if he can.

The relationships appear to be amicable and cooperative.

##### *Other agencies*

9(2) has not had any contact with any MPI Animal Welfare investigators.

#### **5. Selection, Training and Appointment of inspectors/auxiliary officers.**

The Performance and Technical Standards for Inspectors (PTS) outlines the requirements a branch or member society should follow in the selection of any person to become an inspector.

Section 3.1 requires selection of candidates to become inspectors to be affirmed in the minutes of its committee meetings.

At the current time there is no PTS for auxiliary officers although there is a document in draft form. The draft also requires affirmation of any committee decision to propose candidates for auxiliary officers to be included in the minutes.

Four candidates have recently completed applications to be considered for appointment as auxiliary officers for Dannevirke. The forms were signed at the conclusion of the recent AGM but not recorded in the minutes. The committee only meets once a year at the current time.

The auditor recommends that Dannevirke pays particular attention to the new PTS for auxiliary officers upon its release.

PTS for inspectors Section 5.6 requires general daily supervision of inspectors to continue to be under the control of the local SPCA branch secretary or manager, or a person delegated by the local committee for the task. The requirements of this section are repeated in the draft PTS



for auxiliary officers.

The auditor also recommends that consideration be given to more frequent meetings if the auxiliary officer applications are accepted so that supervision can be proactively demonstrated.

#### **Recommendation - to Dannevirke SPCA**

The auditor recommends to Dannevirke Member Society that it considers more frequent meetings upon appointment of any auxiliary officers to demonstrate active supervision.

#### **Resignation or transfer of appointment**

The recent resignation of the inspector at Dannevirke occurred in late 2011. His Certificate and Warrant of Appointments were passed to the branch secretary for return to National Office.

This has been the only resignation in recent times and there have been no recent transfers.

#### **6. Complaints against Inspectors/Auxiliary Officers**

There were no recorded complaints against the previous inspector.

#### **Jurisdiction**

Both the MOU (section 64) and PTS (5.3) discuss the matter of jurisdiction. It requires inspectors and auxiliary officers to not work outside their jurisdiction unless there is an emergency or the affected branch has approved the work.

9( was clear on Dannevirke's area of jurisdiction and produced a map to indicate their area but she was unsure of the boundaries of the adjacent Branches.

There was a suggestion that there are areas that are not within any SPCA's jurisdiction. The auditor will discuss this with National Office to confirm if there are any areas without coverage and, if this is the case, to request it clarifies with adjacent branches and member societies as to expected responses.

#### **7. Animal Welfare Complaint Investigations**

Only four animal welfare complaints have been recorded since late 2011. The complaints are recorded in the SPCA complaint booklet.

Two of the complaints were attended to by 9(2)(a) , one by 9(2)(a) (Central Hawkes Bay SPCA) and the other attended to by 9(2).

The results of all complaints were recorded in the complaint booklet – emails from 9(2) and 9(2) taped onto the respective sheets. ( )

Technically speaking three of the complaints were transferred to other branches and their inspectors given permission to act outside their nominated areas of jurisdiction.

The auditor recommends to Dannevirke that it is noted in the complaint sheet where transfers to other branches have occurred and the date of transfer.

Enquiries with the Animal Welfare Co-ordinators for MPI confirmed that there were no complaints received or transferred from or to Dannevirke SPCA.

The PTS outlines the requirements to be fulfilled by inspectors when receiving a complaint (recording sufficient details, allocation of a file number, and grading the complaint response).

9( stated that complaints are recorded with as many details as possible. Advice may be given to the complainant and, if further actions are required, advice will be sought from other



members, who may have been inspectors in the past. If an inspector is required, the closest Branch or 9(2) will be contacted.

The incident attended to by 9( related to a complaint about a tethered cow and its access to water. She contacted the owners and discussed the matter with them. They responded appropriately and she monitored the situation for some time after. Had there been no appropriate response the matter would have been forwarded to an Inspector to pursue. Her actions are recorded in the complaint form.

9(2) activities were within her scope and she did not purport to be an inspector or auxiliary officer.

#### **Recommendation - to Dannevirke SPCA**

The auditor recommends to Dannevirke Member Society that it notes on the complaint sheets any transfers of animal welfare complaints and the dates of transfer.

#### **8. Annual statistics**

Every year National Office is required, by MOU section 89, to supply MAF statistics relating to animal welfare investigations for the previous calendar year.

The current PTS section 8.2 places the onus upon Inspectors to collate the annual statistics including the number of complaints received by species and the number of prosecutions taken in the preceding year, including the outcome of each prosecution. The PTS requires the inspector to supply the local SPCA Secretary this data by 1 Feb each year.

The Secretary confirmed with the auditor, by email, that she had collated and supplied the National Office of the RNZSPCA with the required statistics.

#### **Conclusion**

The auditor found the Dannevirke Member Society animal centre to be managed by a committed and enthusiastic team.

A number of recommendations have been made for its consideration.

It is encouraging to see that there are a number of individuals at the Dannevirke centre keen to commit to becoming auxiliary officers. The auditor wishes them and the centre well for the future.

The auditor would like to thank the 9( for her time and cooperation during the audit.



## Recommendations

### to Dannevirke SPCA

The auditor recommends that consideration is given by the Dannevirke Member Society to exploring a computerised database.

### to Dannevirke SPCA

The auditor recommends that the Dannevirke Member Society obtains the most recent MOU between MPI and RNZSPCA, and the Animal Welfare Act 1999.

### to Dannevirke SPCA

The auditor recommends to the Dannevirke Member Society that consideration is given to developing and documenting a euthanasia policy.

### to Dannevirke SPCA

The auditor recommends to the Dannevirke Member Society that consideration is given to developing and documenting a Media policy.

### to Dannevirke SPCA

The auditor recommends to Dannevirke Member Society that it considers more frequent meetings upon appointment of any auxiliary officers to demonstrate active supervision.

### to Dannevirke SPCA

The auditor recommends to Dannevirke Member Society that it notes on the complaint sheets any transfers of animal welfare complaints and the dates of transfer.

## Appendices

Appendix A - Auditee Response

Appendix B - Checklist - MPI use only

**NOTE: Appendix B is removed from this report as it is an exact copy of Appendix B - Checklist - MPI use only attached to the South Taranaki SPCA Audit Report above.**

## Distribution

Tim Knox, Director, Market Access, MPI

Mark Fisher, Manager (Animal Welfare Team), MPI

Karen Coe, Chairperson, Dannevirke SPCA

Robyn Kippenberger, Chief Executive Officer, RNZSPCA

Wendy Sarjeant  
Systems Auditor  
MPI

*Electronically Signed by Wendy Sarjeant, Auditor on the 14 Jun 2012 11:02 am*

**Auditee Response**

30 May 2012

Hi Wendy,

We would like to make 1 correction on the draft - Page 9, referring to the working dogs. There were 4 other working dogs removed from the property - 5 dogs in total.. Other than that we are happy with the Draft.

Many thanks for your time.

Kind regards

9(2)(a)

Secretray

Dvke SPCA

027 349 7068

**From:** Wendy Sarjeant <Wendy.Sarjeant@mpi.govt.nz>

**To:** 9(2)(a)

**Sent:** Thursday, 24 May 2012 11:03 AM

**Subject:** MAF Audit Report - Dannevirke SPCA

Dear 9(2)(a)

Please find attached the draft report for the above mentioned audit.

You now have the opportunity to make comment or corrections to the attached draft. Any comments will be considered and, if appropriate, the draft amended. If you do not wish to comment confirmation of receipt is requested..

Once your comments are received the draft will be finalised and copies forwarded to National Office. With that in mind could you please ensure comments are sent to me by 1 June 2012.

Yours sincerely

Wendy Sarjeant

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## FINAL REPORT

Systems Audit Team

### **Audit Report**

RNZSPCA National Office Audit

19 June 2012

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## Summary

The first goal of this audit was to assess the effectiveness by which the National Office of the RNZSPCA ensured that the obligations and requirements of the Animal Welfare Act 1999 were being met by its branches and member societies (hereafter referred to as Centres).

The second goal was to examine how the systems and procedures in use by the National Office are meeting the requirements laid down in the MOU between MPI and RNZSPCA.

The audit concludes that National Office is substantially meeting its requirements and effectively managing its obligations under the Animal Welfare Act 1999 and MOU on both goals. Four recommendations are made in this report to RNZSPCA National Office.

MPI audits the RNZSPCA on an annual basis, normally including two centres and National Office, with the centres for audit being selected by National Council. The audits have been occurring since 1993 but there are still 18 centres of the current 48 which have yet to be audited. The Regional Managers are required to visit each centre in their region at least four times a year but these visits are not necessarily formally structured or documented. The auditor has recommended that a schedule is developed to ensure that the remaining centres are audited within the next 10 years.

In terms of management of animal shelters and centres there have been constant improvements over the years to increase the level of professionalism and consistency between centres. The recent development of national policies and supporting procedures is one example of improvement.

It is a requirement for approved organisations to keep and maintain animal registers detailing how animals taken into its care were obtained and disposed of. National Office requires inspectors to provide a register summary on an annual basis and the auditor has recommended that this particular statistics requirement become the responsibility of the shelter manager.

Management of warranted personnel (inspectors and auxiliary officers) is well managed by National Office. Required records are held on personal files for each warranted individual and the renewal of appointment process is managed to ensure that individual's warrants do not expire. A review of application forms for both inspectors and auxiliary officers indicates that 'conflict of interest' aspects may not be covered by the current questions so the auditor has recommended that National Office considers reviewing and amending the forms to ensure this aspect is clarified.

Oversight of animal welfare complaint investigations is an area where improvements are required. The training of, and increasing the competency of, inspectors has been the focus of recent years and has led to better trained inspectors overall. Regional Managers keep a 'watching brief' over inspectors in their regions and assess ongoing competency and suitability when renewals of appointments are required. The auditor has recommended that this renewal process should formally include a review of investigation files, confirmation of compliance with PTS requirements, and a review of reasonableness of instructions etc. Ideally annual performance reviews should be conducted and include these elements but the auditor recognises that implementation of these improvements will take some time.



## Important Note

This report may discuss Topics, i.e. subjects of particular interest. The discussion can include positive and negative elements. In some cases, the negative elements are such that Non-compliances result.

All deficiencies discussed as Non-compliances are expected to be resolved by auditee or the auditee's organisation, whether or not they are described as Serious Non-compliances. Serious Non-compliances constitute a system failure. They have a profile such that the effectiveness of the corrective actions will be measured in subsequent SAT audits. Inadequate resolution can lead to failure of the subsequent audit.

Recommendations may appear in the report. These are non-binding, and do not affect subsequent audits. Their implementation may provide efficiencies for both the auditee and MPI. The presence of recommendations to change existing specifications does not excuse the absolute requirement to conform to the existing specifications. Changes to specifications that may result from these recommendations will be promulgated officially.

The Auditee is reminded that audit reports are subject to the Official Information Act 1982. The Auditee may highlight any information considered confidential during the course of the audit however the Auditor cannot provide any assurance to the Auditee that the information considered confidential will not be disclosed as a result of an enquiry under the Official Information Act.

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# Terms of Reference

## Goal(s)

1. To assess the effectiveness by which the Royal New Zealand Society for the Prevention of Cruelty to Animals Incorporated (RNZSPCA) is ensuring that the obligations and requirements of the Animal Welfare Act 1999 are being met by its branches and member societies.
2. To examine how the systems and procedures employed by the RNZSPCA are meeting the requirements outlined in the Memorandum of Understanding between the RNZSPCA and the Ministry of Agriculture and Forestry (MAF) of 22 December 2010.

## Scope

1. Shall include interviews with the RNZSPCA National Office staff and a review of methods used for the assessment and recommendation to MAF for appointment of its Inspectors and Auxiliary Officers.
2. Shall include an examination of reports submitted by the National Office to MAF Biosecurity New Zealand.
3. Shall include a discussion of the main points relating to the 2012 regional branch audits, together with the follow-up actions taken in response to any outstanding non-compliances and recommendations from the previous 2011 RNZSPCA National Office audit.

## Standards / Legislation

Shall include the consideration of relevant legislation/standards/requirements including, but not limited to:

1. Animal Welfare Act 1999
2. Memorandum of Understanding between the RNZSPCA and MAF (Version signed: 22 Dec 2010)
3. RNZSPCA Performance and Technical Standards for Inspectors (Version signed: 22 June 2007)

## Initiator

The initiator of this audit is Mark Fisher, Manager, Animal Welfare Team, MAF Standards.

## Specialist / Observers

The auditor may call upon the services of other parties as deemed appropriate to facilitate the audit. The Initiator or auditor may determine if observers will attend any part of the audit.

## Response to Critical Situation

If a critical situation is identified, the provisions of MAF Systems Audit Team procedure referenced as CEG Procedure REV-04 shall be implemented. The initiator shall be contacted immediately.

## Other Terms of Reference

The mechanism for resolving any identified serious non-compliances will be recorded in the Serious Non-Compliances, Corrective Action Requirements section of the MAF Systems audit report.

The audit will be conducted according to MAF Systems Audit Team procedure referenced as CG-REV-02. Location findings may be used. Upon completion of the audit the lead auditor will submit a draft audit report to the Initiator and to the Manager (Systems Audit) for comment.



The final report will be distributed to the Director, Market Assurance MAF and the Initiator.

The auditee is reminded that audit reports are subject to the Official Information Act 1982. The auditee may highlight any information considered confidential during the course of the audit however; the Auditor cannot provide any assurance to the auditee that the information considered confidential will not be disclosed as a result of an inquiry under the Official Information Act.

All travel associated with this audit (IL2984) and undertaken by the lead auditor is approved by the Manager (Systems Audit) on approval of these Terms of Reference.

The auditor will provide interviewees with a copy of these Terms of Reference prior to or at the outset of audit visits.

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## Audit Date (Last Day)

19 June 2012

## Audit Number

2984

## Location(s)

Royal New Zealand Society for the Prevention of Cruelty to Animals (RNZSPCA) National Office, 3047 Great North Road, New Lynn

## Auditor(s)

Wendy Sarjeant, Market Assurance Directorate, MPI, Systems Auditor

## Auditee(s)

9(2)(a), RNZSPCA, National Office, National Manager Inspectorate & Centre Support  
9(2)(a), RNZSPCA, National Office, Inspectorate & Branch Support Officer  
9(2)(a), RNZSPCA, National Office, Executive Officer

## Audit Type

Allocated Audit

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## Background

The Ministry for Primary Industries (MPI) administers the Animal Welfare Act 1999 (the Act) and its Regulations. The recent merger and amalgamation of various government departments resulted in the change of responsibility from the Ministry of Agriculture and Forestry to MPI. The Minister for Primary Industries is the person accountable for the administration of the legislation. Section 121 of the Act allows the Minister to declare an organisation to be an approved organisation for the purposes of the Act. The RNZSPCA is an approved organisation pursuant to section 189 of the Act.

An MoU between the then MAF (now MPI) and the RNZSPCA was signed on 22 December 2010. The MoU defines the requirements to be met by MPI and the RNZSPCA (including its branches and member societies). This is to ensure that persons have relevant technical expertise and experience to be able to competently exercise the powers, duties, and functions conferred, or imposed, upon them as Inspectors or Auxiliary Officers under this Act.

A new MoU was due for signing during the course of this audit. The amendments required were primarily administrative in nature.

As part of its approval as an approved organisation the RNZSPCA is required to establish Performance and Technical Standards (PTS) for Inspectors and Auxiliary Officers. A PTS for inspectors was approved in June 2007 and is under review. A draft PTS for Auxiliary Officers has been developed and accepted by MPI. It now requires final approval.

Section 93 of the MoU requires annual auditing by MPI of the RNZSPCA enforcement activities of Branches and Member Societies and/or the RNZSPCA's National Office relating to:

- Selection and training of Inspectors and Auxiliary Officers;
- Recommendation process for appointment of, or removal of the appointment of, Inspectors and Auxiliary Officers;
- Compliance with the Animal Welfare Act 1999 and the MoU;
- The National Office's accountability arrangements, financial arrangements, and management (these aspects were not covered in this audit); and
- Documentation relating to animal welfare complaint investigations.

The RNZSPCA currently has 48 Branches and Member Societies. There are approximately 100 Inspectors and around 50 Auxiliary Officers in 2012.

The South Taranaki RNZSPCA branch and Dannevirke SPCA member society were selected for MPI audit within the 2011/2012 financial year; these audits were reported separately.



# Topics

## 1. General

### Personnel

This audit was undertaken with 9(2)(a), National Manager Inspectorate & Centre Support, 9(2)(a), Inspectorate & Branch Support Officer, and 9(2)(a), Executive Officer, of the RNZSPCA. Wendy Sarjeant, Systems Auditor for the Ministry of Primary Industries (MPI) conducted the audit.

9(2) was appointed to his position in early 2012, having previously been employed by MAF as the Manager, Animal Welfare Compliance.

The National Executive manages and runs the RNZSPCA National Office on a day-to-day capacity with the RNZSPCA National Council determining policy and strategy overall. One of the National Executive's main functions is to manage the warranting of its inspectors and auxiliary officers. The Support Office runs according to Council and Executive directives.

On the day of the audit there were a total of 48 branches or member societies. It is intended that in future these will be called 'centres' and will be overseen on a Regional basis. This will require a constitutional change in accountability to the National Office. This report will refer to branches and member societies as centres for simplicity.

Nine centres are currently under management or administration with the Te Awamutu centre recently closing and being managed by an adjacent centre. The number of centres does vary slightly from year to year due to closures or being placed into administration or under management but generally sits around 48.

The National Manager Inspectorate is also responsible for overseeing the activities of three Regional Managers. These Regional Managers are based in Auckland, Kapiti (covering central North Island), and the South Island and provide support to the inspectors and auxiliary officers in their regions.

### MPI Audits

MPI has been auditing SPCA centres since 1993. The allocation of the centre audits is determined by National Council.

There are no documented criteria to assist in selection of centres for audit however, the larger centres have been audited more frequently than smaller centres. Also if an issue has been detected at a centre they are more likely to be selected for audit that year.

Five centres have been audited three times and eighteen centres, typically smaller, remote centres, have not been audited by MPI at all.

9(2) explained that while not all centres have been audited by MPI that it is a requirement of Regional Managers to visit each centre in their region at least four times a year. This visit may take the form of a casual catch-up or may include a review of documentation, or something more formal.

The auditor recommends that consideration is given to developing a schedule that ensures all centres are audited in the next ten years.



### **Recommendation - to RNZSPCA National Office**

The auditor recommends that consideration is given to developing a schedule that ensures all centres are audited in the next ten years.

## **2. Management of Animal Shelters and Centres**

### **Review of 2012 Centre audit reports**

The MPI audit reports for the Dannevirke SPCA and South Taranaki RNZSPCA were reviewed. There were no non-compliances or concerns about performance raised at either location.

### **National Policies**

The National Inspectorate Advisory Committee (NIAC) reports direct to National Council with recommendations on inspectorate matters. NIAC has an annual work schedule. The schedule includes developing policies, including the use of firearms by inspectors, feedback for submissions on the code of welfare for temporary housing, and the review of the Animal Welfare Act.

Including the firearms/euthanasia policies, which are discussed below, 9(2) has also drafted out policies for complaints against inspectors and an internal National Office policy on financial delegations. At the time of the audit the documents were still in draft form and will require validation and approval by National Council prior to implementation. This could happen as early as July 2012.

It is intended that there will eventually be procedures for each policy. These procedures may be developed by each centre to demonstrate how they will meet the requirements of the national policy or there may be generic templated procedures developed by National Office. Supporting information in the form of protocols may also be developed.

### **Euthanasia and Firearms Policy**

It was noted at the South Taranaki centre audit that the inspector held a firearms licence for use as an emergency euthanasia method. She explained that this was something she had obtained as a necessary adjunct to her role. The need for emergency euthanasia methods in rural areas such as hers is appropriate.

9(2) has drafted a number of policy documents including a national policy on Euthanasia, which is also linked to a policy for the use of Firearms for Emergency Euthanasia.

The policies require centres to establish euthanasia protocols, a euthanasia panel, where necessary, and a documented Standard Operating Procedure where firearms are used. As these are national policies all Centres, Inspectors, and Auxiliary officers will be required to adhere to them.

A recommendation was made to the Dannevirke centre to document its euthanasia policy and the establishment of national policies to guide centres is seen as a positive move by the auditor.

### **Boundaries between SPCA Centres**

During the Dannevirke audit the auditee proffered a map indicating the boundaries of their particular centre. The auditee was not altogether clear which adjacent centres covered any issues identified in some of the surrounding areas. The impression she had received was that they, as a member society, determined their own boundaries and notified National Office of the areas they would be responsible for.





This issue was discussed and 9(2) stated that there is a project underway reviewing centre boundaries. It has been recognised that not all centres are clear as to their boundaries. The National Council can set boundaries after consultation with affected centres. 9(2) expected that this should be completed by next year but overall there is no current intention to increase or decrease the total number of centres within New Zealand.

### Communication with Centres

National Office has a number of email lists to ensure information reaches the correct people. Broadcast emails on general matters are sent to committees, centre delegates, and managers. There are also other email lists for centre secretaries and shelter managers, and another for inspectors and auxiliary officers.

During the audit at the Dannevirke centre the National Office issued 'Key Documents' folder was reviewed. It was noted that it did not contain the latest copy of the MOU.

9(2)(a), Executive Officer, explained that she emails out all updated documents and maintains the email list to confirm who the recipient was. It is not uncommon for names to change frequently due to committees changing and annually she relies upon the centres notifying her of relevant personnel.

9(2)(a) also confirmed that she sends out an updated index when changes are made but is reliant upon the recipients to pass on the documents.

While outside the immediate scope of this audit, improvements to communications pathway systems would almost certainly be of benefit in enabling the organisation to meet its various requirements.

The recent agreement to buy into the web-based ActionStep database by National Office could also be explored to improve communications. The auditor does not consider communications from National Office to be a problem, but the receipt and acting upon at the receivers end may be.

### Animal Register and Annual statistics

Section 142 of the Animal Welfare Act 1999 requires an approved organisation to hold a register of the numbers and types of animals sold, re-homed, destroyed, or otherwise disposed of under section 141.

Although not a documented requirement in either the MOU or PTS the provision of statistics on animals handled by shelters is supplied to the National Office annually.

It is in effect a summary of the register and outlines the numbers and types of animals received by the shelter and the avenue of disposal.

Every year the National Office is required to supply MPI national statistics relating to animal welfare investigations as required by MOU section 89.

The current PTS section 8.2 places the onus upon Inspectors to collate the annual statistics including the number of complaints received by species and the number of prosecutions taken in the preceding year, including the outcome of each prosecution. The PTS requires the inspector to supply the local SPCA Secretary this data by 1 Feb each year.

The auditor received a copy of the 'Annual Statistics' template required to be completed by the Centres.



The statistics required included;

- Complaints received per Species,
- Animals Handled (Register summary as mentioned previously),
- Prosecutions, and
- Membership

The template also read as follows;

*Please complete for the period 1 January 2011 – 31 December 2011 and return to SPCA National by 13th January 2012*

The auditor noted that the date required is different to that stated in the PTS. 9(2)(a) explained that the date for the returns was imposed so that National Office had sufficient time to calculate how much free Hills Food would be required by each shelter for the upcoming year.

While outside the scope of this audit the provision of the data and the due dates may require some amendment of the PTS to align with the requirements.

By requiring the 'register summary' on an annual basis National Office can also estimate how many animals are euthanized.

The auditor queries the requirement for inspector to be responsible for statistical returns for the shelters. In centres where there is no inspector the provision of statistics usually falls to shelter staff or the secretary.

A Shelter Management procedure is being developed by National Office that will cover minimum standards for the care of animals, disease control, isolation for incoming animals and other matters. This will be aligned with the Code of Welfare for the Temporary Housing of Animals once published (possibly mid to late 2013).

The auditor recommends that consideration is given to the requirement for the provision of animal register statistical returns for becoming the responsibility of shelter managers.

#### **Recommendation - to RNZSPCA National Office**

The auditor recommends that consideration is given to the requirement for the provision of animal register statistical returns becoming the responsibility of shelter managers

#### **Animal Welfare Act 1999**

Neither centre audited this year by MPI had current up-to-date copies of the Animal Welfare Act 1999 on site. The auditor is confident that any changes to sections 138 – 142 would be notified to the centres by National Office however, access to up-to-date versions to the Act is desirable.

At one centre we discussed the possibility of creating a shortcut icon on the computer directly to Legislation on line so that all access would be to the most up to date Act.

### **3. Management of Warranted personnel – Inspectors and Auxiliary Officers**

#### **Selection, and Training, of inspectors/auxiliary officers**

Inspector training is undertaken through UNITEC. It requires applicants to attend block courses, complete a range of modules, and demonstrate practical experience. Upon successful completion, a Certificate in Animal Welfare Investigations is awarded. There is one intake per year.



Approximately four months before the next inspector training course 9(2)(a) notifies all centres that if there is any interest from its members in becoming an inspector they should make applications for consideration for training.

Local SPCA centre committees select candidates they believe are suitable for training as inspectors. Application forms are then forwarded from National Office to the centre for completion.

This allows the Regional Managers sufficient time to interview all applicants in their respective areas. Regional Managers are also required to contact any nominated referees as part of this application process. All documentation associated with applications is forwarded to 9(2)(a) and personal files are created for each applicant.

### **Conflict of Interest considerations**

The auditor reviewed the inspectors' application forms. PTS 3.2 states that the application forms cover, amongst other things;

*"...that the applicant has: no possible conflict of interest with any other establishment or organisation...."*

In reviewing the application forms the auditor does not believe this aspect has been covered adequately.

Form A, which is completed by the applicant, requires details on 4. *"Previous or current membership/involvement with other animal organisations."*

Form B, which is completed by the selection panel, requires details on 6. *Assessment of previous or current involvement with other organisations, clubs, animal rights groups, etc. Would these clash/enhance abilities or attitudes toward animal welfare..."*

Both forms deal in a roundabout way the issue of conflict of interest without mentioning the words. The auditor believes this aspect needs to be clearer in the forms including a definition, or inclusion of examples, of what is considered to be a conflict of interest.

Conflict of interest extends beyond involvement with other animal organisations and could include commercial considerations, such as involvement in pet shops, or distributors of pet supplies etc. A potential conflict of interest may not necessarily preclude an individual from becoming warranted but knowledge of a potential conflict of interest allows it to be managed appropriately.

A review of auxiliary officer forms indicated that this issue was similarly described.

The auxiliary officer application process is similar to that of inspectors, however their training is internally assessed and via distance learning and completion of modules. A practical component is also included. The training normally takes around four months and there are two intakes per annum.

The auditor recommends that the application forms for both inspectors and auxiliary officers are reviewed with a view to ensuring 'conflict of interest' considerations are clarified.

### **Recommendation - to RNZSPCA National Office**

The auditor recommends that the National Office considers reviewing and amending the inspector and auxiliary officer application forms to include the words 'conflict of interest', with possible inclusion of a definition and examples.



## National Office Records

The auditor reviewed the application forms of the Dannevirke members wishing to become auxiliary officers and reviewed the personal file for the inspector at South Taranaki. All required applicant information was present.

The police vetting forms also required as part of the application process are held separately.

## Processing of appointment applications

MOU clause 24 reads as follows;

*MAF shall process appointment applications within seven working days of receipt, subject to the above information being in order.*

The current PTS section 5.1 reads as follows;

*In general MAF Biosecurity New Zealand will process appointment applications within five working days of receipt subject to all information being in order.*

The processing of appointments was traditionally handled within the MAF Animal Welfare directorate but with recent mergers and restructures the processing of appointments is now the responsibility of the Systems, Support, and ACVM Directorate of the Standards branch for MPI.

9(2)(a) manages the appointment and renewal of appointments for inspectors while 9(2) manages those for the auxiliary officers. At the time of this audit it was taking up to 3 weeks for auxiliary officer appointments to be completed and received, and two weeks for inspectors.

Neither 9(2)(a) nor 9(2) reported any notification from MPI of reasons for any delays unless more information is required.

Communications with Charlotte Treffers, Senior Adviser (Appointments & Approvals), MPI indicate that her team is aware there was an expectation on turnaround within a week but not that it was part of the MOU. The process is partly reliant upon the card printer turnaround time but they are usually responsive within 3 working days.

Charlotte stated that her team had not been monitoring the seven working day turnaround but thought that it was a reasonable expectation. For most other programmes the standard timeframe for similar processes is 10 working days.

## Supervision of inspectors

The PTS Section 5.6 requires general daily supervision of inspectors to continue to be under the control of the local SPCA centre secretary or manager, or a person delegated by the local committee for the task.

The inspector at the South Taranaki centre was unsure of who this delegated person was but believed it to be the Secretary.

9(2)(a) confirmed that if there is no nominated person as supervisor then this role is defaulted to the centre secretary.

## Renewal of appointments

9(2)(a) and 9(2) both maintain lists of expiry dates for all inspectors and auxiliary officers, respectively. ( )

Three months prior to the expiry date the Regional Manager is advised and interviews are



conducted with the inspector/auxiliary officer.

A police check of any new criminal convictions is required. Also as part of a renewal of an appointment PTS section 5.7 requires an assessment of continued suitability. National evaluations and attendance at courses is part of that assessment.

The Regional Manager completes a checklist and will review notebooks as part of the process.

Where there has been no renewal of appointment, certificates and instruments of appointment are to be returned to National Office. 9(2)(a) reported that she is often chasing up with centres and individuals to have these items returned. It seems there is a high souvenir value to the warrants.

9(2) reported that there is about a 16% annual turnover of warranted officers and that retention of trained personnel is an organisational concern. He also reports that the dynamic of the inspectorate is changing toward better trained and younger personnel which is seen as a positive.

#### Complaints against Inspectors/Auxiliary Officers

The South Taranaki centre received one official complaint against its inspector in the past year. This complaint was referred to and managed by the Regional Manager, via National Office.

The manager requested a report of the incident from the inspector and provided the inspector with a copy of the concluding letter. The inspector has retained a file regarding the incident.

The review of the inspector's personal file at National Office only included the sign off letter to the complainant. 9(2)(a) said that the Regional Manager has been requested to forward all relevant documents to National Office for inclusion in the inspector's file. The letter from the Regional Manager was peer reviewed prior to sending to the complainant to demonstrate independence.

9(2) explained that National Office has purchased the database 'ActionStep' and that all information relating to complaints against inspectors will be held within the database in future.

There is no process yet documented for complaints made against auxiliary officers.

#### 4. Animal Welfare Complaint Investigations

The National Office staff in the Auckland office have very little involvement in the day-to-day investigations. It is expected that Regional Managers will assist when inspectors require it.

The National Office has however recently been involved in the execution of a search warrant. This was done in consultation with the centre involved and was done because it was outside of the inspector's expertise.

The auditor discussed how inspectors work was monitored for 'reasonableness'. Investigation files have not been routinely reviewed to assess the 'reasonableness' of inspectors' instructions, or seizures. During the renewal of appointment process the Regional Managers complete an interview sheet and review notebooks. It is intended that this renewal process will include more elements including such things as 'reasonableness' of instructions, investigation file review, and note book review.

Similarly, ensuring inspectors are grading complaints, responding within required timeframes, and allocating file numbers etc has always been seen as the role of the MPI auditor. These requirements are laid out in PTS section 6.



While the auditor holds the personal opinion that there should be annual performance reviews of all inspectors and auxiliary officers by the National Office she also acknowledges that this process is still in its infancy and needs to evolve further.

The MOU clause 93 requires the MPI annual audit to include (e) *Documentation relating to animal welfare complaint investigations*. But considering the minimal number of centres the MPI auditor reviews annually, the formal inclusion of notebook and investigation file review into the Regional Managers work programme is strongly recommended.

**Recommendation - to RNZSPCA National Office**

The auditor recommends that the National Office considers the review of its inspectors work to include investigation files, compliance with PTS section 6 requirements, and 'reasonableness' of instructions etc.

## Recommendations

**to RNZSPCA National Office**

The auditor recommends that consideration is given to developing a schedule that ensures all centres are audited in the next ten years.

**to RNZSPCA National Office**

The auditor recommends that consideration is given to the requirement for the provision of animal register statistical returns becoming the responsibility of shelter managers

**to RNZSPCA National Office**

The auditor recommends that the National Office considers reviewing and amending the inspector and auxiliary officer application forms to include the words 'conflict of interest', with possible inclusion of a definition and examples.

**to RNZSPCA National Office**

The auditor recommends that the National Office considers the review of its inspectors work to include investigation files, compliance with PTS section 6 requirements, and 'reasonableness' of instructions etc.



## Appendices

Appendix A - Checklist - MPI use only

Appendix B - Auditee Response

## Distribution

Mark Fisher, Manager, Animal Welfare Team, MPI Animal & Animal Products Directorate

Tim Knox, Director, MPI Market Assurance

Robyn Kippenberger, Chief Executive Officer, RNZSPCA

Wendy Sarjeant  
Systems Auditor  
Market Assurance Directorate, MPI

*Electronically Signed by Wendy Sarjeant, Auditor on the 31 Aug 2012 9:36 am*

**RNZSPCA National Office checklist**

Date: \_\_\_\_\_ Time \_\_\_\_\_

Auditees :

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OSH requirements, TOR, timings, availability of auditees, my background

**Management Structure** – changes, no. of staff, roles and responsibilities

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Review of Dannevirke and South Taranaki reports

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Review of last years National Office audit

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How many branches \_\_\_\_\_ member societies \_\_\_\_\_

How many inspectors \_\_\_\_\_ auxiliary officers \_\_\_\_\_

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**General Matters for discussion**

Explain link between Executive and National Office. And what is the National Council vs National Executive?

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Firearms Policy? How communicated with inspectors, AOs, branches?

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Membership numbers vs non-member volunteers

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Boundaries of branches/MS? Is the coverage nationwide or are there gaps? Do adjacent branches know of these gaps?

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Discuss allocation of branch audits – how many have been completed? Is this spread sheeted? Have any branches/MS not been done? Are there any selection criteria as to who gets audited?

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How does National Office communicate with Branches and member societies? Outside of National Conference, does National office note who has/has not attended recently?

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Does National Office have documented procedures for the functions carried out here? (any QMS?, internal audits, etc)

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The MOU and PTS for Inspectors have recently been reviewed (is this correct?) and a PTS for Auxiliary Officers has been drafted - what is the current status of each document?

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National Office has issued a Key Documents folder? Is this folder reviewed annually? Some docs have been updated – has there been an updated 'amendment' register sent out to branches to ensure they have all the required docs?

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**SPCA Inspectors**

Training course – explain link between Alan, UNITEC and SPCA

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What evidence is sent to MAF to indicate successful completion of course?

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Explain appointment process – eligible after first block? If not, when?

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**Selection and appointment procedures**

Does National Office have time frames to meet upon receipt of applications from branches for inspector/AO training?

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How does National Office notify branches of process?

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Who manages application receipt and what is done with the applications?  
(9(2)(a) ) (confirm all information provided) Review recent applications from Dannevirke (PTS 3.2)

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(Application form, reference checks, training completed and performance, affirmation from local committee, passport size photo, police consent form)

Is there any requirement for applicants to notify of any conflicts of interest?

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Is conflict of interest defined?

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PTS 3.3 discusses inclusion of a provision within contracts regarding completion of training as a condition of employment – has National Office provided/drafted out a standard clause for branches to insert into contracts? Have there been any issues with unsatisfactory performance and the need to terminate any employment in the last year?

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How does National Executive assess candidate's suitability? PTS 3.5 (checklist, etc)

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Have National Executive ever interviewed any applicant or referee?

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**PTS 3.6 Records**

- Current inspectors
- Applicants in training
- Past inspectors
- Applicant s who have failed their training
- Applicants who have withdrawn, declined or been removed

Individual records include (reality check against 9(2)(a) and 9(2))

- Applications to commence training
- Selection panel’s form
- Consent to Disclosure of information
- Inspectors training records
- Application for appointment
- Application for renewal
- Training providers authorisation to give information to SPCA
- Confirm details of delegated person in ‘supervisor’ position (PTS 5.6)

**Auxiliary Officer Training**

What exactly does this entail?

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**Training of inspectors**

PTS 4.1 allows for trainees to provide feedback – how is this managed? What are students provided with? Who reviews this and what happens?

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**PTS 5 Appointment**

Has MPI ever interviewed any applicants or requested additional information? How is this recorded? Has National Office requested MPI to interview on SPCA's behalf? How is this recorded?

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Does MPI generally process applications within 5 working days? Do you receive notification if there are any delays?

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Does National Office confirm Terms of Appointment signed by every inspector/AO – with all necessary clauses (accept lawful direction, undertake training, return certificate, agrees to serve without favour etc)PTS 5.2

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Does National Office maintain a list of expiry dates for all inspectors/AOs?

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Have there been any issues with jurisdiction between branches? PTS 5.3

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PTS 5.5 Limitations. Have there been any issues about animals being exported, animals in zoos, or use of animals in testing etc by; National Office, inspectors or AOs?

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Renewal of appointments requires an assessment and evaluation of inspector. How is this managed? Is there a documentary record to demonstrate this assessment process? (View) (PTS 5.7)

Does it include:

- Nature of their work
  - Suitability of inspector in terms of temperament and physical ability
  - Any problems encountered and not reported
  - National office evaluations and confirmation of attendance at courses
  - Disclosure of any new criminal convictions
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How does branch apply for renewal?

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View forms. Confirm criminal conviction declaration

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Have there been any lapsed appointments ever? (PTS 5.8)

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Where there has been no renewal, certificates and instruments of appointments are to be returned to National Office (PTS 5.9) Have there been any historical or recent issues with these returns?

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Has the Review process been initiated in the past year? (PTS 5.10)

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### 5.12 Complaints against inspectors

Describe how these are managed? By who? Are these independently reviewed? Is National Executive informed?

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View a recent complaint

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Is there a process for complaints against AOs?

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What is the National Council Investigations Committee – Who is on this committee and who do they report to?

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## Animal Welfare Complaint Investigations

What involvement does National Office have in these?

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Does National Office randomly audit its inspectors to ensure compliance with the requirements of the PTS 6.1, 6.2(grading of complaints, responding within time, allocating file numbers, minimum equipment, etc)

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Does National Office audit inspector's instructions or actions for 'reasonableness'? (reasonable instruction, timeframe, seizure, etc) PTS 6.3

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Have any search warrants been applied for by SPCA? Outcome, any issues?

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Are investigation files reviewed?

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**MOU**

Section 9 requires the National Council, through the National Chief Inspector, to maintain and ensure that all branches, MS, Inspectors and AOs comply with the provisions of the Act, the MOU, and

the PTS governing;

- (i) Selection of candidates to become inspectors or AOs
- (ii) Training of inspectors and AOs
- (iii) Appointment of inspectors and AOs
- (iv) Procedures relating to animal welfare complaints
- (v) Allocation of animal welfare complaints between RNZSPCA and MPI
- (vi) Records
- (vii) Policies
- (viii) Procedures relating to complaints against inspectors or AOs, and
- (ix) MAF/RNZSPCA liaison.

How is this managed?

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Assistance Policy – have there been any occurrences where this has been used? Any issues

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Supersession Policy – are records kept of these incidences, have there been any issues?

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Transfer Policy – Refer to Dannevirke report – any reported issues –a re branches being notified of outcomes?

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Does National Office have a Policy on the issuing of Warning letters?

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**Records**

National Office requires branches to complete a number of details – register summary is not included in the MOU or PTS – does this need to be addressed?

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**Euthanasia policy**

What is the National policy regarding the 'Saving Lives' Programme?

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Does this conflict with feral trap/ethanize programmes?

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Has National Office clearly laid out and documented acceptable methods of euthanasia? view

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## Auditee Response

6 August 2012

Hi Wendy

Apologies, everyone has been in different directions over the past few weeks – but now caught up with 9(2)

We are fine with the report and happy to follow through on the recommendations.

Thank you for your time.

Kind regards

9(2)(a)

**From:** Wendy Sarjeant [mailto:Wendy.Sarjeant@mpi.govt.nz]

**Sent:** Friday, 3 August 2012 9:53 a.m.

**To:** 9(2)(a)

**Subject:** MPI audit - RNZSPCA National Office draft audit report

Dear 9(2)(a)

Re: draft report

I was wondering if you had any comments regarding the above draft report - sent to you on 12 July.

Can you outline when I could possibly receive some feedback - I know in my email I requested comments by 27 July but afterwards thought that might be a bit tight if the draft report is to go before National Council.

Look forward to your response

Regards

Wendy

**Wendy Sarjeant** | Systems Auditor, Systems Audit Team

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## FINAL REPORT

Systems Audit Team

### **Audit Report**

Annual Audit of RNZSPCA

National Support Office and Selected Regional Centres (Greymouth  
and South Waikato)

December 2013 - March 2014





## Summary

The main finding of this audit is that the RNZSPCA and its National Office in Auckland are in substantial compliance with requirements the Memorandum of Understanding, the Animal Welfare Act 1999 and the Performance and Technical Standards for Inspectors and Auxiliary Officers.

In terms of systems implemented by the RNZSPCA National Office, there has been a continuous improvement. Management of animal welfare inspectors and auxiliary officers is acceptable. And oversight of animal welfare complaints and complaints against inspectors and auxiliary officers is generally acceptable as well.

Improvements are still required in the functioning of the RNZSPCA National Office internal systems operating on a national and regional basis. The lack of a formal internal audit programme that is operated in a structured way and helping to ensure national compliance is the pivotal finding of this audit. The reliance on audits by Ministry for Primary Industries does not suffice.

Some findings of the earlier audits carried out by MPI were not fully addressed on a national basis. For example, not all inspectors are using the system of grading animal welfare complaints as stipulated in the Performance and Technical Standards (Inspectors) 2012. This was observed in audit of the RNZSPCA centres during this round and the 2011 round of MPI audits. The previous version of the Performance and Technical Standards had the same animal welfare complaint grading requirements.

The overarching recommendation of this audit is that the RNZSPCA National Office establishes a national internal audit programme aimed at ensuring and maintaining an acceptable national level of compliance. The programme should also ensure dissemination of corrective actions to national issues identified in external audits or during RNZSPCA own audits of individual RNZSPCA centres.

The audit identified one national Non-Compliance:

- Some SPCA centres do not use the required grading of animal welfare complaints received, and as stipulated by clauses 196-197 of the TPS. The National Office of SPCA did not ensure compliance with this requirement in response to similar findings of the 2011 round of MPI audits.

The audit identified the following Recommendations (abbreviated for the purpose of this summary):

- That the National Office of SPCA establishes its own national internal audit programme to monitor national compliance,
- That the National Office of SPCA considers reviewing procedures for referral of complaints against inspectors,
- That the National Office of SPCA considers requesting all centres maintain auditable records of supervision of inspectors,
- That the National Office of SPCA considers implementing training in programmes used by the centres for annual data reporting,
- That the National Office of SPCA considers requesting that all centres carry out regular reviews of the centres' documentation,
- That RNZSPCA and MPI consider amending clause 93 of the MOU to allow for MPI periodic systems audit, instead of the current annual audits.

This audit covered a two year period (2013-2014) for purpose of the Memorandum of Understanding requirements.



## Important Note

This report may discuss Topics, i.e. subjects of particular interest. The discussion can include positive and negative elements. In some cases, the negative elements are such that Non-compliances result.

All deficiencies discussed as Non-compliances are expected to be resolved by auditee or the auditee's organisation, whether or not they are described as Serious Non-compliances. Serious Non-compliances constitute a system failure. They have a profile such that the effectiveness of the corrective actions will be measured in subsequent Standards Group audits. Inadequate resolution can lead to failure of the subsequent audit.

Recommendations may appear in the report. These are non-binding, and do not affect subsequent audits. Their implementation may provide efficiencies for both the auditee and MPI. The presence of recommendations to change existing specifications does not excuse the absolute requirement to conform to the existing specifications. Changes to specifications that may result from these recommendations will be promulgated officially.

The Auditee is reminded that audit reports are subject to the Official Information Act 1982. The Auditee may highlight any information considered confidential during the course of the audit however the Auditor cannot provide any assurance to the Auditee that the information considered confidential will not be disclosed as a result of an enquiry under the Official Information Act.

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# Terms of Reference

## Goal(s)

Assessment of the effectiveness of Royal New Zealand Society for the Prevention of Cruelty to Animals Incorporated (RNZSPCA) national procedures implemented to ensure that the requirements of the Animal Welfare Act 1999 (AWA) are being met by RNZSPCA branches and member societies (centres).

Evaluation of how systems and procedures implemented by the RNZSPCA are meeting the requirements outlined in the Memorandum of Understanding (MOU) between the RNZSPCA and the Ministry for Primary Industries (MPI) or its predecessor.

An assessment of corrective actions undertaken by the RNZSPCA national body and/or RNZSPCA centres in response to the previous MPI systems audit findings, and if appropriate recommending further improvements to ensure requirements of the AWA are met.

## Scope

Shall include interviews with the RNZSPCA National Office staff and a review of methods used for the assessment and recommendation to MPI for appointment of its Inspectors and Auxiliary Officers.

Shall include an examination of reports submitted by the RNZSPCA national office to MPI, and if the reporting satisfies requirements of the MOU.

Shall include an examination of the follow-up actions taken by the RNZSPCA in response to the findings of 2012 round of audits, including any non-compliances outstanding at that time from the 2011 round of audits.

A sample of locations included in this audit shall consist of the national RNZSPCA office and two regional centre offices and facilities.

## Standards / Legislation

1. Animal Welfare Act 1999
2. Memorandum of Understanding between the RNZSPCA and MAF 2010
3. RNZSPCA Performance and Technical Standards for Inspectors of RNZSPCA 2012
4. Performance and Technical Standards for Auxiliary Officers of RNZSPCA 2012.

## Initiator

The initiator of this audit is Mark Fisher, Manager Animal Welfare, Standards Branch, MPI.

## Specialist / Observers

The auditor may call upon the services of other parties as deemed appropriate to facilitate the audit. The Initiator or representatives nominated by the Initiator and/or the Auditee organisation may attend to any RNZSPCA part of the audit.

## Response to Critical Situation

If a critical situation is identified, the provisions of Systems Audit Team (SAT) procedure for management of critical situations shall be implemented. The critical situation is defined as follows: *"Any situation which, in the professional judgement of the auditor, Initiator or Manager Systems Audit places food safety, market access, official assurances, animal welfare or MPI Directors' credibility at risk. A critical situation may result from information received from a number of sources as well as audit findings."* The initiator shall be contacted immediately and



any actions will be determined in consultation with the initiator and/or Manager, Systems Audit. The main points of this procedure are as follows:

- *The auditee will be invited to take corrective action. If this action is deemed by the auditor to be acceptable, only the final two bullet points of this procedure will apply.*
- *Where, in the opinion of the auditor, the auditee fails to respond appropriately, the auditor shall implement a corrective strategy which has been determined by consultation as above, and sanctions may be imposed.*
- *If the Initiator or the Manager Systems Audit are not immediately contactable, the auditor shall take whatever action is necessary to remedy the immediate hazards causing the critical situation.*
- *If the auditee does not respond to the auditor's recommendations, this fact shall be recorded and the Initiator and/or the Manager Systems Audit notified.*
- *The corrective strategy may include a request to the Management Representative (MR) of auditee organisation to intervene and resolve the issue.*
- *The auditor shall consider and accept or reject the MR's response, based on an evaluation of the timeliness and appropriateness of the response in dealing with the critical situation.*
- *If the MR's response is accepted, he/she will be requested to provide written details of these actions to the auditor within one working day of acceptance.*
- *The auditor will send a memo to the auditee, MR and the Initiator and/or Manager Systems Audit within 24 hours of the completion of the audit detailing all the above.*

## Other Terms of Reference

The mechanism for resolving any identified serious non-compliances will be recorded in the Serious Non-Compliances, Corrective Action Requirements section of this audit report.

The audit will be conducted according to SAT operating procedures. If location findings reports are used, the auditees will be requested to comment on individual location findings.

Upon completion of the audit the lead auditor will submit a compiled draft audit report to the Initiator and to the Manager Systems Audit for comment.

The final report will be distributed to the Initiator and the Manager Systems Audit who will decide on further distribution of the report.

All travel associated with this audit (IL3657) and undertaken by the lead auditor is approved by the Manager Systems Audit on approval of these Terms of Reference.

The auditor will notify auditees of the impending audit and provide interviewees with a copy of these Terms of Reference prior to the audit date.

The auditee/auditee organisation is reminded that audit reports are subject to the Official Information Act 1982. The auditee may highlight any information considered confidential during the course of the audit, however, the Auditor cannot provide any assurance to the auditee that the information considered confidential will not be disclosed as a result of an inquiry under the Official Information Act.



## Audit Date (Last Day)

28 March 2014

## Audit Number

3657

## Location(s)

RNZSPCA National Office Auckland, 3047 Great North Road, New Lynn  
RNZSPCA Centres - Greymouth, 21-27 Preston Road, Greymouth  
RNZSPCA Centres - Tokoroa, 16-18 Giles Street, Tokoroa

## Auditor(s)

Jack Pociеча, Systems Audit Team, Standards, MPI, Systems Auditor

## Auditee(s)

9(2)(a), SPCA National Support Office Auckland, Manager Inspectorate and Centre Support

9(2)(a), SPCA National Support Office Auckland, Coordinator Inspectorate and Centre Support

9(2)(a), SPCA National Support Office Auckland, Executive Officer  
Margaret Sadler, SPCA Greymouth, Centre Chairperson

9(2)(a), SPCA Greymouth, Centre Manager

9(2)(a), SPCA Greymouth, Sponsorship Coordinator

9(2)(a), SPCA Tokoroa, Centre Chairperson

9(2)(a), SPCA Tokoroa, Inspector/Centre Manager

## Other Personnel

Ric Odom, SPCA National Support Office Auckland, Chief Executive Officer

## Audit Type

Allocated Audit



## Background

### Requirements

The Memorandum of Understanding (MOU) between the RNZSPCA (SPCA) and Ministry for Primary Industries (MPI), represented by its predecessor, stipulates requirements for selection and appointment of SPCA inspectors or auxiliary officers, training of inspectors and auxiliary officers, enforcement of the Animal Welfare Act 1999 (AWA), management of animal welfare complaints and complaints against inspectors or auxiliary officers, record keeping, and as to management and accountabilities of SPCA as an MPI approved organisation.

The AWA underpins the above requirements and MPI administers the AWA and its regulations. Under the MOU, MPI must conduct regular audits of SPCA national and regional centres. The MOU intended that the audits be carried out annually. The audits have been carried out by the System Audit Team (SAT) or its predecessors. This particular SAT audit covers two years of the MOU audit requirement - 2013/2014.

Historically, the MPI annual audits included three locations proposed by the SPCA National Office and agreed to by MPI. A similar request was made to SAT this time as well. In addition, the audit was to assess dissemination of corrective actions undertaken by the SPCA national body in response to two previous rounds of MPI audit of the National Office of SPCA and SPCA centres. And if appropriate recommending further improvements to SPCA national oversight of the centres.

The Performance and Technical Standards for Inspectors and Auxiliary Officers (PTS) detail the requirements noted in the first paragraph of this topic. These standards were reviewed in 2012 and signed by both parties (MPI and SPCA) in February 2013, but are referred to as Versions 2012 of the PTS. Their full reference names are:

- *SPCA: Performance and Technical Standards for Inspectors of the Royal New Zealand Society for the Prevention of Cruelty to Animals,*

- *SPCA: Performance and Technical Standards for Auxiliary Officers of the Royal New Zealand Society for the Prevention of Cruelty to Animals.*

### SPCA

Currently, the SPCA New Zealand has forty seven SPCA branches including eight member societies. These are referred to as SPCA centres, or simply "centres", in further parts of this report as this terminology is now used by the National Office of SPCA. The centres are overseen on a regional basis by three SPCA Regional Managers.

There have been some changes within the SPCA since the previous SAT audit. The main change was in the SPCA management structure, culminating with the appointment of Ric Odom as the Chief Executive Officer (CEO). This CEO was appointed some six month ago.

The National Executive of SPCA is part of the National Board of SPCA and runs on a day-to-day basis its National Support Office in Auckland (National Office). The accountability for management of the National Office stays with the CEO, who reports to the National Board and manages the National Office. The National Office is run according to Board and Executive directives.

Currently, there are 95 animal welfare inspectors and 45 animal welfare auxiliary officers, including the current trainees.



## Topics

### Locations

This audit covered two centres; the South Waikato SPCA centre located in Tokoroa and the SPCA Greymouth centre located in Greymouth. The third location included in the audit was the National Office of SPCA located in Auckland.

### Resolution of Previous Audits Issues

The auditor reviewed 2011 and 2012 round audit reports, which included the reports from audits of the National Office and individual SPCA centres. The vast majority of issues or recommendations identified in the last audit (2012) were addressed and resolved effectively. The evidence of resolution of issues and recommendations identified in the 2011 audit was not available for review during the audit.

These are some examples of issues and recommendations that were raised before, and their resolution process summaries:

- Development of an audit schedule

SPCA confirmed that they expected MPI audits to continue and that SPCA would ensure that all centres were put forward at least once for an MPI audit within the next ten years.

The Inspectorate & Centre Support Coordinator of the National Office maintains a spreadsheet to monitor the MPI audit programme. Currently, there are 14 centres that were not audited, so this recommendation will be met with ease.

However, the auditor questioned if it was a correct approach, notwithstanding the MOU requirement. And whether it is not for the National Office of SPCA to carry out audits through its regional management structure (Regional Managers), with MPI audits providing checks of the compliance level and benchmark.

- Provision of annual statistics

The requirements are that animal register and related statistics are provided by Inspectors to the centres' secretaries/managers, who in turn will report it the National Office of SPCA. The previous audit queried the requirement for inspectors to be responsible for statistical returns. Since this requirement has not been modified in the PTS (Inspectors) Version 2012, inspectors do continue with their direct involvement in the annual statistical returns.

In the auditor's opinion, where there are centre managers, they should collate information from inspectors and from other data available, verify it, and file the annual returns. The annual reporting can now also be done electronically.

- Conflict of interest declarations

SPCA acknowledged that conflict of interest extends beyond what was required or indicated by the context of the wording of statements on the previous applications and declarations used in the process of inspectorial and auxiliary officer appointments. The wording on the forms has been changed. The auditor noted that the forms only exist in their draft forms.

While the draft forms have a reference to "future" it is not clear if that also means that the applicants will advise SPCA if a conflict of interest, or any perceived conflict of interest, arises in "the future." The National Office of SPCA staff confirmed that they would consider reviewing the forms again.



- Reviews of inspectorial work

The previous audit noted that the National Office of SPCA should check the inspectors' work periodically by reviewing animal welfare investigation files and assessing the reasonableness of instructions issued and actions completed. This has been addressed and is a regular part of the renewal of initial and three-yearly appointments.

- Recommendations issued to individual centres

Recommendations from the previous rounds of MPI audit of individual centres have been substantially addressed. While it is the responsibility of each centre to address issues identified during an MPI audit of the centre, expectations are that the National Office of SPCA monitors the MPI audit findings of individual centres and assists the centres if they are required to fall into compliance.

However, there are some non-compliances from the 2011 round of MPI audits that have not been addressed on a national level. For example, Clause 196 of PTS (Inspectors) says that ... *"An Inspector must grade all animal welfare complaints received into a response category reflecting the level of urgency required for any response."* And clause 197 requires that Inspectors use the Grade 1 to 3 scale detailed in the PTS. One of the two centres included in the current audit was not complying with this requirement.

The auditor also noted that the National Office of SPCA had only confirmed with the centres resolution of the 2012 MPI audit recommendations before the commencement of this round of MPI audits. This should have been done much earlier and as part of an internal audit process carried out by the National Office of SPCA.

None of the centres audited by MPI in the previous two rounds of audits was re-audited during this round of audit, hence it was not possible for the auditor to gauge the effectiveness of resolution processes implemented by individual centres.

**Recommendation - Establishment of internal audit programme**

That MPI considers requesting that the National Office of SPCA establishes a national internal audit programme aimed, amongst other things, at monitoring the national level of compliance and dissemination of corrective actions instituted in response to issues identified during MPI audits and SPCA own audits of individual centres.

**Compliance with Memorandum of Understanding**

Clause 9 of the MOU requires the National Council, through the National Chief Inspector referred to by the SPCA title as National Manager Inspectorate & Centre Support, to ensure that all branches and member societies (i.e., SPCA centres) and their inspectors and auxiliary officers comply with the provisions of the Act, the MOU, and the PTS.

The evidence showed that the National Office of SPCA was in substantial compliance with the abovementioned MOU requirements, and specifically in the following areas covered by this audit:

- Selection of candidates to become inspectors or auxiliary officers
- Training of inspectors and auxiliary officers
- Appointment of inspectors and auxiliary officers
- Procedures relating to animal welfare complaints
- Allocation of animal welfare complaints between RNZSPCA and MPI
- Records
- Policies
- Procedures relating to complaints against inspectors or AOs, and
- MPI and RNZSPCA liaison.





The National Office of SPCA facilitated work of the centres by issuing a number of new or updated national policies and procedures, although the auditor noted that a number of these documents existed in draft forms only. There is now the *"Social Media Guidelines for SPCA Centres - Recommended Best Practice"* policy (draft version), and *"Policy Number: 01 - Animal Euthanasia"* and *"Policy Number: 02 - Use of Firearms for Emergency Euthanasia"* (final versions).

There are also several new document templates available to be used by SPCA centres. The auditor noted that the Warning Letter template required pagination linkage/control as it often would become a two page document when fully completed, while the pages are numbered as page "1/1".

### **Compliance with Performance and Technical Standards**

Both recently updated PTSs, referred to as Versions 2012, are widely available and distributed by the National Office of SPCA to the centres by request. One of the centres visited as part of this round of MPI audits did have the current versions of PTS on file but did not have a copy of the current MOU. The PTSs expand on and further detail the intent of MOU requirements.

Compliance with the following aspects of PTS requirements was audited during this audit:

- Selection, training and appointment of Inspectors,
- Inspector training programme,
- Application for first appointment as Inspector,
- Ongoing training and evaluation,
- Jurisdiction of appointments (national coverage elements),
- Supervision,
- Animal welfare complaints (case list), and
- Complaints against inspectors.

The evidence shows that SPCA is in substantial compliance with the abovementioned PTS requirements. The National Office has instituted several new systems and internal requirements. For example, there is now a new database to file and log complaints against inspectors.

The log file of all inspectors is also maintained but a number of past inspectors' files have been lost due to a flood damage to the archives. There are records of ongoing training and the "bring up renewal" file to ensure that applications are received at least two months before the expiry date of the Inspector's appointment.

The National Office of SPCA wants to achieve 100% geographical coverage of SPCA jurisdiction areas this year. There is only one area not yet covered (Rangitikei). Another aim is to ensure that each jurisdiction's outside boundaries align with Post Office Box codes/boundaries.

### **Dealing with AW complaints**

As mentioned earlier in this report, the findings of the 2011 round of MPI audits included a non-compliance at one SPCA centre where inspectors were not using the grading system required by the PTS. These issues were observed again during this round of MPI audits at another SPCA centre. In the auditor's opinion, the National Office of SPCA should have addressed this non-compliance nationally after the 2011 round of MPI audits.

Typically, any AW complaint made to any SPCA centre would be entered in that centre diary/records. Often, the inspectors also maintain their own diaries. Whatever the diary format the complaint grading requirements of clauses 196 - 197 of PTS must be complied with. While inspectors would no doubt assess complaint and response categories, if the grading is not



recorded then the correctness of a response could not be verified or audited. The complaint grading system has been part of the TPS for several years now and it needs to be enforced on a national basis.

The complaints made to an SPCA centre are at times referred to a dedicated inspector outside of the centre jurisdiction. In some cases no other files were kept at the centre where the complaint was lodged initially, except for On-Farm Inspections and matters relating to the provision of government funding if applicable. The inspectors who dealt with the complaint should provide periodic reports to the complaint originating centre. Where it is required under an MOU between the centres, they must provide these reports.

#### **Non Compliance - Grading of animal welfare complaints**

There are SPCA centres that do not use the required grading of animal welfare complaints received and as stipulated by clauses 196-197 of the PTS.

The National Office of SPCA did not ensure compliance with this requirement in response to similar findings of the 2011 round of MPI audits.

#### **Dealing with complaint against inspectors**

The requirements are that any complaint received against an Inspector must be immediately passed to the National Office of SPCA. The SPCA centre affected needs to take any urgent action required to safeguard the welfare of animals but also mitigate any potential conflicts between the complainant and the person in care of animals affected. The National Office of SPCA manages the resulting investigation of the complaint.

There was a complaint lodged against an inspector from one of the centres included in this audit. This was being managed by the National Office of SPCA. The complaint related to the incident that commenced with an anonymous complaint and which have then gotten out of hand. It appears that in the process, the centre staff may have overstepped their roles. The National Office of SPCA has been dealing with this complaint since mid October 2013.

In fact, all parties to this complaint resolution process did not act in a timely and reasonable manner, and in accordance with the MOU "*Procedures for Referral of Complaints against Inspectors and Auxiliary Officers*." This includes MPI, as to deciding if it may wish to follow up this complaint itself and in addition to the investigation by the National Office of SPCA (clauses 56 - 57 of the MOU refer). The inspector's appointment has lapsed in the meantime. In the auditor's opinion an improved process is required.

#### **Recommendation - Resolution of complaints against inspectors**

That the National Office of SPCA and the MPI consider reviewing their procedures for referrals of complaints against inspectors from SPCA centres, to the National Office of SPCA, and then to MPI, so that these referrals are processed and completed in a timely manner, notwithstanding due diligence and the process fairness required.

#### **Selection, training, appointment and supervision of inspectors**

Under the MOU, the SPCA National Council shall ensure that all centres comply with the provisions of PTS (clause 9 of the MOU refers). Evidence shows that SPCA is in substantial compliance with the requirements for selection, training and appointment of inspectors.

This year's intake for the inspector training programme has twelve candidates. On completion of the training, the inspector achieves a qualification equal to level of 120 New Zealand Qualification Authority credits. The log file of all inspectors is maintained, but as mentioned earlier in this report files of some past inspectors have been lost.

The National Office of SPCA maintains records of ongoing training and the "bring up renewal" file to ensure that applications are received at least two months before the expiry date of the



Inspector's appointment. The inspectors holding SPCA Instruments of Appointment are appointed to work anywhere in New Zealand but they must not operate without approval outside their jurisdictions areas. These requirements are being met.

The PTS requires general daily supervision of inspectors to be under the control of the local SPCA centre secretary or manager, or a person delegated for this task. While the SAT auditor had no reason to doubt that such supervision had been carried out, the centres included in the audit did not maintain an auditable record of this activity.

**Recommendation - Supervision of inspectors**

That the National Office of SPCA considers implementing a requirement that all centres maintain an auditable record of their general daily supervision of inspectors to satisfy requirements of clause 137 of the PTS.

**Animal register and annual statistics**

Section 142 of the AWA requires that a register be kept of number and types of animals sold, re-homed, destroyed, or otherwise disposed of under section 141 of the AWA. This must include particulars of the dates when custody was obtained and disposed of, where animal was sold, re-homed ...etc. Records must be kept for at least one year. Furthermore, Section 141 of the AWA stipulates that reasonable steps must be taken to ascertain who the owner of animal in the care of SPCA is.

The centres included in the audit substantially complied with the requirements of Sections 141 of the AWA. However, there were transgressions as to compliance with Section 142 of the AWA. The required records were kept but were often inaccurate. In general, the registers and annual statistics returned to the National Office of SPCA showed errors and inaccuracies resulting from the lack of continuity between manual and computer records maintained at the centres.

The annual statistics must also include the following details:

- The number of AW complaints received nationally and by animal species,
- The number of prosecution cases undertaken nationally and the number of prosecutions that have resulted in convictions, and
- The number of persons charged with AW offences.

The deadline for reporting annual statistics is 31 January of each year for the centres and 1 April each year for the National Office of SPCA and MPI. The reporting period is 1 January to 31 December of each year.

Both centres included in the audit have not met the deadline and one of them provided inaccurate statistics. The inaccuracy was because the annual statistics were prepared from summary of data extracted from the animal register and other records. This included manual and electronic records. This work is done by volunteer staff, and while their work is no doubt valuable, they often lack the required training and do not verify or match discrete records available at the centre.

The National Office of SPCA needs to consider providing better guidelines and/or some training to centres' staff. The existing databases and computer programmes are not used to their potential.

**Recommendation - Training in use of SPCA databases and systems**

That the National Office of SPCA considers providing training programmes for use of national reporting systems, and such databases as PAWPRO or AWSOM, to centres staff and volunteers.



### **Key documents**

As mentioned earlier in this report, the National Office of SPCA continuously improves documented systems and records and makes them available to the centres as required. The MOU also requires that liaison between inspectors and ancillary officers affiliated to individual centres, and the National Office of SPCA takes place. This facilitates the implementation of key documents.

The auditor understands that the National Office of SPCA does not require that all centres use one national system or record keeping. It accepts local systems as long as these appear to meet relevant requirements. The National Office of SPCA does maintain regular liaison with other centres and agencies in matters of documentation and records required to be kept.

The centres included in the audit maintained Key Documents Folders (national procedures and policies) and Centre Folders (local policies and procedures). However, some procedures or policies were old versions and some SPCA forms used were not in the most recent format issued by the National Office of SPCA. For example, as it was in the case of social media and media policies, with the "*Social Media Guidelines for SPCA Centres*" policy yet to be finalised for distribution.

In the auditor's opinion, the National Office of SPCA should require that all centres establish an activity for updating their procedures and policies on a regular basis and maintain an auditable record of this activity.

### **Recommendation - Updating procedures and policies**

That the National Office of SPCA considers implementing the requirement that all centres establish a regular activity for updating their procedures and policies and maintain an auditable record of this activity.

### **Liaison with National Office, Other Centres and Agencies**

As noted earlier, the MOU and PTSs refer to liaison activities between inspectors and auxiliary officers, the National Office of SPCA and SPCA centres, and with local and national MPI staff. While the MOU says that these activities are carried out on a "as required" basis, the PTS refers to them as happening on a "regular basis." There is no doubt that liaison activities are happening.

However, the lack of a formal internal audit programme that is operated in a structured way leaves small remote centres struggling to ensure compliance with MOU and PTSs. One of small centres included in this round of MPI audits failed to demonstrate substantial compliance.

In the auditor's opinion, the MPI audits should be used to assess the effectiveness of SPCA national systems. The pattern of recent years has been that MPI audits three centres annually including the National Office of SPCA. It will take next 7 to 10 years to audit all centres at least once and then 15 to 20 years to complete the next round of MPI audits of all SPCA centres.

The National Office of SPCA, through its regional structure and with help of its three regional managers, should have its own internal audit programme. The reliance on MPI audits does not seem to be appropriate anymore, nor is it cost-effective. The MPI should simply conduct a periodic systems audit of SPCA national systems and including a larger number of centres. These would not need be done on an annual basis. Auditing two SPCA centres each year does not provide the required confidence because that sample is simply too small. The auditor understands that this would require an amendment to the MOU.

Evidence clearly exists to say that SPCA centres have good relationship with the local police and local authorities, and in general they have good cooperation with the National Office of



SPCA. In the auditor's opinion, staff from all small SPCA centres would benefit from further support and networking, and staff training provided by the National Office of SPCA.

In last two years, there has been no transfers of animal welfare complaints between local MPI animal welfare inspectors and SPCA centre inspectors in both centres included in this audit.

**Recommendation - Amendment to MOU**

That SPCA and MPI consider amending clause 93 of the MOU by replacing the phrase "an annual audit" with the phrase "a periodic systems audit", or other similar phrase, to shift the focus of MPI audits to a periodic systems audit of SPCA national, regional and local centres systems and compliance with the legislation, the MOU, the PTS and SPCA national system requirements.

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## Non Compliances

### **Grading of animal welfare complaints**

There are SPCA centres that do not use the required grading of animal welfare complaints received and as stipulated by clauses 196-197 of the PTS.

The National Office of SPCA did not ensure compliance with this requirement in response to similar findings of the 2011 round of MPI audits.

## Recommendations

### **Establishment of internal audit programme**

That MPI considers requesting that the National Office of SPCA establishes a national internal audit programme aimed, amongst other things, at monitoring the national level of compliance and dissemination of corrective actions instituted in response to issues identified during MPI audits and SPCA own audits of individual centres.

### **Resolution of complaints against inspectors**

That the National Office of SPCA and the MPI consider reviewing their procedures for referrals of complaints against inspectors from SPCA centres, to the National Office of SPCA, and then to MPI, so that these referrals are processed and completed in a timely manner, notwithstanding due diligence and the process fairness required.

### **Supervision of inspectors**

That the National Office of SPCA considers implementing a requirement that all centres maintain an auditable record of their general daily supervision of inspectors to satisfy requirements of clause 137 of the PTS.

### **Training in use of SPCA databases and systems**

That the National Office of SPCA considers providing training programmes for use of national reporting systems, and such databases as PAWPRO or AWSOM, to centres staff and volunteers.

### **Updating procedures and policies**

That the National Office of SPCA considers implementing the requirement that all centres establish a regular activity for updating their procedures and policies and maintain an auditable record of this activity.

### **Amendment to MOU**

That SPCA and MPI consider amending clause 93 of the MOU by replacing the phrase "an annual audit" with the phrase "a periodic systems audit", or other similar phrase, to shift the focus of MPI audits to a periodic systems audit of SPCA national, regional and local centres systems and compliance with the legislation, the MOU, the PTS and SPCA national system requirements.



## Appendices

Appendix A - Principal auditee reply - for MPI use only

Appendix B - Location findings merged document - for MPI use only

Appendix C - Checklists - for SAT use only

Appendix D - Other documentation - for MPI use only

**NOTE: Appendix B is withheld under section 9(2)(ba)(i) of the OIA. Appendix C is removed from this document as it is an exact copy of Appendix B - Checklist - MPI use only from the 2012 South Taranaki SPCA Audit Report and Appendix A - Checklist - MPI use only of the 2012 RNZSPCA National Office Audit Report**

## Distribution

9(2)(a) , Manager Inspectorate and Centre Support, SPCA National Office Auckland

Ric Odom, Chief Executive Officer, SPCA National Office Auckland

Mark Fisher, Manager Animal Welfare, Standards Branch, MPI

Di Carter, Systems Audit Manager, Systems Audit Team, Standards, MPI

Jack Pociеча  
Systems Auditor  
Systems Audit Team, Standards, MPI

*Electronically Signed by Jack Pociеча, Auditor on the 28 May 2014 5:46 pm*

**From:** Jack Pociecha (Jack)  
**Sent:** Monday, 5 May 2014 4:45 p.m.  
**To:** 9(2)(a)  
**Subject:** RE: Recent MPI audit and report - National Office Auckland

Hi 9(2)(a)

Thank you for confirmation of the location findings report. I take it that it is accepted, in general.

I will send you the final report soon, once it has received the required SAT peer review. Minor editing may still be required, and I will come back to you if I need to put in major changes.

I will also send you copies of finals of the centre reports (Greymouth and Tokoroa).

What is yet to come is the draft of the compiled report that will briefly summarise national findings. But I can see that I will have problem to present the national level of compliance because of a too small sample of SPCA centres included. Instead, it will just summarise the locations findings but will hint at national issues or recommendations.

Your cooperation throughout the whole audit process is much appreciated.

Regards  
Jack

---

**From:** 9(2)(a)  
**Sent:** Wednesday, 30 April 2014 3:57 p.m.  
**To:** Jack Pociecha (Jack)  
**Subject:** RE: Recent MPI audit and report - National Office Auckland

Hi Jack

My apologies – 9(2) and I have only managed to read the report today. There are a few items that do need clarification/edit – but these could be emailed to you. 9(2) is away overseas at present and not due back until 8 May. I believe he has now read the report though and I'm awaiting to hear his comments – but with the time difference I probably would not get an answer back until tomorrow morning.

I will send these through soon.

Do we normally get a copy of the centre reports also?

Kind regards  
9(2)(a)



**From:** Jack Pociеча (Jack) [<mailto:Jack.Pociеча@mpi.govt.nz>]  
**Sent:** Tuesday, 29 April 2014 11:40 a.m.  
**To:** 9(2)(a)  
**Cc:** 9(2)(a)  
**Subject:** RE: Recent MPI audit and report - National Office Auckland

Dear 9(2)(a) and 9(2)

As per SAT operating procedures, you now have the opportunity to comment on the draft location findings report. Your comments will be considered and if appropriate, the draft report will be modified. These comments, and my response, will become part of appendices to the final report.

Please ensure that your comments are forwarded within six (6) working days of receipt of the draft report. If you do not wish to comment, a nil return is requested as confirmation that the draft was received. You may like to discuss this location findings report with others within your SPCA office who were involved in the audit.

The final report will provide an assurance to MPI and a basis for corrective actions to be taken. In the interim, the draft report, subject to agreed alterations, should be used as a reference and basis for addressing identified issues. Please note that a brief compiled report from all three locations is yet to be completed. I'm still waiting for replies from Greymouth and Tokoroa. Once these are received and considered I will copy both reports to you as well. I will also submit for your comment the draft of the compiled report, sometimes next week.

Some editing will no doubt be required, so let me know your comments re this too. The report will also be subject to an internal SAT peer review.

I'm in Auckland tomorrow and the next day and will have time Thursday morning if you wish to meet me to discuss this report and this round of audit findings briefly.

Thank you again for your time and positive approach to the audit and please accept my apology for delayed coming of this report.

Yours sincerely

Jack

**Jack Pociеча** | Auditor, Systems Audit  
Market Assurance Directorate | Standards Branch  
Ministry for Primary Industries | 73 Otaki Street | Private Bag 1926 | Dunedin | New Zealand  
Telephone: 9(2)(a) | Facsimile: 64-3-951 4712 | Mobile: 9(2)(a) | Web: [www.mpi.govt.nz](http://www.mpi.govt.nz)

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**From:** 9(2)(a)  
**Sent:** Wednesday, 28 May 2014 5:33 p.m.  
**To:** Jack Pociеча (Jack)  
**Cc:** Alan Wilson; Barbara Daw  
**Subject:** RE: re MPI audit reports - comment version of National Office audit report

Hi Jack,

I have reviewed your replies to my comments and take them on board.

I have also reviewed the final Audit Report and I am happy to sign off on this version.

Regards,

9(2)(a), **Inspectorate and Centre Support Coordinator**  
SPCA New Zealand, National Support Office | 3047 Great North Road  
PO Box 15349 | New Lynn | Waitakere | New Zealand  
Direct Dial: 9(2)(a) | Mobile: 9(2)(a) | Fax: 64-9-827 0784  
Email: 9(2)(a) | Web: [www.rnzspca.org.nz](http://www.rnzspca.org.nz)

---

**From:** Jack Pociеча (Jack) [<mailto:Jack.Pociеча@mpi.govt.nz>]

**Sent:** Wednesday, 28 May 2014 1:57 p.m.

**To:** 9(2)(a)

**Subject:** RE: re MPI audit reports - comment version of National Office audit report

Hi 9(2)(a), further to our conversations. I have already edited the final in line with your and my comments, which you are now reviewing. I think this final draft is good and accommodates things you were concerned about.

Let me know how you feel about this version, I would really like to close it off today and I'm away on audit to Invercargill to end of this week.

Jack

---

**From:** 9(2)(a)

**Sent:** Wednesday, 28 May 2014 1:03 p.m.

**To:** Jack Pociеча (Jack)

**Subject:** RE: re MPI audit reports - comment version of National Office audit report

Hi Jack,

I cannot see your comments in the attached document?

Regards,

9(2)(a), **Inspectorate and Centre Support Coordinator**  
SPCA New Zealand, National Support Office | 3047 Great North Road  
PO Box 15349 | New Lynn | Waitakere | New Zealand  
Direct Dial: 9(2)(a) | Mobile: 9(2)(a) | Fax: 64-9-827 0784

Email: 9(2)(a) | Web: [www.rnzspca.org.nz](http://www.rnzspca.org.nz)

---

**From:** Jack Pociеча (Jack) [<mailto:Jack.Pociеча@mpi.govt.nz>]

**Sent:** Tuesday, 27 May 2014 10:04 a.m.

**To:** 9(2)(a)

**Cc:** 9(2)(a); 9(2)(a)

**Subject:** RE: re MPI audit reports - comment version of National Office audit report

Hi 9(2)(a)

Thank you for your comments. Please see my replies to your comments.

If you could comment further, or simply acknowledge my comments if you do not wish to comment further.

Regards  
Jack

**Jack Pociеча DVM, DrVetSci**

Auditor | Systems Audit, Assurance and Monitoring Directorate | Regulation and Assurance Branch

Ministry for Primary Industries | 73 Otaki Street | Private Bag 1926 | Dunedin | New Zealand

Telephone: 9(2)(a) | Facsimile: 64-3-951 4712 | Mobile: 9(2)(a) | Web: [www.mpi.govt.nz](http://www.mpi.govt.nz)

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**From:** 9(2)(a)

**Sent:** Monday, 26 May 2014 3:37 p.m.

**To:** Jack Pociеча (Jack)

**Cc:** 9(2)(a); 9(2)(a)

**Subject:** RE: re MPI audit reports - comment version of National Office audit report

Hi Jack,

Please find attached the final compiled audit report containing our feedback/comments.

Do you also need me to do this for the location findings, as your comments regarding the training records are in that report, not the compiled report.

Regards,

9(2)(a), **Inspectorate and Centre Support Coordinator**

SPCA New Zealand, National Support Office | 3047 Great North Road

PO Box 15349 | New Lynn | Waitakere | New Zealand

Direct Dial: 9(2)(a) | Mobile: 9(2)(a) | Fax: 64-9-827 0784

Email: 9(2)(a) | Web: [www.rnzspca.org.nz](http://www.rnzspca.org.nz)

---

**From:** Jack Pociеча (Jack) [<mailto:Jack.Pociеча@mpi.govt.nz>]

**Sent:** Friday, 23 May 2014 5:08 p.m.

**To:** 9(2)(a)

**Subject:** re MPI audit reports - comment version of National Office audit report

PS. A minor correction below, plus both copies of the finals too (location findings National Office report and compiled national report). Final comments by COB, next Monday, please.

Hi 9(2), as discussed. Please place similar comment notes on the final compiled report that you also have, or send back a nil comment reply if you have no comments re the final compiled report.

Regards  
Jack

**Jack Pociеча DVM, DrVetSci**

Auditor | Systems Audit, Assurance and Monitoring Directorate | Regulation and Assurance Branch  
Ministry for Primary Industries | 73 Otaki Street | Private Bag 1926 | Dunedin | New Zealand  
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**From:** Mark Fisher  
**Sent:** Monday, 19 May 2014 4:23 p.m.  
**To:** Jack Pociеча (Jack)  
**Cc:** 9(2)(a); 9(2)(a); 9(2)(a)  
**Subject:** FW: Recent MPI audit and report - National Office Auckland  
**Attachments:** SPCA audit compiled national findings report-Draft.pdf; SPCA audit merged locations findings.pdf

**Importance:** High

Great report thanks Jack. It provides not only provides an insight into how the SPCA is operating but also some very timely and useful details for us as we work through the future of the relationship between us and the SPCA.

Guess you've found the few typos e.g. TPS instead of PTS and some headings begin "to the Centre ..." – not sure what that means.

Like the way you've pulled it together – well done.

Thanks

Mark

**Mark Fisher** | Manager Animal Welfare | Regulation & Assurance  
Ministry for Primary Industries | Pastoral House 25 The Terrace | PO Box 2526 | Wellington | New Zealand  
Telephone: 9(2)(a) | Facsimile: 64-4 894 0733 | Mobile: 9(2)(a)  
Web: [www.mpi.govt.nz](http://www.mpi.govt.nz)

---

**From:** Jack Pociеча (Jack)  
**Sent:** Wednesday, 14 May 2014 3:39 p.m.  
**To:** 9(2)(a)  
**Cc:** Mark Fisher; 9(2)(a); 9(2)(a)  
**Subject:** RE: Recent MPI audit and report - National Office Auckland  
**Importance:** High

PS. I have now received and commented on 9(2)(a) reply to the draft of National Office of SPCA, and this report has been edited/corrected accordingly. Please all of you who yet wish to comment on the compiled national audit report, and/or any of location findings reports, please do it by noon Friday 16 May as I really must close and distribute these reports by the end of this week. Your cooperation will be much appreciated.  
Jack

Hi 9(2)(a)

I now also completed the compiled national report that summarises all the findings. According to the SAT operating procedures, this report does not name individual centres but includes observations and findings I made at those centres. This report presents a national perspective

and views of the SAT auditor and is intended for different audience than the location findings reports. Some parts and comments in this report were also in the locations findings reports.

The Tokoroa and Greymouth reports include replies from the auditees, which I considered and included in these reports, so will become finals. Please note that all location findings were peer reviewed as per the SAT peer review process but I'm still awaiting for your/National Office reply to the National Office location findings report, and now also to this compiled report. I'm also awaiting the completion of the peer review process for the compiled report.

This is also an opportunity for the Initiator of this audit to comment separately. Mark, I suggest they you read the draft of the compiled report first, then go into details of the location findings reports, if required.

A merged document of all locations findings is attached for your info. Copies of the finals of all location findings, as separate reports, will be distributed to the National Office next week. The National Office will also receive the final of the compiled report next week.

I would appreciate it if I have all replies and comments by next Monday, COB, thank you.

Regards  
Jack

**Jack Pociecha** | Auditor, Systems Audit  
Market Assurance Directorate | Standards Branch  
Ministry for Primary Industries | 73 Otaki Street | Private Bag 1926 | Dunedin | New Zealand  
Telephone: 9(2)(a) | Facsimile: 64-3-951 4712 | Mobile 9(2)(a) | Web: [www.mpi.govt.nz](http://www.mpi.govt.nz)

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**From:** 9(2)(a)  
**Sent:** Tuesday, 6 May 2014 9:47 a.m.  
**To:** Jack Pociecha (Jack)  
**Subject:** RE: Recent MPI audit and report - National Office Auckland

Thank you – that's good – Alan is back in the office on Thursday. Regards 9(2)(a)

---

**From:** Jack Pociecha (Jack) [<mailto:Jack.Pociecha@mpi.govt.nz>]  
**Sent:** Monday, 5 May 2014 5:50 p.m.  
**To:** 9(2)(a)  
**Subject:** RE: Recent MPI audit and report - National Office Auckland

OK, no rush, you have time till this Friday, regards

---

**From:** 9(2)(a)  
**Sent:** Monday, 5 May 2014 5:18 p.m.  
**To:** Jack Pociecha (Jack)  
**Subject:** RE: Recent MPI audit and report - National Office Auckland

Hi Jack



9(2)(a) sent her "tracked changes/edits" to 9(2) for him to comment on Friday – but he hasn't yet come back to us as yet. If he doesn't we will email those through to you in the morning and hope that is acceptable.

Regards

9(2)(a)

---

**From:** Jack Pociecha (Jack) [<mailto:Jack.Pociecha@mpi.govt.nz>]  
**Sent:** Monday, 5 May 2014 4:45 p.m.  
**To:** 9(2)(a)  
**Subject:** RE: Recent MPI audit and report - National Office Auckland

Hi 9(2)(a)

Thank you for confirmation of the location findings report. I take it that it is accepted, in general.

I will send you the final report soon, once it has received the required SAT peer review. Minor editing may still be required, and I will come back to you if I need to put in major changes.

I will also send you copies of finals of the centre reports (Greymouth and Tokoroa).

What is yet to come is the draft of the compiled report that will briefly summarise national findings. But I can see that I will have problem to present the national level of compliance because of a too small sample of SPCA centres included. Instead, it will just summarise the locations findings but will hint at national issues or recommendations.

Your cooperation throughout the whole audit process is much appreciated.

Regards

Jack

---

**From:** 9(2)(a)  
**Sent:** Wednesday, 30 April 2014 3:57 p.m.  
**To:** Jack Pociecha (Jack)  
**Subject:** RE: Recent MPI audit and report - National Office Auckland

Hi Jack

My apologies – 9(2) and I have only managed to read the report today. There are a few items that do need clarification/edit – but these could be emailed to you. 9(2) is away overseas at present and not due back until 8 May. I believe he has now read the report though and I'm awaiting to hear his comments – but with the time difference I probably would not get an answer back until tomorrow morning.

I will send these through soon.

Do we normally get a copy of the centre reports also?

Kind regards

9(2)(a)

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**From:** Jack Pociеча (Jack) [<mailto:Jack.Pociеча@mpi.govt.nz>]

**Sent:** Tuesday, 29 April 2014 11:40 a.m.

**To:** 9(2)(a)

**Cc:** 9(2)(a)

**Subject:** RE: Recent MPI audit and report - National Office Auckland

Dear 9(2)(a) and 9(2)

As per SAT operating procedures, you now have the opportunity to comment on the draft location findings report. Your comments will be considered and if appropriate, the draft report will be modified. These comments, and my response, will become part of appendices to the final report.

Please ensure that your comments are forwarded within six (6) working days of receipt of the draft report. If you do not wish to comment, a nil return is requested as confirmation that the draft was received. You may like to discuss this location findings report with others within your SPCA office who were involved in the audit.

The final report will provide an assurance to MPI and a basis for corrective actions to be taken. In the interim, the draft report, subject to agreed alterations, should be used as a reference and basis for addressing identified issues. Please note that a brief compiled report from all three locations is yet to be completed. I'm still waiting for replies from Greymouth and Tokoroa. Once these are received and considered I will copy both reports to you as well. I will also submit for your comment the draft of the compiled report, sometimes next week.

Some editing will no doubt be required, so let me know your comments re this too. The report will also be subject to an internal SAT peer review.

I'm in Auckland tomorrow and the next day and will have time Thursday morning if you wish to meet me to discuss this report and this round of audit findings briefly.

Thank you again for your time and positive approach to the audit and please accept my apology for delayed coming of this report.

Yours sincerely

Jack

**Jack Pociеча** | Auditor, Systems Audit

Market Assurance Directorate | Standards Branch

Ministry for Primary Industries | 73 Otaki Street | Private Bag 1926 | Dunedin | New Zealand

Telephone: 9(2)(a) | Facsimile: 64-3-951 4712 | Mobile: 9(2)(a) | Web: [www.mpi.govt.nz](http://www.mpi.govt.nz)

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Systems Audit Team

**FINAL REPORT**

## **Audit Report**

Annual Audit of RNZSPCA

National Support Office and Selected Regional Centres

February 2015

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## Summary

In so far as the terms of reference are concerned the RNZSPCA is substantially compliant with the requirements of the MOU and the PTS. National Office holds extensive files and the staff appear to be well able to respond to any query relating to Inspectors' activities. Selection, training and warranting procedures are well documented. Reporting to MPI appears to be well maintained.

The statistics provided to National Office and then to MPI must be regarded as suspect. Inaccuracies identified in previous MPI audits have again been identified in the Centres audited this year. The picture obtained thus far is one of general unreliability. At the major centre of Otago the database has been improperly used for many years and the administration could not guarantee the figures provided. At the minor centres, the same sorts of error identified in previous audits, like transcription errors and a lack of cross checking, continue.

The scope of these MPI audits is too small. This was mooted last year and the outcome of the audit this year begs the same question. If the sample is seen to be unrepresentative of the whole, then the audit findings become too heavily discounted to be worthwhile. This raises the question of the point of the audit.

It was recommended last year that the SPCA perform its own internal audit. This has not yet been implemented by National Office for want of money. It is suggested here that the three regional officers should see such a function as a priority - the Centres and Branches need their help. If internal audit is impossible, then the MPI audit must be increased in scope to include many more Centres if a representative sample is to be provided.

The limited response of SPCA to the issues identified in the last two audits, where only the Centres involved in the audit were monitored for corrective actions, suggests that the SPCA is missing the point of auditing a sample. The findings are meant to suggest the possibility of systemic failings and should be used as a catalyst for wider action. Instead, the same issues surface at each new Centre visited, suggesting that the organisation as a whole has not benefitted from the audit findings.



## Important Note

This report may discuss Topics, i.e. subjects of particular interest. The discussion can include positive and negative elements. In some cases, the negative elements are such that Non-compliances result.

All deficiencies discussed as Non-compliances are expected to be resolved by auditee or the auditee's organisation, whether or not they are described as Serious Non-compliances. Serious Non-compliances constitute a system failure. They have a profile such that the effectiveness of the corrective actions will be measured in subsequent Standards Group audits. Inadequate resolution can lead to failure of the subsequent audit.

Recommendations may appear in the report. These are non-binding, and do not affect subsequent audits. Their implementation may provide efficiencies for both the auditee and MPI. The presence of recommendations to change existing specifications does not excuse the absolute requirement to conform to the existing specifications. Changes to specifications that may result from these recommendations will be promulgated officially.

The Auditee is reminded that audit reports are subject to the *Official Information Act 1982*. The Auditee may highlight any information considered confidential during the course of the audit however the Auditor cannot provide any assurance to the Auditee that the information considered confidential will not be disclosed as a result of an enquiry under the Official Information Act.

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## Terms of Reference

### Goal(s)

Assessment of the effectiveness of Royal New Zealand Society for the Prevention of Cruelty to Animals Incorporated (RNZSPCA) national procedures implemented to ensure that the requirements of the Animal Welfare Act 1999 (AWA) are being met by RNZSPCA branches and member societies (centres).

Evaluation of how systems and procedures implemented by the RNZSPCA are meeting the requirements outlined in the Memorandum of Understanding (MOU) between the RNZSPCA and the Ministry for Primary Industries (MPI).

An assessment of corrective actions undertaken by the RNZSPCA national body and/or RNZSPCA centres in response to the previous MPI systems audit findings, and if appropriate recommending further improvements to ensure requirements of the AWA are met.

### Scope

Shall include interviews with the RNZSPCA National Office staff and a review of methods used for the assessment and recommendation to MPI for appointment of its Inspectors and Auxiliary Officers.

Shall include an examination of reports submitted by the RNZSPCA national office to MPI, and if the reporting satisfies requirements of the MOU.

Shall include an examination of the follow-up actions taken by the RNZSPCA in response to the findings of 2014 round of audits.

A sample of locations included in this audit shall consist of the national RNZSPCA office and two regional centre offices and facilities.

### Standards / Legislation

1. Animal Welfare Act 1999
2. Memorandum of Understanding between the RNZSPCA and MAF 2010
3. RNZSPCA Performance and Technical Standards for Inspectors of RNZSPCA 2013
4. Performance and Technical Standards for Auxiliary Officers of RNZSPCA 2013.

### Initiator

The initiator of this audit is Mark Fisher, Manager Animal Welfare, Regulation and Assurance, MPI.

### Specialist / Observers

The auditor may call upon the services of other parties as deemed appropriate to facilitate the audit. The Initiator or representatives nominated by the Initiator and/or the Auditee organisation may attend to any RNZSPCA part of the audit.

### Response to Critical Situation

If a critical situation is identified, the provisions of Systems Audit Team (SAT) procedure for management of critical situations shall be implemented. The critical situation is defined as follows: *"Any situation which, in the professional judgement of the auditor, Initiator or Manager Systems Audit places food safety, market access, official assurances, animal welfare or MPI Directors' credibility at risk. A critical situation may result from information received from a number of sources as well as audit findings."* The initiator shall be contacted immediately and any actions will be determined in consultation with the initiator and/or Manager, Systems Audit. The main points of this procedure are as follows:





- *The auditee will be invited to take corrective action. If this action is deemed by the auditor to be acceptable, only the final two bullet points of this procedure will apply.*
- *Where, in the opinion of the auditor, the auditee fails to respond appropriately, the auditor shall implement a corrective strategy which has been determined by consultation as above, and sanctions may be imposed.*
- *If the Initiator or the Manager Systems Audit are not immediately contactable, the auditor shall take whatever action is necessary to remedy the immediate hazards causing the critical situation.*
- *If the auditee does not respond to the auditor's recommendations, this fact shall be recorded and the Initiator and/or the Manager Systems Audit notified.*
- *The corrective strategy may include a request to the Management Representative (MR) of auditee organisation to intervene and resolve the issue.*
- *The auditor shall consider and accept or reject the MR's response, based on an evaluation of the timeliness and appropriateness of the response in dealing with the critical situation.*
- *If the MR's response is accepted, he/she will be requested to provide written details of these actions to the auditor within one working day of acceptance.*
- *The auditor will send a memo to the auditee, MR and the Initiator and/or Manager Systems Audit within 24 hours of the completion of the audit detailing all the above.*

### Other Terms of Reference

The mechanism for resolving any identified serious non-compliances will be recorded in the Serious Non-Compliances, Corrective Action Requirements section of this audit report.

The audit will be conducted according to SAT operating procedures. If location findings reports are used, the auditees will be requested to comment on individual location findings.

Upon completion of the audit the lead auditor will submit a compiled draft audit report to the Initiator and to the Manager Systems Audit for comment.

The final report will be distributed to the Initiator and the Manager Systems Audit who will decide on further distribution of the report.

All travel associated with this audit (IL3917) and undertaken by the lead auditor is approved by the Manager Systems Audit on approval of these Terms of Reference.

The auditor will notify auditees of the impending audit and provide interviewees with a copy of these Terms of Reference prior to the audit date.

The auditee/auditee organisation is reminded that audit reports are subject to the Official Information Act 1982. The auditee may highlight any information considered confidential during the course of the audit, however, the Auditor cannot provide any assurance to the auditee that the information considered confidential will not be disclosed as a result of an inquiry under the Official Information Act.



## Audit Date (Last Day)

28 February 2015

## Audit Number

3917

## Location(s)

RNZSPCA National Office Auckland  
SPCA Otago  
SPCA Golden Bay  
SPCA Motueka

## Auditor(s)

Donn Olsson, MPI, Systems Auditor

## Auditee(s)

9(2)(a) [REDACTED], SPCA Head Office, Service Delivery Coordinator  
9(2)(a) [REDACTED], SPCA Head Office, Inspectorate and Centre Support Coordinator  
9(2)(a) [REDACTED], SPCA Head Office, Executive Officer  
9(2)(a) [REDACTED], SPCA Otago, Executive Officer  
9(2)(a) [REDACTED], SPCA Otago, Life Member - Advisor  
9(2)(a) [REDACTED], SPCA Otago, Inspector  
9(2)(a) [REDACTED], SPCA Motueka, Committee Member  
9(2)(a) [REDACTED], SPCA Motueka/Golden Bay/Tasman, Inspector  
9(2)(a) [REDACTED], SPCA Motueka/Golden Bay/ Tasman, Inspector  
Carol Wells, SPCA Golden Bay, Chairperson

## Audit Type

Allocated Audit



## Background

### Requirements

The Memorandum of Understanding (MOU) between the RNZSPCA (SPCA) and Ministry for Primary Industries (MPI) stipulates requirements for selection and appointment of SPCA inspectors or auxiliary officers, training of inspectors and auxiliary officers, enforcement of the Animal Welfare Act 1999 (AWA), management of animal welfare complaints and complaints against inspectors or auxiliary officers, and record keeping. The AWA underpins the above requirements and MPI administers the AWA and its regulations. Under the MOU, MPI must conduct regular audits of SPCA national and regional centres. The MOU intended that the audits be carried out annually. The audits have been carried out by the System Audit Team (SAT) or its predecessors.

Historically, the MPI annual audits included three locations proposed by the SPCA National Office and agreed to by MPI. A similar request was made to SAT this time as well. In addition, the audit was to assess corrective actions undertaken by the SPCA national body in response to the last MPI audit of the National Office of SPCA and SPCA centres, and if appropriate recommending further improvements to SPCA national oversight of the centres.

The Performance and Technical Standards for Inspectors and Auxiliary Officers (PTS) detail the requirements noted in the first paragraph of this topic. These standards were reviewed in 2012 and signed by both parties (MPI and SPCA) in February 2013, but are referred to as Versions 2012 of the PTS. Their full reference names are:

- *SPCA: Performance and Technical Standards for Inspectors of the Royal New Zealand Society for the Prevention of Cruelty to Animals,*
- *SPCA: Performance and Technical Standards for Auxiliary Officers of the Royal New Zealand Society for the Prevention of Cruelty to Animals.*

### SPCA

Currently, the SPCA New Zealand has thirty nine SPCA branches plus seven member societies. These are referred to as SPCA centres, or simply "Centres", in further parts of this report as this terminology is now used by the National Office of SPCA. The centres are overseen on a regional basis by three SPCA Regional Managers. One of these positions is currently vacant.

There have been some changes within the SPCA since the previous SAT audit. The Otago branch assimilated Oamaru, Rangitiki was taken over by Manawatu, and all geographical areas are now covered.

The National Executive of SPCA is part of the National Board of SPCA and runs on a day-to-day basis its National Support Office in Auckland (National Office). The accountability for management of the National Office stays with the CEO, who reports to the National Board and manages the National Office. The National Office is run according to Board and Executive directives.

Currently, there are 96 animal welfare inspectors and 40 animal welfare auxiliary officers, plus the current trainees.



## Topics

### Locations

This report relates to activities at National Office and three SPCA Centres - Otago, Motueka, and Golden Bay.

No recommendations are made in the location findings. Non compliances are summarised in this report as they are likely to be systemic and not isolated in those Centres.

### Response to the Previous Audit

The 2013/2014 audit report carried one non compliance and six recommendations. The response to these has been disappointing.

The non compliance related to the lack of grading of animal welfare complaints at South Waikato, as stipulated by clauses 197-197 of the PTS. A document was produced describing a "more work yet to be done" response, and stating that grading was indeed occurring. However, checks were not carried out elsewhere. Consequently all three branches visited this year were guilty of the same issue. No grading is being done there. This issue was also carried over from the 2011 audit and is still very much an issue. This auditor hesitates to make more recommendations to the SPCA if the response is to be confined to just the small sample of Centres audited this year.

Recommendations from last year:

- 1) Establishment of internal audit programme: No effective action. The response is that such a process is expensive, requiring extensive travel by the Regional Managers. Also, Branches and Centres are working under their own procedures. Member Societies especially are independent.
- 2) Resolution of complaints against Inspectors: This related to a single instance at South Waikato that related to a complaint being processed in an untimely fashion. The national complaints procedure has been reviewed this year.
- 3) Selection, training, appointment and supervision of Inspectors: The recommendation was that Centres should hold an auditable record of day-to-day supervision of Inspectors. The audit this year suggests that such a concept is totally foreign to the Centres. This recommendation from last year is repeated here.
- 4) Animal register and statistics: The recommendation was that guidance and training be provided to the Centres in the use of databases. Head Office has provided the opportunity for Centres to have "Shelterbuddy" installed at the Centres. This is a voluntary programme and to date 33 out of 46 Centres have accepted. The audit this year showed the same sorts of inaccuracies as last year, and long term misuse of AWSUM at a major Branch. A new database does not guarantee proper use so regular checks will still be necessary in future. Particular attention will need to be paid to those Centres that choose not to adopt Shelterbuddy, in order to ensure that some crosschecking of data occurs.
- 5) Updating procedures and policies: The recommendation was that all Centres be required to update their procedures and policies. This year's audit showed that concept to be wishful. Two of the Centres had no written policies or procedures at all. The third one had been left to its own devices and was in need of some clear procedures. The PTS itself is overdue for its review - a review was due in February 2015.
- 6) Amendment to the MOU: This recommendation relates to shifting an annual audit by MPI to a



"periodic systems audit". This move depends on an effective internal audit system by the SPCA, and a larger sample audited by MPI less frequently. The previous auditor makes the point that the MPI audit is of too small a sample. This year, nothing has changed and this auditor makes the same point.

### **Appointments and Training of Inspectors**

The file of one of the current Inspectors-under-training was sighted. The initial application was supported by an assessment from the CEO of the Branch. A recommendation was made by the National Office to the SPCA CEO for training approval. A further recommendation was then made to MPI.

The process was well documented and appeared to be complete, with police check records and any personal details well documented. An exception to the general requirement for there to be no criminal conviction was well managed and documented (drink driving).

Clause 38 of the PTS states that" Applications will include requests for relevant information to ensure the applicant has the technical expertise and experience to be able to exercise competently the powers, duties and functions conferred or imposed on Inspectors under the Act." This is a bit premature for new applicants as they have had no training yet.

The procedure outlined in clauses 33-49 of the PTS appears to have been satisfactorily followed.

The location findings for the Otago branch make mention of the impressions of a newly qualified Inspector. She made a strong case that she felt under-prepared for rural issues, with very little time spent on rural matters in her training days. She was then engaged in a large rural area without ready technical support. The Inspectors' role can be a very demanding one, especially for a young person. Evidently, 20 hours of "shadowing a practising Inspector" is programmed for new appointees. She felt that this was insufficient and extended her shadowing to 100 hours. The situation in Otago is exacerbated by the technical isolation that the young Inspectors are experiencing.

This audit did not explore the details of the training programme beyond what auditees told the auditor. However, the message was clear that post-qualification mentoring is insufficient. Inspectors are aware that they can call National Office for assistance - and they do - but that is no substitute for close, local support and advice.

At all the Centres audited, no records relating to the appointment process are kept on site. They are held by National Office. The PTS clearly describes Centres as being responsible for general daily supervision. The Inspectors at Otago are paid and housed by the Branch. Yet in spite of being the "employer", no Branch or Centre saw the Inspectorate as being under their supervision. The lack of any information held on site relating to appointment, including police checks, is evidence of the management model for the Inspectorate being confused. Indeed, at the two smaller centres especially, any involvement in the personnel or performance aspects of the Inspectors would be seen as an impertinence.

### **Reappointments**

Again, a case file was examined and found to be complete. Interview questions are posed and marked, recommendations made to the CEO and MPI, and a police check carried out every three years. Clauses 92-112 of the PTS appear to be followed satisfactorily.

The questions in the "warrant renewal interview" form provide a good discussion document for several technical situations. The auditor did not detect any hesitation on the part of Inspectors in describing how they deal with cases in the field. However, a long serving Inspector in Motueka claimed not to have heard of the PTS or even a document called "Performance and Technical Standards". His partner had heard of it but would have to search the internet to access it.



Clause 91 of the PTS states that : SPCA Centres are responsible for ensuring that all Inspectors under their management hold a valid Instrument of Appointment at all times in the course of performing their duties." This statement is vacuous. The Centres audited this year would have no idea of the currency of the appointments. None of them had heard of, or had a copy of, the PTS or MOU. As was mentioned earlier in this report, checking an Inspector's warrant would be seen as an impertinence.

### Complaints Against Inspectors

According to National Office, there have been no serious complaints against Inspectors for the last couple of years. The PTS requires Centres to pass to them any serious complaints. The definition of "serious" is left to SPCA procedures.

Personal behaviour issues are dealt with by Branches and Centres. In the case of Otago, where the relationship between the Inspectors and the management was strained, the Branch called on National Office and assistance was promptly provided. That issue is still current however. The situation is too complicated to determine if a complaint against Inspectors is involved, or if it is a personnel matter.

Consequently, the provisions of PTS clauses 179-187 can be said to have been met.

### Transfer of Cases

The traffic of transfers of cases between SPCA and MPI is approximately 50:50 (12:14).

National Office staff mentioned that while they provide MPI with written feedback on cases transferred to them, they receive no reciprocal consideration.

It is noted here that both clauses 72 of the PTS and 282(d) of the MOU describe feedback being provided *on request*. SPCA staff may receive reports of transferred cases then, by requesting them.

### Audit Method

The last MPI audit report states: *The National Office of SPCA, through its regional structure and with the help of its three Regional Managers, should have its own internal audit programme. The reliance on MPI audits does not seem to be appropriate anymore, nor is it cost effective. The MPI should simply conduct a periodic systems audit of SPCA national systems , including a larger number of Centres. ....Auditing two SPCA Centres each year does not provide the required confidence because the sample is simply too small. The auditor understands this would require an amendment to the MOU.*

This auditor agrees wholeheartedly. The SPCA has not yet implemented an internal audit programme, citing excessive costs.

The current audit involved one Branch in serious strife, and two Centres where the main activity revolves around finding homes for cats. To use this sample set as a basis for drawing any conclusions is ludicrous. However, since conclusions must be drawn, they do not reflect well on the overall structure of the SPCA. If these conclusions are rejected on the basis of too small a sample, then the audit exercise in its current form is a waste of resources.

It is recommended here (again) that either the SPCA implements a robust audit programme of its own, with a periodic MPI review, or MPI expands the scope of its audit to include more Centres - with a greater emphasis on the organisational effectiveness of the SPCA.

### Addressing the Terms of Reference



There are three goals in the terms of reference.

Goal 1) An assessment of corrective actions undertaken by RNZSPCA national body and/or RNZSPCA Centres in response to the previous MPI systems audit findings, and if appropriate recommending further improvements to ensure requirements of the AWA are met.

Findings: As cited in the previous MPI report and again this year, the National Office response to non-compliances was limited to the Centres audited. The response document relating to South Waikato does not show fully completed corrective actions, and this auditor did not have access to that Centre to assess the effectiveness of the corrective actions. Consequently, the corrective actions cannot be properly assessed. More importantly, the issues identified in the previous audit appear to be presumed by the SPCA to be confined to the audited centres. There was no effective national effort to allow the other Centres to benefit from the findings, so predictably the same non-compliances surfaced again at this year's Centres. It is noted that clause 96 of the MOU states that the National Office shall be responsible for ensuring that only any **major** non-compliances in the final audit report are addressed.

Goal 2) Assessment of the effectiveness of RNZSPCA national procedures implemented to ensure that the requirements of the AWA are met by RNZSPCA Branches and Member Societies (Centres).

Findings: The requirements of the AWA are being substantially met. There was no evidence to suggest that issues of animal welfare are being compromised. This is not due to national procedures impacting on Centres, as the Centres work on minimal procedures or none at all. With no internal audit programme and very limited contact between Regional Managers and Centres, coupled with a "hands-off" approach to Member Branches in particular, the meeting of AWA requirements is due to the goodwill of the people manning the Centres - not national procedures. The standard response from the Centres audited, to the question of what to do in a difficult situation was - "ring National Office". Also, given that the main procedure referred to for practical purposes is the PTS, it is worrying that an Inspector of long standing (Motueka) would admit to not having heard of the document before. Further, no Centre had a copy of the PTS or the MOU available for the administrators, who in some cases had not even heard of either document.

Goal 3) Evaluation of how systems and procedures implemented by the RNZSPCA are meeting the requirements of the MOU between the RNZSPCA and MPI.

Findings: The requirements of the MOU are being substantially met. Issues of selection, training and warranting of Inspectors were assessed, as were issues of reappointment and complaints. Search warrants, prosecutions, transfer of jobs, reporting and liaison with MPI were assessed and found to be in order. Clause 98 of the MOU refers to MPI auditing of financial arrangements. This was not carried out during this audit. All three locations audited provided statistics which were found to be unreliable. This was due to inappropriate use of databases, and simple transcription errors. This was an issue raised in last year's audit as well. If this is extrapolated across the Centres, it raises doubt over the accuracy of the national statistics. This can only be assessed through a larger sample size of audited locations.

#### **Recommendation - Scope of Audit**

It is recommended to the Initiator, the Manager Animal Welfare, Standards Branch, MPI, that the scope of any future MPI audit be expanded significantly to include a great sample of Centres and Branches, particularly the larger Centres and Member Branches. It is further recommended that the scope be expanded to specifically include the nature of the day-to-day supervision of Inspectors and the nature of the working relationship between the Inspectorate,



the Centre, and Head Office.

**Recommendation - Internal Audit**

It is recommended to the CEO of the RNZSPCA that a programme of internal audit be seen as a priority for the Regional Managers. Such internal audit should be an opportunity for Centres and Branches to calibrate with the Regional Manager and should occur biennially, at a minimum, at each Centre. This would amount to just over seven Centre visits per year per Manager.

It is further recommended that the visit be not just an audit, but the opportunity to confirm the model of cooperation between the Centres, Inspectorate and Head Office. It should also be an opportunity to exert some influence on Centres to standardise their operations to a national system and to provide some support in the examination of their local policies and procedures.

**Recommendation - Review of the PTS**

It is recommended to the CEO, RNZSPCA, that the overdue review of the PTS be seen as an opportunity for the re-evaluation of the PTS in so far as it describes the manner in which Centres, Inspectors and National Office interact. In particular, the line management structure of the Inspectors should be examined with a view to clearly describing just how the Inspectors are supervised, mentored, and supported. If this involves the Centres, then the Centres must be made aware of their responsibilities and the PTS must be examined with them. The Centres will need to be mentored in the art of governance and management - and to be able to distinguish between the two.

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## Recommendations

### **Recommendation - Scope of Audit**

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### **Recommendation - Internal Audit**

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It is further recommended that the visit be not just an audit, but the opportunity to confirm the model of cooperation between the Centres, Inspectorate and Head Office. It should also be an opportunity to exert some influence on Centres to standardise their operations to a national system and to provide some support in the examination of their local policies and procedures.

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## Distribution

Mark Fisher, Manager Animal Welfare, MPI

Diane Carter, Manager Systems Audit, MPI

Donn Olsson  
Systems Auditor  
MPI

*Electronically Signed by Donn Olsson Auditor on the 15 Jul 2015 9:22 am*



Systems Audit Team

**FINAL REPORT**

## **Audit Report**

Annual Audit of RNZSPCA

Various Locations

March - May 2016

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## Summary

This report covers the annual audit of the Royal New Zealand Society for the Prevention of Cruelty to Animals Incorporated (RNZSPCA). This audit focused on five Society for the Prevention of Cruelty to Animals (SPCA) centres and reviewed the centre interactions with the RNZSPCA National Office in Auckland. The National Office is the RNZSPCA, and the member societies are SPCA Centres.

Historically, the MPI annual audit included three locations proposed by the RNZSPCA and agreed to by MPI. The current audit did not include the RNZSPCA National Office in Auckland. The current audit structure was so that a larger sample of centres was included, as previous MPI audits raised the low sample number as a finding.

The main finding of this audit was that based on the five SPCA sites audited, the RNZSPCA was in substantial compliance with requirements of the *Memorandum of Understanding between the RNZSPCA and MAF 2010* (MoU), the *Animal Welfare Act 1999* (AWA) and the Performance and Technical Standards for Inspectors and Auxiliary Officers (PTS). No non-compliances were raised as a result of this audit.

There has been a continuous improvement in the level of communication and systems implemented by the RNZSPCA since the last audit. All SPCA centres had copies of the relevant documents, including the PTS, and staff demonstrated knowledge of the content.

Reporting to the Ministry for Primary Industries (MPI) appears to be well maintained. While this was not reviewed at the National Office, MPI staff had not raised any reporting issues.

Findings from the previous audits were reviewed. The 2015 report included four recommendations relating to the scope of the MPI audit, the lack of RNZSPCA internal audit processes, the review of the PTS, and an issue noted at the Otago centre that occurred during the last audit. None of the centres had experienced any of the issues noted in Otago last year.

It is the opinion of the auditor that staff and volunteers in the centres work very hard in a sometimes difficult environment.

There were some changes and proposed changes in progress by the RNZSPCA, as discussed in this report. There is a proposal for a restructure of the SPCA under consideration that would create one legal entity. This was mentioned by staff at all centres and is seen as a positive move.

These changes and proposed changes, along with the introduction of the Animal Welfare Amendment Act (No 2) 2015, have delayed the implementation of some of the MPI Systems Audit Team (MPI SAT) recommendations made in previous audits. Reviews of the MoU and PTS have also been delayed.

There were seven recommendations raised relating to review of the MoU and PTS documents, training of new Inspectors, the complaints process, and communications. Issues noted in this report are likely to be systemic and not isolated in those centres audited.



## Important Note

This report may discuss Topics, i.e. subjects of particular interest. The discussion can include positive and negative elements. In some cases, the negative elements are such that Non-compliances result.

All deficiencies discussed as Non-compliances are expected to be resolved by auditee or the auditee's organisation, whether or not they are described as Serious Non-compliances. Serious Non-compliances constitute a system failure. They have a profile such that the effectiveness of the corrective actions will be measured in subsequent Standards Group audits. Inadequate resolution can lead to failure of the subsequent audit.

Recommendations may appear in the report. These are non-binding, and do not affect subsequent audits. Their implementation may provide efficiencies for both the auditee and MPI. The presence of recommendations to change existing specifications does not excuse the absolute requirement to conform to the existing specifications. Changes to specifications that may result from these recommendations will be promulgated officially.

The Auditee is reminded that audit reports are subject to the *Official Information Act 1982*. The Auditee may highlight any information considered confidential during the course of the audit however the Auditor cannot provide any assurance to the Auditee that the information considered confidential will not be disclosed as a result of an enquiry under the Official Information Act.

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982



# Terms of Reference

## Goal(s)

Assessment of the effectiveness of Royal New Zealand Society for the Prevention of Cruelty to Animals Incorporated (RNZSPCA) national procedures implemented to ensure that the requirements of the Animal Welfare Act 1999 (AWA) are being met by RNZSPCA / SPCA branches and member societies (centres).

Evaluation of how systems and procedures implemented by the RNZSPCA are meeting the requirements outlined in the Memorandum of Understanding (MOU) between the RNZSPCA and the Ministry for Primary Industries (MPI).

Evaluation of the effectiveness of the RNZSPCA / SPCA branches in managing the requirements of the AWA and MOU for the appointments, training and monitoring of Inspectors and Auxiliary Officers.

To make recommendations to MPI for improvements to the Programme, as necessary

## Scope

Shall include interviews with RNZSPCA / SPCA staff and a review of methods used for the recommendation to Head Office and then to MPI for appointment of its Inspectors and Auxiliary Officers.

Shall include an examination of reports submitted by the RNZSPCA national office to MPI, and if the reporting satisfies requirements of the MOU.

Shall include an examination of the follow-up actions taken by the RNZSPCA in response to the findings of previous audits.

A sample of locations included in this audit shall consist of five facilities.

## Standards / Legislation

Shall include consideration of relevant legislation, standards and requirements, including but not limited to:

Animal Welfare Act 1999

Memorandum of Understanding between the RNZSPCA and MAF 2010

RNZSPCA Performance and Technical Standards for Inspectors of RNZSPCA 2012

Performance and Technical Standards for Auxiliary Officers of RNZSPCA 2012

## Initiator

The initiator of this audit is Mark Fisher, Manager Animal Welfare, Regulation and Assurance, MPI

## Specialist / Observers

The auditor may call upon the services of other parties as deemed appropriate to facilitate the audit. The Initiator or representatives nominated by the Initiator and/or the Auditee organisation may attend any RNZSPCA part of the audit.

## Response to Critical Situation

If a critical situation is identified, the provisions of the MPI Systems Audit Team procedure referenced as Procedure SAT-04 shall be implemented. The initiator shall be contacted immediately. A Critical Situation is defined as, any situation which, in the professional



judgement of the SAT Auditor or Manager places food safety, food suitability market access, official assurances, or MPI's/MPI's Directors' credibility at risk. A critical situation may result from information received from a number of sources as well as SAT audit findings.

### Other Terms of Reference

Any deficiencies discussed as non-compliances or non-conformances identified will be referred to the initiator for resolution

Location findings reports may be provided to the auditees and if so; the auditees will be requested to comment. Copies of any location findings reports will be provided to the Initiator after auditees have had an opportunity to comment.

Upon completion of the audit the lead auditor will submit a draft audit report to the Initiator and to the Manager Systems Audit for comment.

The final report shall be distributed to:

Allan Kinsella - Director Systems Audit, Assurance and Monitoring;  
Diane Carter - Manager Systems Audit;  
Mark Fisher - Manager Animal Welfare, Regulation and Assurance, MPI

All travel and costs associated with this audit and undertaken by the allocated auditor(s) are approved by the Manager, Systems Audit on approval of these terms of reference.

The auditor will provide interviewees with a copy of these Terms of Reference prior to or at the outset of audit visits.

The Auditee is reminded that audit reports are subject to the Official Information Act 1982. The Auditee may highlight any information considered confidential during the course of the audit however the Auditor cannot provide any assurance to the Auditee that the information considered confidential will not be disclosed as a result of an enquiry under the Official Information Act.



## Audit Date (Last Day)

11 May 2016

## Audit Number

4256

## Location(s)

SPCA Auckland Centre  
SPCA Central Hawkes Bay  
SPCA Hawkes Bay  
SPCA Kawerau  
SPCA Rotorua

## Lead Auditor

Ruth Houston, MPI SAT, Systems Auditor

## Auditor(s)

Donn Olsson, MPI SAT, Systems Auditor

## Auditee(s)

9(2)(a), SPCA Auckland, Chief Inspector  
9(2), SPCA Auckland, Call Centre Manager  
9(2), SPCA Auckland, Call Centre  
9(2)(a), SPCA Central Hawkes Bay, Inspector / Centre Manager  
Claire Hatfield, SPCA Central Hawkes Bay, Committee Chairperson  
9(2)(a), SPCA Hawkes Bay, Senior Inspector / Centre Manager  
9(2)(a), SPCA Kawerau, Centre Manager  
9(2)(a), SPCA Kawerau, Volunteer  
9(2), SPCA Kawerau, Volunteer  
9(2)(a), SPCA Rotorua, Centre Manager  
9(2)(a), SPCA Rotorua, Office Manager  
9(2)(a), SPCA Rotorua, Inspector  
9(2)(a), SPCA Rotorua, Education Centre / Volunteer Manager  
9(2)(a), SPCA Rotorua, Auxiliary Officer  
9(2)(a), SPCA Rotorua, Auxiliary Officer  
9(2)(a), SPCA Rotorua, RNZSPCA Regional Manager – Inspectorate and Centre Support  
9(2)(a), SPCA Hawkes Bay, Animal Attendant  
9(2)(a), SPCA Hawkes Bay, Inspector

## Audit Type

Allocated Audit



## Background

The Memorandum of Understanding (MoU) between the RNZSPCA and MPI details the requirements for selection, appointment and training of SPCA Inspectors and Auxiliary Officers (AO), enforcement of the *Animal Welfare Act 1999* (AWA), management of animal welfare complaints and complaints against Inspectors or AOs, record keeping, and management and accountabilities of the SPCA as an MPI approved organisation.

The AWA underpins the above requirements, and MPI administers the AWA and associated regulations.

Under the MoU, MPI must conduct annual audits of Branches or Member Societies selected by agreement with the RNZSPCA, and/or of the RNZSPCA's National Office. The audits have been carried out by the MPI Systems Audit Team (SAT) or its predecessors.

The SAT audit includes assessment of corrective actions and changes undertaken by the SPCA national body in response to the previous MPI audit of the SPCA National Office and centres, and if appropriate, recommend further improvements.

There are Performance and Technical Standards (PTS) documents in place. There are separate documents for the Inspectors and for AOs. These detail the specific requirements for each role. These standards were reviewed in 2012 and signed by both parties (MPI and SPCA) in February 2013.

Currently, the SPCA New Zealand has forty-four branches, referred to as *centres* in this report. The centres are overseen on a regional basis by SPCA Regional Managers.

SPCA centres are individual member societies. Each member society has a chief executive or manager, as well as a management board. Member societies are supported by the local communities. Support is with volunteer time and resources, and with fundraising.

All sites work with other agencies, including dog control officers from the local councils, veterinary practices and police. In some cases, the local dog control officer is also an SPCA Inspector, and is a backup for leave / illness, and in difficult situations.





# Topics

## 1.0 Follow up to Previous Audits

### 1.1 Audit Scope

The scope of this year's audit has changed in response to recommendation made in the 2015 report. This audit included five centres, rather than the National Office and two or three other centres. There are 44 centres plus the National Office, meaning approximately 11% were audited, compared to approximately 7% last year.

The 2015 report recommended that the scope be expanded to specifically include the nature of the day-to-day supervision of Inspectors and the nature of the working relationship between the Inspectorate, the centres, and the National Office. This was followed up during this audit. Day to day supervision of Inspectors varies depending on the size of the centre. In larger centres where there is a Chief Inspector, higher levels of supervision are in place compared to smaller centres where there is a sole Inspector. In small centres where there is a sole Inspector, the Centre Manager or Board Chairperson are frequently and closely involved with the Inspectors and provide support. The Inspectors in these situations also contact the RNZSPCA Regional Managers for assistance and support. These relationships appeared to be healthy, as there was frequent communication between the National office staff and the Inspectors.

The goals outlined in the Terms of Reference (ToR) have been met.

### 1.2 Internal Audit

Prioritising the development and implementation of an internal audit programme for Regional Managers has been a Systems Audit Team (SAT) recommendation for several years. An internal audit programme should be an opportunity for centre operations to be standardised to national systems and to provide some support with local policies and procedures. It is also an opportunity for centres to calibrate with the Regional Managers, and confirm the cooperation between the Centres, Inspectorate and the National Office. The suggested frequency at each centre was a minimum of biennially

While a formal internal audit programme has not been implemented by the National Office staff, it was noted that this has been considered. The major reason for the delays appears to be the changes that are in progress. That is, the implementation of the new database system and the proposed restructure.

There appears to be an increased level of support to, and communication with, the centres from the Regional Managers. It is noted that there is an internal audit programme in Auckland, implemented by the Chief Inspector.

There has been some progress with standardisation of procedures. The Regional Manager in Rotorua is developing a procedures manual that will be soon rolled out. This manual can be customised to each centre.

### 1.3 Review of the Performance and Technical Standards for Inspectors and Auxiliary Officers



Review of the PTS has been recommended previously. It was suggested that the overdue revision of the PTS could provide an opportunity for the SPCA to assess if the PTS reflects the current practice. The 2015 report states that the PTS was irrelevant to many of those affected by its intent, and management and supervision of Inspectors being abdicated to the national office.

This was not identified in this audit. Staff in the centres were aware of the contents of the PTS documents. The applicable Centre Managers, Board Managers and Chief Inspectors had a high level of management and supervision of Inspectors.

The review of the PTS is still overdue. The follow up findings to this are detailed in the sections below.

## 2.0 Locations and Management Regimes

This audit included the following five SPCA centres: Auckland; Rotorua; Kawerau; Hawkes Bay (Napier), and; Central Hawkes Bay (Waipukurau). Site reports were provided at each location (Appendix A). Centres were selected to cover a range of small, medium and large operations, both rural and urban, and included centres that had not been audited previously or for many years.

One site (Kawerau) was staffed entirely by volunteers, and did not have an Inspector or AO. These functions were managed under a MoU with the Rotorua centre, and recruitment of a new Inspector for Kawerau was in progress. All other sites had at least one Inspector, and at least one AO. Smaller sites tended to have one Inspector and between one and three AOs, where Auckland has 8 Inspectors and one AO.

There is a MoU between Central Hawkes Bay and Dannevirke (as Dannevirke had no Inspector) although this is to cease in the near future. The National office and the Dannevirke centre will be reviewing options such as employing a new Inspector for the centre, or having a MoU with another centre such as Palmerston North.

Auckland has recently taken over the management of Kaitaia and Bay of Islands centres. There is a transition framework in place; and there are plans to review and standardise processes. A new site in Hobsonville is planned. This will be a hub site and will be managed from the Mangere site. Hawkes Bay is managing Wairoa and supporting Hastings (a new Inspector was due to start there shortly after the audit).

## 3.0 The Memorandum of Understanding (MoU)

The MoU details the requirements for the RNZSPCA National Council, through its National Chief Inspector, Branches, Member Societies, Inspectors and AOs.

Audit findings indicated that the National Office of SPCA was in substantial compliance with the MoU requirements.

Clause 102 of the MoU requires that the MoU be reviewed biennially by both parties, or earlier at the request of either party. The current MoU was signed on 22 December 2010, and is therefore approximately 4 years overdue for review. It was stated that this review has been delayed due to the implementation of the Animal Welfare Amendment Act (No 2) 2015, and the proposed restructure of the SPCA.

### **Recommendation - 1. Review of the MoU**

It is recommended that the MoU be reviewed. The review needs to consider several issues. One of these is the review period. The required length of time between required reviews could change.



It is the auditor's opinion that the next MoU review should take place after the RNZSPCA restructure. The following review should be one year after that to monitor the effects of the restructure. Depending on the outcome of that review, the ongoing review period could be extended to a period determined at MPI discretion. If there are further changes, or if any significant issues occur then the review frequency may require a further change.

It is also recommended that the appropriate changes as detailed in following sections of this report be considered in the review.

#### **4.0 The Performance and Technical Standards (PTS)**

Previous reports had stated that the PTS were not known by some centres, and not available. This was not observed during this audit. Inspectors and AOs had copies of, and were aware of, the PTS documents and their contents.

The PTS (page 6) states that a review is required no later than 2 years from the date they were signed. The PTS were signed on 15 February 2013, meaning that the review should have occurred in February 2015. The overdue review was noted in the previous report.

It is noted that this may have been delayed due to the proposed restructure of the SPCA, which may impact on the PTS.

#### **Recommendation - 2. Review of the Performance and Technical Standards**

Part A: It is recommended that the RNZSPCA review the PTS documents, to ensure they accurately describe how the Centres, Inspectors, Auxiliary Officers, and the National Office interact to meet the MoU and AWA. A review of the reporting to and communication with MPI should be included. It is also recommended that the appropriate changes as detailed in the following sections of this report be considered.

Part B: It is recommended that MPI review the proposed changes and determine if they are appropriate and manageable prior to the documents being finalised. Further changes and communications may be required before the documents can be signed.

#### **5.0 Centre Policies and Procedures**

All five centres had some policy and procedure documents. A manual that included copies of the PTS was available at each site, as well as other information supplied by the National office.

The centres had varying levels of other policy and procedure documents. These are developed by Centre Managers, committee members or other staff. Some include detail for things such as operating a shelter, incoming animal policies, cleaning of litter trays, zoonotic diseases, dealing with vets and what happens to injured or found animals. Some are brief, and include things like feeding guidelines and cleaning. These are used to train staff and volunteers (where applicable).

All sites had euthanasia guidelines, detailing the formal processes used. All centres require a panel to make euthanasia decisions, and record the names of people making these decisions.

Several centres had MoUs in place. In some cases, MoUs were in place with other centres and/or local councils to provide Inspectorate services.

There is an increasing level of support from the National Office, with a generic procedures manual under development. The aim is for all centres to have a copy, and customise it to suit. A centre criteria checklist is also under development.



## 6.0 Data Collection and Management at Centres

Section 142 of the AWA requires that a register be kept of number and types of animals sold, re-homed, destroyed, or otherwise disposed of under section 141 of the AWA. This register must include particulars of the dates when custody was obtained and/or the animal disposed of, where the animal was sold, re-homed, and all other details. Records must be kept for at least one year. Section 141 of the AWA requires that reasonable steps must be taken to ascertain who the owner of animal in the care of SPCA is. It is noted that there is a number of anonymous events, including calls and animal drop offs. These are recorded as anonymous.

There are various systems in use to manage records and collect data. These include *PETNET*, *Awesome*, *Shelterbuddy* and manual records. Field staff in Auckland use tablet-style computers.

*Shelterbuddy* is the new database system. The aim of the new database is to capture all data electronically, and make management and reporting easier. This is a staged process, and it is expected that this will be fully in place within the next 12 months. This will require provision of computers and training of staff, and is viewed favourably.

All sites will be using *Shelterbuddy* in the future. *Shelterbuddy* was developed for Queensland RSPCA by a private company, and has been updated to suit New Zealand. Implementation is managed by the National Office, with laptops and other resources being provided as part of the roll out. There were five centres using *Shelterbuddy* at the time of the audit. Training is in progress at some of the other sites.

Rotorua had *Shelterbuddy* in use, and provided a demonstration. Individual login is required, and processes to protect privacy and confidentiality are in place. The system can be set up to give records access at other centres, which will be used when centres are working together or there is a MoU in place.

There are a number of search functions that can be used that are quicker than previous systems, including. This includes searches for persons, animal ID, addresses and history. These searches help in difficult situations, for example where violence has been previously documented, so police can be called to assist if necessary.

The *Shelterbuddy* demonstration showed that reports can be run for the week, of what needs doing in the centre, such as flea/worm treatments, euthanasia, and in-care inventory. All details and information is included in the system.

Detailed and complete records are generally held by all sites. Data is either entered into the systems by call takers, or recorded on paper forms. In some cases, notes are made and entered later. There are systems in place to ensure data is accurate, although it is noted that occasionally there are errors or misplaced forms. When centres are working with other agencies (e.g. the police, MPI, dog control), specific handover forms are used.

## 7.0 Approvals and Renewals of Approvals for Inspectors and Auxiliary Officers

### 7.1 Inspectors

The role of Inspector appears to vary depending on the centre size and location. In the small centres the Inspector can also be the Centre Manager. Inspectorate support and mentoring comes from other sites, often a significant distance away. It appears to be difficult to place Inspectors in some areas, particularly in remote parts of the country.

There are eight centres that have a Chief Inspector. This role monitors and trains the other Inspectors. Potential candidates are identified at a local level; these are often people who have been volunteering for some time, and are approached by the committee and/or Chief Inspector



before commencing training. Once approved, new Inspectors are sometimes put on a 90-day trial period.

There is a high level of support for new/inexperienced Inspectors in larger centres. For example, in Auckland they can accompany more senior Inspectors frequently, and seek advice from others easily. In the medium sized centres where there is more than one Inspector there is also a certain level of support.

In small centres where there are sole Inspectors, support is more challenging. Experienced Inspectors from other centres provide support. The staff from the national support office are available by phone, and are frequently consulted. Regional support staff also visit the centres. This level of support has increased since the 2015 audit.

There are performance management processes and confidentiality agreements in place. The performance of Inspectors is managed by either the Chief Inspectors or the Centre Managers as appropriate.

The Inspector training programme includes 20 hours of practical training. This is not considered sufficient by Inspectors and Centre Managers to gain exposure to the situations that Inspectors encounter. In the auditor's opinion, 20 hours training is not sufficient for new Inspectors. The role of Inspector can be very demanding, especially for a young person.

In some cases Inspectors go into remote locations where there is no cell phone coverage, and may encounter difficult and hostile individuals.

### **Recommendation - 3. Training and Mentoring of New Inspectors**

It is recommended that MPI and the RNZSPCA monitor the training and support for new Inspectors. The mandatory 20 hours of practical training should be extended as it appears insufficient to prepare new Inspectors for all situations they may encounter.

Consideration should be given to looking at ways to support Inspectors when they are in remote locations without cell phone coverage.

### **7.2 Auxiliary Officers (AO)**

Many of the AOs are volunteers. Some are Veterinary Nurses. In the smaller centres many also provide support with fostering animals, and providing horse floats, stables and paddocks available.

The numbers of AOs varied at the centres: In Auckland there is one AO, as there are a larger number of Inspectors available. In the smaller centres there can be more AOs, as there are fewer Inspectors.

As with Inspectors, there are performance management processes and confidentiality agreements in place. The performance of AOs is managed by either the Chief Inspectors or the Centre Managers as appropriate.

### **7.3 The Approval Process**

The approval and renewal processes are managed from the National Office. Some of the auditees commented that the warranting and approval process can take considerable time. The process was obtained from the National Office staff.

There is only one recognised tertiary institution, UNITEC in Auckland, which provides the Certificate in Animal Welfare Investigations Course (CAWI). Inspector candidates must



complete and pass this before they are eligible to become warranted Inspectors for the SPCA. It is a 12 month course which runs February to September/October each year.

All AOs must complete the SPCA internal online course and assessment. There are two courses per year in May and October. Each applicant has two months to complete the course. There is one opportunity to re-sit the assessment if the applicant fails the first attempt. AOs are not interviewed by National Office staff; this is done at the centres, before putting them forward with the recommendation for approval.

Staff at several centres commented that there is a delay with the AO training. It was stated that this delay was caused by lack of availability of AO training courses.

Completed applications for Inspectors and AOs (first appointment or renewal) are sent to the National Office. A police check must be carried out before national office staff can formally approve the centre's recommendation. The police checks can cause delays as they can take a month or more to come back from police vetting. Once the police results are in, it normally takes up to a week for National Office to process the application (getting sign-off from CEO and Chief Inspector).

The applications are then emailed to MPI Statutory Appointments. It takes approximately two weeks for MPI to process the application. When the hard copy of the Statutory Instrument of Appointment letters and the Certification of Appointment ID card are received, the National Office staff then post these to the centre Inspector/AO.

#### **Recommendation - 4. Auxiliary Officer Approvals**

It is recommended that MPI and the RNZSPCA to review the frequency of AO training courses. Several centres stated that there are shortages of approved AOs. This could be an issue if there are insufficient staff to manage euthanasia decisions in a timely manner; in centres where there is a sole Inspector.

#### **7.4 Reappointments**

This was discussed at several centres, and the process described was as per the PTS. Some records that are held at the centres were reviewed, although it is noted that most of these records are held at the National Office.

For any renewal appointments for Inspectors or AOs, National Office staff send out an initial reminder 3 months prior to the Instrument of Appointment (warrant) expiry date. A second reminder is sent 6 weeks prior to expiry if no paperwork is received. A request is made for the completed renewal paperwork to be completed and sent in, to allow sufficient time for processing prior to the expiry.

#### **8.0 Complaints against Inspectors and Auxiliary Officers**

Very few complaints against Inspectors have been received at the five centres. None have occurred over the past year that have resulted in any action such as the removal of warrants or any disciplinary issues.

There are procedures for the management of complaints in the MoU and in the PTS documents. There are slight differences in the procedures in the PTS and those in the MoU. The PTS procedures include dealing with trivial and malicious complaints. (see recommendation below)



The MoU requires that all complaints against Inspectors and AOs, in the first instance, be forwarded to the National Office and be dealt with according to procedures established and maintained by the RNZSPCA. Under the PTS, any complaints (other than trivial or malicious complaints) are required to be reported to the RNZSPCA immediately.

The process that would be used in some centres is different to that stated in the MoU and PTS. This is because there could potentially be employment issues (staff performance). The obligations under employment law that the SPCA centres have as the employer cannot be delegated to RNZSPCA. These would therefore be handled at the centre as the employer, and then reported to RNZSPCA if/when appropriate. Investigations may be carried out prior to any reporting to RNZSPCA.

Occasionally, complaints are reported directly to the RNZSPCA support office. These are followed up and dealt with by the National Office staff. In the cases noted, the complaints were not substantiated.

It was stated that no complaints against AOs had been received for a long time, if ever.

#### **Recommendation - 5. Review of the Complaints Processes**

It is recommended that the review of the MoU and PTS documents include the procedures for managing complaints against Inspectors and Auxiliary Officers in a timely and appropriate manner, taking into consideration any potential employment issues.

#### **9.0 Staff Induction and Training**

Outside of the warranting processes, there are varying levels of induction and ongoing training for staff and volunteers. Some sites have paid staff as well as Inspectors and AOs. Most AOs are volunteers, and in some small centres all staff are volunteers.

In Auckland, there is HR presence on the site and more structure and systems in place. All staff and volunteers are police checked; this does not occur on the other four sites included in this audit. There are a series of training modules that have been developed in Auckland, including disease control and dog muzzling. The programme is detailed and is in addition to the Inspector training. All drivers have completed advanced driver training.

National office provides a range of training at a national level; this is compulsory for Inspectors and includes topics such as tactical awareness, communication, assertive processes, law and search and surveillance. Inspectors also have firearms training.

Smaller sites have varying levels of training, especially for volunteers. The policy and procedure documents are used to train volunteers. Volunteers are required to sign that they have been trained. Health and safety training also has a focus and is included.

Counselling is offered to Inspectors in some centres, especially after disturbing cases or high levels of stress.

#### **10.0 Animal Welfare Complaints**

Animal Welfare complaints are received in various ways at the different centres. Large and medium sized sites have call centres on site where calls are taken, recorded and rated. Complaints needing an Inspector are then passed on.

Complaints are also received in various ways, including directly to Inspectors, through email, and via Facebook. This seems to be more common in the smaller centres.

All sites work with other agencies, for example dog control officers from the council, veterinary practices and police. In some cases, the local dog control officer is also a SPCA Inspector, and



is a back-up for leave and illness, and in difficult situations.

The risk matrix system used in Auckland is slightly different to the PTS. The response to urgent cases is within an hour of the call being taken, i.e. the call is taken and assigned to an Inspector within the hour. The Inspector will then attend as soon as possible. While the request for service or complaint will be responded to within the hour, the resolution and/or actual inspection may not necessarily happen within the hour window due to workload.

If there is any doubt about the urgency of a case, then the case is discussed with an Inspector. In the small centres, the complaints are not formally graded as per the PTS, although it is noted that there are few enough calls to act immediately/appropriately.

In Rotorua, where *Shelterbuddy* is in use, the risk rating is as per the PTS.

This variance in the risk ranking of the notifications does not appear to have impacted on the responses. The impact on response appears to be related to resourcing. This issue has been raised in previous audits.

The animal welfare grading variances will likely be eliminated once *Shelterbuddy* is available in all centres.

#### **Recommendation - 6. Review of the PTS**

It is recommended that:

- a) The review of the PTS includes consideration of the risk ratings, as the grading requirements used for animal welfare complaints are not always as per clauses 196-197 of the PTS. This does not appear to have caused any animal welfare issues, as in many cases the response is immediate. The immediate response is used for cases that may not require this according to the risk rating. This should be included.
- b) The implementation of *Shelterbuddy* is considered in the review. The timeliness should be monitored to ensure it is within the planned period (approximately end 2016).
- c) The implementation of *Shelterbuddy* be monitored and reviewed, so that it can be confirmed that the correct rankings are used.

#### **11.0 Transfer of Cases and On Farm Inspections**

Production sector incidents/complaints involving farm animals can be handed over to, or from, MPI when appropriate. Some centres reported cases coming from MPI, but did not hand any over to MPI as they dealt with them at the centre. Other centres reported the opposite. And some centres both handed over jobs to MPI, and received jobs from MPI. There are always records for these transfers.

The frequency of transfers appears to depend on the location of the SPCA, whether it is rural or urban. It was stated that both SPCA and MPI have the right of refusal for transferred jobs but there is a general agreement that all complaints relating to sheep and cattle farms, dairy farms, piggeries and/or commercial poultry operations will be transferred to MPI. However, if these types of jobs are already in the system then they generally stay with SPCA. There are loose criteria for job ownership being with either SPCA or MPI, which includes the number of animals, and whether the farm is a hobby farm or a commercial farm.

In smaller rural centres, farm animals can make up a large portion of the jobs; often multiple animals are involved at a location. Issues such as flystrike in sheep, and lame or underfed horses appear common. There has been instances where the scale of the handover has been difficult for a single Inspector to manage.

Cases on farms are more difficult for some centres. In these instances there is a network of





people with expertise to assist. Some sites have no paddocks, and so have foster networks in place.

In Rotorua, there was a job referred to MPI by an Inspector in April 2015 relating to some neglected farm animals. The Inspector had to take action immediately, including destroying animals. In January 2016 there was what was initially thought to be another case, but which turned out to be the other end of the same property. On this occasion, the Inspector again had to take immediate action (destroy sheep, free animals). When it was noted that this was a continuation of the previous issues, it was again handed over to MPI. MPI did not provide any further information to the centre for its records and monitoring. This indicates some room for improvement with communication between MPI and the SPCA centres, and could be particularly important if legal proceedings are initiated or in progress, and SPCA is further involved.

There are reporting processes to MPI for transferred jobs which is managed by RNZSPCA.

### **Recommendation - 7. Communication Improvements between MPI and SPCA**

It is recommended that the communication channels for cases handed to MPI be reviewed, and that any SPCA centre involved, including the National Office, be kept informed of the progress and outcome of cases handed over. This could be particularly important if legal proceedings are initiated or in progress, and SPCA is further involved.

#### **12.0 Prosecutions**

Most centres have had or are involved with prosecutions. These sometimes involve other agencies including MPI, local councils and Police.

It was stated that successful prosecutions help with SPCA reputation, and reduce animal abuse.

#### **13.0 Reporting to MPI**

Reporting was reviewed at each site. Reports sent by the National Office to MPI were not reviewed, as this location was not part of this audit. All sites report to the national RNZSPCA office on an annual basis, and reports are sent to MPI from there.

The National Office provides each site with a spreadsheet for collating all required information.

The small sites have manual records and information is collated from these. The Central Hawkes Bay reporting included the Dannevirke figures also. Auckland uses the *PETNET* system. This does not collect the data in the format that MPI requires, so some data has to be manually sorted/collected. The PETNET system has been modified recently to match the outcome codes with MPI reporting codes.

Reporting via *Shelterbuddy* is very quick and easy.

Collating the information at the Hawkes Bay centre is very time consuming, and the current systems do not collect the data in the required format.

All jobs are reported by Inspectors each month including any search warrants.

Reports include complaints, prosecutions (if relevant), animals incoming, adopted, returned to owner, sent to pet shops, transferred to other agencies, euthanised (and the reasons), died in care, remaining in care.

Each centre has systems in place to monitor the accuracy of the data. While some minor errors were noted, it was confirmed that there is a high level of accuracy with the data.



Reporting of complaints appears consistent across the five centres. Complaints reported are actual complaints, and do not include animal “pick-ups and drop offs”. These are included, but not as complaints.

#### **14.0 Facility Inspections**

The sites visited varied in age, size, construction and condition. They were all clean and tidy.

All sites had areas where various animals can be received, treated, housed and adopted from. This is primarily for small animals (dogs and cats). These areas are not all laid out in an ideal manner to manage issues such as disease control/prevention, but disease outbreaks are very infrequent and are managed with strict procedures at each centre.

One site (Kawerau) had no proper isolation area for dogs, although the construction of a new area for this is planned. Currently sick animals are taken to the vet immediately, and foster care is used.

#### **16.0 Conclusions**

Findings from the audit sample can be considered as generally representative of all SPCA centres nationally.

Given the number and nature of recommendations raised in this report, the development and implementation of a national internal audit programme should take place prior to the next audit. If not, MPI will have to drive compliance on behalf of the SPCA rather than the SPCA being self-managing. A robust internal audit programme will assist SPCA with maintaining MPI's confidence in the overarching systems and agreements, and ensure the SPCA maintains its effectiveness and credibility as a trusted MPI organisation.

It is highly recommended that MPI consider and assist with implementing the recommendations raised in this report.



## Recommendations

### **Recommendation - 1. Review of the MoU**

It is recommended that the MoU be reviewed. The review needs to consider several issues. One of these is the review period. The required length of time between required reviews could change.

It is the auditor's opinion that the next MoU review should take place after the RNZSPCA restructure. The following review should be one year after that to monitor the effects of the restructure. Depending on the outcome of that review, the ongoing review period could be extended to a period determined at MPI discretion. If there are further changes, or if any significant issues occur then the review frequency may require a further change.

It is also recommended that the appropriate changes as detailed in following sections of this report be considered in the review.

### **Recommendation - 2. Review of the Performance and Technical Standards**

Part A: It is recommended that the RNZSPCA review the PTS documents, to ensure they accurately describe how the Centres, Inspectors, Auxiliary Officers, and the National Office interact to meet the MoU and AWA. A review of the reporting to and communication with MPI should be included. It is also recommended that the appropriate changes as detailed in the following sections of this report be considered.

Part B: It is recommended that MPI review the proposed changes and determine if they are appropriate and manageable prior to the documents being finalised. Further changes and communications may be required before the documents can be signed.

### **Recommendation - 3. Training and Mentoring of New Inspectors**

It is recommended that MPI and the RNZSPCA monitor the training and support for new Inspectors. The mandatory 20 hours of practical training should be extended as it appears insufficient to prepare new Inspectors for all situations they may encounter.

Consideration should be given to looking at ways to support Inspectors when they are in remote locations without cell phone coverage.

### **Recommendation - 4. Auxiliary Officer Approvals**

It is recommended that MPI and the RNZSPCA to review the frequency of AO training courses. Several centres stated that there are shortages of approved AOs. This could be an issue if there are insufficient staff to manage euthanasia decisions in a timely manner; in centres where there is a sole Inspector.

### **Recommendation - 5. Review of the Complaints Processes**

It is recommended that the review of the MoU and PTS documents include the procedures for managing complaints against Inspectors and Auxiliary Officers in a timely and appropriate manner, taking into consideration any potential employment issues.

### **Recommendation - 6. Review of the PTS**

It is recommended that:

- a) The review of the PTS includes consideration of the risk ratings, as the grading requirements used for animal welfare complaints are not always as per clauses 196-197 of the PTS. This does not appear to have caused any animal welfare issues, as in many cases the response is immediate. The immediate response is used for cases that may not require this according to the risk rating. This should be included.



## Recommendations

b) The implementation of *Shelterbuddy* is considered in the review. The timeliness should be monitored to ensure it is within the planned period (approximately end 2016).

c) The implementation of *Shelterbuddy* be monitored and reviewed, so that it can be confirmed that the correct rankings are used.

### **Recommendation - 7. Communication Improvements between MPI and SPCA**

It is recommended that the communication channels for cases handed to MPI be reviewed, and that any SPCA centre involved, including the National Office, be kept informed of the progress and outcome of cases handed over. This could be particularly important if legal proceedings are initiated or in progress, and SPCA is further involved.

## Appendices

Appendix A - Site Report SPCA Auckland Centre

Appendix B - Site Report SPCA Central Hawkes Bay Centre

Appendix C - Site Report SPCA Hawkes Bay Centre

Appendix D - Site Report SPCA Kawerau Centre

Appendix E - Site Report SPCA Rotorua Centre

Appendix F - Initiator Feedback for MPI use only

Appendix G - Issue outside the ToR

**NOTE: Appendix A, B, C, D, and E are withheld under section 9(2)(ba)(i) of the OIA**

## Distribution

Allan Kinsella, Director Systems Audit, MPI Assurance and Monitoring

Diane Carter, Manager, Systems Audit, MPI Assurance and Monitoring

Mark Fisher, Manager, Animal Welfare, MPI Animal Welfare

Ruth Houston  
Systems Auditor  
MPI SAT

Donn Olsson  
Systems Auditor  
MPI SAT

*Electronically Signed by Ruth Houston Auditor on the 06 Oct 2016 2:14 pm*

Thanks Ruth – all good. Mark

**From:** Ruth Houston

**Sent:** Tuesday, 23 August 2016 4:24 p.m.

**To:** Mark Fisher (Mark) <[Mark.Fisher@mpi.govt.nz](mailto:Mark.Fisher@mpi.govt.nz)>

**Cc:** Clare Francis (Clare) <[Clare.Francis@mpi.govt.nz](mailto:Clare.Francis@mpi.govt.nz)>; Kate Littin <[Kate.Littin@mpi.govt.nz](mailto:Kate.Littin@mpi.govt.nz)>

**Subject:** RE: SPCA audits 2016

Hi Mark

Sorry I am a bit slow – have had laptop issues!!

Responses below in red – I hope that makes sense.

I have amended the report with your suggestions, added a bit in the summary about all the hard work, and taken out the volunteer comments – they are attached separately for you to pass on.

Thanks

Ruth

**From:** Mark Fisher (Mark)

**Sent:** Friday, 12 August 2016 3:04 p.m.

**To:** Ruth Houston <[Ruth.Houston2@mpi.govt.nz](mailto:Ruth.Houston2@mpi.govt.nz)>

**Cc:** Clare Francis (Clare) <[Clare.Francis@mpi.govt.nz](mailto:Clare.Francis@mpi.govt.nz)>; Kate Littin <[Kate.Littin@mpi.govt.nz](mailto:Kate.Littin@mpi.govt.nz)>

**Subject:** FW: SPCA audits 2016

Just a couple of things I couldn't follow Ruth (but it is Friday afternoon!)

All of these were sent as draft to the centres for comment and correction before being finalised – it is always that we miss things!! – especially typos even with spell check.

These reports are a summary of what was discussed at each centre on the day of the audit. Information from them is then used in the final report

- What is "Audit outcome; N/A". I might have expected something like no issues identified or whatever?

I probably should have deleted this from the template – in this type of audit we don't really assign an outcome – although they were all good.

- And "Follow Up from previous audits" is similarly confusing in the context of each centre. The material does not relate to a previous audit of, for example Kawerau, but to other's audits. By all means leave it there just make it clear where those recommendations have come from.

Yes – true that these centres were not included in the last audit – or potentially any previous audits. But it is expected that the findings are considered at all centres – where relevant. An part of my terms of reference were to consider previous audit findings.

- Complaints against inspectors crop up in a couple of places. Do you know the nature of them, seems like a pretty important part of an audit despite them apparently not be substantiated.

In Central HB it was a family member of 9(2)(a) – causing trouble

In Napier it was a member of the public having the opinion that a complaint was more serious and therefore required faster action than the centre grading system – it was not an urgent issue

- Interesting that Hawke's Bay records all telephone conversations. Do you know if the exercise is worthwhile and if the callers are warned that this occurs?

I didn't dig into that – not really in my terms of reference – I would assume that it would be used for follow up if necessary – monitoring / training – or not?

- The following sentence in the Auckland report under AW complaints is a bit difficult to follow

Approximately 6500 complaints per year are managed (6414 in 2015); although it is noted that there may be more but data collection / analysis may not allow fully correct data to be provided as the data required by RNZSPCA for annual reporting does not easily match the data captured by auckland SPCA.

Yes – I agree!!

What I meant and said badly – as stated by the people in AKL, and as it was the first in the audit I was not sure at the time – that they said how they collected data – and which data, but also said others may do it differently (i.e. data from complaints, not from drop offs of cats / dogs etc) – that data is collected in a different way.

All centres are doing the data collection as per the spreadsheet, collecting the same data although in different initial formats at present – just it is a bit more complicated in AKL at present – Shelterbuddy will fix that.

- Apart from a few typos which you'll no doubt find, the Rotorua report appears a little mixed in referring to other centres in quite a few places.

In the Rotorua report I noted that Kawerau was covered by them – as there was no inspector in Kawerau. I also noted – as stated by the people there – that there was a person whose employment was terminated – who was now at Tokoroa. They were concerned with that. The centres work together when necessary – i.e. support each other. And the Rotorua people felt that they could no longer support Tokoroa as the terminated person had the Centre Manager position there.

Have a good weekend.

Mark

**From:** Ruth Houston  
**Sent:** Wednesday, 15 June 2016 1:27 p.m.  
**To:** Mark Fisher (Mark) <[Mark.Fisher@mpi.govt.nz](mailto:Mark.Fisher@mpi.govt.nz)>; 9(2)(a)  
**Cc:** 9(2)(a)  
**Subject:** RE: SPCA audits 2016

Hi all

Sure, here are the final site reports, there will be a final report also, I am working on it now.

Yes – I think there have been improvements since last year, certainly the 5 centres didn't have the issues noted in Otago!

Lots of hard work goes on – in a sometimes difficult environment.

Thanks

**From:** Mark Fisher (Mark)  
**Sent:** Wednesday, 15 June 2016 12:18 p.m.  
**To:** 9(2)(a); Ruth Houston <[Ruth.Houston2@mpi.govt.nz](mailto:Ruth.Houston2@mpi.govt.nz)>  
**Cc:** 9(2)(a)  
**Subject:** RE: SPCA audits 2016

Hi Ruth

Could I have copies of the reports too please.

Thanks

Mark

**From:** 9(2)(a)  
**Sent:** Wednesday, 15 June 2016 11:58 a.m.  
**To:** Ruth Houston <[Ruth.Houston2@mpi.govt.nz](mailto:Ruth.Houston2@mpi.govt.nz)>  
**Cc:** Mark Fisher (Mark) <[Mark.Fisher@mpi.govt.nz](mailto:Mark.Fisher@mpi.govt.nz)>; 9(2)(a)  
**Subject:** SPCA audits 2016

Hi Ruth

Hope all is well and that you enjoyed visiting the SPCA centre audits you recently carried out, you certainly encountered a great cross section of the organisation.

Thank you for sending the reports through, just wondering if you could provide copies of final reports for each Centre and if you are going to prepare a summary report for us here at RNZSPCA.

Reading the reports I am much more encouraged by the results compared to last year.

Kind regards

9(2)(a)

9(2)(a) **National Manager - Inspectorate and Centre Support**

Royal New Zealand SPCA | National Office | 3047 Great North Road

PO Box 15349 | New Lynn | Auckland | 0640 | New Zealand

Office: +64 9 827 6094 | Direct Dial: 9(2)(a) | Mobile: 9(2)(a) | Fax: +64 9 827 0784

Email: 9(2)(a) | Web: [www.rnzspca.org.nz](http://www.rnzspca.org.nz)

**From:** Mark Fisher (Mark)  
**Sent:** Wednesday, 15 June 2016 12:18 p.m.  
**To:** 9(2)(a); Ruth Houston <[Ruth.Houston2@mpi.govt.nz](mailto:Ruth.Houston2@mpi.govt.nz)>  
**Cc:** 9(2)(a)  
**Subject:** RE: SPCA audits 2016

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Thanks

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**From:** 9(2)(a)  
**Sent:** Wednesday, 15 June 2016 11:58 a.m.  
**To:** Ruth Houston <[Ruth.Houston2@mpi.govt.nz](mailto:Ruth.Houston2@mpi.govt.nz)>  
**Cc:** Mark Fisher (Mark) <[Mark.Fisher@mpi.govt.nz](mailto:Mark.Fisher@mpi.govt.nz)>; 9(2)(a)  
**Subject:** SPCA audits 2016

Hi Ruth

Hope all is well and that you enjoyed visiting the SPCA centre audits you recently carried out, you certainly encountered a great cross section of the organisation.  
Thank you for sending the reports through, just wondering if you could provide copies of final reports for each Centre and if you are going to prepare a summary report for us here at RNZSPCA. Reading the reports I am much more encouraged by the results compared to last year.

Kind regards

9(2)(a)

9(2)(a) **National Manager - Inspectorate and Centre Support**  
Royal New Zealand SPCA | National Office | 3047 Great North Road  
PO Box 15349 | New Lynn | Auckland | 0640 | New Zealand  
Office: +64 9 827 6094 | Direct Dial: 9(2)(a) | Mobile: 9(2)(a) | Fax: +64 9 827 0784  
Email: 9(2)(a) | Web: [www.rnzspca.org.nz](http://www.rnzspca.org.nz)

Hi Mark

Thanks for letting me know – good to know!

Thanks

**From:** Mark Fisher (Mark)  
**Sent:** Thursday, 25 August 2016 9:43 a.m.  
**To:** Ruth Houston <[Ruth.Houston2@mpi.govt.nz](mailto:Ruth.Houston2@mpi.govt.nz)>  
**Cc:** Kate Littin <[Kate.Littin@mpi.govt.nz](mailto:Kate.Littin@mpi.govt.nz)>; Clare Francis (Clare) <[Clare.Francis@mpi.govt.nz](mailto:Clare.Francis@mpi.govt.nz)>  
**Subject:** RE: RNZSPCA Draft audit report for comment

Thanks Ruth. Volunteers information was appreciated by Head Office. Mark

**From:** Ruth Houston  
**Sent:** Tuesday, 23 August 2016 4:45 p.m.  
**To:** Mark Fisher (Mark) <[Mark.Fisher@mpi.govt.nz](mailto:Mark.Fisher@mpi.govt.nz)>  
**Cc:** Kate Littin <[Kate.Littin@mpi.govt.nz](mailto:Kate.Littin@mpi.govt.nz)>; Clare Francis (Clare) <[Clare.Francis@mpi.govt.nz](mailto:Clare.Francis@mpi.govt.nz)>  
**Subject:** RE: RNZSPCA Draft audit report for comment

Hi Mark

Sorry – didn't attach in the last email, duh

Let me know if you have any further comments, and I will make the changes before I finalise!

Glad you had a good holiday – although now I guess it feels like a distant memory....

**From:** Mark Fisher (Mark)  
**Sent:** Friday, 12 August 2016 9:24 a.m.  
**To:** Ruth Houston <[Ruth.Houston2@mpi.govt.nz](mailto:Ruth.Houston2@mpi.govt.nz)>  
**Cc:** Diane Carter (Di) <[Diane.Carter@mpi.govt.nz](mailto:Diane.Carter@mpi.govt.nz)>; Kate Littin <[Kate.Littin@mpi.govt.nz](mailto:Kate.Littin@mpi.govt.nz)>  
**Subject:** RE: RNZSPCA Draft audit report for comment

No, I didn't see the reports for each centre sorry Ruth but have found them (must have been too keen to reduce the pile of emails). Will have a look at them now but that certainly answers my first query and I'm happy to forward the volunteers recommendation separately. Mark

**From:** Ruth Houston  
**Sent:** Thursday, 11 August 2016 5:42 p.m.  
**To:** Mark Fisher (Mark) <[Mark.Fisher@mpi.govt.nz](mailto:Mark.Fisher@mpi.govt.nz)>  
**Cc:** Diane Carter (Di) <[Diane.Carter@mpi.govt.nz](mailto:Diane.Carter@mpi.govt.nz)>; Kate Littin <[Kate.Littin@mpi.govt.nz](mailto:Kate.Littin@mpi.govt.nz)>  
**Subject:** RE: RNZSPCA Draft audit report for comment

Hi Mark

Great, thanks for your comments.

I am happy to take the volunteer part out – I will send it to you and you can forward as a separate finding.

Did you see the site reports that I did for each centre? – they have the findings of each centre in them – happy to send if you haven't seen them

I can add a little about each centre – but the site reports went to the sites and RNZSPCA at the time.

Thanks!

**From:** Mark Fisher (Mark)  
**Sent:** Wednesday, 10 August 2016 4:46 p.m.  
**To:** Ruth Houston <[Ruth.Houston2@mpi.govt.nz](mailto:Ruth.Houston2@mpi.govt.nz)>  
**Cc:** Diane Carter (Di) <[Diane.Carter@mpi.govt.nz](mailto:Diane.Carter@mpi.govt.nz)>; Kate Littin <[Kate.Littin@mpi.govt.nz](mailto:Kate.Littin@mpi.govt.nz)>  
**Subject:** FW: RNZSPCA Draft audit report for comment

Nice report Ruth.

Have made a few mainly minor suggestions on it – only a couple of substantial things for you to consider.

1. I like the way you've grouped all the centre's together, apart from a little bit of big vs. smaller centre contrasts – that make it a more relevant document for all the SPCA's centres generally. However, is there a opportunity to add a separate section highlighting each of the 5 centres – what they did well, what they could focus on etc.
2. The part about volunteers is valuable, but I'm not sure if it is relevant to the terms of the audit (as you've noted). I've added some comments on the draft but wonder now if it would be better removed and forwarded to the SPCA separately.

Otherwise, well done and thanks.

Apologies for the delay in getting back to you – have had a fantastic holiday in the UK and even better have come back to a role as Principal Adviser (to ease my way towards retirement). Kate is now the Acting Manager of the Animal Welfare Team until the vacancy has been filled. However, I'll continue in a handover role for as long as it takes.

Regards

Mark

**From:** Ruth Houston  
**Sent:** Friday, 1 July 2016 12:17 p.m.

**To:** Mark Fisher (Mark) <[Mark.Fisher@mpi.govt.nz](mailto:Mark.Fisher@mpi.govt.nz)>  
**Cc:** Diane Carter (Di) <[Diane.Carter@mpi.govt.nz](mailto:Diane.Carter@mpi.govt.nz)>  
**Subject:** RNZSPCA Draft audit report for comment

Hi Mark

Please find the attached report, as per SAT procedures you now have the opportunity to comment on it.

Your comments will be considered and, if appropriate, the draft report will be modified. These comments, and my response, will become part of the final report and will be distributed according to the SAT procedures.

If you have any concerns or questions, please contact me

Kind regards,

Ruth Houston | Systems Auditor - Systems Audit, Assurance & Monitoring  
Regulation & Assurance Branch  
Ministry for Primary Industries - Manatū Ahu Matua | Pastoral House, 25 The Terrace | PO Box 2526 | Wellington | New Zealand  
Telephone: 9(2)(a) | Web: [www.mpi.govt.nz](http://www.mpi.govt.nz)



Ministry for Primary Industries  
Manatū Ahu Matua



RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

FW: an issue noted during the SPCA audits

**From:** Peter Hyde

**Sent:** 27/05/2016 12:59

**To:** Mark Fisher (Mark)

**Cc:** Ruth Houston; Diane Carter (Di); Gary Orr (Gary); Matthew Stone

Good Afternoon

If you read the Email below you will see I indicated I would follow up a complaint that was referred from the SPCA.

As I suspected the complaint referred by the SPCA on 22 April was fully investigated. At the time I sent you the Email the file had not been uploaded into Action Step.

All the Material is now on the electronic file.

- Witness statements
- Vets Report
- Histology Report
- Formal Interview of 9(2)(a)

I have attached the Investigation Summary.

The recommendation by the Animal Welfare Inspector and the decision to warn was a finely balanced decision. There was enough evidence to prosecute in my view (A MPI prosecutor has the final decision on evidential sufficiency).

The decision to warn is an acceptable outcome and would be consistent with other similar cases investigated by MPI Animal Welfare Inspectors.

In my view the fact that 9(2)(a) was an employee of MPI had no bearing on the decisions that were made.

All documentation on file can be supplied on request.

*Regards*

**Peter Hyde** | National Manager Animal Welfare Compliance  
Ministry for Primary Industries | 69 Nazareth Avenue | PO Box 8324 | Christchurch | New Zealand  
Telephone 9(2)(a) | Facsimile: 64-03-339 3667 | Mobile 9(2)(a) | Web: [www.mpi.govt.nz](http://www.mpi.govt.nz)

**From:** Peter Hyde

**Sent:** Friday, 13 May 2016 4:10 p.m.

**To:** Matthew Stone <Matthew.Stone@mpi.govt.nz>

**Cc:** Ruth Houston <Ruth.Houston2@mpi.govt.nz>; Mark Fisher (Mark) <Mark.Fisher@mpi.govt.nz>;

Diane Carter (Di) <Diane.Carter@mpi.govt.nz>; Gary Orr (Gary) <Gary.Orr@mpi.govt.nz>

**Subject:** FW: an issue noted during the SPCA audits

Good Afternoon Matt

1 22 April 2015 Complaint

A complaint transfer was received from the SPCA on 22 April 2015. It was correctly written up and allocated to the Waikato District. The Notes are not adequate to ascertain what has occurred and the matter is still open. The Matter Summary Report is attached.

I suspect this is a failure to write up notes.

I will follow this up.

2 19 Jan 2016 Complaint

A complaint transfer was received from the SPCA on 19 Jan 2016 in relation to 9(2)(a). It was correctly written up and assigned to the Waikato District. Animal Welfare Inspector 9(2)(a) dealt with the Matter.

He made his first inspection on 27 January 2016 (refer matter summary report attached). He found no dead sheep. There were some minor issues with fly strike and sheep needing dagging.

The explanation for the dead sheep found by SPCA. "States he was unaware of it until pointed out by SPCA. Animal had got out of paddock and into a bush block where it was not visible - had got tangled up in temporary fence and died".

He made a follow up inspection on 15 March 2016 and found all the Animal Welfare matters had been attended to.

Verbal advise was given and the matter was closed.

The second complaint transferred by the SPCA on 27 January 2016 was adequately dealt with in my view.

*Regards*

Peter Hyde | National Manager Animal Welfare Compliance  
Ministry for Primary Industries | 69 Nazareth Avenue | PO Box 8324 | Christchurch | New Zealand  
Telephone: 9(2)(a) | Facsimile: 64-03-339 3667 | Mobile: 9(2)(a) | Web: [www.mpi.govt.nz](http://www.mpi.govt.nz)

**From:** Matthew Stone

**Sent:** Friday, 13 May 2016 12:30 p.m.

**To:** Ruth Houston <[Ruth.Houston2@mpi.govt.nz](mailto:Ruth.Houston2@mpi.govt.nz)>; Mark Fisher (Mark) <[Mark.Fisher@mpi.govt.nz](mailto:Mark.Fisher@mpi.govt.nz)>;

Peter Hyde <[Peter.Hyde@mpi.govt.nz](mailto:Peter.Hyde@mpi.govt.nz)>

**Cc:** Diane Carter (Di) <[Diane.Carter@mpi.govt.nz](mailto:Diane.Carter@mpi.govt.nz)>

**Subject:** RE: an issue noted during the SPCA audits

Thanks Ruth.

Mark, Peter – Can we please receive a summary of the outcome of the two complaints noted below, transferred from SPCA Rotorua and property owner 9(2)(a)

Mat

Matthew Stone BVSc MVS MANZCVS | Director Animal and Animal Products | Regulation and Assurance Branch  
Ministry for Primary Industries | Pastoral House 25 The Terrace | PO Box 2526 | Wellington | New Zealand  
Telephone: 9(2)(a) | Facsimile: 64-4-894 0662 | Mobile: 9(2)(a) | Web: [www.mpi.govt.nz](http://www.mpi.govt.nz)

[SEEMAIL]

**From:** Ruth Houston  
**Sent:** Friday, 13 May 2016 10:04 a.m.  
**To:** Mark Fisher (Mark) <[Mark.Fisher@mpi.govt.nz](mailto:Mark.Fisher@mpi.govt.nz)>; Matthew Stone <[Matthew.Stone@mpi.govt.nz](mailto:Matthew.Stone@mpi.govt.nz)>  
**Cc:** Diane Carter (Di) <[Diane.Carter@mpi.govt.nz](mailto:Diane.Carter@mpi.govt.nz)>  
**Subject:** an issue noted during the SPCA audits

Hi Mark, Matt

Di suggested that I let you know this – you may already know about it

I was at Rotorua SPCA on Wed doing the audit

The staff there mentioned a case where they were called in to some farm animals being neglected – they passed it on the MPI at the time – approx. April 2015.

Then in Jan 2016 had what they initially thought was another case – but that turned out to be the other end of the same property; the inspector had to destroy sheep etc,

When they realised it was the same property they handed it over to MPI again, and were a bit concerned

They said the property belongs to an MPI staff member – 9(2)(a)

They had not had any information back

I was a bit concerned if it is an MPI staff member; and that this has happened twice

Thanks

Ruth Houston | Systems Auditor - Systems Audit, Assurance & Monitoring  
Regulation & Assurance Branch  
Ministry for Primary Industries - Manatū Ahu Matua | Pastoral House, 25 The Terrace | PO Box 2526 | Wellington | New Zealand  
Telephone: 9(2)(a) | Web: [www.mpi.govt.nz](http://www.mpi.govt.nz)

The following was noted in the MPI SPCA audit carried out March – May 2016. This finding is outside of the Terms of Reference

### **Volunteers**

Volunteers make up a significant part of the SPCA staff, with some centres being managed and staffed entirely by volunteers. All centres put significant time and resourcing into training and monitoring volunteers, and many volunteers give a lot of their time to the SPCA.

There can be issues with some volunteers not being suitable: 9(2)(g)(i)

Some potential volunteers are from community work programmes where the police records are disclosed. Police checks are carried out on volunteers in Auckland as part of the process, as all potential staff and volunteers are police checked. This did not occur at any of the other centres in this audit. Many centres have had issues with theft, damage and vandalism. Some of this is caused by volunteers. As such, security systems are used in many centres.

There is currently no guidance available to centres for recruiting, assessing and managing volunteers. As considerable resourcing is invested with volunteers, the development of guidance for a structured approach to volunteer management would benefit the centres and possibly help recruit and retain suitable persons

### **Recommendation to RNZSPCA – Volunteer Management**

It is recommended that the RNZSPCA considers providing centres with guidance and a more structured approach with regard to recruiting and managing volunteers. Considerable time is spent on training people who can may not be unsuitable longer term. Some centres have issues with theft, damage and vandalism, and in some cases this is caused by volunteers. Centres may be able to manage this better with a higher level of support from RNZSPCA.

Ruth Houston

Systems Auditor, MPI





Systems Audit Team

**FINAL REPORT**

## **Audit Report**

Annual audit of RNZSPCA

National Office and Selected Regional Centres

April - May 2017

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982



## Important Note

This report may discuss Topics, i.e. subjects of particular interest. The discussion can include positive and negative elements. In some cases, the negative elements are such that Non-compliances result.

All deficiencies discussed as Non-compliances are expected to be resolved by auditee or the auditee's organisation, whether or not they are described as Serious Non-compliances. Serious Non-compliances constitute a system failure. They have a profile such that the effectiveness of the corrective actions will be measured in subsequent Systems Audit Team audits. Inadequate resolution can lead to failure of the subsequent audit.

Recommendations may appear in the report. These are non-binding, and do not affect subsequent audits. Their implementation may provide efficiencies for both the auditee and MPI. The presence of recommendations to change existing specifications does not excuse the absolute requirement to conform to the existing specifications. Changes to specifications that may result from these recommendations will be promulgated officially.

The Auditee is reminded that audit reports are subject to the *Official Information Act 1982*. The Auditee may highlight any information considered confidential during the course of the audit however the Auditor cannot provide any assurance to the Auditee that the information considered confidential will not be disclosed as a result of an enquiry under the Official Information Act.



## Terms of Reference

### Goal(s)

To assess the effectiveness of Royal New Zealand Society for the Prevention of Cruelty to Animals Incorporated (RNZSPCA) national procedures to ensure that obligations and requirements of the *Animal Welfare Act 1999* (AWA) are being met by RNZSPCA/SPCA branches and member societies (centres).

To evaluate how the systems and procedures implemented by the RNZSPCA are meeting the requirements outlined in the Memorandum of Understanding (MOU) between the RNZSPCA and the Ministry for Primary Industries (MPI).

To assess the effectiveness of the RNZSPCA/SPCA branches in managing the requirements of the AWA and MOU for appointments, training and monitoring of Inspectors and Auxiliary Officers.

To assess corrective actions undertaken by the RNZSPCA national body and/or RNZSPCA centres in response to the previous MPI systems audit findings, and if appropriate to recommend further improvements to ensure requirements of the AWA are met.

To make recommendations to MPI for improvements to the MOU, and AWA ancillary notices and specifications and guidance as required.

### Scope

Shall include interviews with the RNZSPCA national and regional offices staff and a review of methods used for the assessment and recommendation to MPI for appointment of their Inspectors and Auxiliary Officers.

Shall include an examination of reports submitted by the RNZSPCA national office to MPI, and if the reporting satisfies requirements of the MOU.

Shall include an examination of the follow-up actions taken by the RNZSPCA in response to the findings of 2016 round of audits.

A sample of locations included in this audit shall consist of the national RNZSPCA office and five regional centre offices and facilities.

### Standards / Legislation

1. *Animal Welfare Act 1999*
2. Memorandum of Understanding between the RNZSPCA and MAF, 2010
3. RNZSPCA Performance and Technical Standards for Inspectors of RNZSPCA, 2012
4. Performance and Technical Standards for Auxiliary Officers of RNZSPCA, 2012.

### Initiator

Kate Littin, Manager Animal Welfare, Regulation and Assurance, MPI

### Specialist / Observers

The auditor may call upon the services of other parties as deemed appropriate to facilitate the audit. The Initiator or representatives nominated by the Initiator may attend audits in this domain as Specialists / Observers.



## Response to Critical Situation

If a critical situation is identified, the provisions of the MPI Systems Audit Team (SAT) procedure for management of critical situations (SAAM-SAT-004-PRO) shall be implemented. The Initiator shall be contacted immediately and any actions will be determined in consultation with the Initiator and/or Manager, Systems Audit.

A Critical situation is defined as follows: *"Any situation which, in the professional judgement of the auditor, Initiator or Manager Systems Audit places food safety, market access, official assurances, animal welfare or MPI Directors' credibility at risk. A critical situation may result from information received from a number of sources as well as SAT audit findings."*

## Other Terms of Reference

The audit will be conducted according to SAT operating procedures (SAAM-SAT-002-PRO).

### *Non-conformance Management*

The mechanism for resolving any identified serious non-compliances will be recorded in the Serious Non-Compliances, Corrective Action Requirements section of this audit report. Closure of any non-compliances raised will be as agreed with, and to the satisfaction of, the Initiator.

### *MPI Issues*

Issues identified and raised during the audit that require MPI attention will be specified in the final audit report. The Initiator must identify the relevant accountable persons to manage any required follow-up.

### *Reporting Considerations*

The auditee may receive Location Finding or a site report. Upon completion of the audit the lead auditor will submit a draft audit report to the Initiator and to the Manager Systems Audit for comment. The draft may also be submitted to the RNZSPCA for comments, at the Initiator's discretion.

The final report shall be distributed to:

Allan Kinsella - Director Systems Audit, Assurance and Monitoring  
Diane Carter - Manager Systems Audit, Regulation and Assurance  
Kate Littin - Manager Animal Welfare, Regulation and Assurance  
Chris Rodwell - Manager Animal Welfare Compliance, Operations

Further distribution of the final report will be at the discretion of the Initiator.

### *Other*

All travel costs associated with this audit and undertaken by the allocated auditor(s) are approved by the Manager Systems Audit on approval of these Terms of Reference.

The auditor will notify auditees of the impending audit and provide them with a copy of these Terms of Reference prior to the audit date.



## Audit Date (Last Day)

31 May 2017

## Audit Number

4495

## Location(s)

Royal New Zealand Society for the Prevention of Cruelty to Animals t/a: RNZSPCA, 3047 Great North Road, PO Box 15349, Auckland  
SPCA North Taranaki t/a: SPCA North Taranaki, 75 Colson Road, New Plymouth  
SPCA Canterbury t/a: SPCA Canterbury  
Whakatane SPCA t/a: Whakatane SPCA, 15 Gateway Crescent, Whakatane  
Hastings and District SPCA t/a: Hastings and District SPCA, 8 Heathcote Rd, RD5, Hastings  
Gisborne SPCA t/a: Gisborne SPCA, 14 Nursery Rd., Gisborne

## Lead Auditor

Jan Roznawski, MPI Systems Audit Team, Systems Auditor

## Auditor(s)

Ruth Houston, MPI Systems Audit Team, Systems Auditor

## Auditee(s)

9(2)(a) [REDACTED], RNZSPCA, National Manager, Inspectorate and Centre Support  
9(2)(a) [REDACTED], RNZSPCA, Animal Welfare Coordinator  
9(2)(a) [REDACTED], RNZSPCA, Regional Manager  
9(2)(a) [REDACTED], SPCA North Taranaki, Area/Centre Manager  
9(2)(a) [REDACTED], SPCA North Taranaki, Centre Coordinator, Inspector  
9(2)(a) [REDACTED], SPCA North Taranaki, Senior Inspector  
9(2)(a) [REDACTED], SPCA Canterbury, Chief Inspector  
9(2)(a) [REDACTED], SPCA Canterbury, Operation Manager  
9(2)(a) [REDACTED], Whakatane SPCA, Centre Manager  
9(2)(a) [REDACTED], Whakatane SPCA, Senior Inspector  
9(2)(a) [REDACTED], Whakatane SPCA, trainee Auxiliary Officer  
9(2)(a) [REDACTED], Hastings and District SPCA, Centre Manager  
9(2)(a) [REDACTED], Hastings and District SPCA, Inspector  
Sharon Arcus, Hastings and District SPCA, Centre Committee Chair  
9(2)(a) [REDACTED], Gisborne SPCA, Centre Manager  
9(2)(a) [REDACTED], Gisborne SPCA, Auxiliary Officer  
9(2)(a) [REDACTED], Gisborne SPCA, Inspector

## Audit Type

Allocated Audit



## Background

### Introduction

The audit took place between 26 April and 9 June 2017 and included the SPCA National Office in Auckland and the following five SPCA centres: North Taranaki, Canterbury, Whakatane, Hastings & Districts and Gisborne.

Two SAT auditors, Jan Roznawski and Ruth Houston visited the first two locations, Auckland and New Plymouth, after which Jan Roznawski visited the remaining four locations, in Christchurch, Whakatane, Hastings and Gisborne. 9(2)(a), the RNZSPCA Regional Manager was an observer during the audit at those last four locations.

The SPCA National Manager selected and recommended to MPI the centres, taking into considerations the length of time since the last audit and the size of the centres. The recommended centres represented those that had not been audited previously or for many years and were of various sizes, from small to large, both rural and urban.

All individuals that were spoken with during the course of the audit are shown in the Auditees list. 9(2)(a), the Gisborne SPCA Inspector was not present during the audit but provided written answers to questions that the auditor prepared for her prior to the audit.

Location findings were created at each centre and they are appended to the report.

### Requirements

The MoU between the SPCA and MPI stipulates requirements for selection, appointment, training of SPCA inspectors and auxiliary officers, enforcement of the Act, management of animal welfare complaints and complaints against inspectors or auxiliary officers, records keeping, and management and accountabilities of the SPCA as an MPI approved organisation.

The MoU requires annual audits of Branches and Member Societies (MS). Branches or Member Societies are selected for audit with the agreement of, and input from, the National Office. The audits have been carried out by the Systems Audit Team (SAT) or its predecessors.

Historically, the MPI annual audits included three locations proposed by the SPCA National Office and agreed to by MPI. Following the SAT recommendation from the 2015 audit the scope had been expanded and five locations were selected for the audit in 2016. Similarly, the scope of this year audit included six locations - the SPCA National Office, and five branches (Centres).

The SAT audit includes assessment of corrective actions and changes undertaken by the SPCA national body and regional centres in response to the previous MPI audit, and if appropriate, recommends further improvements.

The PTS for Inspectors and AOs detail the requirements noted in the first paragraph of this topic. These standards were reviewed in 2012 and signed by both parties (MPI and SPCA) in February 2013, but are referred to as versions 2012 of the PTS.

### SPCA

At the time of the audit the SPCA had 40 Branches and 6 Member Societies (MSs) operating in New Zealand. Branches and Member Societies are referred to as "Centres" by the National Office and this terminology is adopted by the auditor in this report. The Centres are overseen on a regional basis by four SPCA Regional Managers. The Branches and Member Societies (Centres) cover all geographical areas of NZ and currently there are no gaps between them.

SPCA Branches operate under SPCA constitution and funding, and MSs have their own



constitution and independent funding. Each SPCA Centre has a chief executive or manager as well as a management board (Centre committee). The Centres are supported by local communities, volunteers, and their own fundraising.

The SPCA National Executive Committee is a part of the National Board that runs on a day-to-day basis its National Support Office in Auckland (National Office). The accountability for management of the National Office stays with the CEO, who reports to the National Board and manages the National Office. The National Office is run according to Board and Executive Directives. The National Manager, Inspectorate & Centre Support works closely with a Chief Scientific Officer (CSO) who sets animal welfare policies and manages the integration with MPI. There are two Animal Welfare Coordinators based in the National Office who liaise with the Centres and provide them with technical and operational support. A bi-monthly newsletter is published by the Marketing and Fundraising team that is distributed to all Centres and includes a variety of information from general news to events and national updates including information relevant to Inspectors and Auxiliary Officers.

Currently, there are 79 warranted Inspectors and 5 trainee Inspectors, and 81 warranted Auxiliary Officers plus 14 trainee Auxiliary Officers (AOs). The number of Inspectors and AOs employed by the visited Centres vary, from one Inspector and one AO in Whakatane to seven Inspectors and 10 AOs in Christchurch. There are between 25 and 150 volunteers affiliated with each of those Centres. The Gisborne Centre came out of RNZSPCA administration in April 2014, just over 3 years ago.

### SPCA restructure

The SPCA restructure has been on the agenda for several years with a number of workshops and consultation meetings being held between the National Office and Centres. During the AGM meeting in June 2017 delegates from all Centres have voted for the proposed new constitution and new rules governing the SPCA. According to the passed resolution the “new” SPCA is to commence its operation from 1 Nov 2017.

Under new rules all Centres will cease to exist as independent entities and a new organisation, RNZSPCA (or similar name) with its new Centres will be created. The country will be divided into 3 regions, and 11 areas within the regions. There will be one CEO, 3 regional general managers and 11 area managers. There is an intention that the Centre managers should be the current managers of existing Centres.

There may be some Centres that will choose not to join, and those areas will lose the legal SPCA status and will become separate entities with names other than SPCA. The biggest change for the National Inspectorate will be the one employer for all inspectors (rather than the Inspectors being employed by each separate Centre).

### Abbreviations

AO - Auxiliary Officer  
AWA - Animal Welfare Act 1999, the Act  
CEO - Chief Executive Officer  
CSO - Chief Scientific Officer  
IoA - Instrument of Appointment  
MAF - Ministry of Agriculture and Forestry  
MoU - Memorandum of Understanding  
MS - Member Societies  
MPI - Ministry for Primary Industries  
PTS - Performance and Technical Standards  
RNZSPCA - Royal New Zealand Society for the Prevention of Cruelty to Animals  
SAT - Systems Audit Team  
SPCA - Society for the Prevention of Cruelty to Animals



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## Topics

### 1.0 Follow up to Previous Audits

There were seven recommendations made to SPCA and MPI during the audit in 2016. The auditors also looked at two recommendations made by the SAT auditor in 2015.

### 1.1 Expanding the scope of the audit (2015 audit)

The scope of the annual audit had been expanded and there were five SPCA Branches and Member Societies audited in 2016 and six centres audited during this 2017 round of audits. The day-to-day supervision of Inspectors, and working relationship between the Centres and National Office, have been included in the scope of the audits since.

### 1.2 Internal Audit (2015 audit)

A specific internal audit programme has not yet been established. While the auditees agree overall with that recommendation, the implementation of such a programme in the current environment is limited by various factors. Additional funds and training of SPCA auditors continue to be the main limitations. The National Manager, Inspectorate and Centre Support has indicated that RNZSPCA does not have sufficient experience in internal auditing and that MPI assistance with training of SPCA internal auditors would be very valuable.

Under the current structure where SPCA Centres run their own operating model imposing an internal audit process was difficult. Under the proposed changes all independent Centres will fall under one umbrella of the SPCA and the National Office has a strategy to build an internal audit process into that new structure.

Nonetheless, since the 2016 audit, the National Office has launched a number of initiatives aimed at developing resources to assist Centres in a number of areas. One of them is a Centre Checklist; a tool that can assist Centres in measuring their performance against wide set of animal welfare parameters, identifying areas of success and areas for development. In addition, the National Manager and Centre Support sends all Centres the summary of findings and recommendations from the MPI annual audit to ensure those issues have been addressed on the regional level, where applicable.

All Centres had used the Centre Checklist and they all confirmed substantial compliance with the checklist. Three of five Centres were familiar with the findings from the previous MPI audit. In one case, a newly appointed manager was not aware of the findings and in another case, the Centre committee most likely failed to pass that information on to the manager.

### **Recommendation - 1. To Manager, Animal Welfare Team – Assistance in training of SPCA auditors**

It is recommended to the Manager, Animal Welfare Team that MPI considers providing assistance to SPCA with training of the internal auditors.

Training of internal auditors has been identified by SPCA as one of the main limitations in implementing their internal audit programme. The National Manager, Inspectorate and Centre Support has indicated that SPCA does not have sufficient experience in internal auditing and that MPI assistance with training of SPCA internal auditors would be very valuable.



MPI has a great deal of expertise in auditing animal welfare related fields and in the auditor's opinion these could be utilised in assisting SPCA in training their own resources. Having effective internal audit programme would facilitate SPCA in effective delivery of their national programme and provide MPI with confidence the SPCA as an approved organisation meets their duties and obligations in relation to the Act.

### 1.3 Review of the MoU (2016 audit)

During a pre-2017 audit meeting with the Initiator, Kate Littin, she advised the SAT auditor that the review of the MoU was to be further delayed until SPCA decides on the new structure.

#### **Recommendation - 2. To National Manager, Inspectorate and Centre Support, RNZSPCA and Manager Animal Welfare, MPI - Review of the MoU**

This recommendation is carried over from the previous 2016 audit.

It is recommended to the RNZSPCA, National Manager, Inspectorate and Centre Support and the Initiator, the Manager Animal Welfare, MPI that review of the MoU is carried out to ensure the proposed changes of SPCA structure are incorporated into that agreement. As previously recommended, that review should be done within one year of the restructure. Depending on the outcome, the ongoing review period could be extended to a period determined at MPI discretion.

### 1.4 Review of the PTS (2016 audit)

This recommendation is linked to the review of MoU and it has also been delayed until the proposed SPCA restructure is implemented.

#### **Recommendation - 3. To National Manager, Inspectorate and Centre Support, RNZSPCA and Manager Animal Welfare, MPI - Review of the PTS**

This recommendation is carried over from the previous audit.

It is recommended to the RNZSPCA, National Manager, Inspectorate and Centre Support and the Initiator, the Manager Animal Welfare, MPI that review of PTS documents is carried out.

Part A: It is recommended that the SPCA reviews the PTS documents, to ensure they accurately describe how the Centres, Inspectors, AOs, and the National Office interact to meet the MoU and AWA. A review of the reporting to and communication with MPI should be included.

Part B: It is recommended that MPI reviews the proposed changes and determine if they are appropriate and manageable prior to the documents being finalised. Further changes and communications may be required before the documents can be signed e.g. differences between the Complaints Bylaw and the PTSs for managing complaints against Inspectors and AOs should be aligned.

### 1.5 Training and Mentoring of New Inspectors (2016 audit)

The National Office has reviewed the training programme for inspectors and the overall SPCA Inspectorate framework. As a result, a National Inspector Competency Training Programme for inspectors has been developed. That programme has been already trialled at three main centres; Auckland, Wellington and Christchurch.



Due to small numbers of staff at many remote locations, the problem of monitoring and training of new Inspectors in small centres is ongoing. However, to improve the support for inspectors the National Office developed and provided all Centres with a suite of technical and operational procedures and templates, as guidance. All these documents are available on the SPCA website as part of the Inspectorate web resource.

#### **1.6 Auxiliary Officer Approval (2016 audit)**

It was recommended that MPI and RNZSPCA review the frequency of AO training in order to increase the number of AOs.

The National Office runs two intakes of trainee AOs per year and training is carried out in May and October. If the trainees fail the first online assessment they have one further opportunity to re-sit the assessment. In total there are 4 assessments for AOs per year – 2 regular assessments and 2 repeat assessments if required. Taking into consideration the amount of work and time that is needed for carrying out police checks, filling out the SPCA and MPI application forms and sending them to MPI it is logistically difficult to organise more training sessions for AOs.

The number of trainee AOs has increased from approximately 20 in 2016 to 30 in 2017. Currently, there are 81 AOs and 14 trainees for the next course. The number of AOs has doubled from 40 trained AOs in 2015.

#### **1.7 Review of the Complaints Process (Complaints against Inspectors and AOs) (2016 audit)**

It was recommended that the review of the MoU and PTS documents include the procedures for managing complaints against Inspectors and AOs in a timely and appropriate manner, taking into consideration any potential employment issues.

As advised by the National Manager, there are variations in the way complaints against Inspectors and AOs are handled as there are differences between the Complaints Bylaw and the PTSs for managing complaints. When the PTSs are reviewed then these should be aligned. The National Office has now drafted a new procedure that blends those two documents. An example of a recent, closed complaint against an Inspector demonstrated that procedure was correctly followed.

However, the staff at two Centres reported they had been dissatisfied with the National Office managing the complaints. An Inspector in one Centre felt the National Office staff's enquiry was inadequate and the conclusion prejudiced. An AO in another Centre felt strongly that the support provided by the National Office for the AO to handle the complaint was inadequate.

#### **Recommendation - 4. To National Manager, Inspectorate and Centre Support, RNZSPCA – Review of the Complaints Process**

This is an extension of the recommendation made in the previous audit.

It is recommended to the RNZSPCA, National Manager, Inspectorate and Centre Support that SPCA revisits their complaints process to ensure the enquiries are full, and objective and their own staff is treated fairly and supported throughout the process.

Due to comments made by the key personnel at two Centres the auditor is in the opinion that SPCA should be more considerate when handling complaints against inspectors and AOs in order to avoid alienating their own staff.



### 1.8 Review of PTS (Animal Welfare Complaints) (2016 audit)

It was recommended that: a) the review of the PTS includes consideration of the grading of complaints b) the implementation of "Shelterbuddy" is included in the review c) the implementation of "Shelterbuddy" is monitored and reviewed.

The "Shelterbuddy" system (electronic animal register and complaint database) has been already adopted and used by 32 of 46 Centres (in comparison with only 5 of 46 centres a year ago). The grading of cases used by the "Shelterbuddy" system is based on the PTS. The National Office developed a Dispatch Shelterbuddy Manual; a guidance document which includes a summary on the types of questions that should be asked in order to obtain the right information for the complaint's risk assessment and grading. The manual was distributed to all Centres that took up the "Shelterbuddy" system. The guidance documents pertaining to the essential animal welfare complaint questions, as in the manual, has been distributed to all Centres regardless of whether or not they use "Shelterbuddy". In addition, all Centres have been provided with a Dispatch Request form; a two page sheet that summarises and classifies the received calls including grading of cases. The National Office can view most of the Centres' "Shelterbuddy" systems online.

Three of the visited regional Centres have adopted the "Shelterbuddy" system and were familiar with the Dispatch Shelterbuddy Manual. The remaining two Centres use a combination of paper and electronic records and registers (e.g. electronic "AWSOM" system).

In the majority of Centres the grading of animal welfare complaints is done directly by Inspectors or under the supervision and guidance of Inspectors. In some Centres the initial grading is done by receptionists/dispatchers; some being warranted AOs themselves, and reviewed by the Inspectors when they are available. Personal experience is the main determinant by which the grading of complaints is done by the non-warranted administration staff. During interviewing the non-warranted staff they all demonstrated the grading of animal welfare cases follows, to a large extent, that of the PTS.

### 1.9 Communication Improvements between MPI and SPCA (2016 audit)

It has been recommended that the communication channels for complaints formally transferred to MPI be reviewed and that the requesting SPCA Centre be kept informed of the progress and outcome of cases transferred via National Office.

Since approx. 2012 MPI has not been providing SPCA (National Office or Centres) with information relating to complaints that were transferred to MPI. In earlier discussions MPI has advised the SPCA that it was prepared to share investigation outcomes only (e.g. Closed, Verbal Advice Given, Written Warning issued etc.). For all MPI-SPCA transfers, the SPCA provides MPI a report summary of the full investigation and would appreciate a reciprocal arrangement. According to the SPCA a brief summary or investigation overview on all transfers would benefit individual Inspectors and Centres involved and would assist in managing complainants (e.g. advise them if MPI is still conducting its investigation or if it has been concluded). According to the National Manger, that matter has been discussed with MPI but so far there has been no change in the MPI approach.

During the 2016 SPCA audit SAT made recommendation to the MPI to review its policy and provide the SPCA with information on the progress and outcome of cases handed over.

### MPI Issue - 1 - Transfer Policy



According to the MoU, Section 72 MPI, as the agency accepting the transfer of complaints is obliged to provide feedback to the SPCA, the transferring agency, on the progress of the investigation of the complaints. MPI has advised the SPCA that it was prepared to share investigation outcomes only with no further details.

During the 2016 SPCA audit SAT made recommendation to the MPI to review its policy and provide the SPCA with information on the progress and outcome of cases handed over. No information on the progress of transferred cases is provided.

A brief summary or investigation overview on all transfers would fulfil the collaborative partnership agreement between SPCA and MPI and would benefit individual Inspectors and Centres and assist in managing complainants.

## 2.0 Policies and Procedures

The National Office has standardized a number of policies and procedures that apply to functions carried out by the office as well as regional centres. These include key procedures such as euthanasia and animal welfare investigation but also policies related to: safe system of work, effective communication, training etc. The resources and templates that National Office developed are available on the SPCA website for the centres to use.

Section 290 of the PTS (Inspectors) and Section 189 of the PTS (Auxiliary Officers) requires all SPCA Centres to have up-to-date Policy and Procedure Manuals kept at the premises and complied with by all staff and volunteers.

The Centres have adopted the SPCA national policies and procedures and adjusted these to local circumstances however, these differ significantly between the Centres. In one Centre the Policy and Procedure Manual was very comprehensive and covered almost every area of the Centre activity and potential risks the Centre may face. In another Centre the policies and procedures were minimal and not providing adequate information. Similarly, in some Centres the policies and procedures were regularly updated, discussed and acknowledged by the staff. In other Centres the procedures were outdated and there was no evidence the staff and volunteers had discussed/acknowledged the changes.

The lack of updated policies and procedures made it difficult to ascertain if correct ones were complied with by all staff including volunteers.

Section 220 of the PTS (Inspectors) requires every SPCA Centre to have its own policy regarding euthanasia that follows the SPCA National Euthanasia Policy. The majority of the sites had documented their own euthanasia policy but in one Centre the policy was a copy and paste of the SPCA national euthanasia policy without specifying the roles or names of the people making euthanasia decisions (euthanasia panel).

The auditor has made a recommendation in the Location Findings to those Centres where policies and procedures were identified as deficient (see Appendixes E and F) but is also making here a similar recommendation to the National Office to ensure the implementation is consistent across the centres.

### **Recommendation - 5. To National Manager, Inspectorate and Centre Support – Policy and Procedure Manual**

It is recommended to the RNZSPCA, National Manager, Inspectorate and Centre Support that the SPCA National Office ensures up-to-date policy and procedure manuals are maintained at each centre. Consideration should be given to a minimum list of policies and procedures that



should be kept by each centre.

### 3.0 Memorandum of Understanding, MoU

The MoU requires the National Chief Inspector to maintain and ensure all Centres, Inspectors and AOs comply with various provisions of the Act, the MoU and PTS. While the SPCA can ensure the majority of these provisions are complied with some policies are out of the SPCA control. The National Office develops policies and procedures but their uptake is up to individual centres (as reported above). More meaningful control over these provisions will be in place once the restructure of the SPCA takes place and the National Office has a line of control over the branches (internal audit).

### 4.0 Selection, Training and Appointment

One of the Animal Welfare Coordinators (SPCA National Inspectorate) looks after the Centres for training, appointing and warranting Inspectors and AOs. Inspectors must attend mandatory training each year to maintain their warrants.

#### 4.1 Selection

Criteria used by all the Centres when selecting candidates for training as Inspector or AOs generally follow those listed in the PTSs. Some Centres reported they do not have a luxury of having a group of people interested in applying for the positions and all candidates are carefully considered.

Generally, the candidates are selected from amongst the existing staff that have been known to the Centres and that have been working in the Centres in various capacities for some time. While this is true for most, one Centre employed a person that was not known to the staff prior but spent a month at the Centre during her training before applying for the job as an Inspector.

The criminal history, NZ citizenship and residency status of the candidates are checked by the National Office upon receiving recommendations for training from the regional centres. The National Manager explained his, and delegated person's role, in the interviewing of selected candidates for training.

One of the Centres even organises monthly induction sessions for people interested in volunteering at the Centre.

#### 4.2 Training

Training policies and procedures are established for different types of applicants for inspectors e.g. those that are new to the industry with no qualifications, those that are new to the industry with previous qualifications, those that are returning graduates of Unitec etc. In order to facilitate training and appointment processes the National Office developed extensive check lists, separate for initial training, first appointment and renewal appointment.

All trainee inspectors undergo training that is delivered by UNITEC Auckland. The Centre Inspectors spoken with during the audit were all complimentary about the UNITEC training programme.

As reported under the Follow up to Previous Audits section, the National Office has developed a National Inspector Competency Training Programme for inspectors. The programme has been already trialled at three main Centres (Auckland, Wellington and Christchurch) and is to be



implemented in other Centres once the new structure is in place. For other Centres the National Office developed a suite of technical and operational procedures and templates, as guidance. All these documents are available on the RNZSPCA website as part of the Inspectorate web resource.

Some Centres have organised, of their own initiative, other forms of training e.g. Canine Temperament Testing at Hastings and District SPCA.

There is a high level of support for newly appointed Inspectors in larger centres that employ many Inspectors, and in locations where at least one experienced Inspector is available. Inspectors at three Centres confirmed they had received satisfactory support in the first year of the appointment. In one small Centre, an Inspector was placed on the job straight away after completing her training programme with no opportunity to work alongside any experienced Inspector. That Inspector was employed part-time only, one day a week, and that limited her exposure to the Centre's daily activities and handling of animal welfare complaints. Although such a situation arose from the lack of availability of an experienced inspector in the region, in the auditor's opinion the National Office and the Centre should have arranged for practical training with an experienced inspector at a different location.

The training programme for auxiliary officers is based on online modules that have been prepared by the National Office, and which the AO candidates have to complete within a required time. While the Centre AOs assessment of this type of training was positive, two of them commented that feedback from the National Inspectorate on their performance would be appreciated.

#### **Recommendation - 6. To National Manager, Inspectorate and Centre Support, RNZSPCA – Support for Inspectors during the post-warranting period**

It is recommended to the RNZSPCA, National Manager, Inspectorate and Centre Support that the National Office and Centres provide the newly appointed inspectors with support and access to an experienced inspector, during the post-warranting period. At present this is not happening at all locations esp. in small centres where the availability of experienced inspectors for training is limited.

#### **4.3 Appointment and Reappointment**

The National Office manages the recommendations for appointments and renewal of appointments of inspectors and AOs, as per Sections 22 and 23 of the MoU.

The SPCA Animal Welfare Coordinator maintains a reminder list of expiry dates of appointments for all Inspectors and AOs and sends e-mail notifications, with attached renewal application forms, to Centres 3 months prior to the expiry date. All Centre managers also monitor the due dates for renewal of appointments of their Inspectors and AOs, and in one Centre, Canterbury SPCA, a computer "VAULT" program is used as a tool for identification and notification of incoming renewal of appointments for Inspectors and AOs.

All SPCA inspectors' appointments are valid anywhere within New Zealand' as per PTS Section 124 (3) (b) (ii). When an inspector changes the area of jurisdiction he/she works in, the National Office notifies MPI of the transfer. MPI records and acknowledges such transfers but no longer replaces the existing Instrument of Appointment, as described in MoU, Section 45. Validity of that requirement should be also included in the recommended review of the MoU.

One Inspector, from Whakatane SPCA is also contracted as an Inspector by Kawerau SPCA and at times she operates outside the Whakatane SPCA area of jurisdiction. However, that is done with permission from both Centres.



The National Office is generally successful in retrieving Certificates of Appointment from Inspectors and AOs that cease to work for, volunteer at or otherwise be affiliated in that capacity to the RNZSPCA or their Centres.

During the audit the auditor viewed Instruments of Appointment (IoA) of selected Inspectors and AOs, and all presented IoAs were valid.

The National Office and all Centres demonstrated compliance with appointment and reappointment processes for Inspectors and AOs and the Centres' managers were overall complimentary about the National Office running these processes.

#### 4.4 Ongoing Training

The SPCA National Office organises refresher training workshops for appointed Inspectors. This training focuses on various areas of interest and is run in different locations, sometimes more than once per year to ensure all inspectors attend. There are four training sessions scheduled for the period between June and October 2017.

Last year, the SPCA organised an 'Emerging Leaders' course for selected inspectors at the Edmund Hillary outdoor activity centre at Tongariro. The main purpose of this course was to train future leaders in dealing with large scale crisis situations. The same type of course is scheduled for September this year for current senior inspectors in leadership positions.

The National Office sends reminders to inspectors that didn't attend annual training sessions and places their names on the list for the next year's training. As a rule, the Inspector may skip the attendance at the annual training session, if justified, but repetitive absences may result in the National Office not recommending the Inspector for renewal of appointment.

All Inspectors from the audited Centres are on the list to attend the scheduled refresher training workshops this year. Generally, all Centre managers and all but one Centre committee appeared to be supportive of the ongoing training for inspectors. One Centre manager reported that the Centre committee was dissatisfied with the Inspector's absence during training and additional costs involved.

While the National Office manages the ongoing training for inspectors well the same cannot be said about refresher training for AOs. Four AOs from three Centres advised the auditor they had not attended any refresher training since their appointment, although one of them has been in the role of AO for less than a year. The Canterbury SPCA organises refresher trainings for their AOs as part of ongoing training. The Gisborne SPCA AO attended a Centre Management course run by the National Office which included some specific units for AOs.

Lack of ongoing training for AOs is not in line with PTS for AOs Section 93 that requires AOs to attend training workshops at least once in every 3-year period.

#### **Recommendation - 7. To National Manager, Inspectorate and Centre Support, RNZSPCA - Ongoing Training for Auxiliary Officers**

It is recommended to the RNZSPCA, National Manager, Inspectorate and Centre Support that the National Office provides all AOs with the opportunity to attend training workshops as defined in the PTS for Auxiliary Officers. At present AOs from several Centres have not participated in any ongoing training workshops.

#### 4.5 Day-to-day Supervision of Inspectors and Evaluation of Inspectors' Performance





Day-to-day supervision of Inspectors' activities is simple in small Centres where direct contact with the manager is frequent during a day. Communication with the use of mobile phones between Inspectors and Centre managers is common. In the Canterbury SPCA the managers also use the Navman tracking system to monitor the geographical location of the Centre's fleet cars. All their Inspectors have a "Find Me" app in their smart phones that's similar to a panic button, to ensure health and safety for each individual.

Evaluation of inspectors' performance and their ongoing suitability for the role is done differently by the Centres and ranges from informal meetings and discussions with the Centre manager to more structured, regular one-on-one meetings and/or annual performance reviews. The inspectors' evaluation is also done during their attendance at the refresher training sessions.

As reported by all Centres' managers there have been no cases recently where their Inspectors or AOs failed to comply with their Terms of Appointment, PTS, MOU, or cases of a serious misconduct.

### 5.0 Complaints against Inspectors/Auxiliary Officers

The National Office has recently issued new national procedures for complaints. The new procedures separate complaints against Inspectors and AOs from complaints against SPCA Centres and personnel. A separate part of those procedures is Complaint Management Process, an administrative guidance for the National Office on categorising and maintaining, and managing the complaints database. The majority of complaints against inspectors or AOs are minor in nature and dealt with successfully by regional centres without notifying the National Office. Serious complaints are notified to, and dealt by the National Office with notifications to MPI. There have been no complaints of serious misconduct by inspectors or AOs and only one minor complaint notified to National Office in the last 12 months or so.

All Centres have adopted the SPCA national procedure for dealing with complaints against inspectors and AOs.

Two of the five audited Centres received no formal complaints against their Inspectors or AOs. Remaining three Centres received one complaint each:

- in one Centre a member of the public has made a complaint against the Inspector and that was dealt with by the Centre and SPCA Regional Manager. That complaint was resolved to the satisfaction of the complainant and the Inspector,
- in one Centre a volunteer has made a formal complaint against the Centre AO/ Centre Manager directly to the National Office. Despite the National Office following the newly issued procedure, the Centre Manager felt strongly that the support she had received was inadequate and the final outcome reached by the National Office made her feel victimised.
- in one Centre a complaint has been made against an Inspector of which the National Office was notified. The Inspector assessed the National Office staff's enquiry as inadequate and their conclusion prejudiced.

The auditor has made a recommendation in relation to the complaints process, see Recommendation 4 – Review of the Complaints Process.

### 6.0 Animal Welfare Complaints

All complaints investigated by the SPCA follow the procedures as outlined in the PTS for Inspectors and AOs. Detailed information on receiving, grading and managing of complaints is provided in the Dispatch Shelterbuddy Manual. A Dispatch Request form summarises and classifies the received calls including grading of cases.



The National Office is currently reviewing the "Shelterbuddy" system training. In order to ensure proper classification of animal welfare complaints and appropriate and timely corrective actions, a guidance document, Cruelty Complaint Dispatch Code - Welfare Issues has been developed and issued to all Centres.

In addition, the National Office developed and issued workflow sheets for assisting Inspectors in their decision making process. These sheets specify legislative powers the Inspectors can use under the Animal Welfare Act 1999 and Search and Surveillance Act 2012.

Centres' policies and procedures that relate to receiving and managing animal welfare complaints are developed to a various degree and range; from comprehensive in some Centres to minimal procedures in other Centres. The auditor has made recommendations in relation to documented policies and procedures in Location Findings for those Centres where deficiencies were identified (see Appendixes E and F).

Three of five visited Centres have adopted the "Shelterbuddy" system and were familiar with the Dispatch Shelterbuddy Manual. The remaining two Centres use a combination of paper and electronic records and registers (e.g. electronic "AWSOM" system). In the majority of Centres the grading of animal welfare complaints is done by Inspectors or under the supervision and guidance of Inspectors. In some Centres the initial grading is done by receptionists/dispatchers, some being warranted AOs themselves, and reviewed by Inspectors when they are available. Personal experience is the main determinant by which the grading of complaints is done by the non-warranted administration staff. During interviewing the non-warranted staff demonstrated their familiarity with receiving complaints procedures and their grading of animal welfare complaints was in line with the PTS.

Animal welfare complaints that relate to animals being exported, animals in zoos and animals used in research, testing or teaching would be referred to the National Office and then further, on to MPI. However, none of the audited Centres have received these.

For complaints where the Inspectors know or believe the case is being investigated by MPI the Inspectors follow the Centre transfer policy (transfer forms completed and sent to the National Office).

All interviewed Inspectors demonstrated satisfactory knowledge of welfare priorities as specified in PTS for Inspectors, Sections 203-212 and relevant requirements of the AWA. Similarly, all interviewed AOs were conversant with their statutory powers as AOs and actions in regards to dealing with animal welfare complaints.

In all Centres the inspectors and managers reported that they had access to equipment necessary to do the day-to-day work, but one Centre was seeking to obtain the Global Positioning System as they serve remote locations. The recent Edgecumbe flood revealed deficiencies in protective clothing (safety and weather proof gear) in Whakatane SPCA and they are in the process of replenishing the used equipment. SPCA Regional Manager and observer of this audit, 9(2)(a) informed the auditors the National Office has been surveying the regional centres on their provision of basic equipment for handling animal welfare complaints.

## 6.1 Euthanasia

All but one Centre have the documented euthanasia policy that include names or roles of persons that are on the euthanasia panel. One Centre has a copy of the SPCA national euthanasia policy but does not have a local policy nor description of who is on the euthanasia panel.

The auditor has made a relevant recommendation in one Location Finding (see Appendix F).



One Centre reported that the number of animals that were put down by the Inspector outside the shelter e.g. on the owner's property, or where the Inspector instructed the owner to put down the animal on his/her property are not included in the statistics. Although Section 142 of AWA1999 requires that records of animals destroyed must be kept, it applies to situation where the SPCA obtains the custody of an animal, as per Section 141 of the AWA. During further discussion with the SPCA Regional Manager (observer) he explained that all euthanized animals should be recorded and reported to the National Office and that had to be reiterated to all Centres.

## 6.2 Search Warrants

All visited Centres confirmed they routinely contact or would contact the National Office before applying for and executing a search warrant, to enable the office to check in the search warrant database for any previous search warrant applications at that property. The National Office also checks with MPI if the property to be searched has livestock and if there has been any search warrant already executed on that property by MPI.

Only one of the Centres audited has executed several search warrants in recent years.

## 6.3 On Farm Inspections

The SPCA may request assistance from MPI Compliance Animal Welfare investigators at two levels, one – for transfer of animal welfare investigations from SPCA to MPI (commercial livestock properties, large scale investigation), and two – for direct support of SPCA personnel by MPI investigators. The National Office developed a procedure, Complaint Transfer Process and corresponding flowchart for managing cases transferred from SPCA to MPI. The office staff also developed a template transfer form for all Centres to use.

Only a couple of Centres deal routinely with complaints that relate to farm animals while the remaining three Centres do not see such complaints frequently. All Centres were familiar with the SPCA national transfer procedure and some have used the transfer form template. Transfer of complaints is also recorded in "Shelterbuddy" at Centres that use it.

The recent Edgecumbe flood that killed and threatened lives of hundreds of domestic and farm animals was an example of a situation that could not be handled by the Whakatane Centre itself and where assistance from other agencies, including MPI was requested.

There have been occasions where MPI requested help from the Centres and these usually were related to single production animals (cattle, goat).

## 6.4 Prosecution

The RNZSPCA and Ben Vanderkolk and Associates signed a MoU in 2013 to provide legal representation for SPCAs throughout New Zealand. Currently 29 out of 46 SPCAs have signed up to the scheme. The remaining 17 SPCAs are responsible for their own prosecution cases but they must provide a prosecution detail report to national office at the completion of sentencing.

Four of the Centres audited have adopted the national SPCA prosecution scheme and would liaise with the National Inspectorate or Regional Manager for assistance before any case is recommended for prosecution. One Centre uses their own Crown prosecutor and is responsible for managing their own prosecution cases. That Centre provides the prosecution details to the National Office at the completion of the prosecution.



The National Office keeps a register of all SPCA prosecution cases. There are approx. 30-60 prosecutions per year. If a file fails to meet the prosecution threshold a formal warning letter may be issued to resolve investigation.

Three of the Centres reported no cases were referred for prosecution in recent years. In one Centre the staff commented that there could have been cases referred for prosecution however due to limited time and resources available for processing of each case other solutions such as issuing a notice of direction under the Section 130 of the AWA, were used. That Centre was hoping that the planned restructure of SPCA would result in the head office directing more funds and human resources (trained Inspectors) to the Centre.

### 6.5 Records and Reporting

As per Section 142 of the AWA all Centres keep records of all animals handled. Some Centres use the new electronic register, "Shelterbuddy", some others use its predecessor "AWSOM", and some keep paper registers.

These registers are kept for various lengths of time by different Centres, from 2 years to 7 years. Nevertheless, they all keep it for longer than the minimum required time of 1 year. Each Centre provides the National Office with annual statistics on the number of complaints received, number of cases investigated and referred to another agency, number of prosecutions and number of person charged with or proceeded against. The SPCA National Office collates each Centre's annual statistics report and provides MPI with national statistics, as per Section 89 of the MoU and Section 268 of PTS.

There were 14,809 animal welfare complaints made to SPCA in 2016.

SPCA New Zealand receives funding from MPI to assist with costs incurred by SPCA centres and inspectors while attending rural animal welfare complaints. As part of the SPCA's funding agreement with MPI, the SPCA is obligated to provide detailed quarterly reports. Examples of the reports have been demonstrated to the auditors. The reports showed a breakdown of the complaints into regions, type of problems, commercial vs. non-commercial premises, outcomes of complaints, types (class) of animals involved.

One Centre kept hard copies of records related to animal welfare complaints unsecured. That creates a potential risk that other staff may access confidential information stored there. The auditor has made a recommendation to eliminate that risk in the Location Findings for that Centre (see Appendix E).

### 7.0 Premises, equipment, services

Overall, shelter facilities at all visited Centres were presented fit for purpose and in an acceptable state of repair and maintenance, and cleanliness. There were different type of facilities present at the visited Centres and these included: reception, hospital, adoption, quarantine/recovery, isolation, exercise etc.

There was adequate separation between facilities of different disease status and adequate prevention of disease spread. In some Centres there was a strict separation between personnel working with healthy and diseased animals.

There was a different type and level of enrichment in cages for dogs and cats and overall the standard of facilities and cages ranged from acceptable to good. However, in one Centre the cat adoption facility was not adequately protected from cold temperatures and there was no proper dog isolation area. In another Centre, the dog adoption facilities were not adequately



protected from wind. The auditor has made relevant comments in Location Findings for those two Centres.

One Centre had so called amnesty facilities for dogs and cats. These are an outdoor kennel for dogs and a box for cats where people can place unwanted, abandoned or stray dogs and cats without being asked questions. These facilities seem to provide a convenient option for persons that do not want or cannot care for their animals but also for the community to look after animals that are abandoned. In addition, the Centre provide a de-sexing voucher for the people that drop the animals in to use the free option of de-sexing their other animal(s) rather than continuing breeding their pets and adding unwanted offspring.

Three of the visited Centres have plans for improvements of their shelters and these range from modifications and additions in two Centres to building an entire new Centre, in the third.

It is worth mentioning here a successful initiative by Whakatane SPCA whose staff brought together local communities from local low socio-economic areas in order to help them understand and deal with issues related to animal husbandry and welfare. The Centre has organised an event, called a "Big Day Out" in which they involved SPCA staff and various animal health professionals such as veterinarians, horse dentists and farriers. They all gathered in one place in Ruatoki and provided the community with a range of professional advice, demonstrated and conducted minor veterinary procedures and offered free animal feed and other items. After the event the Centre received a positive feedback that the initiative had been very well received and valued by the community, especially as the attendees were provided with help and advice without being judged or asked questions. Following the event, the number of animal welfare complaints from those traditionally problem areas dropped but the number of enquiries about animals' needs and future initiatives increased.

### 8.0 MPI/ SPCA Liaison

Most of the Centres maintain close relationships with local MPI Animal Welfare Compliance Investigators and they contact MPI when required. There is no MPI Animal Welfare Compliance person available in Whakatane.

Section 85 of the MoU refers to minimum two formal discussions a year between RNZSPCA National Executive and MPI. According to the SPCA National Manager there is one, at best, meeting per year. SPCA values those meetings especially the operational aspects and would welcome more meetings per year.

According to Section 86 of MoU, each organisation should invite and attend the other organisation's conferences and training workshops. On the local level the SPCA invites representatives from MPI Animal Welfare team to attend their annual conference (AGM) and the MPI representative usually attends. Six SPCA inspectors have attended 2 combined trainings in recent years at Burnham and at Taratahi, and the SPCA National Manager also presented at an MPI AWI course in Napier a couple of years ago. There have been no reciprocal invitations to SPCA to attend MPI conferences or training workshops recently. This may be because the MPI Animal Welfare team has not held any conferences or workshops.

### Recommendation - 8. To Manager Animal Welfare, MPI - MPI/ SPCA Liaison

It is recommended to the Manager Animal Welfare, MPI that a meaningful liaison between MPI Animal Welfare and SPCA Inspectorate is reinstated.

Section 85 of MoU refers to minimum two formal discussions a year between RNZSPCA National Executive and MPI. According to the SPCA National Manager there is one, at best, meeting per year.



Section 86 of MoU, each organisation should invite and attend the other organisation's conferences and training workshops. While the SPCA invites representatives from MPI's Animal Welfare team to attend its annual conference there have been limited reciprocal invitations to the SPCA to attend MPI conferences or workshops.

Effective liaison and appropriate feedback will assist with maintaining a close relationship between MPI and the SPCA. This liaison should include Representatives from both MPI's Animal Welfare Team and Compliance Directorate.

### 9.0 Annual auditing of RNZSPCA activities

In 2015 the SPCA developed and published an SPCA MPI Audits procedure/form that facilitates resolving any non-compliances that are identified in the annual SAT audit reports. In addition to the non-compliances, the procedure also includes MPI recommendations that are made to the SPCA in the final report. The progress of the proposed resolution for each finding is being rated on a quarterly basis.

### 10.0 Conclusions

Findings from the audit sample (selected sites) can be considered as generally representative of all SPCA centres nationally.

#### Addressing the Terms of Reference:

**Goal 1-** To assess the effectiveness of RNZSPCA national procedures to ensure that obligations and requirements of the AWA are being met by RNZSPCA/SPCA branches and member societies (centres).

Since the last audit there has been a significant improvement in the SPCA National Office standardizing its policies and procedures and enabling centres with access to these and various other resources. The communication between the National Office and Regional Manager, and the Centres has been improving. The National Office, via its Regional Managers, aims to have contact with each Centre at least three times a year. The National Office publishes and distributes to all Centres a bi-monthly newsletter that includes a variety of information from general news to information relevant to inspectors and auxiliary officers.

The Centres' staff acknowledge the positive changes and stressed that National Inspectorate staff and Regional Managers are always available for assistance.

The requirements of the AWA are being substantially met. There was no evidence to suggest that animal welfare is being compromised. That goal would not have been achieved without the Centres' staff engagement and dedication. That equally applies to volunteers who, although not being the scope of this audit, appear to be an essential workforce at the Centres.

The auditor has made a recommendation to the SPCA in regards to internal audits and to MPI in regards to assistance in training SPCA internal auditors.

**Goal 2 -** To evaluate how the systems and procedures implemented by the RNZSPCA are meeting the requirements outlined in the MOU between the RNZSPCA and MPI.

The requirements of the MOU are being substantially met but there are some deficiencies and inconsistencies in administering these policies and procedures between Centres. The majority of visited Centres developed and effectively implemented policies and procedures. In one Centre the policies and procedures were outdated and some procedures were lacking. One



Centre had no evidence the updated policies and procedures were discussed and acknowledged by the staff.

The auditor has made recommendations to those Centres where deficiencies were identified but has also made a similar recommendation to the National Office to ensure the up-to-date Policy and Procedure Manual is maintained at each centre with consideration to be given to a minimum list of policies and procedures required.

**Goal 3** - To assess the effectiveness of the RNZSPCA/SPCA branches in managing the requirements of the AWA and MOU for appointments, training and monitoring of Inspectors and AOs.

The findings of this audit indicate the processes of selection, training, appointment and monitoring generally meet the requirements of the AWA and MOU however the auditor identified areas for improvement. In one Centre, the newly appointed Inspector was placed on the job straight away after completing her training with no opportunity to work alongside any experienced Inspector. The auditor is making a recommendation to the National Office and the Centres to ensure the appropriate level of support from an experienced Inspector is available during the post-warranting period. Several Auxiliary Officers have not attended any refresher training since their appointment more than 3 years ago. Although details of ongoing training for AOs do not constitute part of AWA or MoU these requirements are documented in PTS for AOs Section 93, which requires AOs to attend training workshops at least once in every 3-year period. The auditor is making a recommendation to the SPCA to that effect.

**Goal 4** - To assess corrective actions undertaken by the RNZSPCA national body and/or RNZSPCA centres in response to the previous MPI systems audit findings, and if appropriate to recommend further improvements to ensure requirements of the AWA are met.

The majority of recommendations that SAT has made during the last two audits were addressed by SPCA. Great progress has been made in the process of training and mentoring new Inspectors and securing the number of applicants for AOs positions. Similarly, the uptake of the administration tool, "Shelterbuddy" by the Centres has increased six fold. Due to the lengthy debate on the restructure of the SPCA the reviews of the MoU and PTS have been postponed and the auditor renewed those recommendations. The internal audit programme has not been implemented yet but some internal audit processes were put in place. The SPCA has a strategy to implement the internal audit programme once the new structure is in place. The auditor is making a recommendation that the SPCA is more considerate when handling complaints against inspectors and AOs to avoid alienating its own staff.

**Goal 5** - To make recommendations to MPI for improvements to the MOU, and AWA ancillary notices and specifications and guidance as required.

Due to the planned SPCA restructure MPI has not reviewed the MoU and PTSs as recommended the previous year, and these recommendations are carried over.

One recommendation is made to MPI to reinstate a meaningful liaison between MPI Animal Welfare and SPCA Inspectorate. I suggest that the inspectors should be meeting with MPI Compliance while the National Office deals with MPI AW team.

The auditor raised one MPI issue due to a lack of an adequate feedback to the SPCA on the progress of the investigation of the complaints.

In order to facilitate the SPCA implementing its own internal audit programme MPI should consider providing SPCA with assistance in training internal auditors.



## Conclusion

Under the Animal Welfare Act 1999 (the Act), Ministry for Primary Industries (MPI) must carry out audits of RNZSPCA (SPCA) as an approved organisation for the purpose of this Act. The Director General sets terms of reference for audits of approved organisations in order to assess; the organisation's compliance with animal welfare law; compliance with any memorandum of understanding established between the Ministry and the organisation; compliance by an organisation and its Inspectors and auxiliary officers with any relevant performance and technical standards for inspectors and auxiliary officers, and the inspectors and auxiliary officers exercising of any power, and the carrying out of any functions or duties.

This audit focused on the RNZSPCA National Office in Auckland (the National Office) and five Society for the Prevention of Cruelty to Animals centres (SPCA Centres).

The main finding of this audit is that within the terms of reference the RNZSPCA remains in substantial compliance with requirements of the Act, Memorandum of Understanding between the RNZSPCA and MAF 2010 (MoU), and the Performance and Technical Standards for Inspectors and Auxiliary Officers (PTS). The auditor has raised one MPI Issue for failing to provide feedback on the progress of investigation of complaints transferred from SPCA. This is non-compliant with the MoU, Section 72.

The National Office and regional SPCA Centres effectively implemented the majority of the recommendations made by SAT auditors in the last two years. The National Office and MPI postponed the implementation of two recommendations; to review the MoU and PTS due to a planned restructure of the RNZSPCA in 2017. The National Office has not yet implemented the recommendation to establish an internal audit but has a strategy to implement it once the new structure is in place. The National Office has reviewed its complaints process against inspectors and auxiliary officers but the audit showed that two Centres' staff were still discontented with the process. There is no noticeable improvement in MPI communicating with the SPCA on animal welfare complaints transferred to MPI, which was previously recommended by SAT.

Since the 2016 audit, the National Office has launched a number of initiatives aimed at developing resources to assist Centres in a number of areas. It has expanded its documented procedures for selection, training and appointment of inspectors and auxiliary officers. The office has continued improving its communication with, and the support to, regional centres. Reporting to MPI appears to be well maintained.

The number of trained auxiliary officers (AO) has increased but the recruitment of new inspectors is limited in some remote locations. Similarly, the provision of post warranting training is more difficult in small centres due to unavailability of experienced inspectors. The National Office provides many opportunities for ongoing, refresher training for inspectors but only limited refresher training for auxiliary officers.

There has been a significant increase in the uptake of the electronic administration tool, "Shelterbuddy" by the Animal Shelters in comparison with the last year.

All Centres' staff demonstrated their full engagement, dedication and often a passion for animals they care for. The same must be said about volunteers who appear to be an essential workforce of the SPCA. The Inspectors knowledge of welfare priorities and relevant animal welfare and administrative requirements were acceptable. Similarly, AOs were conversant with their statutory powers and actions in regards to dealing with animal welfare complaints.

Recently, one of the Centres has been heavily involved in managing a crisis situation due to a severe flooding in Whakatane region. This event killed and threatened lives of hundreds of domestic and farm animals. That situation was managed alongside the MPI response team.





The audit was able to achieve its goals however the auditor(s) raised one MPI issue and identified several areas for improvement. Eight recommendations have been made; four of these being carried over from the last year and four are new ones.

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## MPI Issues

### **MPI Issue - 1 - Transfer Policy**

According to the MoU, Section 72 MPI, as the agency accepting the transfer of complaints is obliged to provide feedback to the SPCA, the transferring agency, on the progress of the investigation of the complaints. MPI has advised the SPCA that it was prepared to share investigation outcomes only with no further details.

During the 2016 SPCA audit SAT made recommendation to the MPI to review its policy and provide the SPCA with information on the progress and outcome of cases handed over. No information on the progress of transferred cases is provided.

A brief summary or investigation overview on all transfers would fulfil the collaborative partnership agreement between SPCA and MPI and would benefit individual Inspectors and Centres and assist in managing complainants.

## Recommendations

### **Recommendation - 1. To Manager, Animal Welfare Team – Assistance in training of SPCA auditors**

It is recommended to the Manager, Animal Welfare Team that MPI considers providing assistance to SPCA with training of the internal auditors.

Training of internal auditors has been identified by SPCA as one of the main limitations in implementing their internal audit programme. The National Manager, Inspectorate and Centre Support has indicated that SPCA does not have sufficient experience in internal auditing and that MPI assistance with training of SPCA internal auditors would be very valuable.

MPI has a great deal of expertise in auditing animal welfare related fields and in the auditor's opinion these could be utilised in assisting SPCA in training their own resources. Having effective internal audit programme would facilitate SPCA in effective delivery of their national programme and provide MPI with confidence the SPCA as an approved organisation meets their duties and obligations in relation to the Act.

### **Recommendation - 2. To National Manager, Inspectorate and Centre Support, RNZSPCA and Manager Animal Welfare, MPI - Review of the MoU**

This recommendation is carried over from the previous 2016 audit.

It is recommended to the RNZSPCA, National Manager, Inspectorate and Centre Support and the Initiator, the Manager Animal Welfare, MPI that review of the MoU is carried out to ensure the proposed changes of SPCA structure are incorporated into that agreement. As previously recommended, that review should be done within one year of the restructure. Depending on the outcome, the ongoing review period could be extended to a period determined at MPI discretion.

### **Recommendation - 3. To National Manager, Inspectorate and Centre Support, RNZSPCA and Manager Animal Welfare, MPI - Review of the PTS**

This recommendation is carried over from the previous audit.

It is recommended to the RNZSPCA, National Manager, Inspectorate and Centre Support and the Initiator, the Manager Animal Welfare, MPI that review of PTS documents is carried out.

Part A: It is recommended that the SPCA reviews the PTS documents, to ensure they accurately describe how the Centres, Inspectors, AOs, and the National Office interact to meet the MoU and AWA. A review of the reporting to and communication with MPI should be included.



## Recommendations

Part B: It is recommended that MPI reviews the proposed changes and determine if they are appropriate and manageable prior to the documents being finalised. Further changes and communications may be required before the documents can be signed e.g. differences between the Complaints Bylaw and the PTSs for managing complaints against Inspectors and AOs should be aligned.

### **Recommendation - 4. To National Manager, Inspectorate and Centre Support, RNZSPCA – Review of the Complaints Process**

This is an extension of the recommendation made in the previous audit.

It is recommended to the RNZSPCA, National Manager, Inspectorate and Centre Support that SPCA revisits their complaints process to ensure the enquiries are full, and objective and their own staff is treated fairly and supported throughout the process.

Due to comments made by the key personnel at two Centres the auditor is in the opinion that SPCA should be more considerate when handling complaints against inspectors and AOs in order to avoid alienating their own staff.

### **Recommendation - 5. To National Manager, Inspectorate and Centre Support – Policy and Procedure Manual**

It is recommended to the RNZSPCA, National Manager, Inspectorate and Centre Support that the SPCA National Office ensures up-to-date policy and procedure manuals are maintained at each centre. Consideration should be given to a minimum list of policies and procedures that should be kept by each centre.

### **Recommendation - 6. To National Manager, Inspectorate and Centre Support, RNZSPCA – Support for Inspectors during the post-warranting period**

It is recommended to the RNZSPCA, National Manager, Inspectorate and Centre Support that the National Office and Centres provide the newly appointed inspectors with support and access to an experienced inspector, during the post-warranting period. At present this is not happening at all locations esp. in small centres where the availability of experienced inspectors for training is limited.

### **Recommendation - 7. To National Manager, Inspectorate and Centre Support, RNZSPCA - Ongoing Training for Auxiliary Officers**

It is recommended to the RNZSPCA, National Manager, Inspectorate and Centre Support that the National Office provides all AOs with the opportunity to attend training workshops as defined in the PTS for Auxiliary Officers. At present AOs from several Centres have not participated in any ongoing training workshops.

### **Recommendation - 8. To Manager Animal Welfare, MPI - MPI/ SPCA Liaison**

It is recommended to the Manager Animal Welfare, MPI that a meaningful liaison between MPI Animal Welfare and SPCA Inspectorate is reinstated.

Section 85 of MoU refers to minimum two formal discussions a year between RNZSPCA National Executive and MPI. According to the SPCA National Manager there is one, at best, meeting per year.

Section 86 of MoU, each organisation should invite and attend the other organisation's conferences and training workshops. While the SPCA invites representatives from MPI's Animal Welfare team to attend its annual conference there have been limited reciprocal invitations to the SPCA to attend MPI conferences or workshops.

Effective liaison and appropriate feedback will assist with maintaining a close relationship between MPI and the SPCA. This liaison should include Representatives from both MPI's



## Recommendations

Animal Welfare Team and Compliance Directorate.

## Appendices

Appendix A - Location Findings for RNZSPCA National Office, Auckland - for MPI use only

Appendix B - Location Findings for SPCA Canterbury - for MPI use only

Appendix C - Location Findings for SPCA North Taranaki - for MPI use only

Appendix D - Location Findings for Whakatane SPCA - for MPI use only

Appendix E - Location Findings for Hastings and District SPCA - for MPI use only

Appendix F - Location Findings for SPCA Gisborne - for MPI use only

Appendix G - Final Report - draft - feedback from the Initiator - for MPI use only

**NOTE: Appendix A, B, C, D, E, and F are withheld under section 9(2)(ba)(i) of the OIA**

## Distribution

Kate Littin, Manager Animal Welfare, MPI Regulation and Assurance

Diane Carter, Manager Systems Audit, MPI Regulation and Assurance

Allan Kinsella, Director Systems Audit, Assurance and Monitoring, MPI Regulation and Assurance

Chris Rodwell, Manager Animal Welfare Compliance, MPI Operations

Jan Roznawski  
Systems Auditor  
MPI Systems Audit Team

Ruth Houston  
Systems Auditor  
MPI Systems Audit Team

*Electronically Signed by Jan Roznawski Auditor on the 20 Oct 2017 9:57 am*

**From:** [Kate Littin](#)  
**To:** [Jan Roznawski](#)  
**Cc:** [Diane Carter \(Di\)](#)  
**Subject:** Re: Draft report - annual audit of RNZSPCA  
**Date:** Thursday, 12 October 2017 8:25:10 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)

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Hi Jan

Thanks very much for this report  
Have we had it reviewed by SPCA yet? I think that would be best.

It is fine to distribute now. Please can you append the location reports? Please can you also cc Peter Hyde and Joanna Tuckwell when you send it Chris? They are progressing the MOU and PTS.

Is there any chance Peter can be sent a draft today so he can progress MOU review work?

Many thanks  
Kate

Sent from my iPhone

On 8/09/2017, at 2:47 PM, Jan Roznawski <[xxx.xxxxxxxx@xxx.xxxx.x](mailto:xxx.xxxxxxxx@xxx.xxxx.x)> wrote:

Dear Kate and Di,

Please see attached, a draft report of the SPCA audit.  
That draft report contains references to six Location Findings reports and I can forward these to you if needed.

As discussed with you Kate, I have added Chris Rodwell's name into the terms of reference and distribution list.

There are several recommendations made in the report to National Manager, RNZSPCA, [9\(2\)\(a\)](#). As indicated in the Terms of Reference the draft may also be submitted to the RNZSPCA for comments, at the Initiator's discretion.

Please let me know if you require the Location Findings reports or any other information.

Regards  
Jan

Jan Roznawski | Systems Auditor |  
Systems Audit | Assurance and Monitoring Directorate | Regulation and Assurance |  
Ministry for Primary Industries | PO Box 966 | Hamilton 3240 | New Zealand |  
Mobile [9\(2\)\(a\)](#) | Web: [www.mpi.govt.nz](http://www.mpi.govt.nz)

<[image001.png](#)>  

Ministry for Primary Industries  
Manatū Ahu Matua



<Final Draft - 2.pdf>

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Systems Audit Team

**FINAL REPORT**

## **Audit Report**

Annual Audit of RNZSPCA

National Head Office and Selected Regional Branches

February - June 2019

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## Important Note

This report may discuss Topics, i.e. subjects of particular interest. The discussion can include positive and negative elements. In some cases, the negative elements are such that Non-compliances result.

All deficiencies discussed as Non-compliances are expected to be resolved by auditee or the auditee's organisation, whether or not they are described as Serious Non-compliances. Serious Non-compliance's constitute a system failure. They have a profile such that the effectiveness of the corrective actions will be measured in subsequent Systems Audit Team audits. Inadequate resolution can lead to failure of the subsequent audit.

Recommendations may appear in the report. These are non-binding, and do not affect subsequent audits. Their implementation may provide efficiencies for both the auditee and MPI. The presence of recommendations to change existing specifications does not excuse the absolute requirement to conform to the existing specifications. Changes to specifications that may result from these recommendations will be promulgated officially.

The Auditee is reminded that audit reports are subject to the *Official Information Act 1982*. The Auditee may highlight any information considered confidential during the course of the audit however the Auditor cannot provide any assurance to the Auditee that the information considered confidential will not be disclosed as a result of an enquiry under the *Official Information Act 1982*, other legislation, Court order, or Parliamentary obligation.





## Terms of Reference

### Goal(s)

To assess the effectiveness of Royal New Zealand Society for the Prevention of Cruelty to Animals Incorporated (RNZSPCA) national procedures to ensure that obligations and requirements of the Animal Welfare Act 1999 (AWA) are being met by RNZSPCA/SPCA branches.

To evaluate how the systems and procedures implemented by the RNZSPCA are meeting the requirements outlined in the Memorandum of Understanding (MOU) between the RNZSPCA and the Ministry for Primary Industries (MPI).

To assess the effectiveness of the RNZSPCA/SPCA branches in managing the requirements of the AWA and MOU for appointments, training and monitoring of Inspectors and Auxiliary Officers.

To assess corrective actions undertaken by the RNZSPCA in response to the previous MPI systems audit findings, and if appropriate to recommend further improvements to ensure requirements of the AWA are met.

To make recommendations to MPI for improvements to the MOU, and AWA ancillary notices, specifications and guidance as required.

### Scope

Shall include interviews with the RNZSPCA national and regional offices staff and a review of methods used for the assessment and recommendation to MPI for appointment of their Inspectors and Auxiliary Officers.

Shall include an examination of reports submitted by the RNZSPCA national office to MPI, and if the reporting satisfies requirements of the MOU.

Shall include an examination of the follow-up actions taken by the RNZSPCA in response to the findings of 2017 round of audits.

A sample of locations included in this audit shall consist of the national RNZSPCA office and four regional centre offices and facilities.

### Standards / Legislation

Standards / Legislation

1. Animal Welfare Act 1999
2. Memorandum of Understanding between the RNZSPCA and MAF, 2010
3. RNZSPCA Performance and Technical Standards for Inspectors of RNZSPCA, 2012
4. Performance and Technical Standards for Auxiliary Officers of RNZSPCA, 2012.
5. Temporary Housing of Companion Animals Code of Welfare 2018

### Initiator

The initiator of this audit is Gray Harrison, Manager Animal Welfare & NAIT Compliance, Operations, MPI

The following persons may also have input into this audit as Co-initiators or stakeholders; Peter Hyde, Team Manager Animal Welfare and NAIT Compliance, Operations, MPI



## Specialist / Observers

The auditor may call upon the services of other parties as deemed appropriate to facilitate the audit. The Initiator or representatives nominated by the Initiator may attend any part of this audit as Specialists or Observers.

## Response to Critical Situation

If a critical situation is identified, the provisions of MPI Systems Audit Team procedure referenced as Procedure SAAM-SAT-004-PRO shall be implemented. The initiator shall be contacted immediately and any actions will be determined in consultation with the Initiator and/or Manager, Systems Audit.

A Critical Situation is defined as, any situation which, in the professional judgement of the SAT Auditor or Manager places food safety, food suitability market access, official assurances, or MPI's/MPI's Directors' credibility at risk. A critical situation may result from information received from a number of sources as well as SAT audit findings.

## Other Terms of Reference

### Non Conformance Management:

The mechanism for resolving any identified serious non-compliances will be recorded in the Serious Non-Compliances, Corrective Action Requirements section of the audit report.

Closure of any non-compliances raised will be as agreed with, and to the satisfaction of, the Initiator.

All deficiencies discussed as Non-compliances or non-conformances are expected to be resolved by the auditee or the auditee's organisation, whether or not they are described as Serious Non-compliances. Serious Non-compliances constitute a system failure. They have a profile such that the effectiveness of the corrective actions will be measured in subsequent Systems Audit Team audits. Inadequate resolution can lead to failure of the subsequent audit

### MPI Issues:

Issues identified and raised during the audit that require MPI attention will be specified in the final audit report. The Initiator must identify the relevant accountable persons to manage any required follow up. This does not preclude the Initiator later identifying any other more appropriate accountable person, depending on the issue raised.

### Reporting Considerations:

The auditee will receive Location Findings. Upon completion of the report, the auditor will submit a draft audit report to the Initiator and the Manager Systems Audit for comment. The draft may also be submitted to the RNZSPCA for comment, at the Initiators discretion.

The final report shall be distributed to;

Allan Kinsella - Director Systems Audit, Assurance

Diane Carter - Manager Systems Audit, Assurance

Kate Littin - Manager Animal Welfare, Assurance

Gray Harrison - Manager Animal Welfare and NAIT Compliance, Operations

### Other:

All travel and costs associated with this audit (IL 2467) and undertaken by the allocated auditor(s) are approved by the Manager, Systems Audit on approval of these terms of



reference.

The auditor will provide interviewees with a copy of these Terms of Reference prior to or at the outset of audit visits.

The Auditee is reminded that audit reports are subject to the Official Information Act 1982. The Auditee may highlight any information considered confidential during the course of the audit however the Auditor cannot provide any assurance to the Auditee that the information considered confidential will not be disclosed as a result of an enquiry under the Official Information Act 1982, other legislation, court order, or Parliamentary obligation.

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## Audit Date (Last Day)

24 May 2019

## Audit Number

4857

## Location(s)

t/a: SPCA Palmerston North Centre, 93 Napier Road, Terrace End, Palmerston North  
RNZSPCA t/a: Invercargill SPCA Centre, 22 Harewood Road, Clifton, Invercargill  
RNZSPCA t/a: SPCA Dunedin Centre, 1 Torridon Street, Opoho, Dunedin  
RNZSPCA t/a: SPCA New Lynn Office, 3047 Great North Road, New Lynn, Auckland  
RNZSPCA t/a: SPCA Wellington Centre, 140 Alexandra Road, Wellington

## Lead Auditor

Nicky Majoor, MPI Systems Audit, Systems Auditor

## Auditor(s)

Jan Roznawski, MPI Systems Audit, Systems Auditor

## Auditee(s)

9(2)(a) [REDACTED], RNZSPCA, Audit and Compliance Manager, New Lynn Office  
9(2)(a) [REDACTED], RNZSPCA, Animal Welfare Coordinator, New Lynn Office  
9(2)(a) [REDACTED], RNZSPCA, Area Manager Otago Southland  
9(2)(a) [REDACTED], RNZSPCA, Inspectorate Team Leader, Dunedin  
9(2)(a) [REDACTED], RNZSPCA, Area Manager - Central  
9(2)(a) [REDACTED], RNZSPCA, Centre Manager - Palmerston North  
9(2)(a) [REDACTED], RNZSPCA, Head of Welfare and Veterinary Services, Wellington  
9(2)(a) [REDACTED], RNZSPCA, Chief Inspector, Wellington

## Audit Type

Allocated Audit



## Background

### Introduction

This approved organisation audit was initiated by the Director, Animal Welfare and NAIT Compliance, in order to verify the ongoing compliance of the RNZSPCA with Part 7 of the Animal Welfare Act (herein referred to as the AWA) 1999, the Memorandum of Understanding (herein referred to as the MoU) and Performance and Technical Standards (herein referred to as the PTS) for Inspectors and Auxiliary Officers (herein referred to as AOs).

Following a restructure which was completed in 2018, the SPCA now operates as one single entity. The New Lynn Office oversees national management and administration functions, and regional Centres operate underneath this. It is expected that this will improve consistency across the organisation. Regional branches under the old SPCA structure had the ability to vote in or out of the new structure, and any branch which did not vote in is no longer a part of the SPCA. Branches are now referred to as Centres. Further details regarding the restructure are detailed under the heading *SPCA Structure*.

Five separate site audits were completed in total. Four centres were selected by the audit Initiator, along with the New Lynn Office (previously “National Head Office”), and they were;

- Dunedin SPCA Centre (Regional Hub Centre) (*Appendix A*)
- Invercargill SPCA Centre (*Appendix B*)
- Palmerston North SPCA Centre (*Appendix C*)
- Wellington SPCA Centre (Regional Hub Centre) (*Appendix D*)

All five locations received location finding reports, which are appended to this report. Dunedin Centre and Invercargill Centre received one location report between the two Centres, as these audits were completed in conjunction, and share the same Area Manager and Inspectorate Team Leader.

The audit was conducted by MPI Systems Auditor Nicky Majoor. MPI Systems Auditor Jan Roznawski, who completed the last annual audit of the RNZSPCA, was present for the New Lynn Office audit. Both auditors presented their warrants of appointment under the Animal Welfare Act 1999 as Inspectors. Field work for this audit was completed between February and July 2019. In all Centres, the Area Manager and/or Senior Leadership team were present for the audits. This information is available under *Individuals* within this report.

Between the New Lynn Office audit and Centre audits, the updated Memorandum of Understanding (MoU) and Performance and Technical Standards for Inspectors (PTS) were updated and released. The PTS for Inspectors current version during the New Lynn Office audit was 2012. It has now been updated to 2019.

The goals of this audit were achieved, and it is ascertained that the SPCA continues to meet its obligations under the Animal Welfare Act, Memorandum of Understanding, and the SPCA Performance and Technical Standards for Inspectors and AOs. This audit includes a review of corrective actions completed in response to previous MPI SAT audits.

### SPCA Structure

The SPCA has recently undergone a restructure, which was completed in 2018. Branches and member societies were required to vote into the new SPCA structure, which now operates as a single entity with regional Centres.

Previously, the SPCA was structured as a National Support Office with multiple independent Branches under their own management. These are now referred to as regional Centres (e.g the Auckland Centre), with the country separated into three regions, North (Upper North Island, divided into sections N1-N4), Central (Central and Lower North Island, divided into sections



C1-C4)) and South (South Island – S1-S4).

During the restructure, four SPCA Centres voted to not join the new SPCA structure. These four Centres are no longer part of the SPCA.

There are currently 38 Centres located around the country. These consist of an animal shelter facility with an Auxiliary Officer stationed onsite. Centres may or may not have an Inspector based onsite. Centres with no Inspector are serviced by the hub Centre in their region. This ensures Inspectors are available as to regional Centres as resourcing requires.

Line management within the Centres is such that the Centre Managers report to the Area Managers, who reports to the Regional General Manager. The Regional General Manager reports directly to the CEO. Inspectors maintain their previous line management (either Centre Manager, Area Manager or Chief Inspector). Members of the New Lynn Inspectorate Team report to the General Manager Inspectorate, who reports directly to the CEO.

The National Centre and Inspectorate Support Team has been re-purposed and now solely focuses on providing support to inspectorate functions. This team has been renamed the Inspectorate Support Team.

The functions of an Inspector and an AO significantly differ. Auxiliary Officers are generally employees who already work within the Centre, and are appointed as AOs specifically to meet the SPCAs obligations under S141 of the AWA, such as signing off on animal disposal decisions (e.g authorising transfer of ownership to the SPCA to rehome/adopt animals or make euthanasia decisions). AOs do not perform any specific Inspector duties (ie animal welfare complaint investigations), regardless of whether a Centre has an Inspector based there or not.

Auxiliary Officers currently fall under the Centres rather than the Inspectorate, although complaints regarding AOs, along with their initial and renewal appointment processes are still managed through the Inspectorate Support Team.

All Centres have an Auxiliary Officer based there, with 90 active AOs currently employed. 19 of the 38 Centres have Inspectors based in the Centre, with 60 Inspectors currently employed by the SPCA. Inspector hubs have been developed under the new structure. These hubs have Inspectors that service the Centres who do not have a resident Inspector.

There has been a shift under the new structure to have all Inspectors and AOs hired as employees of the SPCA, with the last of the volunteer Inspectors and AOs being phased out as their Appointment terms expire. Volunteers are still utilized within the Centres for the purpose of animal care and ambulance drivers.

Terminology has changed under the new structure;

National Head Office becomes New Lynn Office

National Support Office becomes New Lynn Office

National Council becomes National Board

National Executive Committee becomes National Board

National Inspectorate and Centre Support Team becomes Inspectorate Support Team (based in New Lynn office) and separate Centre Support (Regional General Managers).

National Investigations Committee becomes Complaints Panel (Generally the CEO, General Manager Inspectorate and Regional General Manager)



### Abbreviations

- AO: Auxiliary Officer
- AWA: Animal Welfare Act 1999
- AWC: SPCA Animal Welfare Coordinator
- IoA: Instrument of Appointment
- S1383: Section 138 of the Animal Welfare Act 1999
- S141: Section 141 of the Animal Welfare Act 1999
- MoU: Memorandum of Understanding 2019 between MPI and the SPCA
- MPI: Ministry for Primary Industries
- SAT: Systems Audit Team
- PTS for Inspectors: The Performance and Technical Standards for Inspectors 2019
- PTS for AOs: The Performance and Technical Standards for Auxiliary Officers 2012

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## Topics

### 1. Previous Recommendations to the SPCA from the 2017 Audit

The last MPI SAT report made the below recommendations to the SPCA:

#### 1.1 Biannual review of the MoU and PTS by MPI and the SPCA is overdue

Two recommendations were made to review the MOU and PTS's respectively, as all three were overdue for their biannual review.

During the course of this audit, both the MoU and the PTS for Inspectors have been updated and published. The current version of both of these documents is now 2019.

The PTS for AOs is still under review. The draft revised version has not been sighted by the MPI SAT auditor. This is escalated to Non Conformance 1 under Clause 5 of the PTS for AOs 2012.

#### **Non Conformance - 1: To the Manager Animal Welfare & NAIT Compliance, MPI and the General Manager, Inspectorate, RNZSPCA: The PTS for AOs must be reviewed**

Clause 5 of the Performance and Technical Standards for Auxiliary Officers 2012 states "*These PTS shall be reviewed no later than 2 years from the date they were signed*".

The PTS for AOs has not been reviewed since it was originally signed on 15.2.2013.

This has been a recommendation raised by MPI SAT since 2015.

Follow up note 17.9.2019: The SAT auditor has received a copy of The Performance and Technical Standards for Auxiliary Officers 2019, signed by MPI on the 4.7.2019 and by the SPCA on the 25.7.2019. This Non Conformance can be considered closed.

#### 1.2 The SPCA should review its complaints process

It was recommended to the National Manager, Inspectorate and Centre Support (now the General Manager, Inspectorate), that the SPCA carries out a review of its complaints process to ensure that enquiries are full, and objective, and that their own staff are treated fairly and supported throughout the process.

The SPCA has revised its complaints procedure, and this was reviewed by MPI SAT auditors. This procedure includes allowing for a written response by both the Inspector and their line manager for any complaint. The complaint process also now includes an investigation conducted by a complaints panel rather than an individual staff member. Centres visited during the audit found the new complaints process to work well, allowing fair investigations to take place, and allowing complaints to be used for further capacity building where necessary. This recommendation is considered suitably addressed and closed.

#### 1.3 The SPCA should consider increasing the post warranting period support for Inspectors





The SPCA has implemented a new hub model in order to provide more support for Inspectors, particularly in smaller regions. Inspectors are now hired as interns, and undergo a three month internship, whereby they begin training towards their Instrument of Appointment (IoA). During this period, they are mentored by a senior staff member (usually a Senior Inspector or Chief Inspector). All Centres found that this new method of employment, training and the structure provided greater support to Inspectors. The hub model also provides ongoing support following warranting, as Inspectors working in remote locations are now part of a greater "region", rather than just their Centre. Recommendation 1 has been raised as a result.

**Recommendation - 1: To the General Manager, Inspectorate, RNZSPCA: Inclusion of regional calibration for Inspectors should be considered**

Under the new hub model, Inspectors have more ability to work closely through the network a hub provides. With this newfound ability, it is recommended that formal calibration be introduced for Inspectors within a region. This is currently implemented by one of the Centre hubs visited during this audit, where Inspectors have weekly skype conferences. During these conferences, any difficult or interesting cases are discussed with all Inspectors within that hub. This provides increased support for newer Inspectors, and creates training and calibration opportunities as Inspectors are exposed to a larger number of case studies without the need to travel.

**1.4 Ongoing training for Auxiliary Officers is not being provided as per Clause 93 of the PTS for AOs**

It was recommended to the National Manager, Inspectorate and Centre Support (now the General Manager, Inspectorate), that the SPCA National Office provides all AOs with the opportunity to attend training workshops as defined in the PTS for AOs. This has not been actioned.

Clause 93 of the PTS for AOs 2012 states that Auxiliary Officers must, within the term of their appointment, attend training workshops at least once in every 3-year period. Failure to attend could affect appointment renewal.

It has been advised by the SPCA that the proposed wording in the PTS for AOs 2019 for Clause 93 is; *Ongoing Training and Evaluation: Clause 56 Auxiliary Officers must, within the term of their appointment, complete refresher training as deemed mandatory by SPCA. Failure to complete required training could affect appointment renewal.* It is unclear what the appointment terms for AOs under the new PTS will be.

MPI SAT has not seen the draft version of the PTS for AOs 2019.

There is currently no ongoing training or skills maintenance available for Auxiliary Officers.

This has been escalated to Non Conformance 2.

Follow up note 17.9.2019: The SAT auditor has received a copy of The Performance and Technical Standards for Auxiliary Officers 2019, signed by MPI on the 4.7.2019 and by the SPCA on the 25.7.2019. Clause 93 from the 2013 version has been replaced by Clause 56 in the 2019 version *"Auxiliary Officers must, within the term of their appointment, complete refresher training as deemed mandatory by SPCA. Failure to complete required training could*



*affect appointment renewal". Non Conformance 2 can be considered closed.*

**Non Conformance - 2: To the General Manager, Inspectorate, RNZSPCA: The SPCA has failed to provide Auxiliary Officer ongoing training as per the PTS for AOs Clause 93**

The SPCA has failed to comply with The Performance and Technical Standards for Auxiliary Officers 2012 clause 93 *Auxiliary Officers must, within the term of their appointment, attend training workshops at least once in every 3-year period. Failure to attend could affect appointment renewal.*

There is currently no ongoing training or skills maintenance available for Auxiliary Officers within their appointment period.

Follow up note 17.9.2019: The SAT auditor has received a copy of The Performance and Technical Standards for Auxiliary Officers 2019, signed by MPI on the 4.7.2019 and by the SPCA on the 25.7.2019. Clause 93 from the 2013 version has been replaced by Clause 56 in the 2019 version *"Auxiliary Officers must, within the term of their appointment, complete refresher training as deemed mandatory by SPCA. Failure to complete required training could affect appointment renewal".*

Non Conformance 2 can be considered closed.

**1.5 An up to date version of the Policy and Procedures Manual must be available at each Centre**

A recommendation was raised to the SPCA to ensure that up to date Policy and Procedure manuals were maintained at each site. All policy and procedure manuals are now maintained electronically, and all Centres audited were able to demonstrate access to these document suites. This is further covered under section 5.3 of this report.

**2. Review of the SPCA's compliance with the Memorandum of Understanding**

Overall, the SPCA was found to be in substantial compliance with the MOU 2019.

The MoU has been updated and the 2019 version was released during the course of this audit.

This update includes clarification on the jurisdiction of animal welfare complaint management between MPI and the SPCA, with clear guidance on which organisation is responsible for which types of cases. The MoU clause 3.4 states that complaints relating to full production farms (aquaculture and agriculture), in the case of agriculture, complaints involving more than 100 animals are generally handled by MPI.

Auditees in the Centres felt that this would have significant implications for the SPCA in terms of resourcing, training, expertise and farming community perception. Auditees considered that because SPCA Inspectors are primarily trained in and seen as companion animal handlers, whilst MPI Inspectors are trained in and seen by rural communities as the experts and governing body in commercial livestock/production animals, that this would disadvantage the SPCA in regards to receptiveness by livestock owners. Auditees were also concerned over the resourcing required in remote areas to adequately manage such large cases, whilst still fulfilling their obligations to companion animals.



Clause 3.8 of the MoU states that MPI will *endeavour* to provide specialist compliance expertise where requested by the SPCA. It is recommended that where MPI does hold specialist expertise, either in Compliance or elsewhere, that assistance is provided to the SPCA where requested.

As a result, MPI Issue 1 is raised.

**MPI Issue - 1: To the Manager Animal Welfare & NAIT Compliance, MPI: Resourcing and training concerns were raised by SPCA Centres with regards to larger scale production animal welfare cases**

**Issue rating: Low**

SPCA Inspectors and auditees expressed concerns over the resourcing and expertise required by SPCA Centres when being assigned large scale production animal welfare cases, as documented by Clause 3.4 of the MOU. They felt this would in part be due to rural farming community perceptions that the SPCA are predominantly resourced to handle companion animals, whilst MPI is seen as the expert in, and governing body, for production animals. They also considered that there may be issues regarding available resourcing in remote regions where these cases may be assigned to an SPCA Centre rather than MPI.

Clause 3.8 of the MoU states that MPI will *endeavour* to provide specialist compliance expertise where requested by the SPCA. It is recommended that where MPI does hold specialist expertise, either in compliance or elsewhere, that assistance is provided to the SPCA where requested.

**3. A review of the SPCA's compliance with the Performance and Technical Standards for Inspectors 2019 and AOs 2012**

The PTS for Inspectors 2019 was reviewed and published during the course of this MPI SAT audit.

The PTS for AOs has not been reviewed since it was signed on 15.2.2013. The required review of the PTS for AOs has been raised as a recommendation in MPI SAT audits since 2015. This has been escalated to Non Conformance 1 (see earlier in the report).

No instances of AOs carrying out functions of Inspectors were identified during the Centre audits.

**3.1.1 The selection process of Inspectors and AOs**

The SPCA was found to comply with the requirements of the PTS for Inspectors *General Criteria*. The PTS for AOs requires updating, as this still includes provision for volunteers to be AOs. This is raised elsewhere in this report as Non Conformance 1.

During the hiring process for Inspectors, there is now a panel of generally three SPCA staff who conduct interviews. Feedback during the centre audits found this to be a more robust way of ensuring that Inspectors appointed to the role are of a suitable nature.

The SPCA was found to comply with the requirements of the PTS for Inspectors and AOs regarding criminal convictions, and evidence could be provided by the New Lynn office to support this. All Inspector and AO applicants are police checked, and the results of the police checks are provided to MPI with the appointment application. Examples of this, along with supporting letters from applicants and their managers were viewed as part of the audit.



### 3.1.2 A review of Inspectors initial appointment training

The SPCA has updated its recruitment and training methods under the new structure. MPI approval has been granted for the SPCA to run its own in house training for Inspectors. This has been developed due to the change in the Inspector recruitment process.

Under the new model, Inspectors are specifically hired for the role of Inspectors (rather than previously, where they may have been already in the employ of the SPCA and progressed into an Inspector role). They begin their employment with the SPCA as Inspector Interns. This has been developed as it provides the SPCA with greater ability to resource regions appropriately. Previously, the SPCA only had a twice yearly intake of Inspectors, due to the availability of the MPI approved Unitec course.

During the three month internship, they begin Inspector training immediately. This includes familiarisation at the Centre they will be stationed at, animal care, legal and tactical communication training. At the completion of their initial three month term, and following successful completion of the required training, they are then offered a full time, permanent position with the SPCA and are recommended for their initial inspector appointment (referred to in the PTS as First Appointment). This initial appointment is for a 12 month period, whilst they continue training, including completing training handbooks, in order to demonstrate sufficient competency prior to renewed appointment as an Inspector (a 3 year term). Interns who are deemed not suitable for the role of Inspector end their employment after the 3 month internship.

In all Centres, Interns and Inspectors with their initial appointment are mentored by either a Senior Inspector or the Chief Inspector.

Unitec is still an MPI approved training provider, which provides an alternative training and recruitment option for the SPCA.

All four Centres audited agreed that this new model provides better ability to ensure only suitable candidates are appointed as Inspectors.

Examples of SPCA Inspector Applications made by the SPCA to MPI were reviewed by MPI SAT auditors. These aligned with the SPCAs procedures and the PTS for Inspectors 2019.

The Animal Welfare Coordinator (AWC) is responsible for monitoring IoA renewals and sends out reminders 3 months prior to renewal to ensure these are done on time. If these are not completed, on the morning of expiry, the AWC sends an email to the Centre and the Inspector or AO notifying them that their IoA has expired and they are no longer legally able to carry out functions under the AWA. Examples of these emails were viewed by MPI SAT auditors. All information relating to the IoAs for both Inspectors and AOs are maintained in the Inspectorate Database, including upcoming renewals.

### 3.1.3 A review of AO training

Whilst the Inspector training model has been updated to accommodate training as and when required for Inspector recruitment, AO training is still only provided twice a year. This has a significant impact on the resourcing abilities of Centres, particularly the smaller ones. Small regional Centres may only have a small number of AOs; in some cases only one. When an AO from one of these smaller Centres leaves the employment of the SPCA, this Centre may be left under resourcing strain. That Centre then only has the opportunity to train and appoint a new AO twice a year during the training intakes, which may mean a Centre is left with no AO for several months. In smaller Centres, having no AO would have a significant impact on their ability to carry out s141 obligations under the AWA, as they may not have an Inspector based at the Centre full time. As a result, it is recommended to the SPCA that the training model for the



appointment of AOs is reviewed to allow for appropriate resourcing of AOs (Recommendation 2).

The SPCA is currently not meeting clauses 93 and 94 of the PTS for AOs 2012. Refresher training is not provided for AOs as per clause 93, and the "National Office" (now the New Lynn office) is not providing training for the North and South Island as per clause 94. Clause 95 of the PTS for AOs 2012 states *This training and evaluation is a compulsory requirement.* This has been raised as Non Conformance 2 earlier in this report.

**Recommendation - 2: To the National Board, RNZSPCA: The frequency of AO appointment training should be reviewed to allow for more frequent appointments of AOs**

Due to the current AO training model, AOs can only be trained prior to appointment twice a year, at 6 monthly periods. This has the potential to leave a Centre under-resourced in terms of AOs (who, along with Inspectors, are required to carry out legal obligations under s141 of the AWA).

It is recommended that the training for AO appointment is reviewed to allow for more efficient resourcing for AOs in a more fluid manner, rather than staggered at 6 monthly intervals such as how the Inspector training is now managed.

**3.1.4 Mandatory refresher training at set frequencies for Inspectors is no longer required by the PTS for Inspectors, and refresher training for AOs is not being completed by the SPCA as per the PTS for AOs**

The PTS for Inspectors 2019 clause 49 states that Inspectors must satisfactorily complete any training required by the SPCA in order to be eligible for renewed appointment. Clause 120 of the PTS for Inspectors 2012 stated that Inspectors must, at a minimum, attend one Inspector Workshop per year for the tenure of their appointment.

Whilst the requirement for refresher training has been removed from the PTS for Inspectors 2019 in the last 12 months, training provided for Inspectors included;

- Mental Health
- Cattle Training
- Legislation

During the next review of the PTS for Inspectors, it is recommended that the requirement for ongoing skills maintenance for all Inspectors on an annual basis is re-included (Recommendation 3).

A recommendation has been raised later in this report for specific refresher training for Inspectors in emergency euthanasia.

The PTS for Inspectors 2019 only requires a review of an Inspectors ongoing suitability under Clause 50, during their Inspector Appointment renewal interview. After their initial one year appointment, renewed Inspector appointments are issued for 3 years. This means that under the PTS, Inspectors are not legally required to have their ongoing suitability, and therefore their competency, reviewed at a frequency of less than 3 years. It is included under Recommendation 3 that the SPCA carry out more frequent reviews of competency and ongoing suitability, particularly while there is no requirement for Inspectors to undertake annual refresher training.



The PTS for AOs (2012) clause 93 states that; *“Auxiliary Officers must, within the term of their appointment, attend training workshops at least once in every 3-year period. Failure to attend could affect appointment renewal.”*

There is no training workshop available for AOs, nor any other type of refresher training or skills maintenance provided during their appointment period. This is raised under Non Conformance 2 earlier in this report.

The Area Manager Central and Inspectorate Team Leader, Dunedin hub, are commended on their proactive approach to AO training; having completed internal refresher AO training in the last 12 months. The training documents and the associated quiz were reviewed by the SAT auditor during the audit and found to be highly relevant to the daily functions of the AOs, including legal requirements.

Internal training and calibration varied across the different regional Centres and hubs. One hub carried out extensive regional calibration, including weekly skype calls with all Inspectors of that hub (some of which are located remotely). These skype calls included discussions and reviews of difficult or unusual cases, written warnings and so forth, and served to maximise potential learning opportunities for Inspectors. Another hub had monthly meetings with Inspectors from their hub. A recommendation for regional calibration was raised to one Centre (*Appendix C*). A recommendation is raised earlier in this report for the development of more formal calibration within hubs or regions to maximise learning and development opportunities for Inspectors and AOs.

**Recommendation - 3: To the General Manager, Inspectorate, RNZSPCA and Manager Animal Welfare & NAIT Compliance, MPI: The frequency of Inspector and Auxiliary Officer refresher training and the assessment of ongoing suitability should be reviewed**

The requirement for Inspectors to attend annual training workshops has been removed from the PTS for Inspectors during its review.

Upon receipt of the revised Performance and Technical Standards for Auxiliary Officers 2019, it was also identified that the requirement for AOs to undergo refresher training within their 3 year term has also been removed, and replaced by clause 56 *“...within the term of their appointment, complete refresher training as deemed mandatory by SPCA”*.

It is recommended that during the next review of the PTS for Inspectors and Auxiliary Officers, due consideration be given for the inclusion of a requirement that the SPCA *must* provide ongoing skills maintenance and refresher training opportunities at defined frequencies for Inspectors and AOs during the tenure of their appointment, in order to ensure that competencies and ongoing suitability for the respective roles are maintained.

It is also recommended that during the next review, the frequency at which the SPCA carry out assessments of Inspectors and Auxiliary Officers ongoing suitability and competence is considered. Currently this is only required at one year from initial appointment, and then three years after renewed appointment.



### 3.2 The SPCA have internal procedures to handle complaints against Inspectors and AOs

All Centres audited were found to follow procedure 2.2.15 – *Complaints against SPCA Inspectors and Auxiliary Officers Procedures*. The Centres noted that the process works well and they had not identified any issues to date. Minor complaints (such as unfounded complaints) are handled directly by the Centre, and moderate or serious complaints are handled by the New Lynn Office. Any serious complaint must be notified to MPI, however there have been no serious complaints since the last annual audit.

### 4 A review of the *Managing Animal Welfare Complaints* section of the PTS for Inspectors

#### 4.1 Limitations

Inspectors and Wellington call centre staff were aware of the *Limitations* sections of the PTS for Inspectors (clause 89), which references the organisational assignment of animal welfare cases as per the MoU to either the SPCA or MPI, depending on the details of the complaint (clause 3.4).

#### 4.2 Receipt of complaints and the Response and Investigation Process

Animal welfare complaints are either directed to the call centre in Auckland or Wellington. The Wellington call centre only services the Wellington, Waikanae, Masterton, Dannevirke and Hawera Centres. Between the hours of 5pm-9pm, all Wellington calls are diverted to the Auckland call centre. After 9pm, all calls are diverted to an externally contracted call centre.

Only one Centre reported instances of taking complaints directly. This was due to infrequent “walk in” complainants. All regional Centres refer any telephone complaints to the relevant call centre, and found that this process works well. SPCA call centre operators were found to grade animal welfare cases with a high degree of accuracy. Centres noted that they found it useful that Call Centre operators had been provided with animal first aid training, enabling them to talk callers through emergency care if necessary.

The grading of animal welfare cases has been removed from the PTS for Inspectors during this review, and is now managed through the SPCAs internal procedures. The SPCA call centres grade the cases depending on the information provided. Animal welfare cases are graded as;

- Grade 1: Urgent requiring immediate response
- Grade 2: Requiring 24 hour response
- Grade 3: Requiring 7 day response

Cases are then assigned to either a region (where the Inspectorate Team Leader will assign the cases to an Inspector), or directly to an Inspector through the electronic recording system “Shelterbuddy”. How Inspector workloads and cases are distributed varied between Centres, and was influenced by factors such as the number of Inspectors, geographical location and degree of oversight from the Inspectorate Team Leader/Chief Inspector.

All Centres visited during the audit had an ambulance service, which operated in varying ways. All Centres had an afterhours call out system for emergency ambulance pickups to varying degrees of availability, ranging from 6am-9pm weekdays through to a 24 hours a day, 7 days a week service. The ambulance was either manned by staff or volunteers depending on the size of the Centre.



All information pertaining to cases are held in Shelterbuddy, including records of the case, complainant, correspondence, interviews and any letters or notices issued. Animals are assigned an ID number, and all information relating to that animal is also held in Shelterbuddy (such as medical records). All Centres visited had animal cage records, which stayed with the animal during their time in the Centre, and included daily observations such as feeding and water habits, health observations and behaviour tendencies.

### 4.3 Euthanasia

#### 4.3.1 Euthanasia National policy and Centre specific procedures

The PTS for Inspectors clause 92 states that the SPCA must have a policy, procedures and guidelines in place for animal euthanasia. The SPCA *Euthanasia Policy 2.4.1 V1* states that all Centres are required to document their own euthanasia procedures. It was explained to the SAT auditor during the Centre audits that a new National Policy was to be released shortly. This was not available to the SAT auditor at the time of the audit.

All Centres could provide their Centre specific euthanasia procedures and speak confidently to these. Whilst the content and level of detail of these euthanasia procedures varied, all were found to align with the PTS for Inspectors clause 92 and the SPCA *Euthanasia National Policy 2.4.1 Version 1*.

All Centres had a euthanasia panel, ranging from a Centre with a minimum of 2 members on the panel, through to larger Centres that require 3 panel members from a minimum of two different groups, with clear procedures outlining who may or may not sit on the euthanasia panel. The reason for euthanasia, and the inspector, AO or veterinarian authorising euthanasia was recorded on all examples viewed during the audit.

All Centres had provision to call on external experts in certain fields (e.g canine behaviourists), and were also clear on exclusions from the euthanasia panel (e.g Centre staff who had a strong bond with a particular animal). All Centres clearly understood their responsibilities regarding euthanasia under the Animal Welfare Act 1999, including the requirements under S138 and s141 of the AWA, and were found to comply with these requirements.

All Centres were commended on the inclusion within their documented procedures for consideration of the emotional stress euthanasia of an animal can put on Centre staff.

#### 4.3.2 Small animal euthanasia

All euthanasia of small animals within the Centres is carried out by a Veterinarian.

In two of the Centres, a veterinarian was stationed full time on site. In one case, this was as part of an onsite, SPCA run veterinary clinic, where there were a number of veterinarians employed by the Centre. At the other site, the Inspectorate Team Leader is also a practising veterinarian in the employ of the SPCA.

Two of the Centres had no onsite veterinarian, but contracted veterinary care out to a local clinics. In both of these Centres, clinical veterinarians visit the Centre a minimum of twice a week. Small animals requiring emergency euthanasia in these two Centres between these visiting times are taken directly to the veterinary clinic.

#### 4.3.3 Emergency euthanasia procedures, training and ongoing skills maintenance

Initial training through the approved Unitec course for emergency euthanasia was described by





interviewees as minimal, with trainees having limited opportunity to practise emergency euthanasia techniques using a captive bolt gun on a cadaver during the course (in some cases only having one opportunity to use the captive bolt gun). This was similar for cervical dislocation.

It was identified that there is a lack of ongoing training available for Inspectors to ensure they remain competent and confident in the use of different techniques for emergency euthanasia. This includes methods such as the use of captive bolt guns, ablation or cervical dislocation. There is also no documented system to ensure Inspectors are calibrated in emergency euthanasia. This is raised as Recommendation 4.

This in part contributes to emergency euthanasia of large animals being handled differently by each Centre. Some Centres do not require their Inspectors to carry out emergency euthanasia at all, instead contracting it out to trained experts (such as veterinarians or expert marksmen), whilst other Centres included provision for the Inspectors to call for back up where they felt it was required.

**Recommendation - 4: To the General Manager, Inspectorate, RNZSPCA: The initial emergency euthanasia training, the implementation of refresher training and the ongoing assessment of competence in emergency euthanasia for Inspectors should be reviewed**

Hands on practise for methods of emergency euthanasia during the Inspectors initial training is considered minimal. Inspectors who had completed the MPI approved Unitec training course reported having very limited exposure to practical emergency euthanasia techniques, with one Inspector reporting that they were only able to practise using a captive bolt gun on a cadaver once during the course.

Following Inspector Appointment, there is no refresher training or resources available for the ongoing maintenance of skills for Inspectors in emergency euthanasia.

Due to the infrequency of the execution of emergency euthanasia of large animals (and in some cases small animals) by Inspectors, it is recommended that training resources be provided to Inspectors to ensure they are able to maintain appropriate skills to ensure the execution of effective emergency euthanasia where necessary.

It is also recommended that the SPCA implement a system that Inspectors can be calibrated against in the various methods of emergency euthanasia in a practical setting at realistic time intervals.

#### 4.4 Search Warrant Procedures

The SPCA procedure 2.7.4.1 *Search Warrant Procedure* outlines the grounds for applying for a search warrant, how to apply for a search warrant, and reference to applicable templates, forms and exemplars. Prior to applying for a search warrant, the procedure states that the SPCA New Lynn office must be contacted. Section 9 of the procedure includes the requirement to have search warrant applications reviewed by the Inspectors manager or a senior Inspector, or provision for referral by the manager to the New Lynn office for review prior to applying for a search warrant. This aligned with feedback from the Centre audits.

##### 4.4.1 Exhibits Handling and Storage Procedure

As per clause 93 of the PTS for Inspectors, the SPCA has documented 2.7.5.1 *Exhibits Handling and Storage Procedure*. All Centres visited during this audit had access to this



procedure, and had secure areas for the storage of exhibits.

#### 4.5 Prosecutions

Whilst not all of the Centres visited had sent any cases for prosecution in the last 12 months, all Centres were aware of, and had access to, the procedure 2.9.3.2 *Prosecution File Procedure*. All Centres confirmed that prosecutions are reviewed by the New Lynn Office prior to progressing, in line with this procedure.

#### 4.6 Infringement Notice Procedures

The SPCA procedure 2.8.4.1 *Infringement Notice and Regulatory Prosecution Procedure* is documented as per clause 95 of the PTS for Inspectors. Findings in Centres aligned with the national procedure, including the requirement that the Inspectors manager will review the file upon completion for quality, completeness and accuracy as per section 6.15 of the Procedure.

#### 4.7 Supersession Policy

The MoU 2019 outlines guidance on which cases should be handled by MPI, and which cases should be handled by the SPCA. MPI Issue 1 has been raised for this earlier in the report.

All relevant staff could explain the process of transferring cases from the SPCA to MPI confidently. Any case which requires transferral to MPI is done through the Animal Welfare Coordinator.

#### 4.8 Facilitating more effective exercise of Inspectors statutory functions across the different organisations

All Centres reported collegial working relationships with MPI Inspectors in their region, and reported that any formal collaboration was managed through the AWC. Most centres had worked with their regional MPI Inspector on either a formal or informal collegial basis in the past. In the auditor's opinion, these relationships between regional MPI and SPCA Inspectors should be fostered, and can form the basis of a strong, consistent national approach in the application of the AWA.

It is also recommended that further development be made in terms of aligning and utilising resources, particularly where there is potential overlap of both MPI and SPCA intervention. All Centres reported instances of being notified of a case which had already been attended to by MPI. This is a drain on resources for both organisations. This information is often not realised until the SPCA Inspector arrives at the location. Whilst it is acknowledged by the auditor that the new definitions in the MoU may assist in decreasing the frequency of these cases, there is still a potential for cross over. Knowledge of which organisation has responded to which case relies heavily on the complainant either

- knowing that the case had already been notified to the other organisation or:
- being willing to divulge that they had already notified the other organisation.

In some cases, the complainant may not feel they got the 'desired response' from one organisation, and will attempt to notify the other organisation in the hopes of getting the 'right answer'.

It is recommended based on Section 11 of the MoU that in order to facilitate effective exercise of Inspectors statutory functions, a mechanism of shared information, such as a shared intelligence database, be considered, taking into consideration:



- Offence history (i.e repeat offenders, who may come under both MPI and SPCA jurisdiction).
- Intelligence pertaining to the safety of Inspectors from both MPI and the SPCA (particularly those working in remote rural areas).
- Effective use of resources, particularly in remote locations where an Inspector may have to travel several hours.

It is acknowledged that, in both organisations, Inspectors often work alone in isolated areas, where the potential reception of an Inspector may be hostile, either due to criminal activity, mental health issues or prior offences. It is considered that a central joint database may make the execution of these visits more effective if Inspectors of both organisations have the ability to suitably prepare prior to entering these situations. This is raised under MPI Issue 2.

### **MPI Issue - 2: To the General Manager, Inspectorate, RNZSPCA and Manager Animal Welfare & NAIT Compliance, MPI: Increasing effective organisational information sharing**

It is recommended based on Section 11 of the MoU that in order to facilitate effective exercise of Inspectors statutory functions, a mechanism of shared information, such as a joint central intelligence database, be considered, including:

- Offence history (i.e repeat offenders, who may come under both MPI and SPCA jurisdiction)
- Intelligence pertaining to the safety of Inspectors from both MPI and the SPCA
- Effective use of resources, particularly in remote locations where an Inspector may have to travel several hours

## **5. A review of the SPCAs internal records, policies and procedures**

### **5.1 SPCA Records**

A recommendation to the New Lynn Office was raised during the site audit for the maintenance of verifiable records of approval by both MPI and the SPCA when forms are altered, as per clause 100 of the PTS for Inspectors 2012 (the current PTS for Inspectors at the time of the audit) (*Appendix A*). This requirement is now covered by clause 19 (d) of the PTS for Inspectors 2019.

A recommendation was raised in the Location Findings Report to the New Lynn Office as per 19 (d) of the PTS for Inspectors to ensure that verifiable evidence of approval of changes to any forms is maintained for audit purposes. The location finding is appended to this report (*Appendix A*).

#### **5.1.1 SPCAs online system Shelter Buddy**

All electronic records are stored in "Shelterbuddy", including complaint and investigation details. All staff have access to Shelterbuddy, and every entry is electronically logged and traced back to the username of the person logged in. Functions within Shelterbuddy are limited depending on the role of the staff member, with for example Inspectors having more access and available functions within Shelterbuddy than a volunteer does. Paper records at the Centres audited are held in storage onsite for varying periods of time (minimum one year), and records relating to ongoing investigations are stored securely.

Reporting via Shelterbuddy was found to be quick and effective. Centres were able to run reports during the audits on the number of animals currently in their care, the number of animals in foster homes, veterinary care due for animals (e.g. vaccinations due), status of



animals and so forth.

All Centres agreed that whilst Shelterbuddy, like all databases, does have its limitations, overall it is an effective and efficient way of compiling data. It has made the process of transferring cases between Inspectors very straight forward. One significant improvement in general processes noted by all Centres was the newfound ability to share data across the SPCA nationally. This includes, for example, transparency for individuals known to the SPCA across different regions. It was explained that prior to Shelterbuddy, a member of the public could drop an animal off at one regional Centre, and the following week adopt an animal from another regional Centre without Centre staff being aware of their previous interactions with other Centres.

## 5.2 SPCAs internal Policies and Procedures

It was explained during the New Lynn audit that where a requirement is covered by the MoU or PTS, specific national policies are not always developed unless specifically required by the MoU or PTS. It is included under Recommendation 7 that the SPCA document internal policies and procedures outlining how the SPCA meets all aspects of the MoU and PTS for Inspectors and AOs, regardless of whether the MoU or PTS specifically requires it.

One recommendation was raised to the Wellington Centre for the Senior Leadership team to review the MoU 2019 and PTS for Inspectors 2019 (*Appendix D*). It is acknowledged by the auditor that these documents were only released a short time before the audit.

It was noted that in one of the large Centres, staff have the ability to provide feedback on draft procedures and policies. This is likely to result in procedure and policies being developed which align closely with the reality of operations for the larger Centres. As a result, Recommendation 5 is raised for the inclusion of smaller Centres in the feedback process.

## 5.3 SPCAs internal Policy and Procedure Document Suite

Auditees at all Centres visited were able to demonstrate access the Policy and Procedure Document Suite through the SPCAs intranet, which is readily available to all staff. All documents held in this suite are maintained as current by the New Lynn office, which ensures that staff always have access to the most recent version of a document.

### **Recommendation - 5: To the General Manager, Inspectorate, RNZSPCA: All Centres should have the ability to provide feedback on draft policies**

During the audit, one of the larger Centres noted that they are often able to provide feedback on draft national policies and procedures. This is considered an effective way of ensuring that updated policies and procedures align with the reality of operations on the front line. As a result, it is recommended that this opportunity for review and feedback is extended to small Centres as well.

## 6. The SPCA have implemented an internal verification programme

Following the recommendation raised in the last annual audit, the SPCA has appointed an Audit and Compliance Manager, who will carry out internal verification. Internal audits of all Centres were reviewed during the audit, and a recommendation was raised to the New Lynn Office to include within their internal audits a review of compliance to the requirements of the MoU and PTS for Inspectors and AOs (*Appendix A*). This has been further expanded on within this report



following findings from Centre audits (Recommendation 7).

The internal audits current focus is on the compliance of, and consistent application of and by, Centres to the SPCA national policies. It is recommended that the scope of internal audits be expanded to include verification of internal compliance to the MoU and PTS for Inspectors and AOs. This is raised under Recommendation 7.

Once effective internal verification of the MoU and PTS for Inspectors and AOs has been implemented and deemed robust by MPI, and it can be reasonably ascertained that the SPCA is managing its own internal compliance, it is recommended that the frequency of MPI SAT verification be reviewed and if appropriate, extended. This should not be considered until such time as internal audits include effective root cause analysis along with verifiable evidence that corrective and preventative actions are being appropriately managed by the SPCA with regards to MoU and PTS compliance. This is raised as Recommendation 6.

**Recommendation - 6: To the Manager Animal Welfare & NAIT Compliance, MPI: The frequency of MPI audits of the SPCA could be reviewed when the SPCA demonstrate effective internal management of its compliance to the MOU and PTS's**

MPI Systems Audits of the SPCA are completed under Section 123B of the Animal Welfare Act 1999 (AWA). Whilst the AWA does not stipulate a frequency, the MOU dictates that these are completed on an annual basis.

The SPCA has recently implemented internal verification in order to further enhance its internal compliance management. These internal audits do not include verification of compliance to the MoU and PTS for Inspectors or AOs yet. The SPCA have indicated that they plan to include compliance to the MOU and PTS's into their internal verification programme.

If and when the SPCA are able to demonstrate to MPI that they have a robust internal verification system which can effectively manage its own compliance with the MoU and PTS for Inspectors and AOs, it is recommended that the frequency of full verification of the SPCAs compliance to the Act, the MOU and the PTSs be reviewed.

**Recommendation - 7: To the Audit and Compliance Manager, RNZSPCA: The SPCA should demonstrate internal compliance with the MoU and PTS through their internal verification programme**

The SPCA have implemented internal audits of their Centres. They have indicated that they will include compliance to the MOU and PTS's in future. Regardless of this intent, it is raised as a strong recommendation that internal audits of the SPCA Centres, and the SPCA as a whole, include compliance to the requirements of the MoU and PTS for Inspectors and AOs.

In order to ensure the meaningfulness of these internal audits, it is recommended that the SPCA document procedures which outline how the requirements of the MoU and PTS are met by the SPCA and who in the SPCA is responsible for implementing them. This internal verification programme should also include how the SPCA will verify that the procedures and records designed to ensure compliance with the MOU and PTS are effective.

**7. All regional Centre facilities that were part of this audit were found to be fit for purpose**

All Centres visited during this audit were well presented and suitable for the temporary housing of animals in the care of the SPCA. Cleaning and hygiene in all Centres was to a high level, and in many Centres cleaning was observed in action. Procedures for cleaning and hygiene



maintenance were found laminated and stuck to the walls in all relevant places, to ensure that staff or volunteers had easy access to the procedures.

All Centres had carried out renovations to further improve their facilities, including enhancing animal housing, and all Centres had ongoing plans of varying magnitude for further development. All Centres had forms of enrichment for the animals.

The Wellington SPCA Centre has implemented several useful initiatives, including opening their veterinary clinic to the general public, allowing increased revenue to assist with funding the SPCAs work. Along with facilities within the Centre where organisations can hire out the rooms to run conferences and functions, the Wellington Centre also has facilities to run children's birthday parties. These parties are then used to educate children on small animal care, safe dog approaching techniques and further raise awareness. Several of the Centres visited have opened their cat adoption rooms up to the general public, and in several student towns, they had provided facilities within the cat adoption rooms for students to study. This not only raises further awareness for the SPCA, but provides more enrichment and assists with socialisation.

All Centres either had a veterinarian (or team of veterinarians) based in the facility, or have agreements with local veterinary clinics for the treatment of animals.

All Centres utilised foster carers, who are provided support by the Centre. Foster carers undergo screening prior to being able to foster, and following their first foster experience, are reviewed prior to taking on a second foster animal.

In all Centres, additional provisions were provided for kittens and puppies, including heating in various forms. All of the Centres had isolation, quarantine and separate adoption areas. Isolation areas had suitable procedures in place to minimise the potential spread of disease, including foot baths, gowns and hand sanitisers. Most facilities preferred to foster out animals presenting with illness in an attempt to prevent the spread of disease through the Centre.

No recommendations were made to any of the Centres with regards to animal housing, separation or enrichment.

## Conclusion

The purpose of this annual audit is to assess the ongoing suitability of the RNZSPCA, an "Approved Organisation" under the Animal Welfare Act 1999. This audit verifies compliance of the RNZSPCA with Part 7 of the Animal Welfare Act 1999, the Memorandum of Understanding and the Performance and Technical Standards for Inspectors and Auxiliary Officers. It includes evaluation and assessment of the RNZSPCA's national systems and procedures developed to assist in compliance with the mandated requirements, and corrective actions implemented by the RNZSPCA in response to previous MPI SAT audits.

Overall, the RNZSPCA was found to be in substantial compliance with the Memorandum of Understanding, the SPCA Performance and Technical Standards, and the Animal Welfare Act 1999.

The Memorandum of Understanding and Performance and Technical Standards for Inspectors were both reviewed and reissued in 2019, during the course of this audit. At the time of the audit, the revised version of The Performance and Technical Standards for Auxiliary Officers 2019 had not been released. This audit was conducted on the current legislation (The Performance and Technical Standards for Auxiliary Officers 2013) available at the time of the



audit (February to May 2019). The Performance and Technical Standards for Auxiliary Officers 2019 was signed by MPI on the 4th July 2019 and by the SPCA on the 25th July 2019.

Four Centres and the New Lynn Office (previously the National Head Office) were audited. All terms of reference for this audit were met. Further details on the terms of reference can be found under this heading within the report.

The following findings were made during this audit;

- Although the Memorandum of Understanding 2019 and Performance and Technical Standards for Inspectors 2019 were only released during the course of this audit, the RNZSPCA was found to be in substantial compliance with both of these documents.
- All staff within the Centres had a clear understanding of their roles and responsibilities under the Memorandum of Understanding, could speak confidently to their tasks and access procedures and records easily.
- All Centres were presented to a high standard of hygiene and were all deemed fit for purpose.
- Regional calibration within Hubs and Centre Regions varies.
- The updated Performance and Technical Standards for Auxiliary Officers must be reviewed and published as soon as possible (n.b this was completed 25 July 2019).
- Whilst annual training is scheduled for all Inspectors, there is not sufficient skills maintenance training for crucial tasks such as large animal emergency euthanasia.
- There is no ongoing skills maintenance or refresher training resources for Auxiliary Officers.
- Auxiliary officers in many of the smaller Centres play a crucial role in fulfilling the legal requirements of the SPCA under the Animal Welfare Act. There are only 2 intakes a year for Auxiliary Officer training, which creates resourcing issues for smaller Centres when Auxiliary Officers leave the Centre.
- There is no central intelligence database where all Animal Welfare Inspectors (both MPI and SPCA) can share information. A central database would provide efficiencies in the effective use of resources, improve communications between agencies and highlight repeat offenders. It would also improve information sharing capabilities between Inspectors within the two organisations, such as information collated by each organisation on previously hostile individuals, an important aspect for consideration with regards to health and safety of Inspectors working remotely.
- The SPCA has implemented internal verification as a result of previous audit recommendations. It is raised as a point of consideration that once the SPCA has developed an effective internal verification process to ensure compliance to the Memorandum of Understanding and Performance and Technical Standards for Inspectors and Auxiliary Officers, that the frequency of MPI systems audits be reviewed and extended.

All five locations received location finding reports, which are appended to this report. Dunedin Centre and Invercargill Centre received one location report between the two Centres, as these audits were completed in conjunction, and share the same Area Manager and Inspectorate Team Leader.

No non-conformances were raised during the Centre visits. One non-conformance was raised to the New Lynn Office for failing to meet clause 93 of the Performance and Technical Standards for Auxiliary Officers;

- The Performance and Technical Standards for Auxiliary Officers clause 93 states that Auxiliary Officers must, within the term of their appointment, attend training workshops at least once in every 3-year period. Failure to attend could affect appointment renewal. Currently, there is no training workshop available for Auxiliary Officers, nor any other type of refresher training



within their appointment period. This was raised as a recommendation in the 2017 Annual Audit.

This is detailed in Location Finding Report IL4896, appended to this report (*Appendix 1*).

Recommendations were raised during the New Lynn Office audit for;

- Including within the already implemented SPCA Internal Audit process a mechanism by which the SPCA can demonstrate compliance with the Memorandum of Understanding and the Performance and Technical Standards for Inspectors and Auxiliary Officers.
- Maintenance of verifiable records of approval by MPI of alterations to forms as per the Performance and Technical Standards for Inspectors.

Recommendations were raised during the Centre audits for;

- Where formal calibration activities are not mandated by the New Lynn office, that informal calibration activities be carried out between Inspectors of the same region or hub.
- Senior staff to review the Memorandum of Understanding and Performance and Technical Standards for Inspectors.

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## MPI Issues

### **MPI Issue - 1: To the Manager Animal Welfare & NAIT Compliance, MPI: Resourcing and training concerns were raised by SPCA Centres with regards to larger scale production animal welfare cases**

#### **Issue rating: Low**

SPCA Inspectors and auditees expressed concerns over the resourcing and expertise required by SPCA Centres when being assigned large scale production animal welfare cases, as documented by Clause 3.4 of the MOU. They felt this would in part be due to rural farming community perceptions that the SPCA are predominantly resourced to handle companion animals, whilst MPI is seen as the expert in, and governing body, for production animals. They also considered that there may be issues regarding available resourcing in remote regions where these cases may be assigned to an SPCA Centre rather than MPI.

Clause 3.8 of the MoU states that MPI will *endeavour* to provide specialist compliance expertise where requested by the SPCA. It is recommended that where MPI does hold specialist expertise, either in compliance or elsewhere, that assistance is provided to the SPCA where requested.

### **MPI Issue - 2: To the General Manager, Inspectorate, RNZSPCA and Manager Animal Welfare & NAIT Compliance, MPI: Increasing effective organisational information sharing**

It is recommended based on Section 11 of the MoU that in order to facilitate effective exercise of Inspectors statutory functions, a mechanism of shared information, such as a joint central intelligence database, be considered, including:

- Offence history (i.e repeat offenders, who may come under both MPI and SPCA jurisdiction)
- Intelligence pertaining to the safety of Inspectors from both MPI and the SPCA
- Effective use of resources, particularly in remote locations where an Inspector may have to travel several hours

## Non Conformances

### **Non Conformance - 1: To the Manager Animal Welfare & NAIT Compliance, MPI and the General Manager, Inspectorate, RNZSPCA: The PTS for AOs must be reviewed**

Clause 5 of the Performance and Technical Standards for Auxiliary Officers 2012 states "*These PTS shall be reviewed no later than 2 years from the date they were signed*".

The PTS for AOs has not been reviewed since it was originally signed on 15.2.2013.

This has been a recommendation raised by MPI SAT since 2015.

Follow up note 17.9.2019: The SAT auditor has received a copy of The Performance and Technical Standards for Auxiliary Officers 2019, signed by MPI on the 4.7.2019 and by the SPCA on the 25.7.2019. This Non Conformance can be considered closed.

### **Non Conformance - 2: To the General Manager, Inspectorate, RNZSPCA: The SPCA has failed to provide Auxiliary Officer ongoing training as per the PTS for AOs Clause 93**

The SPCA has failed to comply with The Performance and Technical Standards for Auxiliary Officers 2012 clause 93 *Auxiliary Officers must, within the term of their appointment, attend training workshops at least once in every 3-year period. Failure to attend could affect appointment renewal.*

There is currently no ongoing training or skills maintenance available for Auxiliary Officers within



## Non Conformances

their appointment period.

Follow up note 17.9.2019: The SAT auditor has received a copy of The Performance and Technical Standards for Auxiliary Officers 2019, signed by MPI on the 4.7.2019 and by the SPCA on the 25.7.2019. Clause 93 from the 2013 version has been replaced by Clause 56 in the 2019 version *"Auxiliary Officers must, within the term of their appointment, complete refresher training as deemed mandatory by SPCA. Failure to complete required training could affect appointment renewal"*.

Non Conformance 2 can be considered closed.

## Recommendations

### **Recommendation - 1: To the General Manager, Inspectorate, RNZSPCA: Inclusion of regional calibration for Inspectors should be considered**

Under the new hub model, Inspectors have more ability to work closely through the network a hub provides. With this newfound ability, it is recommended that formal calibration be introduced for Inspectors within a region. This is currently implemented by one of the Centre hubs visited during this audit, where Inspectors have weekly skype conferences. During these conferences, any difficult or interesting cases are discussed with all Inspectors within that hub. This provides increased support for newer Inspectors, and creates training and calibration opportunities as Inspectors are exposed to a larger number of case studies without the need to travel.

### **Recommendation - 2: To the National Board, RNZSPCA: The frequency of AO appointment training should be reviewed to allow for more frequent appointments of AOs**

Due to the current AO training model, AOs can only be trained prior to appointment twice a year, at 6 monthly periods. This has the potential to leave a Centre under-resourced in terms of AOs (who, along with Inspectors, are required to carry out legal obligations under s141 of the AWA).

It is recommended that the training for AO appointment is reviewed to allow for more efficient resourcing for AOs in a more fluid manner, rather than staggered at 6 monthly intervals such as how the Inspector training is now managed.

### **Recommendation - 3: To the General Manager, Inspectorate, RNZSPCA and Manager Animal Welfare & NAIT Compliance, MPI: The frequency of Inspector and Auxiliary Officer refresher training and the assessment of ongoing suitability should be reviewed**

The requirement for Inspectors to attend annual training workshops has been removed from the PTS for Inspectors during its review.

Upon receipt of the revised Performance and Technical Standards for Auxiliary Officers 2019, it was also identified that the requirement for AOs to undergo refresher training within their 3 year term has also been removed, and replaced by clause 56 *"...within the term of their appointment, complete refresher training as deemed mandatory by SPCA"*.

It is recommended that during the next review of the PTS for Inspectors and Auxiliary Officers, due consideration be given for the inclusion of a requirement that the SPCA *must* provide ongoing skills maintenance and refresher training opportunities at defined frequencies for Inspectors and AOs during the tenure of their appointment, in order to ensure that competencies and ongoing suitability for the respective roles are maintained.



## Recommendations

It is also recommended that during the next review, the frequency at which the SPCA carry out assessments of Inspectors and Auxiliary Officers ongoing suitability and competence is considered. Currently this is only required at one year from initial appointment, and then three years after renewed appointment.

**Recommendation - 4: To the General Manager, Inspectorate, RNZSPCA: The initial emergency euthanasia training, the implementation of refresher training and the ongoing assessment of competence in emergency euthanasia for Inspectors should be reviewed**

Hands on practise for methods of emergency euthanasia during the Inspectors initial training is considered minimal. Inspectors who had completed the MPI approved Unitec training course reported having very limited exposure to practical emergency euthanasia techniques, with one Inspector reporting that they were only able to practise using a captive bolt gun on a cadaver once during the course.

Following Inspector Appointment, there is no refresher training or resources available for the ongoing maintenance of skills for Inspectors in emergency euthanasia.

Due to the infrequency of the execution of emergency euthanasia of large animals (and in some cases small animals) by Inspectors, it is recommended that training resources be provided to Inspectors to ensure they are able to maintain appropriate skills to ensure the execution of effective emergency euthanasia where necessary.

It is also recommended that the SPCA implement a system that Inspectors can be calibrated against in the various methods of emergency euthanasia in a practical setting at realistic time intervals.

**Recommendation - 5: To the General Manager, Inspectorate, RNZSPCA: All Centres should have the ability to provide feedback on draft policies**

During the audit, one of the larger Centres noted that they are often able to provide feedback on draft national policies and procedures. This is considered an effective way of ensuring that updated policies and procedures align with the reality of operations on the front line. As a result, it is recommended that this opportunity for review and feedback is extended to small Centres as well.

**Recommendation - 6: To the Manager Animal Welfare & NAIT Compliance, MPI: The frequency of MPI audits of the SPCA could be reviewed when the SPCA demonstrate effective internal management of its compliance to the MOU and PTS's**

MPI Systems Audits of the SPCA are completed under Section 123B of the Animal Welfare Act 1999 (AWA). Whilst the AWA does not stipulate a frequency, the MOU dictates that these are completed on an annual basis.

The SPCA has recently implemented internal verification in order to further enhance its internal compliance management. These internal audits do not include verification of compliance to the MoU and PTS for Inspectors or AOs yet. The SPCA have indicated that they plan to include compliance to the MOU and PTS's into their internal verification programme.

If and when the SPCA are able to demonstrate to MPI that they have a robust internal verification system which can effectively manage its own compliance with the MoU and PTS for Inspectors and AOs, it is recommended that the frequency of full verification of the SPCAs compliance to the Act, the MOU and the PTSs be reviewed.

**Recommendation - 7: To the Audit and Compliance Manager, RNZSPCA: The SPCA should demonstrate internal compliance with the MoU and PTS through their internal verification programme**



## Recommendations

The SPCA have implemented internal audits of their Centres. They have indicated that they will include compliance to the MOU and PTS's in future. Regardless of this intent, it is raised as a strong recommendation that internal audits of the SPCA Centres, and the SPCA as a whole, include compliance to the requirements of the MoU and PTS for Inspectors and AOs.

In order to ensure the meaningfulness of these internal audits, it is recommended that the SPCA document procedures which outline how the requirements of the MoU and PTS are met by the SPCA and who in the SPCA is responsible for implementing them. This internal verification programme should also include how the SPCA will verify that the procedures and records designed to ensure compliance with the MOU and PTS are effective.

## Appendices

Appendix A - New Lynn Office Location Findings

Appendix B - Dunedin and Invercargill Location Findings

Appendix C - Palmerston North Location Findings

Appendix D - Wellington Location Findings

Appendix E - The Performance and Technical Standards for Auxiliary Officers 2019

Appendix F - Performance and Technical Standards for Auxiliary Officers 2013

Appendix G - Memorandum of Understanding 2019

Appendix H - Performance and Technical Standards for Inspectors 2019

Appendix I - Performance and Technical Standards for Inspectors 2013

Appendix J - Memorandum of Understanding 2010

**NOTE: Appendix A, B, C, and D are withheld under section 9(2)(ba)(i) of the OIA. Appendix G, H, and J have been removed under section 18(d) of the OIA.**

## Distribution

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*Electronically Signed by Nicky Majoor Auditor on the 08 Oct 2019 1:58 pm*



**Performance and Technical Standards**

for

**Auxiliary Officers**

of the

**Royal New Zealand Society for the Prevention of  
Cruelty to Animals**

**Including Selection, Training and Appointment**

**2019**

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

# Contents

<b>DEFINITIONS</b> .....	3
<b>INTRODUCTION</b> .....	4
Review of PTS .....	4
<b>ROLE OF THE MINISTER, MPI AND SPCA</b> .....	5
Minister .....	5
MPI .....	5
SPCA .....	5
<b>SELECTION, TRAINING AND APPOINTMENT</b> .....	6
General Criteria .....	6
Criminal Convictions .....	6
Agreement Between SPCA and Its Auxiliary Officers .....	7
Criteria and Selection of Applicants for Auxiliary Officer Training .....	7
Auxiliary Officer Training Programme .....	7
Application for First Appointment as Auxiliary Officer .....	8
Appointment Agreement .....	8
Application for Renewed Appointment as Auxiliary Officer .....	9
Ongoing Training and Evaluation .....	10
Documentation/Records .....	10
Jurisdiction of Appointment .....	10
Lapsed Appointments .....	11
Return of Certificate of Appointment and Instrument of Appointment .....	11
Lost Certificates of Appointment .....	11
Resignation .....	12
Exercise of Powers Outside Term of Appointment .....	12
Complaints Against Auxiliary Officers .....	12
<b>ANIMAL WELFARE COMPLAINTS</b> .....	12
Receipt of Complaint .....	12
Euthanasia .....	12
<b>POLICIES</b> .....	13
Policy and Procedure Manual .....	13
Impartiality .....	13
Privacy .....	13
<b>MPI/SPCA LIAISON</b> .....	13
Application of the Official Information Act 1982 .....	13
Annual Audit of SPCA Enforcement Activities .....	13
<b>RELEVANT ACTS</b> .....	14
<b>SIGNATURES</b> .....	14

## Definitions

These definitions are for the purposes of the Royal New Zealand SPCA Performance and Technical Standards for Auxiliary Officers. The Animal Welfare Act 1999 (section 2) provides a detailed list of additional definitions that Auxiliary Officers may need to be aware of.

**Act** means the Animal Welfare Act 1999.

**Approved organisation** means an organisation declared by the Minister, under section 121(1) of the Animal Welfare Act 1999, to be an approved organisation for the purposes of the Act.

**Auxiliary Officer** means a person belonging to, in the employment of, or otherwise associated with SPCA who is appointed as an Auxiliary Officer under section 125(1) of the Animal Welfare Act 1999 on the recommendation of SPCA.

**Certificate of Appointment** means the identity card issued by the Ministry for Primary Industries and used by an Auxiliary Officer in the course of his/her duties for identification purposes.

**Director-General** means the Director-General of MPI.

**Inspector** means a person belonging to, in the employment of, or otherwise associated with SPCA who is appointed as an Inspector under section 124(2) of the Animal Welfare Act 1999 on the recommendation of SPCA.

**Instrument of Appointment** means the signed letter of appointment issued by MPI appointing an Auxiliary Officer under section 125(1) of the Animal Welfare Act 1999.

**Minister** means the Minister for Primary Industries (formerly the Minister of Agriculture and Forestry).

**MoU** means a document recording the relationship, including expectations and obligations, between SPCA and MPI.

**MPI** means the Ministry for Primary Industries.

**MPI Compliance Directorate** means the directorate within MPI responsible for responding to, and investigating, complaints under the Animal Welfare Act 1999.

**PTS** means the performance and technical standards established by SPCA and approved by the Director-General of MPI.<sup>1</sup>

**SPCA** means the Royal New Zealand Society for the Prevention of Cruelty to Animals Incorporated, an approved organisation for the purposes of the Animal Welfare Act 1999.

**SPCA New Lynn Office** means the administrative body of SPCA whose purpose is to provide support to SPCA Inspectorate and is responsible for issuing Auxiliary Officer appointments and other approved organisation functions.

**Veterinarian** means a veterinarian or specialist who is a registered person and who holds a current practising certificate (as defined in section 4 of the Veterinarians Act 2005).

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<sup>1</sup> Note that the Director-General can delegate this power and has currently done so to the Manager Animal Welfare Standards.

## Introduction

1. This PTS supersedes those signed on 15 February 2013 and any earlier versions.
2. Section 126 of the Act states:

### **126. Inspectors and auxiliary officers to act under direction of Director-General**

- (1) All inspectors and auxiliary officers must act under the direction of the Director-General in the exercise and performance of the powers, duties, and functions conferred or imposed on them under this Act.
  - (2) In the event of any conflict arising between the powers, duties, and functions conferred or imposed on an inspector or auxiliary officer, as the case may be, as an employee or member of an approved organisation and the powers, duties, and functions conferred or imposed on that inspector or auxiliary officer under this Act, the powers, duties, and functions conferred or imposed on that inspector or auxiliary officer under this Act prevail.
3. These PTS define the standards for Auxiliary Officers. They cover:
    - (a) the selection, training and appointment of Auxiliary Officers appointed by the Director-General under the Act on the recommendation of SPCA;
    - (b) the conduct of Auxiliary Officers in exercising their powers, duties and functions under the Act;
    - (c) the enforcement of the provisions of the Act; and
    - (d) expectations around accountability arrangements between SPCA and the Auxiliary Officer.

## Review of PTS

4. The provisions of these PTS shall not be altered in any way without the written agreement of both parties.
5. Any modifications or alterations must first be approved by both SPCA and MPI, in writing, before they are implemented.
6. These PTS shall be reviewed no later than 2 years from the date they were signed.
7. The following documents are either in force or being prepared:
  - (a) MoU between MPI and SPCA;
  - (b) PTS for Auxiliary Officers (this document); and
  - (c) PTS for Inspectors.



## Role of the Minister, MPI and SPCA

### Minister

8. The Minister is the person accountable for the administration of the Act.

### MPI

9. MPI administers the Act.
10. The Director-General is accountable to the Minister for the effective delivery of animal welfare enforcement services.
11. The Director-General, under section 125(1) of the Act, may, on the recommendation of an approved organisation, appoint persons to be Auxiliary Officers under the Act for the purposes of administering the provisions of the Act.
12. The Director-General, under section 125(3) of the Act, may revoke the appointment of an Auxiliary Officer from office.
13. The Director-General has currently delegated the powers of appointment and revocation of appointment of Auxiliary Officers to the Manager Animal Welfare and NAIT Compliance.

### SPCA

14. Under section 189 of the Act, SPCA is an approved organisation for the purposes of the Act.
15. SPCA and MPI have established these PTS.
16. SPCA, through SPCA National Inspectorate and Centre Support Team, shall ensure that all SPCA Centres, Inspectors and Auxiliary Officers comply with the provisions of the Act, the MoU and any PTS.
17. All SPCA Centres, Inspectors and Auxiliary Officers shall be accountable to SPCA CEO for such compliance.
18. SPCA shall also maintain adequate and effective governance arrangements, financial management arrangements and management accountabilities, in terms of the criteria under section 122 of the Act.

# Selection, Training and Appointment

## General Criteria

19. In this section, the following criteria apply to all applications at each step of the appointment process:
- (a) SPCA shall be responsible for ensuring that written authorisation has been obtained from every applicant for the collection, use and disclosure by MPI, SPCA, the New Zealand Police or other relevant persons, of personal information about the applicant for the purposes of considering applications for appointment and reappointment of Inspectors and Auxiliary Officers under the provisions of the MoU, the Act and the PTS.
  - (b) Applications will include requests for relevant information to ensure the applicant has the technical expertise and experience to be able to exercise competently the powers, duties and functions conferred or imposed on Auxiliary Officers under the Act. This includes consents to disclosure of information from previous employers and the New Zealand Police or Ministry of Justice.
  - (c) SPCA will undertake New Zealand Police or Ministry of Justice checks of all applicants at each appointment.
  - (d) Any changes to any forms or their content must be approved by both SPCA and MPI prior to implementation.
  - (e) MPI reserves the right to apply conditions to any first or renewed appointment, either upon recommendation from SPCA or through their own assessment
  - (f) The Appointing Officer is currently MPI, which is delegated to appoint Auxiliary Officers under section 125(1) of the Act.
  - (g) Subject to suitability, the general policy of both MPI and SPCA is that a first appointment will be for a period of 12 months and any renewal will be for a period of 3 years.

## Criminal Convictions

20. The general policy of SPCA is that applicants who have been convicted of committing a criminal offence/s are unlikely to be suitable for appointment as an Auxiliary Officer. SPCA may therefore consider that applicants with a criminal history are unsuitable for recommendation.
21. The results of the criminal history check are supplied to MPI in order to determine suitability.
22. SPCA, in consultation with MPI, may give consideration, on a case by case basis, to applicants who have convictions for aged and/or minor matters. Such considerations shall not be considered as precedent setting.
23. Auxiliary Officers who receive any criminal convictions during the term of their appointment must disclose these to SPCA immediately.
24. Upon receipt of notification of any criminal conviction incurred by an Auxiliary Officer during his/her term of appointment, SPCA shall review the continuance of that appointment, and notify and consult with MPI.

## Agreement Between SPCA and Its Auxiliary Officers

25. SPCA shall, with respect to each person who is to be appointed an Auxiliary Officer on the recommendation of SPCA, enter into an agreement with him or her before he or she is appointed. The agreement shall be to the following effect:
- (a) That person shall comply with all obligations pertaining to Auxiliary Officers set out in the MoU (including any modifications);
  - (b) That person acknowledges that SPCA intends to fulfil the requirements of the MoU (including any modifications);
  - (c) That person shall be accountable to SPCA for his or her compliance with all requirements of the PTS including his or her performance standards and procedural correctness;
  - (d) That person authorises SPCA, MPI and all other relevant persons to collect, use, and disclose relevant personal information about that person in accordance with the provisions of the MoU (including any modifications) for any purpose set out in the Act or the PTS; and
  - (e) That person shall take all such steps as SPCA reasonably considers necessary and requires of him or her in order for SPCA to fulfil these requirements.

## Criteria and Selection of Applicants for Auxiliary Officer Training

26. In order for an applicant to be selected to train as an Auxiliary Officer, he/she must:
- (a) be of sound mind;
  - (b) have a clear criminal record, although specific circumstances may be considered (see "Criminal Convictions");
  - (c) hold New Zealand citizenship or residency, or a valid work permit;
  - (d) have no affiliations or involvement which may adversely affect SPCA brand or compromise the welfare of animals;
  - (e) be computer literate;
  - (f) have the ability to learn and attain the necessary knowledge and skills.
27. SPCA will select suitable candidates who meet the above criteria for training as an Auxiliary Officer.

## Auxiliary Officer Training Programme

28. SPCA New Lynn Office has developed a training programme which was approved by MPI in 2010.
29. Before an applicant can be recommended for appointment as an Auxiliary Officer, the applicant must have been assessed as "competent" by successfully completing the Auxiliary Officer training programme.
30. There is a minimum of 1 intake per year for the Auxiliary Officer training programme.
31. The training programme consists of an online course with theory and assessments.
32. Applicants are to successfully complete the course within 2 months. If they do not complete the course within 2 months or do not successfully pass the training programme the application is voided, but if they wish to do so there is a resit option.

33. Applicants wishing to apply to resit the training programme must do so on the next intake after their initial course end date.
34. Applicants wishing to resit the training programme outside this time frame will be treated as new applications and will need to reapply by completing all relevant paperwork.

### **Application for First Appointment as Auxiliary Officer**

35. SPCA shall supply to the Manager Animal Welfare and NAIT Compliance via the MPI Approvals & Statutory Approvals team the following information in relation to an application for appointment of an Auxiliary Officer:
  - (a) Auxiliary Officer application forms;
  - (b) an assessment of the applicant's ability to perform the role of an Auxiliary Officer;
  - (c) details of reference checks carried out;
  - (d) supporting evidence of the completion of a MPI approved training programme, in the form of written confirmation verifying that training was completed and that the candidate achieved a satisfactory level of performance in training; and
  - (e) MPI Application for Appointment form;
  - (f) Identification Card form;
  - (g) a passport-size colour photograph or digital image of the applicant;
  - (h) Consent to Disclosure of Information forms:
    - previous employers
    - New Zealand Police or Ministry of Justice Check;
  - (i) results of New Zealand Police or Ministry of Justice Check;
36. SPCA may ask MPI to interview an applicant on SPCA's behalf
37. MPI reserves the right to request additional information or to interview the applicant or any other person regarding the applicant as may be required. In this case, MPI will bear the interview costs.
38. In general, MPI will process appointment applications within 10 working days of receipt, subject to all information being in order.
39. The initial appointment is for a 12-month term while the applicant is completing the training course. During this term, SPCA must monitor the applicant's performance closely in order to determine suitability for further appointment.

### **Appointment Agreement**

40. Prior to receiving a Certificate of Appointment and an Instrument of Appointment, every Auxiliary Officer must sign the Terms of Appointment which is a binding agreement between that Auxiliary Officer and SPCA.
41. The agreement sets conditions of appointment as an Auxiliary Officer, and in signing it the Auxiliary Officer agrees, for the tenure of his/her appointment, to:
  - (a) serve without favour or prejudice;
  - (b) discharge his/her duties to the best of his/her knowledge and skill;

- (c) discharge his/her duties according to the law;
  - (d) use his/her best endeavours to comply with, and give effect to, these PTS when exercising his/her functions, duties or powers under the Act;
  - (e) accept lawful direction; and
  - (f) undertake training.
42. A copy of the agreement is to be held at SPCA.
43. An original Instrument of Appointment will be retained in a secure place by MPI. Two certified copies and an original Certificate of Appointment will be issued by MPI to SPCA in respect of each Auxiliary Officer appointed under the Act.
44. No person who has been appointed by SPCA will exercise the powers or duties of an Auxiliary Officer without a valid Instrument of Appointment, or outside the term of his/her appointment as specified in the Instrument of Appointment.
45. Any person who knowingly exercises the powers or duties of an Auxiliary Officer without a valid Instrument of Appointment, or outside the term of his/her appointment as specified in the Instrument of Appointment, will be subject to review by MPI. This may affect the eligibility of that person for reappointment.
46. SPCA is responsible for ensuring that all Auxiliary Officers under their management hold a valid Instrument of Appointment at all times in the course of performing their duties.
47. MPI may withdraw the initial appointment of an Inspector or Auxiliary Officer under this clause at any time during the period of the appointment on the recommendation of SPCA or at MPI's own discretion, for incapacity affecting the performance of duty, neglect of duty, or misconduct proved to the satisfaction of MPI's Manager Animal Welfare and NAIT Compliance. For these purposes, failure to complete the approved training course, including being removed or leaving the course, may constitute such incapacity affecting the performance of duty.

### **Application for Renewed Appointment as Auxiliary Officer**

48. Auxiliary Officers must satisfactorily complete any required training as set by SPCA, in order to be eligible to receive a renewed appointment.
49. Successful applications will be forwarded from SPCA New Lynn Office to MPI for approval at least 10 working days prior to the expiry of the appointment. Late applications should be advised promptly to the Manager Animal Welfare and NAIT Compliance via SPCA. MPI will not backdate renewals of appointments.
50. It is the general policy of MPI that a renewal appointment be issued to an Auxiliary Officer for three years, allowing the Auxiliary Officer to act for the general purposes of the Act generally throughout New Zealand.
51. Applications are subject to an assessment of the Auxiliary Officer's performance, functions and duties by SPCA and approval for appointment by the Manager Animal Welfare and NAIT Compliance.
52. Documentation to be supplied to MPI upon application for renewed appointment:
- (a) Recommendation for Renewed Appointment form — completed by SPCA (Form AO4);
  - (b) MPI Application for Appointment form;

- (c) Results of New Zealand Police or Ministry of Justice Check; and
  - (d) details of training completed.
53. SPCA may ask MPI to interview an applicant on SPCA's behalf.
54. MPI reserves the right to request additional information or to interview the applicant or any other person regarding the applicant as may be required. In this case, MPI will bear the interview costs.
55. In general, MPI will process appointment applications within 10 working days of receipt, subject to all information being in order.

### **Ongoing Training and Evaluation**

56. Auxiliary Officers must, within the term of their appointment, complete refresher training as deemed mandatory by SPCA. Failure to complete required training could affect appointment renewal.

### **Documentation/Records**

57. SPCA will retain copies of all documentation relating to the application, training and performance of Auxiliary Officers.
58. This information includes:
- (a) current Auxiliary Officers;
  - (b) applicants in training;
  - (c) past Auxiliary Officers;
  - (d) Auxiliary Officers' training records;
  - (e) applicants who have failed to complete their training; and
  - (f) applicants who have withdrawn, or have been declined or removed from office.
59. Correspondence relating to Auxiliary Officers will be retained on individual Auxiliary Officer files.
60. MPI will hold all original application details for both first and renewed appointments.
61. All information provided to MPI is official information and is subject to the Official Information Act 1982.
62. If a request is made under the Official Information Act 1982 for information provided in the application for appointment as an Auxiliary Officer, MPI will generally withhold such information under the withholding provisions of that Act. However, MPI must consider any such request on an individual basis taking into account its obligations under the Official Information Act 1982 and any other applicable legislation such as the Privacy Act 1993.

### **Jurisdiction of Appointment**

63. The Instrument of Appointment will indicate where the Auxiliary Officer is allowed to operate in accordance with section 124(3)(b)(i) of the Act.

64. For those Auxiliary Officers holding an SPCA Instrument of Appointment, this means that their appointment is valid anywhere within New Zealand in accordance with section 124(3)(b)(ii) of the Act.
65. Auxiliary Officers will not use their appointment for any other form of employment including voluntary, without the express written permission of SPCA.

### **Lapsed Appointments**

66. Where an Auxiliary Officer's appointment has lapsed for a period of less than 12 months, the applicant may not necessarily be required to undertake refresher training upon an application for reappointment.
67. MPI will make the final decision on the requirement for refresher training where an Auxiliary Officer's appointment has lapsed for a period of less than 12 months.
68. All other applications are considered by SPCA and a recommendation made to MPI. The final decision is made by MPI.

### **Return of Certificate of Appointment and Instrument of Appointment**

69. If an Auxiliary Officer resigns or is removed from office, both his/her Certificate of Appointment and any copy of the Instrument of Appointment must be returned to SPCA within 7 working days.
70. SPCA, as the approved organisation that recommended the Auxiliary Officer, will return the Instrument of Appointment and Certificate of Appointment to MPI Manager Animal Welfare and NAIT Compliance.
71. If the Auxiliary Officer refuses to surrender his/her Certificate of Appointment, SPCA will advise the Manager Animal Welfare and NAIT Compliance immediately.
72. MPI will then take all further steps to recover the Certificate of Appointment.

### **Lost Certificates of Appointment**

73. If the Auxiliary Officer has lost his/her Certificate of Appointment, he/she will:
  - (a) immediately report the Certificate of Appointment as lost to his/her local Police Station; and
  - (b) inform SPCA in writing of the circumstances in which the loss occurred and confirm that the loss has been reported to his/her local Police Station.
74. SPCA will promptly notify MPI of any lost Certificates of Appointment.
75. On receipt of the above information, MPI Approvals & Statutory Appointments team will reissue a Certificate of Appointment for the same appointment period as detailed on the original appointment.
76. A replacement Certificate of Appointment will be issued within 7 working days of receipt of the request at MPI.
77. MPI will forward the replacement Certificate of Appointment to SPCA New Lynn Office, who will in turn forward it to the Auxiliary Officer.

## Resignation

78. Any Auxiliary Officer wishing to resign from office may do so by written notification to SPCA.
79. This written notification should be sent to SPCA New Lynn Office, which in turn will forward it to MPI.
80. When the Auxiliary Officer resigns from office, any certified copy of the Instrument of Appointment and the original Certificate of Appointment must be returned to SPCA New Lynn Office immediately upon cessation of duties.
81. SPCA New Lynn Office will then forward those documents to MPI within 5 working days of receipt.

## Exercise of Powers Outside Term of Appointment

82. It is an offence under the Act (section 160) to impersonate an Inspector or Auxiliary Officer.
83. SPCA New Lynn Office will advise the Manager Animal Welfare and NAIT Compliance immediately if it becomes aware that any Auxiliary Officer or other person in the service of SPCA has allegedly exercised powers which he/she does not have.
84. A person who knowingly exercises the powers of an Auxiliary Officer outside the term of his/her appointment, as specified in the Instrument of Appointment, shall be subject to review by MPI. This review may affect the eligibility of that person for appointment or reappointment, and that person could be subject to SPCA disciplinary action.

## Complaints Against Auxiliary Officers

85. The Director General may remove an auxiliary from office at any time.
86. If SPCA receive a serious complaint concerning an Auxiliary Officer, or have serious concerns about the conduct or behaviour of an Auxiliary Officer in the performance of his/her duties, all details should be fully recorded, including full contact details of any complainant.
87. SPCA must have in place a process to handle complaints regarding the actions/conduct of Auxiliary Officers. This process must be compliant with employment law, The Privacy Act 1993, and other associated legislation and principles of procedural fairness.

## Animal Welfare Complaints

### Receipt of Complaint

88. When an Auxiliary Officer receives a complaint about the welfare of an animal they must forward the complaint details through the appropriate channels for follow up by an Inspector. Auxiliary Officers must not attend animal welfare complaints unless assisting an Inspector.

### Euthanasia

89. All SPCA staff must adhere to section 138 of the Act and the SPCA Animal Euthanasia Policy and procedure, and the Use of Firearms for Emergency Euthanasia Procedure. The reasons for euthanasia and the Inspector/Auxiliary Officer or Veterinarian authorising the euthanasia must be documented for each animal.



## Policies

### Policy and Procedure Manual

90. All SPCA Centres must have access to up-to-date online Policy and Procedure Document Suites. These documents must be available for reference at all times and must be complied with by all staff/volunteers.

### Impartiality

91. Auxiliary Officers must be careful not to publicly participate in any activity that could be seen to jeopardise their impartiality when carrying out their duties.

### Privacy

92. Auxiliary Officers must follow the requirements of the Privacy Act 1993.

### MPI/SPCA Liaison

#### Application of the Official Information Act 1982

93. Auxiliary Officers need to be aware of the following:
- (a) MPI is bound by the requirements of the Official Information Act 1982.
  - (b) SPCA is not bound by the requirements of the Official Information Act 1982.
  - (c) MPI will consult with SPCA via the Privacy Officer, the General Manager – Inspectorate and/or the CEO, in responding to requests under the Official Information Act 1982 that concern information about SPCA and its Inspectors and Auxiliary Officers.

#### Annual Audit of SPCA Enforcement Activities

94. MPI shall conduct an annual audit of SPCA by agreement with SPCA, relating to:
- (a) selection and training of Auxiliary Officers;
  - (b) the process for appointment of, or renewal of the appointment of Auxiliary Officers;
  - (c) compliance with the Act, the PTS and the MOU;
  - (d) SPCA accountability arrangements, financial arrangements and management; and
  - (e) documentation relating to animal welfare complaint investigations;
  - (f) further details can be found in the Auditing of SPCA Guidelines.
95. MPI shall give reasonable notice of its intention to audit SPCA.
96. MPI shall provide the opportunity for SPCA to respond to the initial audit findings and comment on a draft audit report.
97. SPCA shall be responsible for ensuring that any major non-compliances in the final audit report are addressed.
98. MPI shall supply written audit reports for each audit within two months of the audit being carried out.

99. SPCA shall provide MPI with a progress report on resolving any major non-compliances in the audit findings, within four months of the final audit report being supplied. The report shall be directed to the Manager Animal Welfare and NAIT Compliance.
100. SPCA shall at its cost make available staff to provide reasonable assistance with the audit. All other costs and expenses of auditors engaged by MPI will be the responsibility of MPI.

## Relevant Acts

101. The following Acts (including any amendments) are directly relevant to the role of Auxiliary Officers:
- (a) Animal Welfare Act 1999
  - (b) Dog Control Act 1996
  - (c) Marine Mammals Protection Act 1978
  - (d) New Zealand Bill of Rights Act 1990
  - (e) Privacy Act 1993.

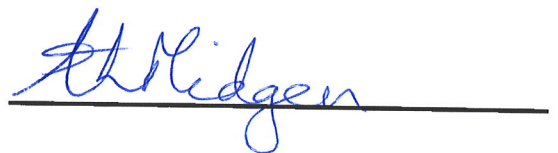
## Signatures



Signed by:

Signed on behalf of MPI by  
Gary Orr, Acting Director Compliance,  
pursuant to authority delegated by the  
Director-General

Date 4.7.19



Signed by:

Signed on behalf of SPCA by  
Andrea Midgen, Chief Executive Officer

Date 25 July 2019



**Performance and Technical Standards**

for

**Auxiliary Officers**

of the

**Royal New Zealand Society for the Prevention  
of Cruelty to Animals**

**Including Selection, Training and Appointment**

2012

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

# Contents

<b>DEFINITIONS .....</b>	<b>4</b>
<b>INTRODUCTION .....</b>	<b>6</b>
Review of PTS .....	6
<b>ROLE OF THE MINISTER, MPI AND SPCA .....</b>	<b>7</b>
Minister .....	7
MPI.....	7
SPCA .....	7
<b>SELECTION, TRAINING AND APPOINTMENT .....</b>	<b>9</b>
Criteria for Applicants .....	9
Selection of Applicants for Auxiliary Officer Training .....	9
Criminal Convictions.....	10
Auxiliary Officer Training Programme.....	11
Application for First Appointment as Auxiliary Officer .....	11
Appointment Agreement.....	12
Application for Renewed Appointment as Auxiliary Officer .....	13
Right of Review .....	14
Appointing Officer .....	15
Ongoing Training and Evaluation .....	15
Documentation/Records .....	16
Jurisdiction of Appointment.....	16
Supervision .....	17
Transferring to Another SPCA Centre .....	18
Lapsed Appointments .....	18
Return of Certificate of Appointment and Instrument of Appointment.....	18
Lost Certificates of Appointment.....	18
Resignation .....	19
Revocation of Appointment.....	19
Exercise of Powers Outside Term of Appointment.....	19
<b>COMPLAINTS AGAINST AUXILIARY OFFICERS .....</b>	<b>21</b>
<b>ANIMAL WELFARE COMPLAINTS .....</b>	<b>23</b>
Receipt of Complaint.....	23
Welfare Priorities .....	23
Resources.....	24
Euthanasia.....	24

<b>RECORDS .....</b>	<b>26</b>
<b>Information Files .....</b>	<b>26</b>
<b>Animal Register .....</b>	<b>26</b>
<b>POLICIES .....</b>	<b>28</b>
<b>Policy and Procedure Manual.....</b>	<b>28</b>
<b>Media.....</b>	<b>28</b>
<b>Impartiality.....</b>	<b>28</b>
<b>Health and Safety.....</b>	<b>28</b>
<b>Privacy .....</b>	<b>28</b>
<b>MPI/SPCA LIAISON .....</b>	<b>29</b>
<b>National and SPCA Centre Level .....</b>	<b>29</b>
<b>Application of the Official Information Act 1982 .....</b>	<b>29</b>
<b>Annual Audit of SPCA Enforcement Activities.....</b>	<b>29</b>
<b>RELEVANT ACTS.....</b>	<b>31</b>
<b>SIGNATURES .....</b>	<b>32</b>
<b>APPENDIX: DOCUMENTATION TO BE SUPPLIED TO MPI UPON APPLICATION FOR APPOINTMENT.....</b>	<b>33</b>
<b>Application for First Appointment .....</b>	<b>33</b>
<b>Application for Renewed Appointment.....</b>	<b>33</b>

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## Definitions

These definitions are for the purposes of the Royal New Zealand SPCA Performance and Technical Standards for Auxiliary Officers. The Animal Welfare Act 1999 (section 2) provides a detailed list of additional definitions that Auxiliary Officers may need to be aware of.

**Act** means the Animal Welfare Act 1999.

**Approved organisation** means an organisation declared by the Minister, under section 121(1) of the Animal Welfare Act 1999, to be an approved organisation for the purposes of the Act.

**Auxiliary Officer** means a person belonging to, in the employment of, or otherwise associated with the SPCA or an SPCA Centre, who is appointed as an Auxiliary Officer under section 125(1) of the Animal Welfare Act 1999 on the recommendation of the SPCA.

**Certificate of Appointment** means the identity card issued by the Ministry for Primary Industries and used by an Auxiliary Officer in the course of his/her duties for identification purposes.

**Deputy Director-General Standards** means the Deputy Director-General who is responsible for the Standards Branch within MPI.

**Director-General** means the Director-General of MPI.

**Inspector** means a person belonging to, in the employment of, or otherwise associated with the SPCA or an SPCA Centre, who is appointed as an Inspector under section 124(2) of the Animal Welfare Act 1999 on the recommendation of the SPCA.

**Instrument of Appointment** means the signed letter of appointment issued by MPI appointing an Auxiliary Officer under section 125(1) of the Animal Welfare Act 1999.

**Minister** means the Minister for Primary Industries (formerly the Minister of Agriculture and Forestry).

**MoU** means a document recording the relationship, including expectations and obligations, between the SPCA and MPI.

**MPI** means the Ministry for Primary Industries.

**MPI Compliance Directorate** means the directorate within MPI responsible for responding to, and investigating, complaints under the Animal Welfare Act 1999.

**MPI Standards Branch** means the branch within MPI responsible for the appointment process within MPI.

**NIAC** means the SPCA National Inspectorate Advisory Committee, a committee made up of experienced SPCA Inspectors from throughout New Zealand with the purpose of making recommendations to the SPCA National Council on matters affecting the Inspectorate.

**PTS** means the performance and technical standards established by the SPCA National Council and approved by the Director-General of MPI.<sup>1</sup>

**Regional Manager** means a member of the SPCA National Inspectorate and Centre Support Team with the responsibility of overseeing SPCA Centres and Inspectors within his/her delegated area.

**SPCA** means the Royal New Zealand Society for the Prevention of Cruelty to Animals Incorporated, an approved organisation for the purposes of the Animal Welfare Act 1999; and includes its Branches and Member Societies (SPCA Centres).

**SPCA Centre** means a Branch or Member Society of the SPCA.

**SPCA National Council** means a body of elected members from the SPCA Centres that is constitutionally responsible for the workings of the SPCA.

**SPCA National Executive Committee** means the subcommittee of the SPCA National Council responsible for the Inspectorate. The SPCA National Executive Committee has the authority to delegate a suitable person or persons at any time to undertake its role in the processing of Auxiliary Officer selection and appointment.

**SPCA National Inspectorate and Centre Support Team** means the administrative team at SPCA National Support Office responsible for overseeing the Inspectorate and SPCA Centres.

**SPCA National Investigations Committee** means the subcommittee of the SPCA National Council responsible for investigating serious complaints against the SPCA and its personnel.

**SPCA National Support Office** means the administrative body of the SPCA whose purpose is to provide support to SPCA Centres and the Inspectorate and is responsible for issuing Auxiliary Officer appointments.

**Veterinarian** means a veterinarian or specialist who is a registered person and who holds a current practising certificate (as defined in section 4 of the Veterinarians Act 2005).

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<sup>1</sup> Note that the Director-General can delegate this power and has currently done so to the Manager Animal Welfare Standards.

# Introduction

1. Section 126 of the Act states:

**126. Inspectors and auxiliary officers to act under direction of Director-General**

- (1) All inspectors and auxiliary officers must act under the direction of the Director-General in the exercise and performance of the powers, duties, and functions conferred or imposed on them under this Act.
  - (2) In the event of any conflict arising between the powers, duties, and functions conferred or imposed on an inspector or auxiliary officer, as the case may be, as an employee or member of an approved organisation and the powers, duties, and functions conferred or imposed on that inspector or auxiliary officer under this Act, the powers, duties, and functions conferred or imposed on that inspector or auxiliary officer under this Act prevail.
2. These PTS define the standards for Auxiliary Officers. They cover:
    - (a) the selection, training and appointment of Auxiliary Officers appointed by the Director-General under the Act on the recommendation of the SPCA;
    - (b) the conduct of Auxiliary Officers in exercising their powers, duties and functions under the Act;
    - (c) the enforcement of the provisions of the Act; and
    - (d) expectations around accountability arrangements between the SPCA, the Auxiliary Officer and the SPCA Centre.

## Review of PTS

3. The provisions of these PTS shall not be altered in any way without the written agreement of both parties.
4. Any modifications or alterations must first be approved by both the SPCA (via the SPCA National Council) and MPI, in writing, before they are implemented.
5. These PTS shall be reviewed no later than 2 years from the date they were signed.
6. The following documents are either in force or being prepared:
  - (a) MoU between MPI and the SPCA;
  - (b) PTS for Auxiliary Officers (this document); and
  - (c) PTS for Inspectors.



# Role of the Minister, MPI and SPCA

## Minister

7. The Minister is the person accountable for the administration of the Act.

## MPI

8. MPI administers the Act.
9. The Director-General is accountable to the Minister for the effective delivery of animal welfare enforcement services.
10. The Director-General, under section 125(1) of the Act, may, on the recommendation of an approved organisation, appoint persons to be Auxiliary Officers under the Act for the purposes of administering the provisions of the Act.
11. The Director-General, under section 125(3) of the Act, may revoke the appointment of an Auxiliary Officer from office.
12. The Director-General has currently delegated the powers of appointment and revocation of appointment of Auxiliary Officers to the Deputy Director-General Standards, who has sub-delegated these powers to the Manager Animal Welfare Standards.

## SPCA

13. Under section 189 of the Act, the SPCA is an approved organisation for the purposes of the Act.
14. The SPCA National Council and MPI have established these PTS.
15. The SPCA National Council, through the SPCA National Inspectorate and Centre Support Team, shall ensure that all SPCA Centres, Inspectors and Auxiliary Officers comply with the provisions of the Act, the MoU and any PTS.
16. All SPCA Centres, Inspectors and Auxiliary Officers shall be accountable to the SPCA for such compliance.
17. The SPCA shall also maintain adequate and effective governance arrangements, financial management arrangements and management accountabilities, in terms of the criteria under section 122 of the Act.
18. The provisions of the Act that impact on these PTS are:

### 122. Criteria

- (1) The Minister must, before declaring an organisation to be an approved organisation for the purposes of this Act, be satisfied, by the production to the Minister of suitable evidence, that –
  - (a) the principal purpose of the organisation is to promote the welfare of animals; and
  - (b) the accountability arrangements, financial arrangements, and management of the organisation are such that, having regard to the

interests of the public, the organisation is suitable to be declared to be an approved organisation; and

- (c) the functions and powers of the organisation are not such that the organisation could face a conflict of interest if it were to have both those functions and powers and the functions and powers of an approved organisation; and
- (d) the employment contracts or arrangements between the organisation and the organisation's inspectors and auxiliary officers are such that, having regard to the interests of the public, the organisation is suitable to be declared to be an approved organisation; and
- (e) the persons who may be recommended for appointment as inspectors or auxiliary officers –
  - (i) will have the relevant technical expertise and experience to be able to exercise competently the powers, duties, and functions conferred or imposed on inspectors and auxiliary officers under this Act; and
  - (ii) subject to section 126, will be properly answerable to the organisation.

- (2) The Minister may, in making a declaration under section 121, impose, as conditions of the Minister's approval, conditions relating to the establishment by the organisation of performance standards and technical standards for inspectors and auxiliary officers.

#### **125. Appointment of auxiliary officers**

- (1) The Director-General may from time to time, on the recommendation of an approved organisation, appoint any person to be an auxiliary officer for the purposes of this Act.
- (2) No person appointed by the Director-General under this section to be an auxiliary officer is by virtue of that appointment employed in the Public Service for the purposes of the State Sector Act 1988 or the Government Superannuation Fund Act 1956.
- (3) The Director-General may at any time revoke any appointment made under subsection (1).

#### **126. Inspectors and auxiliary officers to act under direction of Director-General**

- (1) All inspectors and auxiliary officers must act under the direction of the Director-General in the exercise and performance of the powers, duties, and functions conferred or imposed on them under this Act.
- (2) In the event of any conflict arising between the powers, duties, and functions conferred or imposed on an inspector or auxiliary officer, as the case may be, as an employee or member of an approved organisation and the powers, duties, and functions conferred or imposed on that inspector or auxiliary officer under this Act, the powers, duties, and functions conferred or imposed on that inspector or auxiliary officer under this Act prevail.

## Selection, Training and Appointment

19. SPCA Centres have various reasons for employing an Auxiliary Officer. An Auxiliary Officer's role may be as varied as manager of his/her SPCA Centre, emergency response person, education officer, animal manager, rehoming officer, volunteer, publicity officer, or any other duty that assists with the daily operations or field operations of the SPCA Centre.

### Criteria for Applicants

20. The criteria are flexible enough so that applicants with minimal formal educational qualifications or animal skills, but with potential, are not necessarily excluded on those grounds alone. The ability of the applicant to learn and attain the necessary knowledge and skills is taken into consideration.
21. In larger districts where Auxiliary Officers are employed on a full-time salary or wage basis, the selection is based on the appropriate criteria for selecting employees for a special industry.
22. In smaller districts where personnel may not receive tangible remuneration, Auxiliary Officers are often employed on a voluntary or part-time/casual contract basis.
23. Any applicant who is employed must have an employment agreement with the SPCA Centre to which he/she is affiliated, and is expected to comply with the policies and procedures under which that SPCA Centre operates.
24. Any applicant who has agreed to donate his/her services without tangible remuneration as a voluntary Auxiliary Officer must have a written agreement with the SPCA Centre to which he/she is affiliated, and is expected to comply with the policies and procedures under which that SPCA Centre operates.
25. In order for an applicant to be selected to train as an Auxiliary Officer, he/she must:
- (a) be of sound mind;
  - (b) have a clear criminal record, although specific circumstances may be considered (see "Criminal Convictions");
  - (c) hold New Zealand citizenship or residency, or a valid work permit;
  - (d) have no affiliations or involvement which may adversely affect the SPCA brand or compromise the welfare of animals;
  - (e) be computer literate and have access to a computer on a regular basis; and
  - (f) have the ability to learn and attain the necessary knowledge and skills.

### Selection of Applicants for Auxiliary Officer Training

26. An SPCA Centre Committee will select suitable candidates who meet the above criteria to be recommended to SPCA National Support Office for training as an Auxiliary Officer. This affirmation must be recorded in the minutes of a Committee meeting.

27. Application forms for training are then requested from the SPCA National Inspectorate and Centre Support Team for the SPCA Centre Committee or selection panel and applicant to complete.
28. Applications will include requests for relevant information to ensure the applicant has the technical expertise and experience to be able to exercise competently the powers, duties and functions conferred or imposed on Auxiliary Officers under the Act. This includes consents to disclosure of information from previous employers and the New Zealand Police or Ministry of Justice.
29. Any changes to these forms or their content must be approved by both SPCA National Support Office and MPI prior to implementation.
30. When returning the completed application forms, the SPCA Centre Committee makes a recommendation to the SPCA National Inspectorate and Centre Support Team based on the applicant's suitability.
31. SPCA National Support Office undertakes New Zealand Police or Ministry of Justice checks of all applicants.
32. Should the New Zealand Police or Ministry of Justice check return details of any criminal conviction, the SPCA National Inspectorate and Centre Support Team will advise the applicant.
33. After the New Zealand Police or Ministry of Justice check returns with no conviction history attached, the suitability of the applicant for training will then be further assessed during an interview.
34. This interview will be conducted:
- (a) by a member of the SPCA National Inspectorate and Centre Support Team; or
  - (b) where the applicant is currently in the employ of an SPCA Centre and his/her employer is a member of NIAC, a person delegated by SPCA National Support Office.
35. Upon a successful interview, a recommendation will be made to the SPCA National Executive Committee (or person/s delegated by the SPCA National Executive Committee) for the applicant to begin training.
36. The SPCA National Executive Committee (or person/s delegated by the SPCA National Executive Committee) reserves the right to further interview any applicant and his/her referees or other person/s it thinks may assist in its decision.
37. The SPCA National Executive Committee (or person/s delegated by the SPCA National Executive Committee) will generally accept an applicant for training as an Auxiliary Officer if all relevant criteria have been met.
38. The SPCA Centre and the applicant will be informed of the decision.

### **Criminal Convictions**

39. The general policy of the SPCA is that applicants with a criminal history are unsuitable for appointment as Auxiliary Officers. The SPCA may therefore consider that applicants with a criminal history are unsuitable for recommendation.

40. The results of the criminal history check are supplied to MPI in order to determine suitability.
41. SPCA National Support Office, in consultation with MPI, may give consideration, on a case by case basis, to applicants who have convictions for aged and/or minor matters. Such considerations shall not be considered as precedent setting.
42. Auxiliary Officers who receive any criminal convictions during the term of their appointment must disclose these to SPCA National Support Office immediately.
43. Upon receipt of notification of any criminal conviction incurred by an Auxiliary Officer during his/her term of appointment, SPCA National Support Office and the SPCA Centre shall review the continuance of that appointment, and notify and consult with MPI.

### **Auxiliary Officer Training Programme**

44. SPCA National Support Office has developed a training programme which was approved by MPI in 2010.
45. Before an applicant can be recommended for appointment as an Auxiliary Officer, the applicant must have been assessed as "competent" by successfully completing the Auxiliary Officer training programme.
46. There are 2 intakes per year for the Auxiliary Officer training programme, with courses commencing on 1 February and 1 July.
47. The training programme consists of distance learning study with paper assessments and a one-day practical.
48. Applicants are to successfully complete the course within 4 months. If they do not complete the course within 4 months or do not successfully pass the training programme the application is voided, but if they wish to do so there is a resit option.
49. Applicants wishing to apply to resit the training programme must do so on the next intake after their initial course end date.
50. Requests for resit must be initiated by the SPCA Centre. Applicants wishing to resit the training programme outside this time frame will be treated as new applications and will need to reapply by completing all relevant paperwork.
51. MPI is responsible for funding the initial training of Auxiliary Officers.

### **Application for First Appointment as Auxiliary Officer**

52. After successful completion of the Auxiliary Officer training programme, application forms for first appointment as an Auxiliary Officer are sent from the SPCA National Inspectorate and Centre Support Team for the SPCA Centre Committee or selection panel to complete.
53. Applications will include requests for relevant information to ensure the applicant has the technical expertise and experience to be able to exercise competently the powers, duties and functions conferred or imposed on Auxiliary Officers under the Act.
54. Any changes to these forms or their content must be approved by both SPCA National Support Office and MPI prior to implementation.

55. When returning the completed application forms, the SPCA Centre Committee makes a recommendation to the SPCA National Inspectorate and Centre Support Team and the SPCA National Executive Committee (or person/s delegated by the SPCA National Executive Committee) for the applicant to be appointed as an Auxiliary Officer.
56. Successful applications will be forwarded from SPCA National Support Office to MPI for approval, providing evidence of suitability and completion of appropriate training.
57. SPCA National Support Office will provide MPI with the required documentation for all applications for first appointment (see Appendix). Any changes to this documentation must be approved by MPI in consultation with SPCA National Support Office.
58. Where uncertainty exists as to the suitability of an applicant, MPI may, at its own discretion and expense, request an applicant to make himself or herself available to be interviewed.
59. SPCA National Support Office may ask MPI to interview an applicant on the SPCA's behalf. In this case, the SPCA will bear the interview costs.
60. MPI reserves the right to request additional information or to interview the applicant or any other person regarding the applicant as may be required. In this case, MPI will bear the interview costs.
61. MPI reserves the right to apply conditions to any first or renewed appointment.
62. In general, MPI will process appointment applications within 7 working days of receipt, subject to all information being in order.
63. The initial appointment is for a 12-month term after the applicant has completed and satisfactorily passed the training programme. During this term, the SPCA Centre must monitor the Auxiliary Officer's performance closely in order to determine suitability for further appointment.

### **Appointment Agreement**

64. Prior to receiving a Certificate of Appointment and an Instrument of Appointment, every Auxiliary Officer must sign an agreement between that Auxiliary Officer and the SPCA.
65. The agreement sets conditions of appointment as an Auxiliary Officer, and in signing it the Auxiliary Officer agrees, for the tenure of his/her appointment, to:
- (a) serve without favour or prejudice;
  - (b) discharge his/her duties to the best of his/her knowledge and skill;
  - (c) discharge his/her duties according to the law;
  - (d) use his/her best endeavours to comply with, and give effect to, these PTS when exercising his/her functions, duties or powers under the Act;
  - (e) accept lawful direction; and
  - (f) undertake training.
66. A copy of the agreement is to be held at SPCA National Support Office.

67. The Auxiliary Officer also agrees to return his/her Certificate of Appointment and certified copy of the Instrument of Appointment to SPCA National Support Office immediately upon cessation of appointment.
68. No person who has been appointed by the SPCA will exercise the powers or duties of an Auxiliary Officer without a valid Instrument of Appointment, or outside the term of his/her appointment as specified in the Instrument of Appointment.
69. Any person who knowingly exercises the powers or duties of an Auxiliary Officer without a valid Instrument of Appointment, or outside the term of his/her appointment as specified in the Instrument of Appointment, will be subject to review by MPI. This may affect the eligibility of that person for reappointment.
70. SPCA Centres are responsible for ensuring that all Auxiliary Officers under their management hold a valid Instrument of Appointment at all times in the course of performing their duties.

### **Application for Renewed Appointment as Auxiliary Officer**

71. SPCA National Support Office undertakes New Zealand Police or Ministry of Justice checks of all applicants to confirm that the applicant has not had any criminal charges or any pending criminal charges since his/her last appointment.
72. Should the New Zealand Police or Ministry of Justice check return details of any criminal conviction, the SPCA National Inspectorate and Centre Support Team will advise the applicant.
73. Prior to expiration of the Auxiliary Officer's appointment, renewal reminders and application forms will be sent from SPCA National Support Office to the SPCA Centre. It is the responsibility of the SPCA Centre Secretary or Manager to ensure that applications are received and completed at least 2 months before the expiry date of the Auxiliary Officer's appointment to enable a renewed appointment to be processed in time.
74. Applications will include requests for relevant information to ensure the applicant has the technical expertise and experience to be able to exercise competently the powers, duties and functions conferred or imposed on Auxiliary Officers under the Act. This includes consent to disclosure of information from the New Zealand Police or Ministry of Justice.
75. Any changes to these forms or their content must be approved by both SPCA National Support Office and MPI prior to implementation.
76. If the SPCA Centre Committee is satisfied with the performance of the Auxiliary Officer, a recommendation is made for a further 3-year appointment by returning the completed forms to SPCA National Support Office.
77. A renewal interview of the applicant will be carried out to assess the Auxiliary Officer's ongoing suitability. This interview will be conducted:
  - (a) by a member of the SPCA National Inspectorate and Centre Support Team; or
  - (b) where the applicant is currently in the employ of an SPCA Centre and his/her employer is a member of NIAC, a person delegated by SPCA National Support Office.

78. Upon a successful interview, a recommendation will be made to the SPCA National Executive Committee (or person/s delegated by the SPCA National Executive Committee) for the applicant's appointment to be renewed.
79. Successful applications will be forwarded from SPCA National Support Office to MPI for approval, providing evidence of continued suitability.
80. SPCA National Support Office will provide MPI with the required documentation for all applications for renewed appointment (see Appendix). Any changes to this documentation must be approved by MPI in consultation with SPCA National Support Office.
81. Where uncertainty exists as to the continued suitability of an applicant, MPI may, at its own discretion and expense, request an applicant to make himself or herself available to be interviewed.
82. SPCA National Support Office may ask MPI to interview an applicant on the SPCA's behalf. In this case, the SPCA will bear the interview costs.
83. MPI reserves the right to request additional information or to interview the applicant or any other person regarding the applicant as may be required. In this case, MPI will bear the interview costs.
84. MPI and SPCA National Support Office reserve the right to apply conditions to any first or renewed appointment.
85. In general, MPI will process appointment applications within 7 working days of receipt, subject to all information being in order.
86. Applications for renewal must be with MPI at least 15 working days prior to the expiry of the appointment.
87. MPI will not backdate any renewal appointments.

### **Right of Review**

88. A right of review is available to an Auxiliary Officer applicant in the event of one of the following circumstances occurring:
- (a) The SPCA National Inspectorate and Centre Support Team member declines to recommend training.
  - (b) The SPCA National Executive Committee (or person/s delegated by the SPCA National Executive Committee) declines to forward an application for appointment to MPI for approval.
  - (c) The SPCA National Executive Committee (or person/s delegated by the SPCA National Executive Committee) declines to recommend to MPI the renewal of an Auxiliary Officer's appointment.
  - (d) The SPCA National Executive Committee (or person/s delegated by the SPCA National Executive Committee) recommends to MPI the revocation of an Auxiliary Officer's appointment.
89. Upon advising the applicant of any of the circumstances set out above, SPCA National Support Office must also advise the applicant in writing:
- (a) that he/she has the right to request a review of the decision;



- (b) that a request for review must be made in writing within 20 working days of being notified of the decision;
  - (c) what information a request for review should include;
  - (d) that a request for review must be sent to SPCA National Support Office; and
  - (e) how a review will be carried out.
90. If a request for review is received in writing by SPCA National Support Office from the applicant within the prescribed time period, then:
- (a) A review hearing will be carried out by the SPCA National Council.
  - (b) A majority decision of the SPCA National Council is required to overturn the event in question.
  - (c) The applicant and/or his/her representative may be involved in part of the review to speak to his/her case and to answer any questions the SPCA National Council may have.
  - (d) The applicant and/or his/her representative must pay his/her own expenses in relation to any physical meeting.
  - (e) The decision of the SPCA National Council will be mailed to the applicant no later than 10 working days after the date of the review.
  - (f) The final decision must be notified to the Manager Animal Welfare Standards at the same time that the applicant is informed.

### **Appointing Officer**

91. The Appointing Officer is currently MPI, which is delegated to appoint Auxiliary Officers under section 125(1) of the Act.
92. Subject to suitability, the general policy of both MPI and the SPCA is that a first appointment will be for a period of 12 months and any renewal will be for a period of 3 years.

### **Ongoing Training and Evaluation**

93. Auxiliary Officers must, within the term of their appointment, attend training workshops at least once in every 3-year period. Failure to attend could affect appointment renewal.
94. Training will be provided by SPCA National Support Office and will be available in both the North and South Islands. It is the responsibility of the SPCA Centre to cover the cost involved in attending this ongoing training.
95. This training and evaluation is a compulsory requirement. The assessment of continued suitability covers:
- (a) the nature of the Auxiliary Officer's work;
  - (b) suitability in terms of both temperament and physical ability;
  - (c) any particular problems encountered and not previously reported to SPCA National Support Office;

- (d) SPCA National Support Office evaluations and attendance at courses or workshops; and
- (e) disclosure of any new criminal conviction.

## Documentation/Records

- 96. The SPCA will hold copies of all documentation relating to the application, training and performance of Auxiliary Officers.
- 97. This information includes:
  - (a) current Auxiliary Officers;
  - (b) applicants in training;
  - (c) past Auxiliary Officers;
  - (d) Auxiliary Officers' training records;
  - (e) applicants who have failed to complete their training; and
  - (f) applicants who have withdrawn, or have been declined or removed from office.
- 98. Correspondence relating to Auxiliary Officers will be retained on either individual Auxiliary Officer files or SPCA Centre files, as appropriate.
- 99. MPI will hold all original application details for both first and renewed appointments.
- 100. All information provided to MPI is official information and is subject to the Official Information Act 1982.
- 101. If a request is made under the Official Information Act 1982 for information provided in the application for appointment as an Auxiliary Officer, MPI will generally withhold such information under the withholding provisions of that Act. However, MPI must consider any such request on an individual basis taking into account its obligations under the Official Information Act 1982 and any other applicable legislation such as the Privacy Act 1993.
- 102. The original Instrument of Appointment will be held by MPI in a secure place.
- 103. MPI will issue the SPCA with a certified copy of the Instrument of Appointment and an original Certificate of Appointment.
- 104. The certified copy of the Instrument of Appointment and the original Certificate of Appointment will be forwarded by SPCA National Support Office to the Auxiliary Officer.
- 105. The Auxiliary Officer will retain the certified copy of the Instrument of Appointment and the original Certificate of Appointment in a secure place.

## Jurisdiction of Appointment

- 106. Auxiliary Officers will not operate outside the district under the jurisdiction of the SPCA Centre to which they are affiliated, unless there is an emergency or they have obtained the approval of the SPCA National Executive Committee (or person/s delegated by the SPCA National Executive Committee) or they have been given approval from the SPCA Centre where the incident has occurred.

107. Where an emergency situation has arisen and an Auxiliary Officer has operated in a district outside the jurisdiction of the SPCA Centre to which he/she is affiliated, the Auxiliary Officer will notify that district as soon as practicable of actions taken.
108. Auxiliary Officers will not use their appointment for any other form of employment without the express written permission of the SPCA National Executive Committee (or person/s delegated by the SPCA National Executive Committee).
109. When an application is received from an SPCA Centre requesting the appointment of an Auxiliary Officer who has transferred and been accepted by the SPCA Centre to which he/she has transferred, that SPCA Centre Committee will immediately advise SPCA National Support Office in writing of the transfer. SPCA National Support Office will forward a recommendation to MPI for the issue of a replacement Instrument of Appointment if the SPCA National Executive Committee (or person/s delegated by the SPCA National Executive Committee) approves. A replacement Instrument of Appointment will generally be issued for the balance of the term specified in the Auxiliary Officer's previous Instrument of Appointment.
110. A copy of the Instrument of Appointment will be forwarded to the applicant's new SPCA Centre through SPCA National Support Office.
111. All original signed Instruments of Appointment are kept at MPI, and SPCA National Support Office holds copies for safekeeping. If an Auxiliary Officer requires another copy, he/she may request this from SPCA National Support Office.

## **Supervision**

112. General daily supervision of Auxiliary Officers will continue to be under the control of the SPCA Centre Secretary or Manager, or a person delegated by the SPCA Centre Committee for the task.
113. In the case of any SPCA Centre that has been placed by the SPCA National Council under management or supervision, the Auxiliary Officer will comply with all instructions given by the manager or his/her representative.
114. Any problems encountered should be dealt with on a local basis as far as possible. This includes compliance with the employment agreement, or with policies and procedures that have been agreed between the Auxiliary Officer and the SPCA Centre.
115. If the Auxiliary Officer fails to comply with the employment agreement, the appointment agreement, these PTS, or SPCA policies and procedures, the SPCA Centre must follow advice as outlined in "Revocation of Appointment". SPCA National Support Office must receive written notification detailing the breach of compliance and action taken.
116. However, any complaint regarding the actions of an Auxiliary Officer must be passed on to SPCA National Support Office, unless such complaint is trivial, obviously malicious or frivolous and is able to be disposed of simply and quickly. See "Complaints Against Auxiliary Officers".

## **Transferring to Another SPCA Centre**

117. When an application is received from an SPCA Centre requesting the appointment of an Auxiliary Officer who has transferred from another SPCA Centre, SPCA National Support Office will forward a recommendation to MPI if the SPCA National Executive Committee (or person/s delegated by the SPCA National Executive Committee) approves the transfer.
118. A replacement Instrument of Appointment and Certificate of Appointment will generally be issued for the balance of the term specified in the Auxiliary Officer's previous Instrument of Appointment.
119. The new Instrument of Appointment and Certificate of Appointment will be forwarded to the applicant's new SPCA Centre through SPCA National Support Office.

## **Lapsed Appointments**

120. Where an Auxiliary Officer's appointment has lapsed for a period longer than 6 months, any person wishing to be reappointed must reapply as with an application for first appointment.
121. Prior to expiration of the Auxiliary Officer's appointment, renewal reminders and application forms will be sent from SPCA National Support Office to the SPCA Centre. It is the responsibility of the SPCA Centre Secretary or Manager to ensure that applications are received and completed at least 2 months before the expiry date of the Auxiliary Officer's appointment to enable a renewed appointment to be processed in time.

## **Return of Certificate of Appointment and Instrument of Appointment**

122. If an Auxiliary Officer resigns or is removed from office, both his/her Certificate of Appointment and any copy of the Instrument of Appointment must be returned to the SPCA Centre Secretary within 7 working days.
123. The SPCA Centre Secretary will then in turn surrender these to SPCA National Support Office.
124. The SPCA, as the approved organisation that recommended the Auxiliary Officer, will then return the Instrument of Appointment and Certificate of Appointment to MPI Standards Branch.
125. If the Auxiliary Officer refuses to surrender his/her Certificate of Appointment, the SPCA will advise the Manager Animal Welfare Standards immediately.
126. MPI will then take all further steps to recover the Certificate of Appointment.

## **Lost Certificates of Appointment**

127. If the Auxiliary Officer has lost his/her Certificate of Appointment, he/she will:
  - (a) immediately report the Certificate of Appointment as lost to his/her local Police Station; and

- (b) inform SPCA National Support Office in writing of the circumstances in which the loss occurred and confirm that the loss has been reported to his/her local Police Station.
128. SPCA National Support Office will promptly notify MPI of any lost Certificates of Appointment.
129. On receipt of the above information, MPI Standards Branch will reissue a Certificate of Appointment for the same appointment period as detailed on the original appointment.
130. A replacement Certificate of Appointment will be issued within 7 working days of receipt of the request at MPI.
131. MPI will forward the replacement Certificate of Appointment to SPCA National Support Office, which will then forward it to the Auxiliary Officer.

### **Resignation**

132. Any Auxiliary Officer wishing to resign from office may do so by written notification to his/her SPCA Centre.
133. This written notification should be sent to SPCA National Support Office, which in turn will forward it to MPI.
134. When the Auxiliary Officer resigns from office, any certified copy of the Instrument of Appointment and the original Certificate of Appointment must be returned to SPCA National Support Office immediately upon cessation of duties.
135. SPCA National Support Office will then forward those documents to MPI within 5 working days of receipt.

### **Revocation of Appointment**

136. The revocation of appointment of an Auxiliary Officer may be undertaken by the Director-General in accordance with section 125(3) of the Act.
137. In the event that the employee's performance as an Auxiliary Officer is demonstrably unsatisfactory and cannot be improved, or the employee elects not to continue with the SPCA Centre, it is recommended that advice be sought from the SPCA Centre legal adviser, or from SPCA National Support Office, as to the correct process that the SPCA Centre must follow in order to terminate the Auxiliary Officer relationship lawfully and in accordance with due process. This may or may not include the employment relationship in its entirety.
138. The SPCA National Executive Committee (or person/s delegated by the SPCA National Executive Committee) may recommend to the Manager Animal Welfare Standards that an Auxiliary Officer's appointment be revoked by reason of incapacity, neglect of duty or misconduct.

### **Exercise of Powers Outside Term of Appointment**

139. It is an offence under the Act (section 160) to impersonate an Inspector or Auxiliary Officer.

140. Any Auxiliary Officer found to be impersonating an Inspector or misleading the public to think that he/she is an Inspector may be liable to prosecution under section 160 of the Act.
141. SPCA National Support Office will advise the Manager Animal Welfare Standards immediately if it becomes aware that any Auxiliary Officer or other person in the service of SPCA National Support Office or an SPCA Centre has allegedly exercised powers which he/she does not have.
142. A person who knowingly exercises the powers of an Inspector or Auxiliary Officer outside the term of his/her appointment, as specified in the Instrument of Appointment, shall be subject to review by MPI.
143. This review may affect the eligibility of that person for appointment or reappointment.

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## Complaints Against Auxiliary Officers

144. Auxiliary Officers are appointed by the Director-General following a recommendation from the SPCA.
145. The Director-General may revoke an Auxiliary Officer's appointment at any time. Accordingly, all Auxiliary Officers have a special and valuable relationship with the Director-General, which the SPCA safeguards and administers through SPCA National Support Office.
146. Because of that relationship, any complaint received by an SPCA Centre regarding the actions of an Auxiliary Officer must be immediately passed on to SPCA National Support Office for the attention of the SPCA National Executive Committee (or person/s delegated by the SPCA National Executive Committee), unless such complaint is trivial or obviously malicious and is able to be disposed of simply and quickly.
147. Should an SPCA Centre and/or SPCA National Support Office receive a serious complaint concerning an Auxiliary Officer, or have serious concerns about the conduct or behaviour of an Auxiliary Officer in the performance of his/her duties, all details should be fully recorded, including full contact details of any complainant.
148. The SPCA Centre will:
  - (a) Immediately take any urgent action required to safeguard the welfare of animals.
  - (b) Immediately advise SPCA National Support Office of the complaint.
  - (c) As soon as possible, advise the Auxiliary Officer of the details of the complaint.
  - (d) As soon as possible after any urgent action has been commenced, make an initial report to SPCA National Support Office. The initial report can be by telephone, and must be followed as soon as possible by a full written report.
149. SPCA National Support Office will:
  - (a) Direct an investigation and make any enquiries it thinks necessary, or request any appropriate person to make enquiries or prepare reports on its behalf. In the interests of fairness, SPCA National Support Office or the SPCA National Executive Committee (or person/s delegated by the SPCA National Executive Committee, including referral of the complaint (where of a serious nature) to the SPCA National Investigations Committee) will invite the Auxiliary Officer to put his/her view in writing within 10 working days.
  - (b) Advise MPI immediately, in writing, of the complaint and any current action being taken to investigate and resolve the situation.
  - (c) Recommend to MPI the suspension of the Auxiliary Officer, if it is deemed necessary, during the course of the investigation.
  - (d) Keep the SPCA National Council and MPI informed of the investigation and its resolution.
  - (e) Notify the Auxiliary Officer and the SPCA Centre of its findings within 5 working days of its report being finalised.

150. Where MPI wishes to follow up a complaint itself in addition to the SPCA investigation, it will do so only after consulting with the SPCA National Inspectorate and Centre Support Team, who in turn will also consult with the SPCA Centre involved.
151. MPI will report its findings to the SPCA National Inspectorate and Centre Support Team within 5 working days of completing the investigation, and will comply with the provisions of the Privacy Act 1993 in respect of all information supplied to or gathered by MPI in relation to the complaint.
152. The SPCA National Inspectorate and Centre Support Team will convey the findings of MPI to the SPCA Centre within 5 working days of receiving them.

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# Animal Welfare Complaints

## Receipt of Complaint

153. When an Auxiliary Officer receives a complaint about the welfare of an animal and there is no Inspector available to immediately respond, the Auxiliary Officer must document all relevant information pertaining to the complaint, including sufficient details to enable a trace-back of the complaint should further information or clarification be required when the information is passed on to an Inspector or his/her Regional Manager for advice. This must be carried out according to the priority of the response required.
154. The Auxiliary Officer must allocate a file number for the complaint within 3 working days of receipt of the complaint.
155. If the complaint is to be transferred from one SPCA Centre to another, the Auxiliary Officer transferring the complaint must supply all relevant information pertaining to the complaint to the Inspector accepting the transfer, who will enter the transferred complaint into his/her SPCA Centre's database.

## Welfare Priorities

156. An Auxiliary Officer must have as a priority at all times the alleviation of any unreasonable or unnecessary pain or distress being suffered by an animal, taking into account his/her limitations under the Act.
157. An Auxiliary Officer does not have the power or right to euthanase any animal on public property if the owner is known and can be contacted within a reasonable time, without consultation with the owner.
158. An Auxiliary Officer cannot issue verbal or written instructions or seize an animal.
159. An Auxiliary Officer must not mislead the public into believing that his/her duty is as an enforcement officer in animal welfare. An Auxiliary Officer's Certificate of Appointment is to be used solely for identification purposes.
160. Should any situation occur where an Auxiliary Officer is unsure of his/her duties, powers or obligations, he/she must seek advice and assistance from his/her SPCA Centre Secretary, delegated supervisor, SPCA National Support Office or an Inspector.
161. An Auxiliary Officer must obtain the services of an Inspector to enable appropriate action to prevent and/or mitigate the suffering of an animal and to assemble evidence in accordance with the Act where, in the opinion of the Inspector, based on the facts as presented, any breach of the Act has or may have occurred.
162. In any case where the requirements of the Act are not being met, an Auxiliary Officer must obtain assistance from an Inspector, who will ensure that the owner or person in charge of the animal is made aware of his/her obligations of care for the animal and, where necessary, identify where and to what extent that owner or person in charge of the animal has failed to meet the legal requirements.

163. Under no circumstances should the identity of the complainant be disclosed to anyone. This includes the SPCA Centre Committee and the SPCA Centre's members and volunteers. The only exception is where a file is passed on to an Inspector, Police Constable or MPI Compliance Directorate for action.

## Resources

164. Auxiliary Officers must keep themselves informed of resources available to them where response by an Inspector is necessary in order to prevent or mitigate pain or distress suffered by an animal.

## Euthanasia

165. Every SPCA Centre must have its own policy regarding the euthanasia of animals and must follow the SPCA National Euthanasia Policy.
166. Auxiliary Officers must follow their SPCA Centre policy and SPCA National Euthanasia Policy regarding the acceptable methods of euthanasia.
167. It is sometimes necessary for an Auxiliary Officer to destroy an animal that has been found severely sick or injured.
168. The powers of an Auxiliary Officer as stipulated under the Act must be complied with. The Auxiliary Officer must ensure that the destruction of any animal is lawful, necessary and humane. Sections 138, 139 and 141 of the Act apply.
169. It should be understood that the term "destroy" also means "cause to be destroyed". It does not necessarily mean that the Auxiliary Officer has to personally destroy the animal.
170. If the Auxiliary Officer is not personally destroying the animal, he/she may provide the authority for a competent person (such as a veterinarian, experienced farmer or firearms licence holder with experience in humane euthanasia by firearm) to carry out the destruction.<sup>2</sup>
171. It is sometimes necessary to euthanase animals that have been handed in to SPCA Centres by members of the public. In these situations, the duties of an Auxiliary Officer as outlined in the Act must be complied with.
172. Territorial authority animal pounds may also enlist the services of an Auxiliary Officer under the Act to certify in writing the need for destruction of impounded diseased, sick or injured animals.
173. Whereas the advice of a veterinarian should be sought, this is not always possible or practicable. Auxiliary Officers should be fully conversant with sections 138, 139 and 141 of the Act.
174. The procedure for euthanasia is clearly laid down in sections 138, 139 and 141 of the Act.
175. The reason/s for euthanasia must be documented for each animal and made available on request.

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<sup>2</sup> An Auxiliary Officer must comply with all relevant sections of the Arms Act 1983 where a firearm or other device that is subject to the Arms Act is used.

176. Auxiliary Officers are to ensure that any euthanasia of animals is lawful, humane and carried out by appropriately trained and equipped staff only.
177. Pentobarbitone must not be used by anyone other than a veterinarian. It must also not be stored at any SPCA Centre unless under the express control of a veterinarian.

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## Records

### Information Files

178. An Auxiliary Officer must ensure that all records pertaining to a complaint are legible.
179. Official complaint form books are available at SPCA National Support Office.
180. All records must be kept safe and secure on the premises of the SPCA Centre.
181. An Auxiliary Officer must ensure that records of a complaint include:
  - (a) date reference;
  - (b) file number;
  - (c) the name, address and telephone number of the complainant if these have been supplied;
  - (d) sufficient details to identify and locate the alleged offender;
  - (e) the date the complaint was received;
  - (f) the location of the complaint;
  - (g) the nature of the complaint, including species, number and age of animals; and
  - (h) the date of case transfer to an Inspector.

### Animal Register

182. In accordance with section 142 of the Act, a register must be kept of all animals handled. The register must record the numbers and types of animals sold, rehomed, destroyed or otherwise disposed of under section 141, including, in relation to each animal:
  - (a) particulars of the date when custody of the animal was obtained and of the date when the animal was disposed of; and
  - (b) a record of whether the animal was sold, rehomed, destroyed or otherwise disposed of.
183. If an animal is destroyed during the mandatory 7 days' holding period, an Inspector or Auxiliary Officer must sign approval for this and it must be noted in the register.
184. The register is to be carefully maintained, and the records in relation to each animal must be kept for at least 1 year after the date on which custody of the animal was obtained.
185. Where there is no Inspector, an Auxiliary Officer must supply the SPCA Centre Secretary with annual statistics of total cases attended and cases referred to an Inspector, another agency or another SPCA Centre.
186. The annual reporting period shall be 1 January to 31 December of each year.
187. The annual statistics must be returned to SPCA National Support Office by 31 January each year.

188. SPCA National Support Office will then collate all statistics and forward them to the Manager Animal Welfare Standards by 1 March each year.

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## **Policies**

### **Policy and Procedure Manual**

189. All SPCA Centres must have up-to-date Policy and Procedure Manuals kept at their premises. These documents must be available for reference at all times and must be complied with by all staff/volunteers.

### **Media**

190. Auxiliary Officers shall refrain from making any public comment on any specific animal welfare investigation. Auxiliary Officers must speak with their Manager or contact SPCA National Support Office for advice on any current national animal welfare matter.

### **Impartiality**

191. Auxiliary Officers should be careful not to publicly participate in any activity that could be seen to jeopardise their impartiality when carrying out their duties.

### **Health and Safety**

192. Each SPCA Centre has an obligation to provide for the safety of its Auxiliary Officers, whether employees or volunteers, under the provisions of the Health and Safety in Employment Act 1992.

### **Privacy**

193. Auxiliary Officers must follow the requirements of the Privacy Act 1993 and be cautious when disclosing personal information to or about any individual.

## MPI/SPCA Liaison

### National and SPCA Centre Level

194. Formal discussions between the SPCA National Executive Committee (or person/s delegated by the SPCA National Executive Committee) and MPI will be held on policy issues of national importance on a regular basis.
195. Unresolved issues should be passed on without delay to a more senior level of each respective organisation.
196. The SPCA and MPI agree to exchange, where practical, advance copies of draft press releases relating to the enforcement provisions of the Act, to allow appropriate comment from either organisation before publication.

### Application of the Official Information Act 1982

197. Auxiliary Officers need to be aware of the following:
  - (a) MPI is bound by the requirements of the Official Information Act 1982.
  - (b) The SPCA is not bound by the requirements of the Official Information Act 1982.
  - (c) MPI will consult with the SPCA (via the National President, the National Chief Executive and/or the National Manager Inspectorate and Centre Support) in responding to requests under the Official Information Act 1982 that concern information about the SPCA and its Inspectors and Auxiliary Officers.

### Annual Audit of SPCA Enforcement Activities

198. MPI will conduct an annual audit of selected SPCA Centres and/or SPCA National Support Office in relation to:
  - (a) selection of Inspectors and Auxiliary Officers;
  - (b) recommendation processes for appointment of, or appointment renewal of, Inspectors and Auxiliary Officers;
  - (c) compliance with the Act;
  - (d) documentation relating to animal welfare complaint investigations; and
  - (e) any other area to which SPCA National Support Office and MPI agree.
199. MPI will give reasonable notice of its intention to audit selected SPCA Centres.
200. Any SPCA Centre wishing to have an SPCA National Councillor or other SPCA representative present during the audit may do so by request to SPCA National Support Office as soon as the SPCA Centre has received notification of the audit from MPI.
201. MPI will provide the opportunity for SPCA National Support Office and the SPCA Centre to respond to the initial audit findings.
202. MPI will supply to the SPCA National Executive Committee (or person/s delegated by the SPCA National Executive Committee) a written draft audit report within 2 months of the audit being carried out.

203. The SPCA National Executive Committee (or person/s delegated by the SPCA National Executive Committee) will forward copies of audit reports to those SPCA Centres involved.
204. SPCA National Support Office shall be responsible for ensuring that any major non-compliance in the final audit report is addressed.
205. Each SPCA Centre involved in the audit will provide SPCA National Support Office with a report on progress in resolving any major non-compliance in the audit report, within 3 months of the final audit report being supplied.
206. The SPCA Inspectorate and Centre Support Team will report in writing within 4 months to the Manager Animal Welfare Standards on progress in resolving the key issues addressed in the audit report.
207. SPCA National Support Office and SPCA Centres shall, at their own cost, make available staff to provide reasonable assistance with the audit.
208. All other costs and expenses of auditors engaged by MPI will be the responsibility of MPI.



## Relevant Acts

209. The following Acts (including any amendments) are directly relevant to the role of Auxiliary Officers:

- (a) Animal Welfare Act 1999
- (b) Dog Control Act 1996
- (c) Marine Mammals Protection Act 1978
- (d) New Zealand Bill of Rights Act 1990
- (e) Privacy Act 1993.

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## Signatures

Dated this 15<sup>th</sup> day of February 2013

At: Auckland



Signed by:  
Dr Matthew Stone  
Director Animal and Animal Products  
Standards Branch  
Ministry for Primary Industries  
Pursuant to authority delegated by the  
Director-General of the Ministry for  
Primary Industries



Signed by:  
Bob Kerridge, JP MNZM  
National President  
Royal New Zealand Society for the  
Prevention of Cruelty to Animals (Inc)

## **Appendix: Documentation to be Supplied to MPI upon Application for Appointment**

### **Application for First Appointment**

- (a) Recommendation for First Appointment Form – completed by SPCA (AO3)
- (b) MPI Application for Appointment Form
- (c) Identification Card Form
- (d) A passport-size colour photograph or digital image of the applicant
- (e) Consent to Disclosure of Information Forms:
  - Previous Employers
  - New Zealand Police or Ministry of Justice Check
- (f) Results of New Zealand Police or Ministry of Justice Check
- (g) Details of training completed

### **Application for Renewed Appointment**

- (a) Recommendation for Renewed Appointment Form – completed by SPCA (AO4)
- (b) MPI Application for Appointment Form
- (c) Consent to Disclosure of Information Form:
  - New Zealand Police or Ministry of Justice Check
- (d) Results of New Zealand Police or Ministry of Justice Check
- (e) Details of training completed



**Performance and Technical Standards**

for

**Inspectors**

of the

**Royal New Zealand Society for the Prevention  
of Cruelty to Animals**

**Including Selection, Training and Appointment**

2012

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# Contents

<b>DEFINITIONS .....</b>	<b>4</b>
<b>INTRODUCTION .....</b>	<b>6</b>
Review of PTS .....	6
<b>ROLE OF THE MINISTER, MPI AND SPCA .....</b>	<b>7</b>
Minister .....	7
MPI.....	7
SPCA.....	7
<b>SELECTION, TRAINING AND APPOINTMENT.....</b>	<b>11</b>
Criteria for Applicants .....	11
Selection of Applicants for Inspector Training.....	12
Criminal Convictions.....	13
Inspector Training Programme .....	14
Application for First Appointment as Inspector .....	15
Appointment Agreement.....	16
Application for Renewed Appointment as Inspector.....	17
Prior to Completion of Training.....	17
Following Completion of Training.....	17
Right of Review .....	18
Appointing Officer .....	19
Ongoing Training and Evaluation .....	19
Documentation/Records .....	20
Jurisdiction of Appointment.....	21
Supervision .....	21
Transferring to Another SPCA Centre.....	22
Lapsed Appointments .....	22
Return of Certificate of Appointment and Instrument of Appointment.....	22
Lost Certificates of Appointment.....	23
Resignation .....	23
Removal from Office.....	23
Exercise of Powers Outside Term of Appointment.....	24
<b>COMPLAINTS AGAINST INSPECTORS .....</b>	<b>25</b>
<b>ANIMAL WELFARE COMPLAINTS .....</b>	<b>27</b>
Limitations.....	27
Receipt of Complaint.....	27
Complaint Response .....	27

Welfare Priorities .....	29
Resources.....	30
Euthanasia.....	30
The Response and Investigation Process .....	31
Search Warrants .....	32
Prosecution Procedure .....	32
Supersession Policy.....	33
<b>RECORDS .....</b>	<b>34</b>
Information Files.....	34
Animal Register .....	35
<b>ON-FARM INSPECTIONS .....</b>	<b>36</b>
Protocols .....	36
Transfer of Complaint to MPI.....	36
Assistance Policy .....	37
<b>POLICIES .....</b>	<b>38</b>
Policy and Procedure Manual.....	38
Media.....	38
Impartiality.....	38
Health and Safety.....	38
Privacy .....	38
<b>MPI/SPCA LIAISON .....</b>	<b>39</b>
National and SPCA Centre Level .....	39
Application of the Official Information Act 1982 .....	39
Annual Audit of SPCA Enforcement Activities.....	39
<b>RELEVANT ACTS.....</b>	<b>41</b>
<b>SIGNATURES .....</b>	<b>42</b>
<b>APPENDIX: DOCUMENTATION TO BE SUPPLIED TO MPI UPON APPLICATION FOR APPOINTMENT.....</b>	<b>43</b>
Application for First Appointment .....	43
Application for Renewed Appointment .....	43

## Definitions

These definitions are for the purposes of the Royal New Zealand SPCA Performance and Technical Standards for Inspectors. The Animal Welfare Act 1999 (section 2) provides a detailed list of additional definitions that Inspectors may need to be aware of.

**Act** means the Animal Welfare Act 1999.

**Approved organisation** means an organisation declared by the Minister, under section 121(1) of the Animal Welfare Act 1999, to be an approved organisation for the purposes of the Act.

**Auxiliary Officer** means a person belonging to, in the employment of, or otherwise associated with the SPCA or an SPCA Centre, who is appointed as an Auxiliary Officer under section 125(1) of the Animal Welfare Act 1999 on the recommendation of the SPCA.

**Certificate of Appointment** means the identity card issued by the Ministry for Primary Industries and used by an Inspector in the course of his/her duties for identification purposes.

**Deputy Director-General Standards** means the Deputy Director-General who is responsible for the Standards Branch within MPI.

**Director-General** means the Director-General of MPI.

**Inspector** means a person belonging to, in the employment of, or otherwise associated with the SPCA or an SPCA Centre, who is appointed as an Inspector under section 124(2) of the Animal Welfare Act 1999 on the recommendation of the SPCA.

**Instrument of Appointment** means the signed letter of appointment issued by MPI appointing an Inspector under section 124(2) of the Animal Welfare Act 1999.

**Minister** means the Minister for Primary Industries (formerly the Minister of Agriculture and Forestry).

**MoU** means a document recording the relationship, including expectations and obligations, between the SPCA and MPI.

**MPI** means the Ministry for Primary Industries.

**MPI Compliance Directorate** means the directorate within MPI responsible for responding to, and investigating, complaints under the Animal Welfare Act 1999.

**MPI Standards Branch** means the branch within MPI responsible for the appointment process within MPI.

**NIAC** means the SPCA National Inspectorate Advisory Committee, a committee made up of experienced SPCA Inspectors from throughout New Zealand with the purpose of making recommendations to the SPCA National Council on matters affecting the Inspectorate.

**Production animal** means an animal on farms in New Zealand farmed typically but not exclusively for commercial purposes.

**PTS** means the performance and technical standards established by the SPCA National Council and approved by the Director-General of MPI.<sup>1</sup>

**SPCA** means the Royal New Zealand Society for the Prevention of Cruelty to Animals Incorporated, an approved organisation for the purposes of the Animal Welfare Act 1999; and includes its Branches and Member Societies (SPCA Centres).

**SPCA Centre** means a Branch or Member Society of the SPCA.

**SPCA National Council** means a body of elected members from the SPCA Centres that is constitutionally responsible for the workings of the SPCA.

**SPCA National Executive Committee** means the subcommittee of the SPCA National Council responsible for the Inspectorate. The SPCA National Executive Committee has the authority to delegate a suitable person or persons at any time to undertake its role in the processing of Inspector selection and appointment.

**SPCA National Inspectorate and Centre Support Team** means the administrative team at SPCA National Support Office responsible for overseeing the Inspectorate and SPCA Centres.

**SPCA National Investigations Committee** means the subcommittee of the SPCA National Council responsible for investigating serious complaints against the SPCA and its personnel.

**SPCA National Support Office** means the administrative body of the SPCA whose purpose is to provide support to SPCA Centres and the Inspectorate and is responsible for issuing Inspector appointments.

**Veterinarian** means a veterinarian or specialist who is a registered person and who holds a current practising certificate (as defined in section 4 of the Veterinarians Act 2005).

**Young person** means a boy or girl of or over the age of 14 years but under 17 years; but does not include any person who is or has been married or in a civil union (as defined in the Children, Young Persons, and their Families Act 1989).

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<sup>1</sup> Note that the Director-General can delegate this power and has currently done so to the Manager Animal Welfare Standards.



## Introduction

1. These PTS supersede those signed on 22 June 2007 and any earlier versions.
2. Section 126 of the Act states:

**126. Inspectors and auxiliary officers to act under direction of Director-General**

  - (1) All inspectors and auxiliary officers must act under the direction of the Director-General in the exercise and performance of the powers, duties, and functions conferred or imposed on them under this Act.
  - (2) In the event of any conflict arising between the powers, duties, and functions conferred or imposed on an inspector or auxiliary officer, as the case may be, as an employee or member of an approved organisation and the powers, duties, and functions conferred or imposed on that inspector or auxiliary officer under this Act, the powers, duties, and functions conferred or imposed on that inspector or auxiliary officer under this Act prevail.
3. These PTS define the standards for Inspectors. They cover:
  - (a) the selection, training and appointment of Inspectors appointed by the Minister under the Act on the recommendation of the SPCA;
  - (b) the conduct of Inspectors in exercising their powers, duties and functions under the Act;
  - (c) the enforcement of the provisions of the Act; and
  - (d) expectations around accountability arrangements between the SPCA, the Inspector and the SPCA Centre.

## Review of PTS

4. The provisions of these PTS shall not be altered in any way without the written agreement of both parties.
5. Any modifications or alterations must first be approved by both the SPCA (via the SPCA National Council) and MPI, in writing, before they are implemented.
6. These PTS shall be reviewed no later than 2 years from the date they were signed.
7. The following documents are either in force or being prepared:
  - (a) MoU between MPI and the SPCA;
  - (b) PTS for Auxiliary Officers; and
  - (c) PTS for Inspectors (this document).

## Role of the Minister, MPI and SPCA

### Minister

8. The Minister is the person accountable for the administration of the Act.

### MPI

9. MPI administers the Act.
10. The Director-General is accountable to the Minister for the effective delivery of animal welfare enforcement services.
11. The Minister, under section 124(2) of the Act, may, on the recommendation of an approved organisation, appoint persons to be Inspectors under the Act for the purposes of administering the provisions of the Act.
12. The Minister, under section 124(6)(b) of the Act, may remove an Inspector from office.
13. The Minister has currently delegated the powers of appointment and removal of Inspectors to the Director-General, who has sub-delegated these powers to the Deputy Director-General Standards, who in turn has sub-delegated these powers to the Manager Animal Welfare Standards.

### SPCA

14. Under section 189 of the Act, the SPCA is an approved organisation for the purposes of the Act.
15. The SPCA National Council and MPI have established these PTS.
16. The SPCA National Council, through the SPCA National Inspectorate and Centre Support Team, shall ensure that all SPCA Centres, Inspectors and Auxiliary Officers comply with the provisions of the Act, the MoU and any PTS.
17. All SPCA Centres, Inspectors and Auxiliary Officers shall be accountable to the SPCA for such compliance.
18. The SPCA shall also maintain adequate and effective governance arrangements, financial management arrangements and management accountabilities, in terms of the criteria under section 122 of the Act.
19. The provisions of the Act that impact on these PTS are:

#### **122. Criteria**

- (1) The Minister must, before declaring an organisation to be an approved organisation for the purposes of this Act, be satisfied, by the production to the Minister of suitable evidence, that –
  - (a) the principal purpose of the organisation is to promote the welfare of animals; and
  - (b) the accountability arrangements, financial arrangements, and management of the organisation are such that, having regard to the

- interests of the public, the organisation is suitable to be declared to be an approved organisation; and
- (c) the functions and powers of the organisation are not such that the organisation could face a conflict of interest if it were to have both those functions and powers and the functions and powers of an approved organisation; and
  - (d) the employment contracts or arrangements between the organisation and the organisation's inspectors and auxiliary officers are such that, having regard to the interests of the public, the organisation is suitable to be declared to be an approved organisation; and
  - (e) the persons who may be recommended for appointment as inspectors or auxiliary officers –
    - (i) will have the relevant technical expertise and experience to be able to exercise competently the powers, duties, and functions conferred or imposed on inspectors and auxiliary officers under this Act; and
    - (ii) subject to section 126, will be properly answerable to the organisation.
- (2) The Minister may, in making a declaration under section 121, impose, as conditions of the Minister's approval, conditions relating to the establishment by the organisation of performance standards and technical standards for inspectors and auxiliary officers.

#### **124. Appointment of inspectors**

- (1) There may from time to time be appointed under the State Sector Act 1988 suitable persons to be inspectors for the purposes of this Act.
- (2) The Minister may from time to time, on the recommendation of an approved organisation, appoint any person to be an inspector for the purposes of this Act.
- (3) Every inspector appointed under subsection (2) –
  - (a) must be appointed either –
    - (i) for particular purposes of this Act (which particular purposes must be specified in the inspector's instrument of appointment); or
    - (ii) for the general purposes of this Act; and
  - (b) must be appointed either –
    - (i) for a particular district or part or parts of New Zealand; or
    - (ii) to act generally throughout New Zealand.
- (4) The Minister may appoint a person to be an inspector under subsection (2) only where the Minister is satisfied that the person has the experience, technical competence, and other qualifications to undertake the functions of an inspector.

- (5) Every constable is, by virtue of his or her office, deemed to be an inspector appointed to act generally throughout New Zealand for the general purposes of this Act.
- (6) Every inspector appointed under subsection (2) –
- (a) is appointed for such term, not exceeding 3 years, as the Minister thinks fit, and is eligible for reappointment from time to time;
  - (b) may at any time be removed from office by the Minister for incapacity affecting performance of duty, neglect of duty, or misconduct proved to the satisfaction of the Minister;
  - (c) may resign his or her office by giving written notice to that effect to the Minister;
  - (d) must on the expiration of the term of his or her appointment, or on the sooner expiry of his or her appointment by removal from office or resignation, surrender to the Minister his or her instrument of appointment.
- (7) Without limiting subsection (6)(b), it is declared that where an approved organisation informs the Minister in writing that an inspector who was appointed on the recommendation of that approved organisation is no longer acting for that approved organisation or for an incorporated society that is a branch or member of that approved organisation in that capacity or in the particular district or part or parts of New Zealand for which the inspector was appointed, the Minister may, by written notice to that inspector, invite that inspector to both resign his or her office in accordance with subsection (6)(c) and surrender his or her instrument of appointment in accordance with subsection (6)(d) by a date specified in the notice, and, if that inspector fails to do so by that date, the Minister may revoke that inspector's appointment.
- (8) No person appointed by the Minister under subsection (2) to be an inspector is by virtue of that appointment employed in the Public Service for the purposes of the State Sector Act 1988 or the Government Superannuation Fund Act 1956.
- (9) The Director-General may from time to time establish performance standards and technical standards for inspectors appointed under subsection (1).
- (10) Every inspector appointed under subsection (1) or subsection (2) must, when performing his or her functions or duties under this Act or exercising his or her powers under this Act, use his or her best endeavours to comply with, and give effect to, the relevant performance standards or technical standards.

#### **126. Inspectors and auxiliary officers to act under direction of Director-General**

- (1) All inspectors and auxiliary officers must act under the direction of the Director-General in the exercise and performance of the powers, duties, and functions conferred or imposed on them under this Act.

- (2) In the event of any conflict arising between the powers, duties, and functions conferred or imposed on an inspector or auxiliary officer, as the case may be, as an employee or member of an approved organisation and the powers, duties, and functions conferred or imposed on that inspector or auxiliary officer under this Act, the powers, duties, and functions conferred or imposed on that inspector or auxiliary officer under this Act prevail.

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## Selection, Training and Appointment

20. SPCA Centres have various mechanisms for employing an Inspector depending on the nature of the employment relationship.

### Criteria for Applicants

21. The criteria are flexible enough so that applicants with minimal formal educational qualifications or animal skills, but with potential, are not necessarily excluded on those grounds alone. The ability of the applicant to learn and attain the necessary knowledge and skills is taken into consideration.
22. In larger districts where Inspectors are employed on a full-time salary or wage basis, the selection is based on the appropriate criteria for selecting full-time employees and the skill set required for the role of Inspector.
23. In smaller districts where personnel may not receive tangible remuneration, Inspectors are often employed on a voluntary or part-time/casual contract basis.
24. Any applicant who is employed must have an employment agreement with the SPCA Centre to which he/she is affiliated, and is expected to comply with the policies and procedures under which that SPCA Centre operates.
25. Any applicant who has agreed to donate his/her services without tangible remuneration as a voluntary Inspector must have a written agreement with the SPCA Centre to which he/she is affiliated, and is expected to comply with the policies and procedures under which that SPCA Centre operates and with SPCA National Support Office requirements in relation to his/her appointment as an Inspector.
26. If an applicant is a new employee and the intent is to appoint him/her as an Inspector, the applicant's employment agreement must include a provision stating that eligibility for, and timely completion of, the prescribed Inspector training is a condition of the applicant's appointment.
27. If the applicant is an existing employee, the applicant's appointment is conditional on timely completion of the prescribed Inspector training.
28. Where Inspectors are employed on a voluntary or part-time/casual contract basis, the applicant must be sufficiently known to enable the SPCA Centre making the request (and SPCA National Support Office making the recommendation) to satisfactorily evaluate him/her.
29. In the event that little is known of the applicant, the SPCA Centre is encouraged to include a 3-month probationary arrangement as per employment law within the applicant's employment agreement.
30. The probationary arrangement must be disclosed to the applicant in the letter offering him/her employment. The probationary arrangement must also be discussed with the applicant, whose performance must be closely and constructively monitored by the SPCA Centre during the probationary period.
31. In order for an applicant to be selected to train as an Inspector, he/she must:
  - (a) be of sound mind;

- (b) have a clear criminal record, although specific circumstances may be considered (see "Criminal Convictions");
  - (c) hold New Zealand citizenship or residency, or a valid work permit;
  - (d) have no affiliations or involvement which may adversely affect the SPCA brand or compromise the welfare of animals;
  - (e) be computer literate and have access to a computer on a regular basis; and
  - (f) have the ability to learn and attain the necessary knowledge and skills.
32. In general, applicants who have previously failed to complete Inspector training will not be reconsidered.

### **Selection of Applicants for Inspector Training**

33. An SPCA Centre Committee will select suitable candidates who meet the above criteria to be recommended to SPCA National Support Office for training as an Inspector. This affirmation must be recorded in the minutes of a Committee meeting.
34. SPCA National Support Office recommends that applicants new to the industry who do not have any previous experience in animal husbandry and welfare or investigations first apply for, and satisfactorily complete, the Auxiliary Officer training, spending time gaining experience in this field before committing to Inspector training.
35. The SPCA Centre must, before any application is forwarded to SPCA National Support Office, ensure that any applicant for Inspector training is eligible for full student subsidy funding by MPI (i.e. is a New Zealand resident).
36. Before an applicant is nominated by the SPCA Centre for training, he/she must be made aware that, once he/she is appointed as an Inspector:
- (a) He/she will be required to comply with all obligations pertaining to the appointment of Inspector as set out in the Act, any MoU and the PTS (including any amendments or modifications).
  - (b) He/she acknowledges that the SPCA intends to fulfil the requirements of any MoU and PTS (including any amendments or modifications).
  - (c) He/she will be accountable to the SPCA for his/her compliance with all requirements of this PTS including his/her performance standards and procedural correctness.
  - (d) He/she authorises the SPCA, MPI and all other relevant persons to collect, use and disclose relevant personal information about himself/herself in accordance with the MoU and PTS (including any amendments or modifications).
  - (e) He/she shall take all such steps as the SPCA reasonably considers necessary and requires of him/her in order for the SPCA to fulfil these requirements.
37. Application forms for training are then requested from the SPCA National Inspectorate and Centre Support Team for the SPCA Centre Committee or selection panel and applicant to complete.
38. Applications will include requests for relevant information to ensure the applicant has the technical expertise and experience to be able to exercise competently the powers, duties and functions conferred or imposed on Inspectors under the Act. This includes

- consents to disclosure of information from previous employers and the New Zealand Police or Ministry of Justice.
39. Any changes to these forms or their content must be approved by both SPCA National Support Office and MPI prior to implementation.
  40. When returning the completed application forms, the SPCA Centre Committee makes a recommendation to the SPCA National Inspectorate and Centre Support Team based on the applicant's suitability.
  41. Applicants for Inspector training who have completed all or part of the required training as private students should include records of learning with their application.
  42. SPCA National Support Office undertakes New Zealand Police or Ministry of Justice checks of all applicants.
  43. Should the New Zealand Police or Ministry of Justice check return details of any criminal conviction, the SPCA National Inspectorate and Centre Support Team will advise the applicant.
  44. After the New Zealand Police or Ministry of Justice check returns with no conviction history attached, the suitability of the applicant for training will then be further assessed during an interview.
  45. This interview will be conducted:
    - (a) by a member of the SPCA National Inspectorate and Centre Support Team; or
    - (b) where the applicant is currently in the employ of an SPCA Centre and his/her employer is a member of NIAC, a person delegated by SPCA National Support Office.
  46. Upon a successful interview, a recommendation will be made to the SPCA National Executive Committee (or person/s delegated by the SPCA National Executive Committee) for the applicant to begin training.
  47. The SPCA National Executive Committee (or person/s delegated by the SPCA National Executive Committee) reserves the right to further interview any applicant and his/her referees or other person/s it thinks may assist in its decision.
  48. The SPCA National Executive Committee (or person/s delegated by the SPCA National Executive Committee) will generally accept an applicant for training as an Inspector if all relevant criteria have been met.
  49. The SPCA Centre and the applicant will be informed of the decision.

### **Criminal Convictions**

50. The general policy of the SPCA is that applicants with a criminal history are unsuitable for appointment as Inspectors. The SPCA may therefore consider that applicants with a criminal history are unsuitable for recommendation.
51. The results of the criminal history check are supplied to MPI in order to determine suitability.
52. SPCA National Support Office, in consultation with MPI, may give consideration, on a case by case basis, to applicants who have convictions for aged and/or minor matters. Such considerations shall not be considered as precedent setting.



53. Inspectors who receive any criminal convictions during the term of their appointment must disclose these to SPCA National Support Office immediately.
54. Upon receipt of notification of any criminal conviction incurred by an Inspector during his/her term of appointment, SPCA National Support Office and the SPCA Centre shall review the continuance of that appointment, and notify and consult with MPI.

## **Inspector Training Programme**

55. All initial training of Inspectors is carried out by a Training Provider under contract to MPI, and can be entered into once the SPCA National Executive Committee (or person/s delegated by the SPCA National Executive Committee) has approved an applicant as suitable and MPI has granted approval.
56. Once SPCA National Support Office has approved an applicant as suitable it will request, in writing, approval from MPI for the applicant to undertake Inspector training.
57. MPI will confirm in writing a training authorisation number within 5 working days of receipt of the written request.
58. Applicants should be aware that, by signing the Training Provider Authorisation to Disclose Consent Form, all results and feedback from the training course are available to both SPCA National Support Office and MPI.
59. Once the applicant is approved for training, MPI (via the Manager Animal Welfare Standards) undertakes to make payment for the full costs of the initial training of Inspectors. This includes, but is not limited to:
  - (a) course fees;
  - (b) airfares;
  - (c) mileage;
  - (d) accommodation;
  - (e) meals; and
  - (f) other reasonable expenses as agreed, in advance, by MPI.
60. Applicants must comply with the Training Provider's instructions in regard to attendance at courses and the specified time limits set for assignments.
61. Applicants must successfully complete all training required, unless MPI has granted a dispensation.
62. Applicants are invited to provide written feedback to SPCA National Support Office on the quality of their Inspector training and suggestions for improvement in the training curriculum.
63. The applicant must successfully complete training within 12 months of commencing the course, unless otherwise agreed with MPI.
64. In general, on receipt of written advice from the Training Provider that the applicant has been assessed as "competent" in all aspects of the Animal Welfare Law module, the SPCA Centre may apply to SPCA National Support Office for an initial 12-month appointment for that Inspector.

65. It is MPI's general policy that applicants who have commenced, but failed to complete (including being removed from), the MPI-approved Inspector training course will not be reconsidered for MPI funding to undertake the course again, unless there are exceptional circumstances.
66. In certain circumstances (e.g. where training has not been completed due to illness), a second 12-month appointment may be sought, at SPCA National Support Office discretion, to allow the completion of training.
67. MPI must give approval for a second 12-month appointment period.
68. If an applicant has obtained his/her initial 12-month appointment and failed to complete the course satisfactorily or decided not to continue training, or is removed from the course, he/she must immediately return his/her certified copy of the Instrument of Appointment and original Certificate of Appointment to SPCA National Support Office.

### **Application for First Appointment as Inspector**

69. After successful completion of the Animal Welfare Law module, application forms for first appointment as an Inspector are sent from the SPCA National Inspectorate and Centre Support Team for the SPCA Centre Committee or selection panel to complete.
70. Applications will include requests for relevant information to ensure the applicant has the technical expertise and experience to be able to exercise competently the powers, duties and functions conferred or imposed on Inspectors under the Act.
71. Any changes to these forms or their content must be approved by both SPCA National Support Office and MPI prior to implementation.
72. When returning the completed application forms, the SPCA Centre Committee makes a recommendation to the SPCA National Inspectorate and Centre Support Team and the SPCA National Executive Committee (or person/s delegated by the SPCA National Executive Committee) for the applicant to be appointed as an Inspector.
73. Successful applications will be forwarded from SPCA National Support Office to MPI for approval, providing evidence of suitability and completion of appropriate training.
74. SPCA National Support Office will provide MPI with the required documentation for all applications for first appointment (see Appendix). Any changes to this documentation must be approved by MPI in consultation with SPCA National Support Office.
75. Where uncertainty exists as to the suitability of an applicant, MPI may, at its own discretion and expense, request an applicant to make himself or herself available to be interviewed.
76. SPCA National Support Office may ask MPI to interview an applicant on the SPCA's behalf. In this case, the SPCA will bear the interview costs.
77. MPI reserves the right to request additional information or to interview the applicant or any other person regarding the applicant as may be required. In this case, MPI will bear the interview costs.
78. MPI reserves the right to apply conditions to any first or renewed appointment.

79. In general, MPI will process appointment applications within 7 working days of receipt, subject to all information being in order.
80. The initial appointment is for a 12-month term while the applicant is completing the training course. During this term, the SPCA Centre must monitor the applicant's performance closely in order to determine suitability for further appointment.
81. In certain circumstances (e.g. where Inspector training has not been completed due to illness), a second 12-month appointment may be sought, at SPCA National Support Office discretion, to allow the completion of training.
82. MPI must give approval for a second 12-month appointment period.
83. If an applicant has obtained his/her initial 12-month appointment and failed to complete the course satisfactorily or decided not to continue training, or is removed from the course, he/she must immediately return his/her certified copy of the Instrument of Appointment and original Certificate of Appointment to SPCA National Support Office.

### **Appointment Agreement**

84. Prior to receiving a Certificate of Appointment and an Instrument of Appointment, every Inspector must sign the Terms of Appointment, which is a binding agreement between that Inspector and the SPCA.
85. The agreement authorises the SPCA, MPI and all other relevant persons to collect, use and disclose personal information about that person in accordance with the MoU (including any modifications).
86. The agreement sets conditions of appointment as an Inspector, and in signing it the Inspector agrees, for the tenure of his/her appointment, to:
  - (a) serve without favour or prejudice;
  - (b) discharge his/her duties to the best of his/her knowledge and skill;
  - (c) discharge his/her duties according to the law;
  - (d) use his/her best endeavours to comply with, and give effect to, these PTS when exercising his/her functions, duties or powers under the Act;
  - (e) accept lawful direction; and
  - (f) undertake training.
87. A copy of the agreement is to be held at SPCA National Support Office.
88. The Inspector also agrees to return his/her Certificate of Appointment and certified copy of the Instrument of Appointment to SPCA National Support Office immediately

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specified in the Instrument of Appointment, will be subject to review by MPI. This may affect the eligibility of that person for reappointment.

91. SPCA Centres are responsible for ensuring that all Inspectors under their management hold a valid Instrument of Appointment at all times in the course of performing their duties.

## **Application for Renewed Appointment as Inspector**

### **Prior to Completion of Training**

92. Inspectors must satisfactorily complete the Inspector training in order to be eligible to receive a renewed appointment.
93. In certain circumstances (e.g. where Inspector training has not been completed due to illness), a second 12-month appointment may be sought, at SPCA National Support Office discretion, to allow the completion of training.
94. MPI must give approval for a second 12-month appointment period.
95. If an applicant has obtained his/her initial 12-month appointment and failed to complete the course satisfactorily or decided not to continue training, or is removed from the course, he/she must immediately return his/her certified copy of the Instrument of Appointment and original Certificate of Appointment to SPCA National Support Office.

### **Following Completion of Training**

96. SPCA National Support Office undertakes New Zealand Police or Ministry of Justice checks of all applicants to confirm that the applicant has not had any criminal charges or any pending criminal charges since his/her last appointment.
97. Should the New Zealand Police or Ministry of Justice check return details of any criminal conviction, the SPCA National Inspectorate and Centre Support Team will advise the applicant.
98. Prior to expiration of the Inspector's appointment, renewal reminders and application forms will be sent from SPCA National Support Office to the SPCA Centre. It is the responsibility of the SPCA Centre Secretary or Manager to ensure that applications are received and completed at least 2 months before the expiry date of the Inspector's appointment to enable a renewed appointment to be processed in time.
99. Applications will include requests for relevant information to ensure the applicant has the technical expertise and experience to be able to exercise competently the powers, duties and functions conferred or imposed on Inspectors under the Act. This includes consent to disclosure of information from the New Zealand Police or Ministry of Justice.
100. Any changes to these forms or their content must be approved by both SPCA National Support Office and MPI prior to implementation.
101. If the SPCA Centre Committee is satisfied with the performance of the Inspector, a recommendation is made for a further 3-year appointment by returning the completed forms to SPCA National Support Office.

102. A renewal interview of the applicant will be carried out to assess the Inspector's ongoing suitability. This interview will be conducted by a member of the SPCA National Inspectorate and Centre Support Team (or delegated person).
103. Upon a successful interview, a recommendation will be made to the SPCA National Executive Committee (or person/s delegated by the SPCA National Executive Committee) for the applicant's appointment to be renewed.
104. Successful applications will be forwarded from SPCA National Support Office to MPI for approval, providing evidence of continued suitability.
105. SPCA National Support Office will provide MPI with the required documentation for all applications for renewed appointment (see Appendix). Any changes to this documentation must be approved by MPI in consultation with SPCA National Support Office.
106. Where uncertainty exists as to the continued suitability of an applicant, MPI may, at its own discretion and expense, request an applicant to make himself or herself available to be interviewed.
107. SPCA National Support Office may ask MPI to interview an applicant on the SPCA's behalf. In this case, the SPCA will bear the interview costs.
108. MPI reserves the right to request additional information or to interview the applicant or any other person regarding the applicant as may be required. In this case, MPI will bear the interview costs.
109. MPI and SPCA National Support Office reserve the right to apply conditions to any first or renewed appointment.
110. In general, MPI will process appointment applications within 7 working days of receipt, subject to all information being in order.
111. Applications for renewal must be with MPI at least 15 working days prior to the expiry of the appointment.
112. MPI will not backdate any renewal appointments.

### **Right of Review**

113. A right of review is available to an Inspector applicant in the event of one of the following circumstances occurring:
- (a) The SPCA National Inspectorate and Centre Support Team member declines to recommend training.
  - (b) The SPCA National Executive Committee (or person/s delegated by the SPCA National Executive Committee) declines to forward an application for appointment to MPI for approval.
  - (c) The SPCA National Executive Committee (or person/s delegated by the SPCA National Executive Committee) declines to recommend to MPI the renewal of an Inspector's appointment.
  - (d) The SPCA National Executive Committee (or person/s delegated by the SPCA National Executive Committee) recommends to MPI the revocation of an Inspector's appointment.

114. Upon advising the applicant of any of the circumstances set out above, SPCA National Support Office must also advise the applicant in writing:
- (a) that he/she has the right to request a review of the decision;
  - (b) that a request for review must be made in writing within 20 working days of being notified of the decision;
  - (c) what information a request for review should include;
  - (d) that a request for review must be sent to SPCA National Support Office; and
  - (e) how a review will be carried out.
115. If a request for review is received in writing by SPCA National Support Office from the applicant within the prescribed time period, then:
- (a) A review hearing will be carried out by the SPCA National Council.
  - (b) A majority decision of the SPCA National Council is required to overturn the event in question.
  - (c) The applicant and/or his/her representative may be involved in part of the review to speak to his/her case and to answer any questions the SPCA National Council may have.
  - (d) The applicant and/or his/her representative must pay his/her own expenses in relation to any physical meeting.
  - (e) The decision of the SPCA National Council will be mailed to the applicant no later than 10 working days after the date of the review.
  - (f) The final decision must be notified to the Manager Animal Welfare Standards at the same time that the applicant is informed.

### **Appointing Officer**

116. The Appointing Officer is currently MPI, which is delegated to appoint Inspectors under section 124(2) of the Act.
117. Subject to suitability, the general policy of both MPI and the SPCA is that a first appointment will be for a period of 12 months and any renewal will be for a period of 3 years.
118. Inspectors are to be aware that MPI reserves the right to place conditions on the appointment of any Inspector. These may include, but are not limited to, reduced appointment periods from the normal 12 months or 3 years and/or conditions for supervision or ongoing training.

### **Ongoing Training and Evaluation**

119. Inspectors must attend and satisfactorily complete all training workshops and professional development opportunities recommended and provided by the SPCA Centre and/or SPCA National Support Office. Failure to attend could affect appointment renewal.

120. The minimum requirement is that all Inspectors must attend 1 Inspectors' Refresher Training Workshop or other refresher training workshop each year for the tenure of their current appointment.
121. This training and evaluation is a compulsory requirement. The assessment of continued suitability covers:
- (a) the nature of the Inspector's work;
  - (b) suitability in terms of both temperament and physical ability;
  - (c) any particular problems encountered and not previously reported to SPCA National Support Office;
  - (d) SPCA National Support Office evaluations and attendance at courses or workshops; and
  - (e) disclosure of any new criminal conviction.

### **Documentation/Records**

122. The SPCA will hold copies of all documentation relating to the application, training and performance of Inspectors.
123. This information includes:
- (a) current Inspectors;
  - (b) applicants in training;
  - (c) past Inspectors;
  - (d) Inspectors' training records;
  - (e) applicants who have failed to complete their training; and
  - (f) applicants who have withdrawn, or have been declined or removed from office.
124. Correspondence relating to Inspectors will be retained on either individual Inspector files or SPCA Centre files, as appropriate.
125. MPI will hold all original application details for both first and renewed appointments.
126. All information provided to MPI is official information and is subject to the Official Information Act 1982.
127. If a request is made under the Official Information Act 1982 for information provided in the application for appointment as an Inspector, MPI will generally withhold such information under the withholding provisions of that Act. However, MPI must consider any such request on an individual basis taking into account its obligations under the Official Information Act 1982 and any other applicable legislation such as the Privacy Act 1993.
128. The original Instrument of Appointment will be held by MPI in a secure place.
129. MPI will issue the SPCA with a certified copy of the Instrument of Appointment and an original Certificate of Appointment.
130. The certified copy of the Instrument of Appointment and the original Certificate of Appointment will be forwarded by SPCA National Support Office to the Inspector.

131. The Inspector will retain the certified copy of the Instrument of Appointment and the original Certificate of Appointment in a secure place.

### **Jurisdiction of Appointment**

132. The Instrument of Appointment will indicate where the Inspector is allowed to operate in accordance with section 124(3)(b)(i) of the Act.
133. For those Inspectors holding an SPCA Instrument of Appointment, this means that their appointment is valid anywhere within New Zealand in accordance with section 124(3)(b)(ii) of the Act.
134. Inspectors will not operate outside the district under the jurisdiction of the SPCA Centre to which they are affiliated, unless there is an emergency or they have obtained the approval of SPCA National Support Office or they have been given approval from the SPCA Centre where the incident has occurred.
135. Where an emergency situation has arisen and an Inspector has operated in a district outside the jurisdiction of the SPCA Centre to which he/she is affiliated, the Inspector will notify that district and SPCA National Support Office as soon as practicable of actions taken.
136. Inspectors will not use their appointment for any other form of employment without the express written permission of SPCA National Support Office.

### **Supervision**

137. General daily supervision of Inspectors will continue to be under the control of the SPCA Centre Secretary or Manager, or a person delegated by the SPCA Centre Committee for the task.
138. SPCA National Support Office must have contact details of any person delegated.
139. Any problems encountered should be dealt with on a local basis as far as possible. This includes compliance with the Terms of Appointment, or with policies and procedures that have been agreed between the Inspector and the SPCA Centre.
140. If the Inspector fails to comply with the employment agreement, the Terms of Appointment, these PTS, or SPCA policies and procedures, the SPCA Centre must follow advice as outlined in "Removal from Office". SPCA National Support Office must receive written notification detailing the breach of compliance and action taken.
141. In cases that are serious in nature or are not resolved at the local level, SPCA Centres shall escalate the concern to SPCA National Support Office.
142. Problems or complaints received by SPCA National Support Office shall be communicated to the relevant SPCA Centre.
143. Any complaint regarding the actions of an Inspector must be immediately passed on to SPCA National Support Office, unless such complaint is trivial, obviously malicious or frivolous and is able to be disposed of simply and quickly. See "Complaints against Inspectors".
144. In the case of any SPCA Centre that has been placed by the SPCA National Council under management or supervision, the Inspector will comply with all instructions given by the manager or his/her representative.



## Transferring to Another SPCA Centre

145. When an application is received from an SPCA Centre requesting the appointment of an Inspector who has transferred from another SPCA Centre, SPCA National Support Office will forward a recommendation to MPI if the SPCA National Executive Committee (or person/s delegated by the SPCA National Executive Committee) approves the transfer.
146. MPI will issue a replacement Instrument of Appointment and Certificate of Appointment within 7 working days of receipt.
147. The new appointment period will be for the balance of the term specified in the Inspector's previous Instrument of Appointment.
148. The new Instrument of Appointment and Certificate of Appointment will be forwarded to the applicant's new SPCA Centre through SPCA National Support Office.
149. The final decision as to whether any conditions are to be put on the appointment is made by MPI.

## Lapsed Appointments

150. Where an Inspector's appointment has lapsed for a period of less than 12 months, the applicant may not necessarily be required to undertake refresher training upon an application for reappointment.
151. MPI will make the final decision on the requirement for refresher training where an Inspector's appointment has lapsed for a period of less than 12 months.
152. All other applications are considered by the SPCA National Executive Committee (or person/s delegated by the SPCA National Executive Committee) and a recommendation made to MPI. Again, the final decision is made by MPI.
153. SPCA Centre Secretaries are responsible for obtaining renewal applications from SPCA National Support Office at least 2 months before the expiry date of the Inspector's appointment to enable a renewed appointment to be processed in time.

## Return of Certificate of Appointment and Instrument of Appointment

154. If a student has obtained his/her initial 12-month appointment and failed to complete the Inspector training course satisfactorily or decided not to continue training, or is removed from the course, he/she must immediately return his/her certified copy of the Instrument of Appointment and original Certificate of Appointment to SPCA National Support Office.
155. Inspectors must comply with section 124(6)(d) of the Act, which states that an Inspector "must on the expiration of the term of his or her appointment, or on the sooner expiry of his or her appointment by removal from office or resignation, surrender to the Minister his or her instrument of appointment".
156. If an Inspector resigns or is removed from office, both his/her Certificate of Appointment and any certified copy of the Instrument of Appointment must be returned to the SPCA Centre Secretary within 7 working days.

157. The SPCA Centre Secretary will then in turn surrender these to SPCA National Support Office.
158. The SPCA, as the approved organisation that recommended the Inspector, will then return the Certificate of Appointment and Instrument of Appointment to MPI Standards Branch.
159. If the Inspector refuses to surrender his/her Certificate of Appointment, the SPCA will advise the Manager Animal Welfare Standards immediately.
160. MPI will then take all further steps to recover the Certificate of Appointment.

### **Lost Certificates of Appointment**

161. If the Inspector has lost his/her Certificate of Appointment, he/she will:
  - (a) immediately report the Certificate of Appointment as lost to his/her local Police Station; and
  - (b) inform SPCA National Support Office in writing of the circumstances in which the loss occurred and confirm that the loss has been reported to his/her local Police Station.
162. SPCA National Support Office will promptly notify MPI of any lost Certificates of Appointment.
163. On receipt of the above information, MPI Standards Branch will reissue a Certificate of Appointment for the same appointment period as detailed on the original appointment.
164. A replacement Certificate of Appointment will be issued within 7 working days of receipt of the request at MPI.
165. MPI will forward the replacement Certificate of Appointment to SPCA National Support Office, which will then forward it to the Inspector.

### **Resignation**

166. Any Inspector resigning from office must comply with section 124(6)(c) of the Act, which states that he/she "may resign his or her office by giving written notice to that effect to the Minister".
167. This written notification should be sent to SPCA National Support Office, which in turn will forward it to MPI.
168. When the Inspector resigns from the position of Inspector, both his/her Certificate of Appointment and any certified copy of the Instrument of Appointment must be returned to SPCA National Support Office immediately upon cessation of duties.
169. SPCA National Support Office will then forward these documents to MPI within 5 working days of receipt.

### **Removal from Office**

170. The removal of Inspectors from office by reason of incapacity, neglect of duty or misconduct may be undertaken by the Minister in accordance with section 124(6)(b) of the Act.

171. In the event that the employee's performance as an Inspector is demonstrably unsatisfactory and cannot be improved, or the employee elects not to continue with the SPCA Centre, or the employee does not complete the prescribed training in a timely fashion, it is recommended that advice be sought from the SPCA Centre legal adviser, or from SPCA National Support Office, as to the correct process that the SPCA Centre must follow in order to terminate the Inspector relationship lawfully and in accordance with due process. This may or may not include the employment relationship in its entirety.
172. The SPCA National Executive Committee (or person/s delegated by the SPCA National Executive Committee) may recommend to the Manager Animal Welfare Standards that an Inspector be removed from office by reason of incapacity, neglect of duty or misconduct.
173. If an Inspector is removed from office, both his/her Certificate of Appointment and any certified copy of the Instrument of Appointment must be returned to SPCA National Support Office within 7 working days of confirmation of removal.
174. SPCA National Support Office will then forward those documents to MPI within 5 working days of receipt.

### **Exercise of Powers Outside Term of Appointment**

175. It is an offence under the Act (section 160) to impersonate an Inspector or Auxiliary Officer.
176. SPCA National Support Office will advise the Manager Animal Welfare Standards immediately if it becomes aware that any Inspector or other person in the service of SPCA National Support Office or an SPCA Centre has allegedly exercised powers which he/she does not have.
177. A person who knowingly exercises the powers of an Inspector or Auxiliary Officer outside the term of his/her appointment, as specified in the Instrument of Appointment, shall be subject to review by MPI.
178. This review may affect the eligibility of that person for appointment or reappointment.

## Complaints Against Inspectors

179. Inspectors are appointed by the Minister following a recommendation from the SPCA National Executive Committee (or person/s delegated by the SPCA National Executive Committee).
180. The Minister may remove an Inspector from office at any time. Accordingly, all Inspectors have a special and valuable relationship with the Minister, which the SPCA safeguards and administers through SPCA National Support Office.
181. Because of that relationship, any complaint received by an SPCA Centre regarding the actions of an Inspector must be immediately passed on to SPCA National Support Office for the attention of the SPCA National Executive Committee (or person/s delegated by the SPCA National Executive Committee), unless such complaint is trivial or obviously malicious and is able to be disposed of simply and quickly.
182. Should an SPCA Centre and/or SPCA National Support Office receive a serious complaint concerning an Inspector, or have serious concerns about the conduct or behaviour of an Inspector in the performance of his/her duties, all details should be fully recorded, including full contact details of any complainant.
183. The SPCA Centre will:
- (a) Immediately take any urgent action required to safeguard the welfare of animals.
  - (b) Immediately advise SPCA National Support Office of the complaint.
  - (c) As soon as possible, advise the Inspector of the details of the complaint.
  - (d) Allow the Inspector to provide the background and an explanation of the allegation. Time must be allowed for the Inspector to make any arrangements for representation and support required throughout this process.
  - (e) As soon as possible after any urgent action has been commenced, make an initial report to SPCA National Support Office. The initial report can be by telephone, and must be followed as soon as possible by a full written report.
184. The SPCA National Executive Committee or SPCA National Support Office will:
- (a) Direct an investigation and make any enquiries it thinks necessary, or request any appropriate person to make enquiries or prepare reports on its behalf. This may include appointing an SPCA National Investigations Committee that will carry out duties under the control and direction of the SPCA National Executive Committee. In the interests of fairness, the SPCA National Executive Committee will invite the Inspector to meet with it (or person/s delegated by it) to provide his/her view of the allegations or to provide this in writing within 10 working days. Time must be allowed for the Inspector to make any arrangements for representation and support required throughout this process.
  - (b) Advise MPI immediately, in writing, of the complaint and any current action being taken to investigate and resolve the situation.
  - (c) Recommend to MPI the suspension of the Inspector, if it is deemed necessary, during the course of the investigation.

- (d) Keep the SPCA National Council and MPI informed of the investigation and its resolution.
  - (e) Notify the Inspector and the SPCA Centre of its findings within 5 working days of its report being finalised.
185. Where MPI wishes to follow up a complaint itself in addition to the SPCA investigation, it will do so only after consulting with the SPCA National Inspectorate and Centre Support Team, who in turn will also consult with the SPCA Centre involved.
186. MPI will report its findings to the SPCA National Inspectorate and Centre Support Team within 5 working days of completing the investigation, and will comply with the provisions of the Privacy Act 1993 in respect of all information supplied to or gathered by MPI in relation to the complaint.
187. The SPCA National Inspectorate and Centre Support Team will convey the findings of MPI to the SPCA Centre within 5 working days of receiving them.

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# Animal Welfare Complaints

## Limitations

188. Inspectors must contact SPCA National Support Office for guidance before commencing any investigation or inspection, in order to ensure compliance with the agreed SPCA/MPI policy, with regard to:
  - (a) an animal being exported from New Zealand;
  - (b) animals in zoos; or
  - (c) the use of animals in research, testing or teaching.
189. Once SPCA National Support Office has received advice from an Inspector regarding the above, it will notify MPI immediately before any SPCA investigation or inspection is commenced.
190. No prosecution or legal proceedings affecting any issue where a question of law of first impression, government policy or a government department is involved shall be instituted by an SPCA Centre without the prior approval of the SPCA National Council (see Rule 15 of the SPCA Constitution).

## Receipt of Complaint

191. When an Inspector receives a complaint about the welfare of an animal, whether received directly from a member of the public or from another approved organisation, the Inspector must document all relevant information pertaining to the complaint, including sufficient details to enable a trace-back of the complaint should further information or clarification be required.
192. The Inspector must allocate a file number for the complaint within 3 working days of receipt of the complaint.
193. The Inspector or dispatcher fielding complaints for the SPCA Centre should confirm receipt of the complaint verbally with the member of the public who laid the complaint (if known) to enable verification of facts reported.
194. If the complaint has been received from another approved organisation passing on the information, acknowledgement in writing confirming receipt of the file must be made to the organisation passing on the information within 10 working days of such receipt.
195. If the complaint is to be transferred from one SPCA Centre to another, the Inspector transferring the complaint must supply all relevant information pertaining to the complaint to the Inspector accepting the transfer, who will enter the transferred complaint into his/her SPCA Centre's database.

## Complaint Response

196. An Inspector must grade all animal welfare complaints received into a response category reflecting the level of urgency required for any response. The Inspector should take into account, when categorising a response, the urgency required to mitigate the animal's pain or distress, based on the information on hand at the time.

197. An Inspector must use the following grading as a minimum guide when assessing the appropriate response for an animal welfare complaint:
- (a) **Grade 1 – Immediate** response required. Examples – dog beating in progress, dog in hot car, risk of serious harm to an animal, police assistance required.
  - (b) **Grade 2 – Priority** urgent response required but less urgent than immediate. As soon as possible and within 24 hours. Examples – serious complaint allegation of acute risk of harm, large-scale serious allegation.
  - (c) **Grade 3 – Routine** response required as soon as possible and within 7 days. Examples – unshorn sheep, dogs no exercise etc.
- (An Inspector must, at all times, act in accordance with the powers of Inspectors under the Act when responding to a complaint.)
198. Prior to commencing any response or initiating any enforcement activity, an Inspector should, where possible, check any database in operation to ascertain whether any previous history relating to a complaint exists. This will assist in determining the most appropriate response to the complaint. Where appropriate, the Inspector should confer with SPCA National Support Office.
199. Where an Inspector believes that an MPI Animal Welfare Investigator may already have received or be working on the same complaint, contact with that person must be made to avoid duplication or interference.
200. Should this belief be confirmed, the Inspector must follow the procedure set out in the "Supersession Policy" of these PTS.
201. An Inspector must ensure, when responding to an animal welfare complaint, that, where practicable, the Inspector is in possession of equipment that is appropriate to resolve the complaint.
202. Minimum equipment requirements are:
- (a) Certificate of Appointment;
  - (b) a copy of the Act, including amendments;
  - (c) a notebook suitable for recording the action taken;
  - (d) appropriate forms for animal surrender, instruction to prevent or mitigate suffering, notice of entry and search warrants;
  - (e) list of emergency telephone numbers;
  - (f) appropriate clothing to deal with the complaint;
  - (g) animal care equipment with the ability to euthanase an animal if necessary, or quick access to such equipment (unless the Inspector is accompanied by a veterinarian);
  - (h) a camera;
  - (i) a tape measure;
  - (j) a torch; and
  - (k) relevant Codes of Welfare.

## Welfare Priorities

203. An Inspector must have as a priority at all times the alleviation of any unreasonable or unnecessary pain or distress being suffered by an animal.
204. An Inspector may take action to prevent and/or mitigate the suffering of an animal and to assemble evidence in accordance with the Act where, in the opinion of the Inspector, based on the facts as presented, any breach of the Act has or may have occurred.
205. In any case where the requirements of the Act are not being met, an Inspector must ensure that the owner or person in charge of the animal is made aware of his/her obligations of care for the animal and, where necessary, identify where and to what extent that owner or person in charge of the animal has failed to meet the legal requirements.
206. Any sustainable and enforceable instructions given by an Inspector to an owner or person in charge of an animal to prevent or mitigate the suffering of that animal must be by notice in writing and signed as an Inspector under the Act. The notice must set out clearly what is required and within what time frame those requirements must be met.
207. When issuing any written instructions, or taking steps to prevent or mitigate animal suffering, the Inspector must have reasonable grounds to believe that the animal is suffering or is likely to suffer unreasonable or unnecessary pain or distress.
208. Where an Inspector has issued a written instruction for remedial action to be taken, it is the responsibility of that Inspector to ensure, within a reasonable time frame, that the remedial action has been taken in compliance with the written notice.
209. Inspectors should seek to ascertain whether there might be any other related or potential animal welfare problems concerning other animals and/or properties under the control of the owner or person in charge of the animal to which a complaint relates.
210. Where an Inspector seizes an animal, the animal will be kept at a place chosen by the Inspector as follows:
  - (a) If the Inspector suspects that unauthorised information regarding the location of the seized animal has placed the animal's safety in jeopardy, the Inspector has the right to remove that animal to another place of safety.
  - (b) If that place is in the district of another SPCA Centre, that SPCA Centre and the New Zealand Police are to be informed as soon as possible and given contact details of the Inspector involved.
  - (c) Costs involved in keeping the animal shall remain the responsibility of the SPCA Centre to which the Inspector is affiliated, unless an alternative prior arrangement to meet the costs has been agreed with the SPCA Centre concerned or SPCA National Support Office.
211. The animal must be cared for in accordance with any relevant Code of Welfare issued pursuant to the Act or, if no such Code of Welfare exists, in accordance with any applicable Code of Recommendations and Minimum Standards. However, there is no



expectation that seized production animals will continue to be managed in line with commercial imperatives.

212. Overall, the investigating or prosecuting Inspector retains responsibility for the welfare of the animal.

## Resources

213. Inspectors must keep themselves informed of resources available to them where the seizure or transfer of an animal is necessary in order to prevent or mitigate pain or distress suffered by the animal and, where appropriate, must seek guidance.
214. Should seizure be required in order to prevent or mitigate pain or distress suffered by an animal, the Inspector retains responsibility for care of the seized animal.
215. The Inspector must be satisfied that any such action taken will assist in preventing or mitigating the pain or distress suffered by the animal.
216. Where an Inspector is required to make an assessment concerning an area of animal husbandry that is outside his/her training or experience, the Inspector must obtain an objective assessment of the animal and its condition from a person with recognised expertise in that area of animal husbandry. This may include another Inspector, a veterinarian or a farm consultant.
217. Where there is disagreement between the Inspector leading the response or investigation and the owner or person in charge of the animal as to the remedial action necessary, the Inspector should obtain expert advice from a recognised professional (e.g. a veterinarian).
218. Where an Inspector encounters a situation where there is a need to euthanase an animal under the provisions of section 130, section 133(4) or section 138 of the Act, the Inspector must, where reasonable and within a reasonable time, consult with the owner or person in charge of the animal in relation to the decision to euthanase the animal. Where the owner requests a second opinion in relation to the animal, the Inspector must allow this to occur within a reasonable time.
219. If the owner of the animal cannot be found within a reasonable time, does not agree to the euthanasia of the animal, or does not obtain a second opinion from a veterinarian within a reasonable time, the animal must be euthanased without delay.
220. Where it is necessary for an Inspector to euthanase an animal, the Inspector must be competent in the manner of euthanasia and appropriate equipment used so as to be able to euthanase the animal humanely.
221. An Inspector must comply with all relevant sections of the Arms Act 1983 where a firearm or other device that is subject to the Arms Act is used.

## Euthanasia

222. Every SPCA Centre must have its own policy regarding the euthanasia of animals and must follow the SPCA National Euthanasia Policy.
223. Inspectors must follow their SPCA Centre policy and SPCA National Euthanasia Policy regarding the acceptable methods of euthanasia.

224. It is sometimes necessary for an Inspector to destroy an animal that has been found severely sick or injured.
225. The powers of an Inspector as stipulated under the Act must be complied with. The Inspector must ensure that the destruction of any animal is lawful, necessary and humane. Sections 130, 133(4), 138, 139 and 141 of the Act apply.
226. It should be understood that the term "destroy" also means "cause to be destroyed". It does not necessarily mean that the Inspector has to personally destroy the animal.
227. If the Inspector is not personally destroying the animal, he/she may provide the authority for a competent person (such as a veterinarian, experienced farmer or firearms licence holder with experience in humane euthanasia by firearm) to carry out the destruction.<sup>2</sup>
228. It is sometimes necessary to euthanase animals that have been handed in to SPCA Centres by members of the public. In these situations, the duties of an Inspector as outlined in the Act must be complied with.
229. Territorial authority animal pounds may also enlist the services of an Inspector under the Act to certify in writing the need for destruction of impounded diseased, sick or injured animals.
230. Whereas the advice of a veterinarian should be sought, this is not always possible or practicable. Inspectors should be fully conversant with sections 130, 133(4), 138, 139 and 141 of the Act.
231. The procedure for euthanasia is clearly laid down in sections 130, 133(4), 138, 139 and 141 of the Act.
232. The reason/s for euthanasia must be documented for each animal and made available on request.
233. Inspectors are to ensure that any euthanasia of animals is lawful, humane and carried out by appropriately trained and equipped staff only.
234. Pentobarbitone must not be used by anyone other than a veterinarian. It must also not be stored at any SPCA Centre unless under the express control of a veterinarian.

## **The Response and Investigation Process**

235. An Inspector must document, at the time of the response or as soon as possible after the event, all instructions, actions, observations and interviews carried out by the Inspector as part of the response to a complaint.
236. An Inspector must consider, and at all times comply with, the requirements of the New Zealand Bill of Rights Act 1990 when responding to and investigating a complaint.
237. An Inspector must at all times comply with the requirements of the Privacy Act 1993.
238. Any report of alleged breaches of the Privacy Act or the New Zealand Bill of Rights Act by an Inspector will result in an investigation as per the procedures in the section on "Complaints Against Inspectors".

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<sup>2</sup> An Inspector must comply with all relevant sections of the Arms Act 1983 where a firearm or other device that is subject to the Arms Act is used.

239. An Inspector must comply with any statutory or common law requirements when undertaking any search and seizure actions under the Animal Welfare Act 1999.
240. An Inspector must follow the relevant requirements of the Children, Young Persons, and Their Families Act 1989 when it is necessary to interview a young person who is suspected of breaching the Animal Welfare Act 1999 or who is intended to be a witness.

## Search Warrants

241. Search warrants must be obtained in certain situations – see sections 127 and 131 of the Act. An Inspector must comply with relevant processes and rules, as detailed in sections 131 and 133 of the Act, when applying for and executing a search warrant. The relevant sections of the Search and Surveillance Act 2012 also apply.
242. An Inspector must ensure that he/she is equipped with the appropriate forms for search warrants and applications for search warrants, which can be sourced from SPCA National Support Office.
243. Advice must be sought from SPCA National Support Office before applying for and executing a search warrant.
244. An Inspector must seek relevant database information (details of previous applications to search land, premises, places, vehicles, aircraft or ships, and the results of each application) through SPCA National Support Office, which will confer with MPI, prior to an application for a search warrant being sought, in order to demonstrate that "reasonable inquiries" have been made in accordance with section 98(4) of the Search and Surveillance Act 2012.
245. Written confirmation of this should be included as part of the application.
246. All search warrants applied for must be copied to SPCA National Support Office for inclusion on a national database.
247. Any search warrant applied for under the terms of the MPI funding agreement must first be approved by a member of the SPCA National Inspectorate and Centre Support Team.

## Prosecution Procedure

248. Where an Inspector believes that criminal liability has been established and a prosecution should be initiated in accordance with the Crown Law Prosecution Guidelines (i.e. there is evidential sufficiency and a prosecution is required in the public interest), the Inspector should seek a further assessment from a suitably qualified person or from a member of the SPCA National Inspectorate and Centre Support Team.
249. Inspectors must be aware that no prosecution or legal proceedings affecting any issue where a question of law of first impression, government policy or a government department is involved shall be instituted by an SPCA Centre without the prior approval of the SPCA National Council (see Rule 15 of the SPCA Constitution) and advice to MPI.

250. After completion of the further assessment, the Inspector may recommend to his/her SPCA Centre Committee that informations be laid.
251. If the SPCA Centre Committee declines approval to proceed with prosecution, the Inspector is to advise SPCA National Support Office of the decision.
252. Where an Inspector believes that criminal liability has been established but believes that a formal warning rather than prosecution is appropriate, the Inspector may deal with the matter by way of a written warning on the appropriate form, which can be accessed through SPCA National Support Office.

### **Supersession Policy**

253. In the event that both MPI and the SPCA suspect that they have been advised separately of the same animal welfare complaint, there should be liaison between the two agencies to avoid a duplication of effort.
254. Generally, the agency that should investigate the complaint is the agency that was first notified of the complaint or the most appropriate agency to deal with that complaint.
255. If both agencies wish to pursue the same complaint, the matter is to be advised as soon as possible to SPCA National Support Office in the case of the SPCA and to MPI Compliance Directorate in the case of MPI, for resolution by the Manager Animal Welfare Standards, in consultation with the SPCA National President or his/her nominee, the relevant SPCA Centre and local MPI staff.

# Records

## Information Files

256. An Inspector must ensure that all records pertaining to a complaint and/or an investigation are legible.
257. An Inspector must ensure that records of a complaint include:
- (a) date reference;
  - (b) file number;
  - (c) the name, address and telephone number of the complainant if these have been supplied;
  - (d) sufficient details to identify and locate the alleged offender;
  - (e) the date the complaint was received;
  - (f) the location of the complaint;
  - (g) the nature of the complaint, including species, number and age of animals; and
  - (h) the name of the Inspector/s handling the complaint.
258. An Inspector must ensure that records of an investigation include, as applicable:
- (a) relevant details relating to the initial response, including animal identification and examination record;
  - (b) interview notes;
  - (c) copies of any directions given;
  - (d) details of any organisation involved (e.g. other approved organisations, MPI, New Zealand Police, territorial authority);
  - (e) details of whether the complaint was received from or transferred to another agency or approved organisation; and
  - (f) copies of any educational or warning letters.
259. An Inspector must ensure that prosecution records include:
- (a) information/s laid;
  - (b) prosecution file;
  - (c) court dates;
  - (d) decisions;
  - (e) sentencing data; and
  - (f) copies of infringement notices.
260. An Inspector must store all records and evidence in a manner that will respect the confidentiality of the information and the privacy of the individuals involved.
261. An Inspector must retain all investigation records for a period of 5 years in a secure place on the premises of his/her SPCA Centre.

262. The SPCA National Executive Committee (or person/s delegated by the SPCA National Executive Committee) shall provide to MPI, on written request, details of any animal welfare complaint investigation carried out by SPCA National Support Office or an SPCA Centre. Such a request by MPI must stipulate the reason/s this information is required.
263. MPI shall report to the SPCA National Executive Committee (or person/s delegated by the SPCA National Executive Committee) on the outcome of any action it takes arising from such a request being fulfilled.
264. Notification of any outcome to an SPCA Centre will be the responsibility of the SPCA National Executive Committee (or person/s delegated by the SPCA National Executive Committee).

### **Animal Register**

265. In accordance with section 142 of the Act, a register must be kept of all animals handled. The register must record the numbers and types of animals sold, rehomed, destroyed or otherwise disposed of under section 141, including, in relation to each animal:
- (a) particulars of the date when custody of the animal was obtained and of the date when the animal was disposed of; and
  - (b) a record of whether the animal was sold, rehomed, destroyed or otherwise disposed of.
266. If an animal is destroyed during the mandatory 7 days' holding period, an Inspector or Auxiliary Officer must sign approval for this and it must be noted in the register.
267. The register is to be carefully maintained, and the records in relation to each animal must be kept for at least 1 year after the date on which custody of the animal was obtained.
268. An Inspector must supply the SPCA Centre Secretary with annual statistics. These statistics must include, but are not limited to:
- (a) number of complaints received by species;
  - (b) number of cases investigated and cases referred to another agency or SPCA Centre;
  - (c) number of prosecutions;
  - (d) number of prosecutions that have resulting convictions; and
  - (e) number of persons charged with offences, or otherwise proceeded against (e.g. by obtaining enforcement orders) under the Act.
269. The annual reporting period shall be 1 January to 31 December of each year.
270. The annual statistics must be returned to SPCA National Support Office by 31 January each year.
271. SPCA National Support Office will then collate all statistics and forward them to the Manager Animal Welfare Standards by 1 March each year.

## On-Farm Inspections

### Protocols

272. Matters relating to the provision of government funding to support the SPCA in its animal welfare activities are covered by the terms of relevant funding agreements.
273. Protocols have been put in place by SPCA National Support Office to align with the terms of agreement relating to government funding to assist with production animal welfare complaints received by the SPCA.
274. An SPCA National Inspectorate and Centre Support Team has been appointed by SPCA National Support Office to assist SPCA Centres with production animal welfare complaints.
275. Initial reports are forwarded by the SPCA Centre directly to the SPCA National Inspectorate and Centre Support Team. SPCA Centres should record any production animal welfare complaints on the forms supplied by SPCA National Support Office for entry onto the national database in order to access funding.
276. SPCA National Support Office is responsible for the accounting of this funding.
277. SPCA Centres must forward all relevant documentation and a report to SPCA National Support Office to enable reimbursement of expense claims related to production animal welfare inspections and investigations.
278. In the event that the situation can be handled by the SPCA Centre receiving the complaint and adequately dealt with by the Inspector in initial attendance, that Inspector should do so.
279. In the event that the situation is serious, or cannot be adequately dealt with by the initial attending Inspector, that Inspector must take whatever emergency action that is considered necessary and then contact the SPCA National Inspectorate and Centre Support Team to fully report the situation.
280. In the event that the SPCA Centre does not have an Inspector or Auxiliary Officer, the SPCA National Inspectorate and Centre Support Team will contact the nearest or most appropriate Inspector and request that Inspector to make a preliminary assessment of the situation and report back to the SPCA National Inspectorate and Centre Support Team.

### Transfer of Complaint to MPI

281. Complaints to be transferred to MPI must be done through the SPCA National Inspectorate and Centre Support Team. Each SPCA Centre must keep a record of all complaints transferred via the SPCA National Inspectorate and Centre Support Team to MPI.

282. If however, the above terms of agreement relating to government funding to assist with production animal welfare complaints received by the SPCA are negated, the following procedures apply:
- (a) Any transfer of complaints from one agency to another for investigation must be recorded in writing and signed by the transferring party and the receiving party. Copies of all documentation must be kept by both parties.
  - (b) The agency accepting the transfer will assume full responsibility for the investigation, including costs, thereafter.
  - (c) The transferring agency will accept the decision made on any action taken in an investigation subsequent to the transfer.
  - (d) The agency accepting the transfer of a complaint will provide written feedback on request to the transferring agency on the outcome and/or progress of the investigation of the complaint.

### **Assistance Policy**

283. In the event that the assistance of MPI is requested by the SPCA in an investigation, or vice versa, the SPCA Inspector and/or the MPI Animal Welfare Investigator initiating the request must advise his/her counterpart of the exact nature of the assistance required at the time of the request.
284. The agency that was first dealing with the complaint shall retain full responsibility for any investigation in which it has requested assistance.
285. If an Inspector is available to assist in a request by MPI to investigate a complaint, the Inspector must log the details with SPCA National Support Office Farm Complaints database to enable reimbursement for his/her costs.
286. Both SPCA and MPI staff must respect any decision made by the agency that was first dealing with the complaint, in any investigation that requires assistance.
287. From time to time MPI may contract individual Inspectors to assist with MPI-related operations.
288. If MPI contracts individual Inspectors, reimbursement arrangements will be with the Inspector's employer.
289. SPCA National Support Office and the SPCA Centre that employs the Inspector must be advised prior to the contract taking effect. During the tenure of the contract, the Inspector is accountable to MPI and its directions.



## **Policies**

### **Policy and Procedure Manual**

290. All SPCA Centres must have up-to-date Policy and Procedure Manuals kept at their premises. These documents must be available for reference at all times and must be complied with by all staff/volunteers.

### **Media**

291. Inspectors shall refrain from making any public comment on any specific animal welfare investigation that may jeopardise any legal proceedings, pending or current. Inspectors must speak with their Manager or contact SPCA National Support Office for advice on any current national animal welfare matter.

### **Impartiality**

292. Inspectors must be careful not to publicly participate in any activity that could be seen to jeopardise their impartiality when carrying out their duties.

### **Health and Safety**

293. Each SPCA Centre has an obligation to provide for the safety of its Inspectors, whether employees or volunteers, under the provisions of the Health and Safety in Employment Act 1992.

### **Privacy**

294. Inspectors must follow the requirements of the Privacy Act 1993 and be cautious when disclosing personal information to or about any individual.

## **MPI/SPCA Liaison**

### **National and SPCA Centre Level**

295. Formal discussions between the SPCA National Executive Committee (or person/s delegated by the SPCA National Executive Committee) and MPI will be held on policy issues of national importance on a regular basis.
296. Liaison between individual SPCA Centre representatives and local MPI Animal Welfare Investigators should be held as and when required.
297. Unresolved issues should be passed on without delay to a more senior level of each respective organisation.
298. The SPCA and MPI agree to exchange, where practical, advance copies of draft press releases relating to the enforcement provisions of the Act, to allow appropriate comment from either organisation before publication.

### **Application of the Official Information Act 1982**

299. Inspectors need to be aware of the following:
  - (a) MPI is bound by the requirements of the Official Information Act 1982.
  - (b) The SPCA is not bound by the requirements of the Official Information Act 1982.
  - (c) MPI will consult with the SPCA (via the National President, the National Chief Executive and/or the National Manager Inspectorate and Centre Support) in responding to requests under the Official Information Act 1982 that concern information about the SPCA and its Inspectors and Auxiliary Officers.

### **Annual Audit of SPCA Enforcement Activities**

300. MPI will conduct an annual audit of selected SPCA Centres and/or SPCA National Support Office in relation to:
  - (a) selection of Inspectors and Auxiliary Officers;
  - (b) recommendation processes for appointment of, or appointment renewal of, Inspectors and Auxiliary Officers;
  - (c) compliance with the Act;
  - (d) documentation relating to animal welfare complaint investigations; and
  - (e) any other area to which SPCA National Support Office and MPI agree.
301. MPI will give reasonable notice of its intention to audit selected SPCA Centres.
302. Any SPCA Centre wishing to have an SPCA National Councillor or other SPCA representative present during the audit may do so by request to SPCA National Support Office as soon as the SPCA Centre has received notification of the audit from MPI.
303. MPI will provide the opportunity for SPCA National Support Office and the SPCA Centre to respond to the initial audit findings.

304. MPI will supply to the SPCA National Executive Committee (or person/s delegated by the SPCA National Executive Committee) a written draft audit report within 2 months of the audit being carried out.
305. The SPCA National Executive Committee (or person/s delegated by the SPCA National Executive Committee) will forward copies of audit reports to those SPCA Centres involved.
306. SPCA National Support Office shall be responsible for ensuring that any major non-compliance in the final audit report is addressed.
307. Each SPCA Centre involved in the audit will provide SPCA National Support Office with a report on progress in resolving any major non-compliance in the audit report, within 3 months of the final audit report being supplied.
308. The SPCA Inspectorate and Centre Support Team will report in writing within 4 months to the Manager Animal Welfare Standards on progress in resolving the key issues addressed in the audit report.
309. SPCA National Support Office and SPCA Centres shall, at their own cost, make available staff to provide reasonable assistance with the audit.
310. All other costs and expenses of auditors engaged by MPI will be the responsibility of MPI.

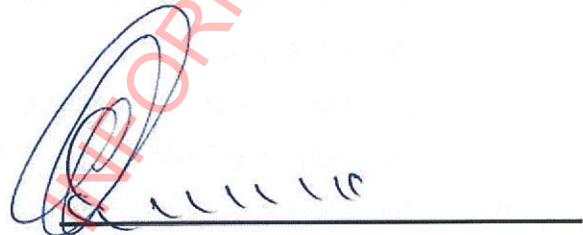
## Relevant Acts

311. The following Acts (including any amendments) are directly relevant to the role of Inspectors:
- (a) Animal Welfare Act 1999
  - (b) Children, Young Persons, and Their Families Act 1989
  - (c) Criminal Disclosure Act 2008
  - (d) Dog Control Act 1996
  - (e) Evidence Act 2006
  - (f) Marine Mammals Protection Act 1978
  - (g) New Zealand Bill of Rights Act 1990
  - (h) Privacy Act 1993
  - (i) Search and Surveillance Act 2012
  - (j) Summary Proceedings Act 1957.
312. The following Acts (including any amendments) are relevant for additional information:
- (a) Agricultural Compounds and Veterinary Medicines Act 1997
  - (b) Arms Act 1983
  - (c) Biosecurity Act 1993
  - (d) Crimes Act 1961
  - (e) Impounding Act 1955
  - (f) Official Information Act 1982
  - (g) State Sector Act 1988
  - (h) Trade in Endangered Species Act 1989
  - (i) Veterinarians Act 2005
  - (j) Wild Animal Control Act 1977
  - (k) Wildlife Act 1953.

## Signatures

Dated this 15<sup>th</sup> day of February ~~2012~~ <sup>2013</sup>

At: Auckland



Signed by:

Dr Matthew Stone

Director Animal and Animal Products

Standards Branch

Ministry for Primary Industries

Pursuant to authority delegated by the  
Director-General of the Ministry for  
Primary Industries

Signed by:

Bob Kerridge, JP MNZM

National President

Royal New Zealand Society for the  
Prevention of Cruelty to Animals (Inc)

## **Appendix: Documentation to be Supplied to MPI upon Application for Appointment**

### **Application for First Appointment**

- (a) Recommendation for First Appointment Form – completed by SPCA (Form C)
- (b) MPI Application for Appointment Form
- (c) Identification Card Form
- (d) A passport-size colour photograph or digital image of the applicant
- (e) Consent to Disclosure of Information Forms:
  - Previous Employers
  - SPCA Inspector Training Provider Authorisation
  - New Zealand Police or Ministry of Justice Check
- (f) Results of New Zealand Police or Ministry of Justice Check
- (g) Record of Learning (private students)
- (h) Details of training completed

### **Application for Renewed Appointment**

- (a) Recommendation for Renewed Appointment Form – completed by SPCA (Form E)
- (b) MPI Application for Appointment Form
- (c) Consent to Disclosure of Information Form:
  - New Zealand Police or Ministry of Justice Check
- (d) Results of New Zealand Police or Ministry of Justice Check
- (e) Details of training completed



Systems Audit Team

**FINAL REPORT**

## **Audit Report**

Annual Systems Audit of RNZSPCA

July - August 2020

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982



## Executive Summary

There are two standards that require the Ministry for Primary Industries (MPI) to conduct an annual audit of the Royal New Zealand Society for the Prevention of Cruelty to Animals Incorporated (RNZSPCA/SPCA). These include the Performance and Technical Standards for Inspectors, and for Auxiliary Officers (Sections 111 and 94 respectively). There is also a Memorandum of Understanding between MPI and the SPCA that requires this annual audit.

MPI Systems Audit Team performed the technical audit required by these documents and Deloitte (on behalf of MPI) began the financial audit required by these standards shortly after this audit was completed.

The purpose of this annual audit was to assess the ongoing suitability of the Royal New Zealand Society for the Prevention of Cruelty to Animals Incorporated (RNZSPCA/SPCA), an "Approved Organisation" under the Animal Welfare Act 1999. This audit verified compliance of the RNZSPCA with Part 7 of the Animal Welfare Act 1999, the Memorandum of Understanding between MPI and the RNZSPCA, and the SPCA Performance and Technical Standards for Inspectors and Auxiliary Officers. The audit included evaluation and assessment of the RNZSPCA's national systems. The audit also included evaluation and assessment of procedures developed to assist in compliance with the mandated requirements, and corrective actions implemented by the RNZSPCA in response to the previous 2019 MPI Systems Audit Team audit.

Overall, the RNZSPCA was found to be in substantial compliance with the Memorandum of Understanding, the SPCA Performance and Technical Standards, and the Animal Welfare Act 1999.

Five centres and the New Lynn Office were audited. All terms of reference for this audit were met.

The following findings were made during the audit of the centres:

- Two centres had dog kennels without a reliable heat source. The temperatures in these shelters were not monitored. There was no apparent breach of the Temporary Housing of Companion Animals Code of Welfare. However, the auditor was concerned that without monitoring the temperatures, dogs could experience excessive heat or cold in these shelters.
- One centre's euthanasia controlled-drug protocol referenced drugs that were used at the centre.
- One centre was rurally based and would often encounter situations where euthanasia panel agreements had to be made over the phone or via email. The process for such situations was not documented. This finding was raised as an issue to the centre and to the New Lynn Office.
- One centre was reminded that only animal welfare inspectors may attend to animal welfare complaints. There was no evidence that unwarranted powers were used. However, the auditor was concerned such a situation may occur following an interview with an employee.

The following findings were made during the audit of the New Lynn Office:

- Ongoing training for auxiliary officers was planned but not implemented at the time of this audit. This was an outstanding issue from 2019 that remains open.
- The current Performance Technical Standard for Inspectors does not specify ongoing training requirements for inspectors, and there is no specific frequency requirement for ongoing training of inspectors and auxiliary officers. This was an outstanding issue from 2019 that remains open and needs to be addressed by both MPI and the RNZSPCA at the next Performance Technical Standard review in 2021.
- A small rural centre had no auxiliary officers or inspectors. To function effectively, all centre managers could be appointed auxiliary officers to ensure that there is always a person with legal authority to act on urgent issues such as animal surrenders and emergency euthanasia.
- The newly updated SPCA euthanasia policy and procedure was not implemented at all centres visited during this audit.

There was a finding outside of the terms of reference at one of the centres. The local city council leased kennels for temporary shelter of dogs held by animal control. These kennels lacked a reliable heat source and were exposed to the elements due to the kennel design. There was no apparent breach of





the Temporary Housing of Companion Animal Code of Welfare. However, the auditor was concerned that in its current state, dogs held in these kennels could experience excessive heat or cold.

Recommendations for improvement were raised to the respective location for all these findings. There were no non-conformances, non-compliances, or critical issues identified during this audit.

Two low rated MPI issues were raised to the Initiator as a result of this audit.

- To consider the suitability of the large animal/agricultural/production animal case allocation requirements between MPI and SPCA detailed in clause 3.4 of the Memorandum of Understanding.
- To calendar the 2021 review of the two Performance Technical Standards documents for Inspectors and Auxiliary Officers.

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## Important Note

This report may discuss Topics, i.e. subjects of particular interest. The discussion can include positive and negative elements. In some cases, the negative elements are such that Non-compliances result.

All deficiencies discussed as Non-compliances are expected to be resolved by auditee or the auditee's organisation, whether or not they are described as Serious Non-compliances. Serious Non-compliances constitute a system failure. They have a profile such that the effectiveness of the corrective actions will be measured in subsequent Systems Audit Team audits. Inadequate resolution can lead to failure of the subsequent audit.

Recommendations may appear in the report. These are non-binding, and do not affect subsequent audits. Their implementation may provide efficiencies for both the auditee and MPI. The presence of recommendations to change existing specifications does not excuse the absolute requirement to conform to the existing specifications. Changes to specifications that may result from these recommendations will be promulgated officially.

The Auditee is reminded that audit reports are subject to the *Official Information Act 1982*. The Auditee may highlight any information considered confidential during the course of the audit however the Auditor cannot provide any assurance to the Auditee that the information considered confidential will not be disclosed as a result of an enquiry under the *Official Information Act 1982*, other legislation, Court order, or Parliamentary obligation.



## Terms of Reference

### Goal(s)

To assess the effectiveness of Royal New Zealand Society for the Prevention of Cruelty to Animals Incorporated (RNZSPCA/SPCA) national procedures to ensure that obligations and requirements of the Animal Welfare Act 1999 are being met by SPCA branches.

To evaluate how the systems and procedures implemented by the RNZSPCA are meeting the requirements outlined in the Memorandum of Understanding (MoU) between the RNZSPCA and the Ministry for Primary Industries (MPI).

To assess the effectiveness of the SPCA branches in managing the requirements of the Animal Welfare Act and MoU for appointments, training, and monitoring of Inspectors and Auxiliary Officers.

To assess corrective actions undertaken by the RNZSPCA in response to the previous MPI systems audit findings, and if appropriate to recommend further improvements to ensure requirements of the Animal Welfare Act are met.

To make recommendations to MPI for improvements to the MoU and AWA ancillary notices, specifications, and guidance, as required.

### Scope

Shall include review of the methods used by the SPCA in the assessment and subsequent recommendation to MPI in order to appoint Inspectors and Auxiliary Officers.

Shall include an examination of reports submitted by the RNZSPCA national office to MPI, and assessment against the MoU requirements.

Shall include an examination of the follow-up actions taken by the RNZSPCA in response to the findings from previous MPI Systems Audit Team (SAT) audits.

Due to COVID-19 related travel restrictions, this audit shall include, but may not be limited to:

- A desktop audit of the national RNZSPCA office;
- Desktop review of processes, documentation and records of a selection of regional centre offices/facilities;
- Onsite and/or remote interviews with RNZSPCA staff, and volunteers if required; and
- Onsite reality check audits of a selection of regional centre offices and facilities.

### Standards / Legislation

Shall include but not limited to:

- *Animal Welfare Act 1999*
- *MoU between the RNZSPCA and MPI, 2019*
- *Performance and Technical Standards for Inspectors of RNZSPCA, 2019 (PTS for Inspectors)*
- *Performance and Technical Standards for Auxiliary Officers of RNZSPCA, 2019 (PTS for Auxiliary Officers)*
- *Code of Welfare - Temporary Housing of Companion Animals, 2018*

### Initiator

The initiator of this audit is Gray Harrison, Manager Animal Welfare & NAIT Compliance,



Operations, MPI.

The following person may also have input into this audit as a Co-initiator or stakeholder:  
Peter Hyde, Team Manager Animal Welfare and NAIT Compliance, Operations, MPI

## Specialist / Observers

The Auditor may call upon the services of other parties as deemed appropriate to facilitate the audit. The Initiator or Auditor may determine if observers will attend any part of the audit.

## Response to Critical Situation

If a critical situation is identified, the provisions of MPI Systems Audit Team procedure referenced as Procedure SAT-004 shall be implemented. The Initiator shall be contacted immediately.

A Critical Situation is defined as, any situation which, in the professional judgement of the SAT Auditor or Manager places market access, official assurances, or MPI's/MPI's Directors' credibility at risk. A critical situation may result from information received from a number of sources as well as SAT audit findings.

## Other Terms of Reference

### *Non-conformance management*

The mechanism for resolving any identified serious non-compliances will be recorded in the Serious Non-Compliances, Corrective Action Requirements section of the audit report. Closure of any non-compliances raised will be as agreed with, and to the satisfaction of MPI.

MPI may assign any required follow-up activity to the applicable Recognised Agency for confirmation of acceptable corrective action close-out.

All deficiencies discussed as Non-compliances or non-conformances are expected to be resolved by auditee or the auditee's organisation, whether or not they are described as Serious Non-compliances. Serious Non-Compliances constitute a system failure. They have a profile such that the effectiveness of the corrective actions will be measured in subsequent Systems Audit Team audits. Inadequate resolution can lead to failure of the subsequent audit.

### *MPI Issues*

Issues identified and raised during the audit that require MPI attention will be specified in the final audit report. The Initiator must identify the relevant accountable persons to manage any required follow-up.

The accountable person for this audit is the Initiator. This does not preclude the Initiator later identifying any other more appropriate accountable person, depending on the issue raised.

### *Reporting Considerations*

The auditee at each individual location/site will receive Location Findings. This report may discuss Topics, i.e. Subjects of particular interest. The discussion can include positive and negative elements. In some cases, the negative elements are such that Non-compliances result. Recommendations to the auditee may appear in the report. These are non-binding, and do not affect subsequent audits. Their implementation may provide efficiencies for both the auditee and MPI.

Individual audit outcomes will not be assigned to any individual location/site. Any issues identified in the individual Location Findings are to be acted upon by the RNZSPCA as a whole. Individual Location Findings will be used to generate the final report, which will summarise findings from this systems audit.



Upon completion of the final report, the auditor will submit a draft audit report to the Initiator and the Manager, Systems Audit for comment. The draft may be submitted to the RNZSPCA for comment, at the Initiators discretion.

#### *Distribution*

The final report will be distributed to:

- Allan Kinsella, Director, Assurance, MPI
- Diane Finn, Manager, Systems Audit, Assurance, MPI
- Gray Harrison, Manager Animal Welfare and NAIT Compliance, Operations, MPI
- Peter Hyde, Team Manager Animal Welfare and NAIT Compliance, Operations, MPI
- 9(2)(a) [REDACTED], General Manager, Inspectorate, RNZSPCA
- Kate Littin, Manager Animal Welfare, Animal Health and Welfare, MPI

And if required,

- MPI Issue Tracking, Systems Audit, Assurance.

#### *Other Terms of Reference*

All travel and costs associated with this audit and undertaken by the allocated Auditor (s) are approved by the Manager, Systems Audit on approval of these Terms of Reference.

The auditor will provide auditees with a copy of these Terms of Reference prior to or at the outset of audit visits.

The Auditee is reminded that audit reports are subject to the *Official Information Act 1982*. The Auditee may highlight any information considered confidential during the course of the audit however the Auditor cannot provide any assurance to the Auditee that the information considered confidential will not be disclosed as a result of an enquiry under the Official Information Act.

While the Systems Audit Team prefers that any audio/video recording does not occur during its audits, if any audio/video recording is necessary, SAT requests that this intention is disclosed to the audit team prior to commencing. If an electronic recording is taken SAT asks to be given the right to access the recording for copying purposes if necessary.



## Audit Date (Last Day)

31 July 2020

## Audit Number

5108

## Location(s)

RNZSPCA t/a: SPCA New Lynn Office, 3047 Great North Road, New Lynn, Auckland

RNZSPCA t/a: SPCA New Plymouth Centre, 75 Colson Road, New Plymouth

RNZSPCA t/a: SPCA Whanganui Centre, 134 London Street, Whanganui

RNZSPCA t/a: SPCA Masterton Centre, 299 Ngaumutawa Road, Masterton

RNZSPCA t/a: SPCA Napier Centre, 31 Mersey Street, Napier

RNZSPCA t/a: SPCA Waipukurau Centre, 15 Coughlan Road, Waipukurau

## Auditor(s)

Dr. Júlia Pásztor, MPI Systems Audit Team, Systems Auditor, Veterinarian

## Auditee(s)

9(2)(a) [REDACTED], RNZSPCA Inspectorate, General Manager

9(2)(a) [REDACTED], RNZSPCA Inspectorate, Animal Welfare Coordinator

9(2)(a) [REDACTED], SPCA New Plymouth Centre, Manager

9(2)(a) [REDACTED], RNZSCPA Inspectorate, Inspector and C1 Area Team Leader

9(2)(a) [REDACTED], RNZSPCA, Area Manager C1 & C2

9(2)(a) [REDACTED], SPCA Whanganui Centre, Manager

9(2)(a) [REDACTED], RNZSPCA Inspectorate, Inspector and Team Lead C2 Area

9(2)(a) [REDACTED], SPCA Masterton Centre, Manager

9(2)(a) [REDACTED], RNZSPCA Inspectorate, Inspector and C4 Team Lead

9(2)(a) [REDACTED], RNZSPCA Inspectorate, Central Chief Inspector

9(2)(a) [REDACTED], SPCA Napier Centre, Manager

9(2)(a) [REDACTED], RNZSPCA, Area Manager C4

9(2)(a) [REDACTED], RNZSPCA Inspectorate, Inspector and Team Lead C4 Area

9(2)(a) [REDACTED], RNZSPCA Inspectorate, Senior Inspector

9(2)(a) [REDACTED], SPCA Waipukurau Centre, Manager

## Audit Type

Systems Audit - Animal Welfare



# Topics

## 1.0 Introduction

This audit was initiated by the MPI Manager Animal Welfare and NAIT Compliance in order to verify the ongoing compliance of the RNZSPCA with Part 7 of the Animal Welfare Act 1999, the 2019 MoU and PTSs for Inspectors and Auxiliary Officers.

Following a restructure which was completed in 2018, the SPCA now operates as one single entity. The New Lynn Office oversees national management and administration functions. The regional centres operate the guidance of the New Lynn Office and are overseen by the newly formed General Manager Operations. Both the New Lynn Office leadership and the General Manager Operations report directly to the CEO.

Six separate site audits were completed in total. A remote audit of the New Lynn Office (Appendix A), and site audits of five centres. These five centres were selected by the auditor and agreed on by the Initiator:

- New Plymouth SPCA Centre (*Appendix B*),
- Whanganui SPCA Centre (*Appendix C*),
- Masterton SPCA Centre (*Appendix D*),
- Napier SPCA Centre (*Appendix E*), and
- Waipukurau SPCA Centre (*Appendix F*).

All six locations received location finding reports, which are appended to this report.

The audit was conducted by MPI Systems Auditor Júlia Pásztor. MPI Systems Auditor.

The auditor presented their warrant of appointment under the Animal Welfare Act 1999 as an Inspector during the remote audit of the New Lynn Office and at every centre audit. Field work for this audit was completed in July 2020. At all centres, the Centre Manager, Area Manager, and Team Lead Inspector were present for the audits. This information is available under *Individuals* within this report.

The goals of this audit were achieved, and it is ascertained that the RNZSPCA continues to meet its obligations under the Animal Welfare Act, MoU and the SPCA PTSs for Inspectors and Auxiliary Officers. This audit includes a review of corrective actions completed in response to the previous MPI SAT audit.

## 2.0 SPCA Structure

At the time of this audit, the RNZSPCA was operating for over a year under the new “One SPCA” model.

The SPCA head office or national office is called the New Lynn Office, named after the area in which the office is based.

Each centre is referred to as a regional centre, named after the city or region in which it is based (eg the New Plymouth Centre).

The country is divided into three regions: North, Central, and South. Each region is subdivided into areas. Centres are grouped with the area in which the centres are located. There are currently 41 SPCA centres throughout New Zealand.

The North Region includes the Upper North Island. The North Region is subdivided into Areas



N1-N4. This region covers Hamilton City Council, and the districts of Far North, Kaipara, Whangarei, Auckland, Waikato, Thames-Coromandel, Hauraki, Matamata-Piako, Tauranga, Western Bay of Plenty, Opotiki, Whakatane, Rotorua, Taupo, Waipa, Otorohanga, South Waikato, and Waitomo. There are 14 centres in the North Region.

The Central Region includes the Central and Lower North Island. The Central Region is subdivided into Areas C1-C4. This region covers Napier City, Porirua City, Wellington City, Hutt City, Upper Hutt City, and Palmerston North City councils, and the districts of South Taranaki, New Plymouth, Stratford, Ruapehu, Hastings, Wairoa, Gisborne, Central Hawke's Bay, Taraua, Masterton, Carterton, South Wairarapa, Kapiti Coast, Horowhenua, Manawatu, Rangitikei, and Whanganui. There are 13 centres in the Central Region.

The South Region includes all the South Island. The South Region is subdivided into Areas S1-S4 covering all of the South Island. There are 14 centres in the South Region.

Each area (N1-N4, C1-C4, S1-S4) has an inspectorate that consists of a Team Lead and multiple inspectors. One or two centres within an area act as a base for most of the inspectorate within an area. The location of inspectors and the historic location of inspector hubs plays a role in which centre serves as an inspectorate base.

Line management among the centres is consistent. Each centre is overseen by a Centre Manager. One Centre Manager may oversee more than one centre. The Centre Manager reports to the Area Manager who oversees the area. Prior to 01 September 2020, the Area Managers within each of the three regions reported to their respective Regional General Manager, who reported to the RNZSPCA CEO. As of 01 September 2020, the three Regional General Manager positions no longer exist. The organisation went through a restructure in leadership that dissolved these positions and replaced them with a single General Manager Operations position. All SPCA Area Managers now report to the General Manager Operations, who reports directly to the CEO. The purpose of this restructure was to bring consistency to all centres across the country, furthering the "One SPCA" model.

Line management within the Inspectorate slightly varies within regions. The variation is largely due to the historical location and management of inspectorate hubs. In most areas, there is a Team Lead Inspector who oversees all the inspectors within the area. The Team Lead either reports to a Chief Inspector or to an Area Manager. This depends on whether a Chief Inspector was historically assigned to an area and/or region. Prior to 01 September 2020, the Chief Inspectors reported to the Regional General Manager. As of 01 September 2020, the Chief Inspectors report to the General Manager Operations. If required, the General Manager Operations will consult the General Manager Inspectorate, based in the New Lynn Office.

The General Manager Inspectorate does not have line management over the Inspectorate nationwide. The General Manager Inspectorate does have line management over the New Lynn Office SPCA Inspectorate Team, consisting of the Investigations and Prosecutions Manager, Legal Counsel, Animal Welfare Coordinator, and Animal Welfare Administrator. The General Manager Inspectorate also provides technical support to the area managers and General Manager Operations.

There are inspectors based at 19 of the 41 SPCA, with 63 inspectors currently employed by the RNZSPCA. Each centre should employ an auxiliary officer, with 100 auxiliary officers currently employed by the RNZSPCA. Auxiliary officers report to the Centre Manager. If the Centre Manager is an auxiliary officer, they then follow normal line management.

For the purpose of clarity in this report, the functions of an inspector and an auxiliary officer significantly differ. Auxiliary officers were generally employees who already work within a centre prior to appointment. Upon appointment, RNZSPCA auxiliary officers carry out specific functions within a centre (specifically, to meet obligations under Section 141 of the Animal





Welfare Act 1999). These functions include signing off an animal disposal decision (eg authorising transfer of ownership to the SPCA to rehome/adopt animals or make euthanasia decisions). Auxiliary officers do not perform any specific inspector duties (ie animal welfare complaint investigations), regardless of whether an inspector is based at a centre.

### 3.0 Audit Method

Travel restrictions were in place during the planning of this audit due to concerns around COVID-19. All centres selected for this audit were within driving distance of the Wellington-based MPI SAT auditor. There was a strong earthquake near Levin in May that also limited centre selection due to building damage.

The five centres selected for this audit were from the C4 area. The SPCA C4 area covers Hutt City, Wellington City, Porirua City, and Upper Hutt City councils, and the districts of Kapiti Coast, Southern Wairarapa, Carterton, and Masterton. The centres selected were:

- New Plymouth SPCA Centre,
- Whanganui SPCA Centre,
- Masterton SPCA Centre,
- Napier SPCA Centre, and
- Waipukurau SPCA Centre.

The New Lynn Office audit was performed remotely via two Microsoft Team sessions hosted by the RNZSPCA. One session was held prior to the centre audits on 30 June 2020, and the second session was held after the centre audits on 15 July 2020. The RNZSPCA provided the auditor with requested documents and records via email.

### 4.0 Response to Issues Raised in the 2019 MPI SAT Audit

RNZSPCA and MPI responses to issues raised during the previous MPI SAT audit were investigated. The findings are as follows:

#### **a) An MPI issue was raised to the MPI Manager Animal Welfare & NAIT Compliance for resourcing and training concerns raised by SPCA Centres with regards to larger scale production animal welfare cases.**

This was a low rated issue raised to MPI in 2019 after SPCA auditees expressed concerns over the resourcing and expertise required by SPCA centres when being assigned large scale production animal welfare cases, as was documented by clause 3.4 of the MoU.

This MPI issue was accepted and was in progress at the start of this audit.

The Initiator noted to the auditor that there have been recent meetings with the SPCA regarding this matter. After completing the centre audits, the auditor relayed to the Initiator that there was positive feedback from the centres on this front. There were only a couple of instances over the past year where the large/agricultural animal case allocation requirement in clause 3.4 of the MoU was incorrectly implemented by MPI or the SPCA. Inspectors from all the centres suggested that both organisations revisit the 100-animal threshold that determines which organisation manages large/agricultural/production animal cases. The Initiator stated that there were strong considerations for all large/agricultural/production animal cases to be solely managed by MPI.

This issue will remain open while the MoU is in negotiation. For the purpose of MPI Issue tracking, the related 2019 MPI issue will be closed and a new issue will be opened, as there has been a slight change in scope. The issue is expected to resolve once MPI takes on all large/agricultural/production animal cases or another decision is agreed on by 1 June 2021 –



refer MPI Issue 1.

**b) An MPI issue was raised to the RNZSPCA General Manager Inspectorate and MPI Manager Animal Welfare & NAIT Compliance to increase effective organisational information sharing.**

Based on clause 11 of the MoU, it was recommended that the two organisations explore a joint central intelligence database to facilitate effective exercise of MPI and SPCA animal welfare inspectors' statutory functions.

This MPI issue was accepted and completed on 12 January 2020.

A central intelligence database was not developed due to funding and logistics limits. However, both organisations have made information more accessible to each other. When asked, SPCA readily shares required information from Shelterbuddy with MPI. MPI, too, readily shares required information from InformationLeader with the SPCA. Although the current method for information sharing was noted as not ideal by both organisations, this method is achieving the desired outcome.

A programme called iReach is being explored by MPI to improve internal MPI cross-database communication. If this programme is implemented, then it may be considered to improve accessibility of both organisations to the two animal welfare databases, SPCA's Shelterbuddy and MPI's InformationLeader.

It is important to note that although animal welfare cases are logged on Shelterbuddy and InformationLeader, both organisations use these databases to manage non-animal welfare case related data. Limitations imposed by the Privacy Act must also be considered when exploring options for cross-organisational information sharing.

**c) A non-conformance was raised against the MPI Manager Animal Welfare & NAIT Compliance and RNZSPCA General Manager Inspectorate because the PTS for Auxiliary Officers' review was overdue.**

This non-conformance was resolved and closed during the 2019 SAT audit.

**d) A non-conformance was raised against the RNZSPCA General Manager Inspectorate for failing to provide auxiliary officer ongoing training, as required by Section 93 of the 2012 PTS for Auxiliary Officers.**

The SPCA failed to comply with the PTS for Auxiliary Officers 2012 Section 93, which stated "*Auxiliary Officers must, within the term of their appointment, attend training workshops at least once in every 3-year period. Failure to attend could affect appointment renewal.*"

Since the review of the PTS, this requirement is now under section 56 of the PTS for Auxiliary Officers 2019. It states "*Auxiliary Officers must, within the terms of their appointment, attend training as deemed mandatory by SPCA. Failure to complete required training could affect appointment renewal.*"

Ongoing training was not implemented at the time of this audit. The SPCA had plans to implement auxiliary officer training. These plans were disrupted by COVID-19. The auditor elected to close this non-conformance due to the unusual situation the pandemic has caused to the SPCA training programme. However, a recommendation was made to the New Lynn Office to ensure that the programme is implemented prior to the next SAT audit – refer Recommendation 1 in Appendix A.



**e) A recommendation was made to the RNZSPCA General Manager Inspectorate to consider the inclusion of regional calibration for inspectors.**

In 2019, the newly formed inspector hub models allowed inspectors to work closely through the network. One centre hub implemented formal calibration for inspectors, but this was not consistent across the country.

This audit found that there were monthly and fortnightly meetings between regional inspectorates and the national inspectorate. These routine meetings allowed for sufficient calibration. Thus, this recommendation is considered to have been addressed.

**f) A recommendation was made to the RNZSPCA National Board to review the frequency of auxiliary officer appointment training to allow for more frequent appointments of auxiliary officers.**

The auxiliary officer recruitment model only allowed for up to two cohorts to be trained annually. This had the potential to leave centres under resourced in terms of auxiliary officers, who along with inspectors are required to carry out legal obligations under Section 141 of the Animal Welfare Act. SAT recommended that the training for auxiliary officer appointments be reviewed and consider a more fluid manner to allow for more efficient resourcing of auxiliary officers.

During this audit, all but one centre was well resourced for auxiliary officers. The under resourcing of auxiliary officers at one of the centres was due to unexpected resignations and compounded by the effects of COVID-19. As a result of this finding, the auditor made a recommendation to the New Lynn Office to consider training all centre managers for auxiliary officer appointment – refer Recommendation 4 in Appendix A. This was also referenced in MPI Issue 2 under Part 6.0 of this report. To function effectively under the current SPCA centre management model, all centre managers could be appointed as auxiliary officers; then all centres would be resourced with at least one auxiliary officer.

Due to COVID-19, the two cohort training periods for auxiliary officers in 2020 were cancelled.

It was found that the organisation needs to be given more time to address auxiliary officer training and resourcing needs. This will be reviewed in the next SAT audit. This could be considered as a requirement in the PTS for Auxiliary Officers or as a clause in the MoU.

As the scope of this issue has changed, the recommendation was shifted to the New Lynn Office Locations Findings report – reference Recommendation 4 in Appendix A.

**g) A recommendation was made to the RNZSPCA General Manager Inspectorate and MPI Manager Animal Welfare & NAIT Compliance to review the frequency of Inspector and Auxiliary Officer refresher training and the assessment of ongoing suitability.**

The requirement for inspectors to attend annual training workshops was removed from the PTS for Inspectors during its last review. Section 56 of the PTS for Auxiliary Officers 2019 requires ongoing training and evaluation of auxiliary officers, but it no longer requires a specific frequency for training.

Action has not been taken on this recommendation by neither MPI nor SPCA because the PTS review is to take place in 2021. Thus this recommendation remained in place for the RNZSPCA – refer Recommendation 2 in Appendix A. The response by MPI to this recommendation has been parked until the next review of the PTSs for Inspectors and Auxiliary Officers. Both recommendations will remain in place until the end of 2021. This consideration is also further referenced in MPI Issue 2 under Part 6.0 of this report.



The recommendation made to the RNZSPCA focused only on the inclusion of ongoing training requirements for inspectors. However, it was found that including a defined frequency for ongoing training of both inspectors and auxiliary officers could be considered at the next review of the PTSs.

When discussing this issue with the Initiator, the Initiator stated that as a minimum the PTSs should require a written assessment at warrant renewal for SPCA inspectors and auxiliary officers.

The auditor noted that despite the PTSs not including ongoing training requirements for inspectors, the SPCA did have a robust training programme for appointed inspectors. The SPCA also had plans to implement an online training programme for appointed auxiliary officers. This was put on hold due to the effects of COVID-19.

**h) A recommendation was made to the RNZSPCA General Manager Inspectorate to review the initial emergency euthanasia training, the implementation of refresher training and the ongoing assessment of competence in emergency euthanasia for inspectors.**

In 2019, the hands-on practise for methods of emergency euthanasia during the Inspectors initial training was considered minimal.

This audit found that euthanasia was primarily performed by employed or contracted veterinarians. There were some inspectors with access to either a captive bolt or a rifle. The inspectors' training to use these euthanasia tools was found to be sufficient. The New Lynn Office noted that the SPCA planned to discontinue the use of rifles and captive bolt by inspectors. The SPCA was moving towards a national protocol where all euthanasia would be performed by veterinarians.

This recommendation is considered to have been addressed.

**i) A recommendation was made to the RNZSPCA General Manager Inspectorate to allow all centres to provide feedback on draft policies.**

All visited centres had the ability to provide feedback on national policies and procedures. Thus, this recommendation is considered to have been addressed.

**j) A recommendation was made to the MPI Manager Animal Welfare & NAIT Compliance to review the frequency of MPI audits of the SPCA when the SPCA demonstrate effective internal management of its compliance to the MOU and PTS's. A recommendation was also made to the RNZSPCA Audit and Compliance Manager to have the SPCA demonstrate internal compliance with the MoU and PTSs through their internal verification programme.**

Both these 2019 recommendations were carried over from several previous SAT audits where internal compliance monitoring of SPCA systems to the MoU and PTSs was found to be a repetitive issue.

In 2017, the New Lynn Office hired an internal auditor. That person has since resigned. Due to limited funding, the RNZSPCA was unable to rehire for the position. At the time of this audit there was also no programme for monitoring internal compliance of the RNZSPCA with the MoU and PTSs.

With that said, the auditor found that the centres visited as part of this audit and the New Lynn



Officers were substantially compliant with the MoU and PTSs. National procedures were routinely reviewed and updated. Inspectors regularly calibrate within and across teams. Every animal welfare case submitted underwent a file review by the Team Lead Inspector. Through calibration and file reviews, inspector compliance with the PTS was monitored. Auxiliary officers did not have formal calibration, but the centres demonstrated close collegiality and support between auxiliary officers and inspectors. All auxiliary officers interviewed for this audit also demonstrated that they were competent in their role. As a result of these findings, the auditor considered the issue of SPCA internal compliance monitoring/verification to have been addressed.

However, if significant compliance issues are found in future SAT audits, then the issue of SPCA internal compliance monitoring/verification should be raised again.

The auditor advised the Initiator of these findings. The Initiator agreed that the annual audit of the SPCA by MPI should continue while there was no formal SPCA internal verification or internal compliance monitoring system. For this reason, the recommendation to reconsider the frequency of SAT audits of the SPCA has been parked and will be revisited once a robust SPCA internal verification system has been implemented.

**k) A recommendation was made to the Wellington SPCA Centre for senior staff to review the MoU and PTS for Inspectors.**

Senior staff at the Wellington SPCA Centre were not familiar with relevant details of the MoU and PTS for Inspectors during the 2019 SAT audit.

This centre was not visited during this audit and all staff interviewed as part of this audit demonstrated sufficient knowledge and understanding in the MoU and PTSs for Inspectors and Auxiliary Officers. All SPCA staff within the organisation also have access to these documents through the SPCA online internal database, SharePoint.

This finding will be investigated the next time the Wellington SPCA Centre is included in the SAT audit of the SPCA. This issue will remain in place until then, with details found in the 2019 Annual Systems Audit of the RNZSPCA - Wellington Centre Locations Findings report (audit reference number 4651).

**5.0 RNZSPCA Compliance with the Memorandum of Understanding**

The RNZSPCA was found to be in substantial compliance with the MoU 2019. Both the RNZSPCA and MPI met most of the obligations described in the MoU.

As discussed in Part 4.0 of this report, SPCA inspectors interviewed during the audit noted that the 100-animal threshold occasionally caused stress for centre staff. This is because SPCA inspectors and centres are often not equipped to manage large animal/agriculture/production animal cases that involve more than a handful of animals. MPI and the SPCA are in discussions on how to best manage the allocation of these cases.

**MPI Issue - 1: To the Manager Animal Welfare & NAIT Compliance, MPI: Consider the suitability of the large animal/agricultural/production animal case allocation requirements of clause 3.4 of the MoU. Issue Rating: Low**

Clause 3.4 of the current MoU defines what type of cases fall into the SPCA and MPI domains. MPI is currently responsible for "full production farms (aquaculture and agriculture), in the case of agriculture usually involving more than 100 animals.". This means in situations involving 100 animals or less, the SPCA may be required to manage the animal welfare case.



Although, most farm cases have been managed by MPI, there were situations noted where the SPCA was expected to handle a case that was less than 100 animals but still above the SPCA inspectors' and centres' capacity.

In discussions with the Initiator, it was noted that MPI and SPCA were discussing this clause of the MoU. MPI is likely to take on all large animal/agricultural/production animal cases in the future.

This MPI issue is raised to ensure that an appropriate arrangement is made between both organisations that suits both organisations' capacity to manage allocated cases.

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## **6.0 RNZSPCA Compliance with the Performance and Technical Standards for Inspectors (2019) and Auxiliary Officers (2019)**

The RNZSPCA was found to be in substantial compliance with the 2019 PTSs for Inspectors and Auxiliary Officers.

All information pertaining to appointments maintained by the RNZSPCA Inspectorate based at the New Lynn Office. This included current copies of Instruments of Appointments and Certificate of Appointments. Inspectors and auxiliary officers also had copies of their Certificate of Appointments and Instrument of Appointments.

The auditor noted that training of new recruits was put on hold in May during the first COVID-19 response. Then following the COVID-19 outbreak response in August, all SPCA inspector recruitments and appointments have been placed on hold. There are currently no plans for an October 2020 internship due to financial constraints. The two auxiliary officer training periods have also been cancelled this year due to the effects of COVID-19.

It is also noted that the PTSs for Inspectors and Auxiliary Officers 2019 is due for review in 2021. The RNZSPCA made it clear during this audit that the organisation will consult on the PTSs. However, the RNZSPCA expects MPI to initiate and lead the review. The auditor discussed these expectations with the Initiator. To assist in reminding MPI to initiate this review, it was agreed to have an MPI Issue raised to calendar the review – refer MPI Issue 2.

### **6.1 Inspector and Auxiliary Officer Selection Process and Pre-appointment Training**

#### Inspector Selection Process and Pre-appointment Training

As an approved organisation under the Animal Welfare Act, the RNZSPCA may recommend individuals for appointment as warranted inspectors under the Act.

Depending on vacancies and inspectorate needs, every six months the New Lynn Office runs a four-month internship. At the end of the internship, a robust interview was carried out by the local or regional SPCA leadership. Now that the organisation is coming close to fully adopting the “One SPCA” model, the recruitment, training, interviewing, and hiring of new inspectors will continue at local level with the General Manager of the Inspectorate included in the interview.

Inspector candidates are recommended to MPI for appointment upon successful completion of the internship and the interview.

The RNZSPCA incorporated a pre-internship “ride-along” since the 2019 SAT audit. This programme was intended to give individuals wishing to undergo the internship an opportunity to shadow an inspector for a few days to have a feel for what the job entails before committing to the internship. There was consistent feedback from the five visited centres that the pre-internship ride-along helped identify potentially successful interns. These individuals went on to stay with the organisation during their post-warranting period.

The organisation struggles with retaining inspectors within the first year of warranting. The ride-along programme may help improve new inspector retention rates.

The New Lynn Office recruited potential inspectors based on RNZSPCA requirements for candidate selection. These requirements were detailed in the SPCA national procedures.

Interns are employed by the SPCA at the start of the internship. Their employment is managed by the RNZSPCA's Operators branch. Interns are trained in the areas where they expect to fill a vacancy. The Team Lead of the area in which the intern is based becomes the intern's manager during the internship. Interns are also paired up with experienced inspectors within the



area, who act as coaches to the interns. These are SPCA inspectors who have worked as an SPCA animal welfare inspector for more than a year.

Interns must declare any criminal history and a police check is conducted. If an intern has a previous criminal conviction, they must provide a letter of explanation. Their manager must also provide a letter of support for their application to proceed. To date, MPI have not declined any SPCA applications for interns who have declared their criminal convictions.

Inspector training begins immediately during the four-month internship. Upon successful completion of the four-month internship and interview, interns may then apply for initial appointment as an inspector. Their applications must be endorsed by the RNZSPCA, and initial appointment lasts 12 months.

Unitec is an MPI approved training provider for animal welfare inspectors. Previously applicants had to complete and successfully pass the Certificate in Animal Welfare Investigations in order to be eligible for appointment as an SPCA inspector. The Unitec course was no longer considered sufficient training alone by the RNZSPCA. As of 2019, Unitec students wanting to put forward inspector applications through the RNZSPCA are required to complete the SPCA inspector internship and interview to confirm suitability. The warranting process conducted under the Animal Welfare Act is controlled by the RNZSPCA's Inspectorate branch.

#### Auxiliary Officer Selection Process and Pre-appointment Training

As an approved organisation under the Animal Welfare Act, the RNZSPCA may recommend individuals for appointment as auxiliary officers under the Act.

The selection process for auxiliary officers is not as robust as it is for inspectors. This is largely because the scope of powers for auxiliary officers is much smaller than for inspectors under the Animal Welfare Act.

Potential auxiliary officer candidates are selected from within the centres. The RNZSPCA no longer recommends volunteers for appointment because the centres have little line management authority over volunteers. The selection and initial training process of auxiliary officers is documented in the SPCA national procedures.

Similar to the inspector internship, there are two intake periods for auxiliary officer training cohorts. These intake training sessions are held when the SPCA has a need for more auxiliary officers. The initial training consists of an online course that auxiliary officer candidates must complete within two months. Upon successful completion of the course, an application for appointment is provided to the candidate for submission to MPI.

While in training, the auxiliary officer candidate must undergo a police check, in the same way as intern inspectors.

If a candidate does not successfully complete the course, they can re-sit it a month after the initial course end date. If the candidate fails a second time, they must stand down for 12 months before resitting the course. In 2019, three candidates had to re-sit the course. In 2020, one candidate had to re-sit the course.

During the centre audits, it was noted that auxiliary officers did not have formal training in the Privacy Act 2020. Since these individuals manage private information, the auditor recommended that they have formal training in the Privacy Act 2020 – refer Recommendation 3 of Appendix A.

## **6.2 Ongoing Training of Inspectors and Auxiliary Officers**

### Ongoing Training of Inspectors

As discussed in Part 4.0 of this report, the current PTS for Inspectors does not require ongoing





training. However, the SPCA ran a suitable ongoing training programme for inspectors.

There were several annual training workshops that have replaced the annual SPCA conference. All inspectors were required to attend these workshops. There were also routine cross-over meetings that inspectors attend. These meetings allowed for calibration within inspectorate teams, areas, and regions, and included a fortnightly meeting consisting of case learnings with the General Manager Inspectorate.

The RNZSPCA Inspectorate based at the New Lynn Office also developed an Inspectorate competency framework that will provide more structure and guidance for the ongoing training of inspectors. The framework was not implemented at the time of this audit because of the effects of COVID-19. The RNZSPCA Inspectorate intends to roll out the framework before the next SAT audit.

#### Ongoing Training of Auxiliary Officers

As discussed in Part 4.0 of this report, the RNZSPCA did not have an ongoing training programme for auxiliary officers in 2019, which is required by Section 56 of the PTS for Auxiliary Officers. Plans were made following the 2019 audit to implement ongoing training of auxiliary officers. However, these plans were disrupted by COVID-19.

The planned auxiliary officer refresher course was shared with the auditor and found to be appropriate. The auditor recommended that the RNZSPCA implement the ongoing training programme for auxiliary officers before the next SAT audit – refer Recommendation 1 in Appendix A.

As stated above in Part 6.1 of this report, the auditor recommended to include relevant elements of the Privacy Act 2020 in the initial and ongoing training of auxiliary officers.

### **6.3 Re-appointment of Inspectors and Auxiliary Officers**

#### Re-appointment of Inspectors

Once appointed, reminders are set by the RNZSPCA Animal Welfare Coordinator for three months prior to expiry of each appointment. This is to ensure that the SPCA appointments are renewed on time. Additional email reminders are also set closer to the expiry date. On the morning of appointment expiry, an email is sent out informing the inspector that their appointment has expired, and they are no longer legally able to carry out functions under the Animal Welfare Act. Inspectors must not perform any duties under the Act without re-appointment.

Inspectors are required to complete specified training in their first year before re-appointment. At all re-appointments, inspectors must first undergo the interview process to demonstrate their competency prior to being re-recommended to MPI for appointment. The re-appointment interviews are carried out by the General Manager of the Inspectorate.

#### Re-appointment of Auxiliary Officers

There is currently no training requirement for the re-appointment of auxiliary officers. Like for inspectors, reminders are set by the RNZSPCA Animal Welfare Coordinator for auxiliary officers to complete their re-appointment application. On the morning of appointment expiry, an email is sent out informing the auxiliary officer that their appointment has expired, and they are no longer legally able to carry out functions under the Animal Welfare Act. Auxiliary officers must not perform any duties under the Act without re-appointment. The RNZSPCA recommends individuals for reappointment when they complete the application and are supported by their line manager.

As discussed in Part 4.0 and 6.2 of this report, the SPCA plans to implement annual training for auxiliary officers.



#### 6.4 Complaints Against SPCA Inspectors and Auxiliary Officers

The RNZSPCA process for complaints against inspectors and auxiliary officers is documented in the SPCA national procedures.

All complaints against SPCA inspectors and auxiliary officers are logged into the SPCA online complaints database. This database is maintained by the New Lynn Office Inspectorate team.

The procedure includes guidelines on rating the complaints as minor, moderate or serious. Moderate or serious rated complaints must be escalated to the New Lynn Office Inspectorate team. For these complaints, the inspector/auxiliary officer and their line managers are made aware of the complaint and asked to provide a written background and an explanation for the event. Minor complaints are passed on to the centre where the inspector or auxiliary officer is based.

If the SPCA considers that a complaint is founded or serious in nature, the complaint will be notified to MPI in writing and to the SPCA Complaints Panel.

The complaints procedure includes provision for an inspector or auxiliary officer to appeal a decision made by the SPCA in response to a complaint.

There were no serious complaints against inspectors or auxiliary officers since the last audit. All inspectors and auxiliary officers interviewed during this audit stated that their experience with the complaints process has been fair.

#### 6.5 Other Findings Related SPCA Compliance with PTSs for Inspectors and Auxiliary Officers

There were no auxiliary officers or inspectors based at one of the centres. The Manager of this small rural centre noted that occasionally complaints came from the general public through the Centre's Facebook® page or as a walk-in. If the complaint appeared to be low level, then the Centre Manager would visit the property of concern and give it a look before providing feedback findings to inspectors based at another centre. Unrelated to this finding, the employee has since resigned.

Although there was no evidence that the Centre Manager used unwarranted powers under the Animal Welfare Act or breached the Animal Welfare Act through these actions, the auditor made two recommendations:

- One recommendation was a reminder to the Area Manager and Team Lead of that centre to ensure that only animal welfare inspectors attend to animal welfare complaints – refer Recommendation 1 in Appendix F.
- The other recommendation was for the New Lynn Office to make all centre managers auxiliary officers to ensure that there is an auxiliary officer available to every centre. The intent of this recommendation is further commented on in MPI Issue 2 below.

#### **MPI Issue - 2: To the Manager Animal Welfare & NAIT Compliance, MPI: To calendar the 2021 review of the PTSs for Inspectors and Auxiliary Officers. Issue Rating: Low**

As per Sections 6 of the PTS for Auxiliary Officers and for Inspectors, *“these PTS[s] shall be reviewed no later than 2 years from the date they were signed.”* The PTS for Inspectors was signed May 2019 and the PTS for Auxiliary Officers was signed July 2019.

In 2019, MPI was significantly overdue for the review of the PTSs. The auditor and Initiator agreed that this issue would be raised to help prevent another future lapse of review.

The auditor notes that the 2019 PTS for Inspectors states that the file review is July 2019, despite being signed May 2019. This needs to be noted when the reviews are calendared, so



that MPI reviews both documents **before** two years from the date each document was signed.

The auditor also notes that the next PTSs review could consider the inclusion of ongoing training with specific frequencies of both inspectors and auxiliary officers, and that the recommendation for all centre managers to be auxiliary officers.

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## 7.0 RNZSPCA Management of Animal Welfare Complaints

As per clause 3.4 of the MoU, “complaints relating to the following are almost always the domain of the SPCA:

- Companion animals.
- Racing animals in non-race day situations.
- Hunting of animals (including killing of hunted animals).
- Animals in petting zoos.
- Use of traps in residential/urban fringe areas.”

Farm animal cases involving 100 or less animals may also fall under the SPCA domain.

### 7.1 Limitations

Inspectors were aware of the limitations required under Section 89 PTS for Inspectors and further detailed in clause 3.4 of the MoU. As discussed in MPI Issue 1 in Part 4.0 of this report, the large animal/agricultural/production animal threshold should be considered in light of the SPCA's response capacity.

### 7.2 Response to and Processing of Animal Welfare Complaints

Animal welfare cases are generally attended by inspectors based in the area in which the case is located.

Most animal welfare complaint cases came through the SPCA call centres. There are two call centres, one based in Auckland and one in Wellington. Occasionally complaints came directly through a centre. Depending on the centre, direct animal welfare cases are managed by:

- having the complainant call one of the two call centres,
- enter the case into Shelterbuddy and notify the Team Lead of their area, or
- notify an inspector in the area who will then enter the case into Shelterbuddy and inform the Team Lead before pursuing the case.

Centres were actively working with their communities to reduce the number of direct complaints so that all complaints eventually go through the call centres.

Animal welfare complaints were classified as:

- Grade 1: required immediate attention within one hour,
- Grade 2: required urgent attention within 24 hours, and
- Grade 3: required attention within seven days.

Cases taken by the Wellington-based call centre were assigned directly to inspectors based on workload and location. Cases taken by the Auckland-based call centre were sent to a shared inspectorate inbox and then re-assigned to the inspectors. The Team Lead of each area monitored their shared inbox and regularly communicated with their team to ensure that staff are appropriately equipped to deal with the cases they are assigned.

The Team Lead was notified of Grade 1 cases allocated through the Auckland-based call centre through a text message. The Wellington-based call centre notified the Team Lead of Grade 1 cases via phone. Grade 2 cases from the Auckland-based call centre were relayed through a text message and an email. Grade 2 cases from the Wellington-based call centre were relayed through email only. Both call centres sent an email notification for Grade 3 cases.

Where inspectors were unable to attend a case within the required time frame, they notified the Team Lead. The inspector would then contact the inspectorates of adjacent regions or other stakeholders such as local MPI Animal Welfare Compliance staff, police, or territory authority. All animal welfare cases were addressed within the appropriate time frame, even when the



inspectors are unavailable because of the good working relationship between the inspectors and local stakeholders.

The C2 Team Lead expressed during the audit that C2 Inspectorate was significantly under resourced. This is believed to be due to a recent resignation and the lack of new hires due to COVID-19. The Inspectorate can manage the current workload, but any large demanding cases or further challenges to the team will likely require support from neighbouring regions. The Team Lead has highlighted this concern to neighbouring Team Leads and to the General Manager of the Inspectorate. The auditor notes that this situation is likely to not improve as the SPCA is not training inspector interns in 2020 due to COVID-19.

### 7.3 Euthanasia

The RNZSPCA was updating its national animal welfare policy and procedure on euthanasia during this audit. The newly updated procedure and policy was released to all centres in July 2020. Once implemented across the country, all centres will be expected to use this new policy and procedure when deciding on and performing euthanasia. Some sites had already implemented the national procedure during this audit, while others did not. The auditor recommended that the SPCA ensure the new policy and procedure was adapted by all centres before the next SAT audit – refer Recommendation 5 in Appendix A.

All of the euthanasia procedures viewed during this audit described two categories: (1) euthanasia based on an emergency involving pain and suffering of an animal, and (2) all other situations requiring euthanasia.

Emergency euthanasia was reserved for acute conditions involving severe trauma or another critical condition where it would be inhumane to keep the animal alive. A euthanasia panel was not required under such circumstances, but the centres were required to document the reason for euthanasia. It was further recommended in the national procedure to have another approved person agree with the veterinarian's decision for euthanasia. Where an animal could not be taken to a veterinary clinic, a veterinarian would be called out to where the animal was located. There were three centres where inspectors had training and access to captive bolts. These inspectors had the authority to carry out emergency euthanasia in the field when a veterinarian was not accessible.

As mentioned in Part 4.0 of this report, the RNZSPCA was phasing out captive bolts and rifles from all inspectorates with the intention that all euthanasia would be performed by veterinarians.

Non-emergency euthanasia must be supported by a euthanasia panel. The panel requirements slightly varied between centres, but all required at least three members on the panel with at least one being an animal welfare inspector or auxiliary officer. The panels were required to come to a decision prior to the animal being taken to a veterinary clinic or calling out a veterinarian for euthanasia.

At one centre there were situations where panel decisions had to be made remotely and signatures were often not acquired in these circumstances until after the euthanasia was performed. The auditor recommended that this unique process be documented – refer Recommendation 6 in Appendix A and Recommendation 2 in Appendix F.

The panel decision and reasons for that decision are recorded in Shelterbuddy with the relevant case file.

One centre employed a veterinarian, and thus was able to store euthanasia drugs. These drugs were securely stored, and their use was well recorded. However, the documented procedure did not correctly highlight the specific drug stored at the centre. The auditor recommended that the centre amend its documented procedures to address this finding – Recommendation 1 in Appendix D.



#### 7.4 Search Warrant Procedures

The SPCA national procedures outlined the grounds for applying for a search warrant, how to apply for a search warrant, and reference to applicable templates, forms, and exemplars. Prior to applying for a search warrant, the procedure required that the SPCA New Lynn Office must be contacted. All search warrants submitted within the last year were done so with the New Lynn Office's consent.

The national procedure required search warrant applications to be reviewed by the inspector's manager or a senior inspector, or provision for referral by the manager to the New Lynn office for review prior to applying for a search warrant. This aligned with example search warrants viewed and feedback from interviewed inspectors.

#### 7.5 Storage of Documents, Records, and Evidence Associated with Animal Welfare Complaints

As per clause 93 of the PTS for Inspectors, the SPCA had a documented procedure for the handling, storage, and movement of exhibits. All centres visited during this audit had access to this procedure, and had secure areas for the storage of exhibits.

All electronic records and associated paperwork were stored on Shelterbuddy with their respective case files. Paperwork associated with investigations were securely stored with investigators at their offices. Additional evidence pertaining to investigations was also securely kept in the investigators' offices.

#### 7.6 Prosecutions

Whilst not all of the centres visited had sent any cases for prosecution in the last 12 months, all centres were aware of, and had access to, the national procedure for prosecutions. All centres confirmed that prosecutions are reviewed by the New Lynn Office prior to progressing. This was in line with the national SPCA prosecution procedure.

#### 7.7 Supersession Policy

The MoU 2019 outlines guidance on which cases should be handled by MPI, and which cases should be handled by the SPCA. MPI Issue 1 was raised for this in Part 4.0 of this report.

All relevant staff could explain the process of transferring cases from the SPCA to MPI confidently. All case transfers from the SPCA to MPI are completed by the SPCA Animal Welfare Coordinator. The New Lynn Office Inspectorate recorded 310 job transfers between MPI and the SPCA between 2018 and 2020. Over 96% of job transfers were accepted by either organisation.

#### 7.8 Collegiality between SPCA Inspectorates and MPI Animal Welfare Compliance Teams

The SPCA inspectors at all the audited centres spoke favourably of their relationship with the local MPI Animal Welfare Teams. The SPCA inspectors interviewed felt they had open and honest relationships with the local MPI teams that allowed for collegial discussion of difficult cases or cases that may need to be transferred.

### 8.0 RNZSPCA Internal Records, Policies, Procedures, and Verification

#### 8.1 Records, Policies, and Procedures

All national SPCA documented policies and procedures were stored on the electronic database Sharepoint. All RNZSPCA staff have access to these documents.

All records were maintained by the New Lynn Office, including information kept on employees. Centres were recommended by the New Lynn Office to maintain similar records.



## 8.2 Internal Verification

As discussed in Part 4.0 of this report, the RNZSPCA currently does not conduct any active internal verification. The lack of internal compliance monitoring did not appear to impact compliance during this audit.

## 9.0 Facilities at Visited SPCA Centres

The auditor toured all facilities at each audit centres. All the centres were in acceptable condition, as per requirements set out by the *Temporary Housing of Companion Animals Code of Welfare (2018)*.

There were two centres where the dog kennels lacked a reliable heat source. The centres used alternative methods to ensure the dogs in these kennels were warm (blankets, jackets, raised beds, etc.). There was also no evidence that the Code of Welfare was breached at either of these centres. However, the auditor was concerned that there could be weather conditions that may result in dogs experiencing excessive heat or cold. Such situations would breach Minimum Standard No. 10 of the Code of Welfare. The auditor thus recommended that the temperatures of these kennels be routinely monitored to ensure that appropriate measures are taken to prevent the dogs from experiencing excessive heat or cold – refer Recommendation 1 in Appendix C and Recommendation 1 in Appendix E.

## 10.0 Findings Outside of the Terms of Reference

At one of the centres, the local city council leased a section of the kennels for local animal control. Under the lease, the city council was responsible for the construction design and maintenance of these kennels.

These kennels were not designed to protect dogs from excessive cold or heat during an adverse weather event. As a result, there may be instances where these kennels would not meet Minimum Standard No. 10 of *Temporary Housing of Companion Animals Code of Welfare(2018)*. It is recommended that the centre discuss this concern with city council and come to an arrangement that ensures that Minimum Standard No. 10 is always met – refer Recommendation 3 of Appendix F.

## Conclusion

The RNZSPCA was found to be substantially compliant with requirements in Part 7 of the Animal Welfare Act, the MoU, and the PTSs for Inspectors and Auxiliary Officers.

Eleven recommendations were made to the RNZSPCA, five were to the centres and six to the New Lynn Office:

- To monitor the temperature of the dog kennels and outside pen dog houses at two of the centres.
- To highlight in the controlled drug protocol which drugs are maintained at one of the centres .
- To ensure that only animal welfare inspectors attend to animal welfare complaints at one of the centres.
- To develop a documented procedure for remote management of euthanasia panels at one of the centres. This was also recommended to the New Lynn Office.
- To ensure that the ongoing training for auxiliary officers is implemented before the next SAT audit.
- To give due consideration at the next PTS review for the inclusion of a requirement that the SPCA must provide ongoing skills maintenance and refresher training opportunities at a defined frequency for inspectors and auxiliary officers.
- To include Privacy Act 2020 training in initial and ongoing training for auxiliary officers.



- To train and recommend all centre managers for auxiliary officer appointment.
- To ensure that the newly updated SPCA euthanasia policy and procedure is implemented across all centres before the next SAT audit.

One recommendation was made outside of the terms of reference to an SPCA centre:

- To discuss the animal control kennel contract with the local city council and come to an arrangement that ensures that Minimum Standard No. 10 of the *Temporary Housing of Companion Animals Code of Welfare (2018)* is always met.

Two MPI issues were raised to MPI:

- To consider the suitability of the large animal/agricultural/production animal case allocation requirements of clause 3.4 of the MoU.
- To calendar the 2021 review of the PTSs for Inspectors and Auxiliary Officers.

This concludes the 2020 Annual Systems Audit of the RNZSPCA.

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## MPI Issues

**MPI Issue - 1: To the Manager Animal Welfare & NAIT Compliance, MPI: Consider the suitability of the large animal/agricultural/production animal case allocation requirements of clause 3.4 of the MoU. Issue Rating: Low**

Clause 3.4 of the current MoU defines what type of cases fall into the SPCA and MPI domains. MPI is currently responsible for *“full production farms (aquaculture and agriculture), in the case of agriculture usually involving more than 100 animals.”* This means in situations involving 100 animals or less, the SPCA may be required to manage the animal welfare case.

Although, most farm cases have been managed by MPI, there were situations noted where the SPCA was expected to handle a case that was less than 100 animals but still above the SPCA inspectors' and centres' capacity.

In discussions with the Initiator, it was noted that MPI and SPCA were discussing this clause of the MoU. MPI is likely to take on all large animal/agricultural/production animal cases in the future.

This MPI issue is raised to ensure that an appropriate arrangement is made between both organisations that suits both organisations' capacity to manage allocated cases.

**MPI Issue - 2: To the Manager Animal Welfare & NAIT Compliance, MPI: To calendar the 2021 review of the PTSs for Inspectors and Auxiliary Officers. Issue Rating: Low**

As per Sections 6 of the PTS for Auxiliary Officers and for Inspectors, *“these PTS[s] shall be reviewed no later than 2 years from the date they were signed.”* The PTS for Inspectors was signed May 2019 and the PTS for Auxiliary Officers was signed July 2019.

In 2019, MPI was significantly overdue for the review of the PTSs. The auditor and Initiator agreed that this issue would be raised to help prevent another future lapse of review.

The auditor notes that the 2019 PTS for Inspectors states that the file review is July 2019, despite being signed May 2019. This needs to be noted when the reviews are calendared, so that MPI reviews both documents **before** two years from the date each document was signed.

The auditor also notes that the next PTSs review could consider the inclusion of ongoing training with specific frequencies of both inspectors and auxiliary officers, and that the recommendation for all centre managers to be auxiliary officers.



## Appendices

Appendix A - RNZSPCA New Lynn Office Location Findings Report

Appendix B - New Plymouth SPCA Centre Location Findings Report

Appendix C - Whanganui SPCA Centre Location Findings Report

Appendix D - Masterton SPCA Centre Location Findings Report

Appendix E - Napier SPCA Centre Location Findings Report

Appendix F - Waipukurau SPCA Centre Location Findings Report

Appendix G - RNZSPCA New Lynn Office Master Audit Checksheet

Appendix H - SPCA Centre Master Audit Checksheet

Appendix I - 2019 MPI and RNZSPCA Memorandum of Understanding

**NOTE: Appendix A, B, C, D, E, and F are withheld under section 9(2)(ba)(i) of the OIA. Appendix I is removed under section 18(d) of the OIA.**

## Distribution

Allan Kinsella, Director, Assurance, MPI

Gray Harrison, Manager, Animal Welfare and NAIT Compliance, Operations, MPI

Peter Hyde, Team Manager, Animal Welfare and NAIT Compliance, Operations, MPI

Diane Finn, Manager, Systems Audit, Assurance, MPI

Kate Littin, Manager, Animal Welfare, Animal Health & Welfare, MPI

9(2)(a), General Manager, Inspectorate, RNZSPCA

MPI Issues Tracking, Systems Audit, Assurance, MPI

Dr. Júlia Pásztor  
Systems Auditor, Veterinarian  
MPI Systems Audit Team

*Electronically Signed by Julia Pasztor Auditor on the 01 Oct 2020 2:50 pm*

## MPI SYSTEMS AUDIT TEAM

RNZSPCA	
Audit Location:	Date:
Address:	IL Schedule: 2552
	Audit:
Auditors:	

**Opening Meeting Checklist**

- Introduce Self (and team) – produce Identification, and warrant where applicable (Recommend Auditor has relevant Act and sections on hand)
- Obtain/record name and position of attendees at opening meeting

Name	Company/Role

- Provide background of MPI and purpose/role of SAT – as appropriate
- Brief outline of TOR and expected time line of audit (audit plan)
- Confirm time frames of auditees, availability of auditees  
Today we will discuss:
- Confirm role and presence of any technical expert/observer
- Confirm expected close out process should any non-conformances be identified
- Confirm process should a critical situation be identified
- Outline what report auditee can expect, and process of right of reply, corrections, etc.
- Outline final report distribution
- Confirm exit meeting timing
- Confirm who needs to present from auditee organisation for exit meeting and rough timing
- Any questions

**Exit Meeting Checklist**

Obtain/record name and position of attendees

Name	Company/Role

- Summarise findings of audit – clearly describing any non-compliances (and relevant standard, clause, etc.)
- Advise auditee if there are any issues that require clarification (may preclude a decision on a non-compliance being made at the time)
- Confirm expected actions of auditee organisation to any non-compliances identified
- Audit Outcome – where applicable
- Advise who appeals or complaints can be directed to (Initiator or Manager, SAT, depending on issue)
- Reconfirm reporting process, right of reply, and timeframe for when likely to expect location finding/report
- Acknowledge commendable programmes, systems or processes, and staff
- Thank auditees
- Provide opportunity for auditee to make comment or raise any issues

**Terms of Reference Goals:**

To assess the effectiveness of RNZSPCA/SPCA national procedures to ensure that obligations and requirements of the AWA are being met by SPCA branches.	
To evaluate how the systems and procedures implemented by the RNZSPCA are meeting the requirements outlined in the MOU between the RNZSPCA and the MPI.	
To assess the effectiveness of the SPCA branches in managing the requirements of the AWA and MOU for appointments, training, and monitoring of Inspectors and Auxiliary Officers.	
To assess corrective actions undertaken by the RNZSPCA in response to the previous MPI systems audit findings, and if appropriate to recommend further improvements to ensure requirements of the AWA are met.	
To make recommendations to MPI for improvements to the MOU and AWA ancillary notices, specifications, and guidance, as required.	

**1.0 Previous Recommendations and MPI Issues**

See print out of issues

**2.0 Memorandum of Understanding**

AWA 123B (3) Auditors conduct audits as to the previous and current positions, and as to the likely future position, of

- (a) an organisation's ability to meet the criteria set out in section 122(1):
- (b) compliance by an organisation and its inspectors and auxiliary officers with any relevant performance and technical standards for inspectors and auxiliary officers:
- (c) an organisation's compliance with any memorandum of understanding established between the organisation and the Ministry:
- (d) the exercise of any power, and the carrying out of any functions or duties, by any inspector or auxiliary officer of an organisation:
- (e) an organisation's compliance with animal welfare law:
- (f) compliance by an organisation and its inspectors and auxiliary officers with any direction issued by the Director-General under section 126:
- (g) any other class or description of audit necessary to audit an organisation's work or status as an approved organisation under this Act.

2.1 Current copy of AWA?

2.2 Copy of MOU? yes

2.3 Copy of PTS? yes

2.4 Internal Audits - none

- Internal procedures and performance against MOU
- Internal procedures and performance against PTS
- On what – all branches, national?
- How are issues recorded, tracked, and resolved?
- For issues: Root cause analysis and effective preventative actions?

**3.0 GENERAL**

Describe the structure of the Centres.

- Reporting lines.
- What impact does this have on the MOU and PTS?

2020 RNZSPCA Annual Audit

Branch Checksheet – V1

June 2020

- How many Centres are there now?
- Do they cover the entire country? If not, which areas are unsupported by an SPCA centre?

Who carries out national functions?

- Who do the Centres report to?
- How are National procedures implemented across all Centres/Hubs?

Who do the inspectors report to?

- Are inspectors often the centre manager?

Are all the centres using Shelterbuddy?

- Does everyone use the same database and how is this managed?

#### 4.0 ROLE OF MINISTER, MPI AND SPCA

PTS16

- How does the National Inspectorate and Centre Support Team ensure that all Centres, Inspectors and AOs comply with the Act, MoU and PTS?

PTS17

- How does the SPCA hold Centres InspAOs accountable? Through means other than internal audits?

PTS18

- How does the SPCA maintain adequate and effective governance arrangements, financial management arrangements and management accountabilities as per s122 of the AWA?

#### 5.0 SELECTION, TRAINING AND APPOINTMENT

PTS 19 AO/Insp

- Do they have national guidelines on what AOs/Insp should be hired for? (Centre selection)
- Do they have different hiring criteria?

PTS 25 AO/Insp

- Does NSO check that all volunteers have contracts?
- What are the NSO requirements?

#### 6.0 SELECTION OF APPLICANTS FOR INSPECTOR TRAINING

PTS 30-35/28-32 Insp/AO

- Through what mechanism do the Centres recommend applicants for training as an Inspector to NSO?

PTS 36(a)/35(a) Insp/AO

- Have there been any changes to the application forms?
- Is the application form version controlled?
- How can they prove there have been no changes?

PTS 41/40 Insp/AO

- Has the Nat Inspectorate and Centre Support Team ever decided against an application on the grounds that they felt an applicant was not suitable?

Do they have records of Police or MOJ checks on all applicants?

- Do the branches hold these too?

PTS 37/36 Insp/AO

- Who completes the interviews for potential candidates?
- When has MPI been asked to assist in interviews?

- Who completes renewal interviews?

## 7.0 CRIMINAL CONVICTIONS

PTS 36/27 (h/i) Insp/AO

- Evidence of criminal conviction checks supplied to MPI?
- Has anyone ever had a criminal conviction come back as unfit-for-the-role?  
What was the outcome?  
Was MPI consulted with? Do they have records?

Have any Inspectors received criminal convictions during their appointment term?

- What actions were taken?

PTS54/52 (c)

- Evidence of criminal conviction checks for renewals  
Supplied to MPI?

## 8.0 APPLICATION FOR FIRST APPOINTMENT

- How does the application process for first appointments differ from renewal?

## 9.0 APPOINTMENT AGREEMENT

- Does the NSO hold a copy of all agreements between Inspectors and the SPCA?

## 10.0 Training

### 10.1 TRAINING PROGRAMME

- Who and how is the funding from MPI managed?  
None provided  
Working with Lisa Brown (MPI Legal Team) – joint training via online platform  
MPI did share inspector training information/courses  
9(2) approached Gray to conduct joint investigative interview training -> potentially next year
- What national procedures are in place to ensure that Insps and AOs are trained properly?  
yes
- What is the AO training programme? How does this differ to the Inspector training programme?  
AO considered centre-base staff so not included in competency framework -> refresher auxiliary officer training (101 AOs at the moment)... plan to roll out by end of the year  
(R) -> implement AO refresher by next annual MPI audit  
(R) -> may be worthwhile to include in privacy act

Annual test (online module) to be provided and required prior to re-appointment

### 10.2 Ongoing Training and Evaluation

PS56 AO

- Why is ongoing training and evaluation only required for AOs? Where is this requirement for inspectors in the PTS?
- What does the ongoing training entail?
- What does the evaluation entail?
- What records does NSO hold for recent refresher courses/evaluations?

PTS 28-34 AO

2020 RNZSPCA Annual Audit

Branch Checksheet – V1

June 2020

- Is the AO training programme continuous (is it for new candidates, or also for renewal)?
- PTS32 how many AOs have had to resit the course? How many times can an applicant resit the course?

Initial course May- July, second course September- November, retake allowed starts a month after first intake & two months to complete  
Stood down for 12 months

Only 1 person every fail twice and not re-site ...

#### PTS30-35 Insp

- Same as above – continuous or just new candidates?
- How are applicants assessed as “competent”?

#### 11.0 DOCUMENTATION/RECORDS

- What records are held at NSO? New Lynn  
HR keeps contracts  
Inspectorate keeps personnel file on appointing – hardcopy of training to first appointment, renewal, conduct complaints (pushed back to immediate line manager; digital database – CRM & email folder on Tristin’s inbox for minor complaints)

Minor (customer service issues), moderate (possible serious, lesser degree), serious (dishonesty, privacy breach, AW breach, breach of NZ legislation) -> complainant can escalate to New Lynn office

- Do they keep copies of all Inspectors and AOs Instruments of Appointment?

Yes

#### 12.0 JURISDICTION

##### PTS64-66/63-65 Insp/AO

- Are the Insp Instrument of Appointment different from the AOs?  
They are both allowed to operate under 124(3)(b)(i) and (ii) of the AWA
- the IOA state where the inspector can operate?

State where based, but can act nationally if requested

##### PTS44/43

- Are all Insp/AOs assigned an Instrument of Appointment, which is indicated in the PTS?
- How do these records align with MPI records?
- How does NSO ensure that MPI database of active Instrument of Appointments is accurate?

Have any Insp/AOs operated outside of their area of jurisdiction?

- If so did they notify the district and NSO?
- Or were they granted approval?
- Do they have National procedures regarding this?

##### PTS66/65

- Do any inspectors use their appointment for other forms of employment?

#### 13.0 SUPERVISION & COMPLAINS

##### Insp/AO supervision

- How are Insp/AOs supervised?
- How are the Insp/AOs monitored?



## PTS 86-88/85-87 Insp/AO

- How are performance requirements related to the PTSs feedback to NSO to be appropriately addressed?
- How does NSO determine a complaint to be serious?
- How many complaints have been received in the last year and how many have been deemed serious?
- How does the NSO communicate problems or complaints to Centres?

## Centre supervision

- How does NSO supervised the Centres?
- How are issues resolved?
- How are the Centres monitored?

**14.0 TRANSFER TO OTHER SPCA CENTRE**

- Record?
- How does NSO ensure that all records are correctly kept for transfers? Monitoring?

**15.0 LAPSED APPOINTMENTS**

- Are there national procedures around lapsed appointments for Inspectors/AOs?**

**16.0 RETURN OF COA AND IOA**

- What procedures do they have in place nationally to ensure Certificate of Appointment and Instrument of Appointment are returned when someone leaves/resigns/is removed?

**17.0 LOST CERTIFICATES OF APPOINTMENTS (ID card)**

- Have there been any instances of lost COAs?
- How does NSO know that the procedure was followed?  
Was MPI notified?
- Do their procedures align with PTS?

**18.0 RESIGNATION**

## PTS80-81/78-81 Insp/AO

- Why are there slightly different requirements between Inspectors and AOs?
- Does the NSO procedures align with these?  
Have they had any instances of Inspectors resigning and what process was followed?  
Did the actual process follow their procedures?
- Have any AOs had their IOA revoked? Do they have procedures for this?
- How do they ensure they (New Lynn office) receive back Instruments of Appointment etc?

**19.0 REMOVAL FROM OFFICE****20.0 EXERCISE OF POWERS OUTSIDE TERM OF APPOINTMENT**

Has anyone impersonated in Inspector, exercised powers they do not have? Were they subject to a review by MPI?

**21.0 ANIMAL WELFARE COMPLAINTS**

PTS 90 Insp – Has there been a situation where the complainant specifically objected to an MPI transfer? Why? How was this documented? Was it discussed with MPI?

PTS91 Insp – What is the SPCA procedure on response and investigation?

## 24.0 RESOURCES

### 25.0 EUTHANASIA

View National Euthanasia procedures. Does New Lynn office sign off on each centres own procedures?

Does New Lynn keep a record of all staff with firearms licences?

What methods of euthanasia are acceptable? Do procedures align with COW?

Do they have national procedures around pentobarbitone?

### 26.0 SEARCH WARRANTS

How do they manage applications for Search Warrants?

What records are kept for the conferring with MPI? Do MPI provide them with information from their database?

How do they maintain the database for all search warrants? What happens if a Centre doesn't notify them?

### 27.0 SUPERSESSION POLICY

How does the SPCA and MPI know if they are both investigating the same complaint?

### 28.0 RECORDS

What records are held by the New Lynn office?

How does New Lynn office monitor record keeping at the centres?

### 29.0 ANIMAL REGISTER

Do all centres provide the New Lynn office with annual stats by the 31 Jan? Who then sends this on to MPI by 1 March? What do they do with the statistics? Are they used to trend areas where more help is required (eg increase in AO/inspector numbers)?

### 30.0 POLICY AND PROCEDURE MANUAL

How are the policy and procedures reviewed?

How is monitoring of implementation conducted?

### 31.0 MEDIA

Is there a national media policy? Is this reflected at each centre?

Run through Comms team, ask for Inspectorate input

Any issues in the last year?

Are draft copies of media releases shared with MPI? Are there procedures around this?

### 32.0 PRIVACY

Do they have a national privacy procedure? Is this consistent across all centres?

### 33.0 Closing

PTS115 – MPI shall supply written audit reports for each audit within two months of the audit being carried out

PTS116 –The SPCA Inspectorate and Centre Support Team will report in writing within 4 months to the Manager Animal Welfare Standards on progress in resolving key issues addressed in the audit report.

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## MPI SYSTEMS AUDIT TEAM

RNZSPCA - Centres	
<b>Audit Location:</b>	<b>Date:</b>
<b>Address:</b>	<b>IL Schedule: 2552</b>
	<b>Audit #:</b>
<b>Auditors:</b>	

Audit Time			
<b>Prep</b>		<b>Travel</b>	
<b>On Site</b>		<b>Follow Up</b>	
<b>Report</b>		<b>Total</b>	

<b>Arrival Time</b>	
<b>Departure Time</b>	

## Opening Meeting Checklist

- Introduce Self (and team) – produce Identification, and warrant where applicable (Recommend Auditor has relevant Act and sections on hand)
- Obtain/record name and position of attendees at opening meeting

Name	Company/Role

- 
- Provide background of MPI and purpose/role of SAT – as appropriate
- Brief outline of TOR and expected time line of audit (audit plan)
- Confirm time frames of auditees, availability of auditees
- Confirm and presence of any technical expert/observer
- Confirm any Health and Safety requirements of auditee organisation
- Confirm expected close out process should any non-conformances be identified
- Confirm process should a critical situation be identified
- Outline what report auditee can expect, and process of right of reply, corrections, etc.
- Outline final report distribution
- Confirm exit meeting timing
- Confirm who needs to present from auditee organisation for exit meeting and rough timing
- Any questions

## Exit Meeting Checklist

- Obtain/record name and position of attendees

Name	Company/Role

- Summarise findings of audit – clearly describing any non-compliances (and relevant standard, clause, etc.)
- Advise auditee if there are any issues that require clarification (may preclude a decision on a non-compliance being made at the time)
- Confirm expected actions of auditee organisation to any non-compliances identified
- Audit Outcome – where applicable
- Advise who appeals or complaints can be directed to (Initiator or Manager, SAT, depending on issue)
- Reconfirm reporting process, right of reply, and timeframe for when likely to expect location finding/report
- Acknowledge commendable programmes, systems or processes, and staff
- Thank auditees
- Provide opportunity for auditee to make comment or raise any issues

**Terms of Reference Goals:**

Read ToR goals

**Previous Recommendations and MPI Issues**

None apply to any Centre during this audit

**Calibration of Centres****Calibration of Inspectors/Auxiliary Officers****Centre feedback on NSO policies****Background**

Number of Inspectors	
Who do the Inspectors report to?	
Number of Auxillary Officers -Full time or volunteer?	
Who do the AOs report to?	
Number of Volunteers	
Number of Paid staff	
Shelter Capacity Dogs	
Shelter Capacity Cats	
Shelter Capacity Other	
Foster Homes utilized?	
Hours of operation?	
<ul style="list-style-type: none"> <li>• Current copy of AWA?</li> <li>• Copy of MOU?</li> <li>• Copy of PTS?</li> </ul>	

**Auxillary Officers**

How do AOs feel about their current training and support?

Is there any additional training they would find beneficial?

What roles do the AOs undertake at this Center?

### Inspectors

Do Inspectors feel they have sufficient support in their post warranting period?

How did they find their training (and what training did they undergo?)

### Complaints Process

Do Inspectors and AOs feel that the complaints process is fair?

### Hub Model

How do staff find the Hub model

How does it work in reality for this Center?

What issues do they see with this model?

Is there ever a case where this system doesn't work well

### ANIMAL WELFARE COMPLAINTS

Do they receive their own complaints? How many complaints go through the call centre vs the centre?

PTS AO 88:

- If complaints are received in the centre, how do AO call on Inspectors?
- Is there a procedure for this?
- What is done if no Inspector is available?

PTS Insp 89/90:

- If complaints are received in the centre, how do Inspectors judge whether they should be forwarded to MPI?
- Do they have documented procedures that cover limitations?

How do they grade responses and assign urgency?

Are copies of all written notices by inspectors kept on file?

Have any AOs at this centre issued verbal or written instructions or seized an animal?

Are notices ever reviewed as part of training and calibration activities or Inspector monitoring?

Have they ever had any instances where they did not believe the Inspector was correct in issuing written instructions?

In the event that the investigating or prosecuting Inspector cannot carry out full duties, how is this then delegated?

How is information shared between Inspectors to ensure correct information is passed on to the next inspector?

## RESOURCES

What procedures and records are maintained for instances where the owner cannot be found, doesn't agree to euthanasia or doesn't obtain a 2<sup>nd</sup> opinion to safeguard the inspector?  
How often does this happen?

How do they assess whether an area of animal husbandry is outside an Inspectors training/experience?  
How is this managed? Does it result in further training?

How often is there a disagreement regarding the remedial action required?  
What type of second opinions have they used?  
How do they select the expert (i.e do they have a list/vet clinic they work with etc)?  
What procedures and records do they have for this?

How do they minimise the potential for a conflict of interest with regards to external experts?

How do they record Investigator decisions, owner decisions and expert opinions?

## EUTHANASIA

Do they have their own centre procedures or follow national procedure?

Demonstrate access to the policy, procedure and guidelines for SPCA staff.

What records do they maintain to demonstrate Inspectors have followed Centre/National Euthanasia policy?

Do all Inspectors hold firearms licenses? If not, what records and checks do they carry out to ensure that the person they enlist the help of does?



How do they record reasons for euthanasia for each animal?

What training do Inspectors receive for humane euthanasia?

How often is refresher training, calibration and monitoring carried out?

Do Inspectors record instances of euthanasia that is not successful first time?

What corrective actions are taken?

Do they have pentobarbitone stored on site? Do they have procedures around the storage of this?  
Who can control it?

How are euthanised animals disposed of? Do they have issues with council over this?

#### RESPONSE AND INVESTIGATION PROCESS

Do they all have access to the documented response and investigation process?

Where do they record all instructions, actions, observations and interviews?

What support is available to Inspectors when carrying out functions under AWA?

#### SEARCH WARRANTS

PTS 93. Do Inspectors have access to the policy and procedure for search warrants?

Exhibit handling, storage and movement procedure?

#### PROSECUTION

PTS94 Insp.

- Do they have access to the policy and procedure for Prosecutions? Are these national?

## INFRINGEMENT NOTICE PROCEDURE

PTS95 Insp.

- Do they have access to the infringement procedure?
- Does this procedure detail the process for issuing infringement notices and the responsibilities of the SPCA in this?

## SUPERSESION POLICY

PTS97 Insp.

- How does the Centre and MPI know if they are both investigating the same complaint?

PTS100 Insp.

- Do they have access to the SPCA Procedure "MPI Job Transfers"?

## RECORDS

How and where are records stored?

## ANIMAL REGISTER

Does their animal register include; date of custody, date of disposal, method of disposal (rehomed, sold, destroyed, other).

How many dogs, cats and other were handled during 2019/2020?

Removed (in last PTS s266) – on what grounds would an animal be destroyed during the 7 day hold period? Who signed for this? What do procedures say?

## Policies

### POLICY AND PROCEDURE MANUAL

Demonstrate access to the online P&P Document Suites.

Who has access? Do all staff, or just Inspectors and AOs?

## Impartiality

How do Inspectors ensure they don't participate in any activities which could be seen to jeopardise their impartiality?

## PRIVACY

Are staff trained in the Privacy Act? Under what circumstances would they be required to disclose personal information to or about an individual?

### List of Policies and Procedures

Search Warrant Procedure

Prosecution Procedure

Infringement Notice Procedure

Response and Investigation Process

Euthanasia (Policy, Procedure and Guidelines)