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27 April 2022

Mark MacDonald

By email: [fyi-request-18974-b0e8c4dc@requests.fyi.org.nz](mailto:fyi-request-18974-b0e8c4dc@requests.fyi.org.nz)

Dear Mark

**Information Request** – Behaviour and Conduct Office

I refer to your official information request dated 25 March 2022 asking for the following information:

**1. In the most recent media on FENZ's dysfunctional complaints handling, Deputy Chief Executive Raewyn Bleakley said:**

**"... this was quite clearly articulated in the Coral Shaw Report that the BCO should provide the process but the recommendations for action should go back to the decision maker who is the line manager or the appropriate chief of the actual brigade or whatever area we're talking about. And that is then where the disciplinary action takes place so we're not going to confuse or merge those."**

**I request that FENZ provide the precise wording from the Shaw Report, verbatim, that Ms Bleakley is referring to.**

**2. I request that, for all complaints that were at some point in their lifespan dealt with within a version of the BCO (interim, permanent, etc), whether the complaint commenced there or not:**

- a) FENZ provide the date the complaint commenced in the BCO;**
- b) FENZ provide the job/position of the decision maker(s) (eg Chief, Area Manager, Group Manager, BCO Director, HR, etc), whether a decision was ever made on the complaint or not; and**
- b) FENZ provide the outcome eg unresolved/ongoing; disciplinary action; etc; and**
- c) FENZ state whether the accused person was stood down.**

Your request has been assessed in accordance with the provisions of the Official Information Act 1982 (OIA). Fire and Emergency New Zealand's response to each of your questions is set out below:

**1. ...I request that FENZ provide the precise wording from the Shaw Report, verbatim, that Ms Bleakley is referring to.**

The Positive Workplace Culture Review Report completed by Coral Shaw is available on the Fire and Emergency website: [Positive-Workplace-Culture-Review-Report.pdf \(fireandemergency.nz\)](https://www.fireandemergency.nz/positive-workplace-culture-review-report.pdf)

The precise wording, referenced in my statement, can be found on page 73, in the “Conclusions and Recommendations” section. Specifically, the third point in the below excerpt:

*“3. An independent investigation process to deal with serious matters of bullying and harassment, where informal resolution is unsuccessful or likely to be unsuccessful.*

- Acts according to natural justice with agreed and transparent protocols/ rules of procedure*
- Such investigations will be conducted as a workplace disciplinary matter*
- Reports and recommends to decision-maker on result”*

**2. I request that, for all complaints that were at some point in their lifespan dealt with within a version of the BCO (interim, permanent, etc), whether the complaint commenced there or not:**

- a) FENZ provide the date the complaint commenced in the BCO;**
- b) FENZ provide the job/position of the decision maker(s) (eg Chief, Area Manager, Group Manager, BCO Director, HR, etc), whether a decision was ever made on the complaint or not; and**
- b) FENZ provide the outcome eg unresolved/ongoing; disciplinary action; etc; and**
- c) FENZ state whether the accused person was stood down.**

I am notifying you, under section 15A(1) of the OIA, of an extension of the time limit in section 15(1) of the OIA to make our decision on these aspects of your request, to 27 May 2022.

The reasons for the extension is that your request necessitates a search through a large quantity of official information and meeting the original statutory time limit would unreasonably interfere with our operations, and the consultations necessary to decide on your request are such that a proper response to your request cannot reasonably be made within the original time limit.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

Yours sincerely



Raewyn Bleakley  
Deputy Chief Executive, Office of the Chief Executive