



Board Minutes

BOARD MEETING

Date: Friday, 30 April 2021

Time: 8.30am to 12.30pm

Venue: Zoom

Present:

Hon Paul Swain	Chair
Rebecca Keoghan	Deputy Chair
Te Aroha Cook	Member
Wendie Harvey	Member
Malcolm Inglis	Member
Gwen Tepania-Palmer	Member

In Attendance:

Rhys Jones	Chief Executive
Raewyn Bleakley	Deputy Chief Executive Office of the Chief Executive
Kerry Gregory	Deputy Chief Executive Service Delivery
Darryl Purdy	Deputy Chief Executive Finance and Business Operations
Russell Wood	Deputy Chief Executive Organisational Strategy and Capability Development
Brendan Nally	Deputy Chief Executive People
Ian Pickard (from 10.10am – 10.40am)	National Manager People and Workforce Capability
Nick Venter	Secretariat

Apologies:

The Board met alone in Board-only time from 8.30am to 9.05am and then met with the Chief Executive in Chief Executive-only time. The remaining members of the Executive Leadership Team (ELT) joined the meeting at 9.30am.

1. 21(41) Interests Register and Conflicts of Interest

Paul Swain advised that he was no longer a director of Hutt & City Taxis.

2. 21(42) Confirmation of the minutes of the previous meeting

The minutes of the meeting held on 26 March 2021 were approved as a true and accurate record of the meeting with the following amendment:

The Board requested the addition of “training” to the first sentence of the second paragraph of 21(21) so that the end of the sentence reads: “... still operating off a Fire Service training strategy”.

Moved: Paul Swain; Seconded: Rebecca Keoghan

3. 21(43) Action items from last meeting

The Board was updated on the status of outstanding action items.

4. 21(44) ELT Feedback on Board Strategic Issues

The Board thanked management for the table setting out management’s view of the strategic issues identified by the Board’s PESTLE (Political, Economic, Social, Technological, Legal, Environment) analysis. It asked about next steps. Management advised that the exercise had been useful from its point of view and it saw value in repeating it on a yearly basis.

The Board sought advice on the impact of social deprivation on Fire and Emergency. It was advised that social deprivation drove different types of behaviour and the impact was apparent in heavily populated areas of Auckland. The impact was likely to grow if unemployment increased. The lessons learned in Auckland were readily transferable to other parts of the country. The Board asked for the second item in the economic section of the table to be adjusted from “Will changes in housing standards impact on structure fires?” to: “Will an increase in social deprivation impact on structure fires?”

Action

- Change second item in economic section of the table contained in the Board Strategy Day Jan 2021 Outputs paper from “Will changes in housing standards impact on structure fires?” to: “Will an increase in social deprivation impact on structure fires?”

Resolved

That the Board:

1. **notes** the management additions to the PESTLE analysis undertaken at the January 2021 Board strategy session, and
2. **notes** the management comment on the items raised by the Board at the January 2021 session

5. 21(45) Future Options for Volunteer Brigades

The Board was updated on the external legal advice received regarding the legal relationship between Fire and Emergency and volunteer brigades. 9(2)(h)

[REDACTED]

Before engaging further with external lawyers, the Board requested a paper containing practical examples of the issues created by the current legal arrangements and outlining a suggested course of action. Management undertook to update the Board at its next meeting.

Actions

- Present the Board with an updated paper containing practical examples of the issues created by the current legal arrangements between Fire and Emergency and volunteer brigades and outlining a suggested course of action at its June meeting

Resolved

That the Board:

1. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
2. **requests** a further paper containing practical examples of the issues created by the current legal arrangements and outlining a suggested course of action

6. 21(46) Training and Development Review

National Manager People and Workforce Capability Ian Pickard joined the meeting to provide an overview of the draft Training and Development Strategy. Key considerations included the increase in the numbers being trained since the establishment of Fire and Emergency, the need to reduce time demands on volunteers, the costs associated with using career firefighters as trainers, the need to train forestry employees and personnel from other external partners, the absence of formal training for personnel once they reached the rank of senior firefighters and the desirability of retaining Fire and Emergency's status as a Government Training Establishment (GTE).

The Board asked whether the strategy was a workforce development strategy or an organisational strategy. Management advised that such things as Urban Search and Rescue (USAR), which was externally validated, Risk Reduction, and Operational Skills Maintenance (OSM) needed to be built into the strategy.

The Board advised that it preferred an organisation-wide strategy that provided pathways for personnel to move into areas such as USAR. It asked to be kept informed as the strategy was developed and for thought to be given to what training metrics should be reported to it. It also asked to be updated on the impact of the Government's decision to disestablish Industry Training Organisations, including SkillsITO, and shift their support functions to a new nationwide New Zealand Institute of Skills and Technology (NZIST).

Management undertook to provide the next iteration of the strategy, incorporating Board feedback, to the Board at its next meeting for further feedback.

Action

- Keep the Board updated on the impact of the Government’s decision to disestablish Industry Training Organisations, including SkillsITO, and shift their support functions to a new nationwide New Zealand Institute of Skills and Technology (NZIST)
- Present the next iteration of the draft Training and Development Strategy to the Board at its June meeting

Resolved

That the Board:

1. **notes** the key findings and recommendations in the Training and Development Review
2. **notes** that work is underway to prioritise and include relevant actions in the 2021/22 Business Plan to achieve the desired outcomes for each recommendation
3. **notes** that a road map and timeline for implementation of the recommendations is being developed to monitor progress and provide the basis for executive reporting
4. **notes** that the most urgent development is the Training and Development Strategy 2022 – 2026, and that this is already in draft form; and
5. **notes** an opportunity will be provided for the Board to provide feedback on the draft Training and Development Strategy

7. 21(47) Bargaining

Management updated the Board on the three collective agreements that have either commenced, or are about to commence, bargaining: 9(2)(J)

[REDACTED]

Resolved

That the Board:

1. **notes** there are three collective agreements under bargaining or due to commence bargaining in the current period, one with each of our key union partners; and
2. **notes** the current challenging environment in which the current round of bargaining takes place

8. 21(48) Chief Executive’s Report

Management updated the Board on the planned vaccine rollout. It was advised that it was getting good uptake on the surplus vaccines being offered to firefighters by district health boards, but it was unlikely all personnel would agree to be vaccinated. The protocols established to protect personnel during the pandemic would continue to keep people safe.

The Board was advised that when a tsunami warning was issued on 5 March after an earthquake off the Kermadec Islands many firefighters had gone to get people off the beaches. This was commendable, but raised an issue about the preservation of response capability. The Emergency

Sector Leadership Board was leading a lessons-learned exercise with a view to incorporating lessons in contingency planning and exercise programmes.

The Board was advised that approval had been given for Fire and Emergency personnel to support Ministry of Health vaccination programmes in the Cook Islands and, potentially, Niue, Tokelau, Samoa, Tonga and Tuvalu.

9. 21(49) Financial Report

The Board was advised that levy revenue had recovered earlier than expected from the impact of COVID-19. Combined with savings implemented to mitigate the effects of the pandemic on levy revenue this had placed Fire and Emergency in a better than budgeted financial position. The organisation had commenced a refresh of its long term funding model which would cover 10 years.

10. 21(50) Safety, Health and Wellbeing Update

The Chair of the Safety, Health and Wellbeing Committee advised that all matters relating to the Committee had been closed out. The Safety, Health and Wellbeing Update was now the forum for Board members to execute their responsibilities as officers of a PCBU (Person Conducting a Business or Undertaking).

The Chair of the Board advised that the Chair and members of the Committee had been thanked at the Committee's final meeting for the improvements the Committee had made on safety, health and wellbeing reporting.

Resolved

That the Board:

1. **notes** the Safety, Health and Wellbeing monthly report; and
2. **notes** no notifiable events occurred.

11. 21(51) Board Monthly Dashboard

The Board was advised that the projects reported against in the Monthly Automated Dashboard would be refreshed to take account of developments since the dashboard was established.

The Board sought an explanation for the spike in the recidivism rate for young people attending the Fire Awareness and Intervention Programme (FAIP). It was advised that the actual numbers involved were very low. The Board asked for explanations to be included in the dashboard commentary when outlier statistics were reported.

The Board asked for an update on the reporting against *Outcome 3: Our services are valued and trusted* and *Key Enablers: Organisation health and capability*. Management advised that thought was being given to how best to achieve that.

12. 21(52) Chatham Islands Quarterly Report

The Board noted the Chatham Islands Local Advisory Committee's Quarterly Report and advised that it wished to continue sending letters to the LACs responding to the matters raised in the reports.

Action

- Write to the Chatham Islands LAC with the Board's feedback on its report

13. 21(53) Board Q3 Performance Review

The Board congratulated management on the production of succinct well-written report.

14. 21(54) Statement of Performance Expectations: Draft design layout

The Board noted the recommendations in the Statement of Performance Expectations: Draft design layout paper.

Resolved

That the Board:

1. **agrees** to review the draft designed SPE (appended to this paper) and provide feedback at the 30 April 2021 Board meeting
2. **agrees** relevant changes from the 19 April 2021 'out-of-session' review will be tabled at the 30 April Board meeting, as time did not permit inclusion in this designed draft
3. **notes** that the draft designed SPE, with relevant changes from the 19 April 2021 Board review, will be provided to the Minister for review on 30 April
4. **notes** the final version provided to the Minister will be provided to the Board; and
5. **notes** the final SPE will be provided to the Board for approval in June 2021

15. 21(55) Q3 Board Report to the Minister

The Board noted that the Quarter Three report to the Minister read well and thanked those responsible for its production.

Resolved

That the Board:

1. **provides** feedback on the draft Q3 Board Report
2. **approves** the Q3 Board Report subject to incorporating feedback into the draft report to finalise; and
3. **notes** the final Q3 Board Report will be sent to the Minister's office by 11 May 2021

Moved: Paul Swain; Seconded: Rebecca Keoghan

16. 21(56) Draft Letter of Expectations

The Board noted the Minister's expectation that it would work with management to make "substantive progress to close any ethnic or gender pay gaps and narrow the gap between the highest and lowest earners in the workplace".

9(2)(J)

Resolved

That the Board:

1. **notes** the draft Letter of Expectations 2021/22; and
2. **notes** no feedback was required on the draft letter

Moved: Wendie Harvey; Seconded: Te Aroha Cook

17. 21(57) GNS Science Geophysical Monitoring Stations

The Board was advised that the resolution in the deferred GNS Science Geophysical Monitoring Stations paper had been clarified to make it clear that local personnel would be consulted on the location of geophysical monitoring stations at selected fire stations, but would not also be asked to provide consent.

Resolved

That the Board:

1. **approves** the grant of licences to GNS Science for the installation of geophysical monitoring stations at selected fire stations and other Fire and Emergency sites, on terms to be negotiated and agreed by the National Property Manager, subject to the following conditions:
 - (a) the presence and location of a geophysical monitoring station at a fire station or other Fire and Emergency site must be determined in consultation with local personnel who usually occupy the fire station or other site in question; and
 - (b) the form of licence must be the subject of a legal review and certificate.

Moved: Malcolm Inglis; Seconded: Gwen Tepania-Palmer

18. 21(58) Acquisition of Land at Drury, South Auckland

The Board was updated on the proposal to purchase land at Drury from the Crown under the Public Works Act and land bank it for a future fire station in anticipation of growth in the area and demographic changes.

The Board asked what would happen if the land was required to settle a Treaty of Waitangi claim. It was advised that the terms of the agreement anticipated a possible future transfer of the land to iwi while preserving Fire and Emergency's ability to continue to use the land and protect the value of its investment.

Resolved

That the Board:

1. **approves** the acquisition of land at 67 Mercer Street, Drury (legally described as Sections 1, 3 and 4 SO 6199) from the Crown, under s194 of the Fire and Emergency New Zealand Act 2017 and s20 of the Public Works Act 1981, for consideration of \$701,000 plus GST (if any); and **authorises** the Deputy Chief Executive, Organisational Strategy and Capability Development, to sign:
 - (i) an agreement for sale and purchase accordingly, subject to legal certification of the terms of the agreement; and
 - (ii) any associated documents necessary to give effect to the acquisition

Moved: Malcolm Inglis; Seconded: Rebecca Keoghan

19. 21(59) Final Budget

The Board was advised that the budget for the coming year had been submitted, out-of-cycle to the Audit and Risk Committee, which had provided useful feedback that was reflected in the final paper. Levy revenue appeared to have stabilised and was forecast to increase by two per cent in each of the next three years. The organisation was budgeting to continue to operate within the financial parameters set in the 2020/21 Statement of Performance Expectations adjusted for inflation increases as set out in the paper.

The Board congratulated management on a “really good paper” and noted that there had been a big improvement in the quality of papers being presented.

Resolved

That the Board:

1. **notes** that the Audit and Risk Committee of the Board has reviewed the budget, provided feedback to management which is incorporated into this paper and supports the proposed Budget for 2021/22 and Forecasts for 2022/23 and 2023/24.
2. **notes** that after adjusting for three extraordinary items, the budgets and forecasts proposed in this paper meet the Board’s directive to operate within the forecasts outlined in the 2020/21 SPE, specifically operating expenditure of \$617.9 million.
3. **notes** that expenditure will increase year on year through inflation, salary negotiations and depreciation although will be kept at a level that maintains a stable surplus against the expected annual increase to levy.
4. **notes** the six key risks associated with the 2021/22 budget and outyear forecasts and that these are being actively managed by ELT.
5. **approves** the proposed budget for 2021/22 and forecasts for 2022/23 and 2023/24 as set out in appendices 1 and 2.
6. **notes** that the budgets and forecasts set out in this paper will form the basis of next year’s SPE which will be presented to the Board for final approval in June 2021

Moved: Malcolm Inglis; Seconded Rebecca Keoghan

20. 21(60) Fire plans: delegation to Chief Executive

The Board delegated to the Chief Executive the authority to issue fire plans.

Resolved

That the Board:

1. **delegates** to the Chief Executive all the duties and powers of Fire and Emergency arising under s22 of the Fire and Emergency Act and the Fire Plan Regulations

Moved: Wendie Harvey; Seconded: Gwen Tepania-Palmer

21. 21(61) United Fire Brigades’ Association – Draft funding proposal for the 2021/22 financial year

The Board was advised that management would work with the UFBA over the next six weeks to further align the UFBA’s funding proposals with Fire and Emergency’s legislative obligations and the

Volunteerism Strategy. The major change to the UFBA's funding proposal from the previous year was an additional face-to-face conference.

The Board sought an update on the external review of the UFBA's finances. It was advised that no issues of concern had emerged to date. It was expected the review would be completed before the UFBA's final proposal was presented to the Board for approval. 9(2)(g)(i)

Resolved

That the Board:

1. **notes** the UFBA's draft funding application for 2021/22 has been received; and
2. **notes** the work that will be undertaken before the final UFBA funding proposal is provided to the Board

22. 21(62) Positive Workplace Culture 6-month Progress Report, November 2020 - April 2021

The Board congratulated management on a well-written report that provided a good pou (post) on which to hang future work.

Management advised that thought was being given to whether progress on implementing the recommendations from the independent review of Fire and Emergency's workplace policies, procedures and practices to address bullying and harassment should be reported more frequently to the Minister.

Resolved

That the Board:

1. **notes** the Positive Workplace Culture six-month Progress Report
2. **notes** the Foreword and the images for pages 14 and 17 will be provided as an addendum at the meeting
3. **notes** a Ministerial Briefing will be provided to the Minister of Internal Affairs prior to public release of the report
4. **notes** the report will be made available to the public by mid-May 2021; and
5. **commends** management on the ongoing work to implement the recommendations of the independent review and the quality of the update

6. 21(63) 365 Day Fire Seasons

Management updated the Board on legal advice regarding 365 day fire seasons. Historically 365 day fire seasons had been used to protect ecologically sensitive areas. The Board asked whether thought had been given to incorporating them in regional fire plans. Management responded that that was a good suggestion. The organisation was currently working through Land Management Forums to confirm the specific areas to which they should apply. They could then be "pulled through" into fire plans. It was not anticipated that they would extend much beyond the areas in which they now applied.

Resolved

That the Board:

1. **notes** that 365-day fire restrictions have been used historically by the Department of Conservation, Territorial Local Authorities and Enlarged Rural Fire Districts as a key risk mitigation tool and Fire and Emergency have continued with this practice since inception
2. **notes** that the Fire and Emergency New Zealand Act 2017 provides uncertainty as to whether the use of 365-day fire restrictions is appropriate; and
3. **notes** our risk-based operational decision is that the use of 365-day fire restrictions is an effective and appropriate fire control tool and will continue to be used in the following circumstances:
 - (a) ecologically significant areas; or
 - (b) significant values at risk can be clearly identified; and
 - (c) fire history supports a likelihood of a wildfire occurring
 - (d) where 365-day fire restrictions have been used historically, noting this is a temporary measure to allow more time for discussion and consultation; and
 - (e) in all cases, there is evidence that the affected stakeholders and community support the approach

There being no further business the meeting closed at 12.30pm.

Paul Swain
Chair

30 April 2021



Board Minutes

BOARD MEETING

Date: Friday, 30 July 2021

Time: 8.00am to 2:00pm

Venue: Zoom

Present:

Rebecca Keoghan	Chair
Wendie Harvey	Member
Malcolm Inglis	Member
Gwen Tepania-Palmer (from 10.40am)	Member

In Attendance:

Rhys Jones	Chief Executive
Raewyn Bleakley	Deputy Chief Executive Office of the Chief Executive
Kerry Gregory	Deputy Chief Executive Service Delivery
Darryl Purdy	Deputy Chief Executive Finance and Business Operations
Russell Wood	Deputy Chief Executive Organisational Strategy and Capability Development
Brendan Nally	Deputy Chief Executive People
Sid Wellik (10.40am – 11.40am)	Chief Legal Advisor
April Christie (12.50pm – 1.15pm)	Chief Advisor Safety Health and Wellbeing
Nick Venter	Secretariat

Apologies:

The Board met in Board-only time from 8.00am to 8.50am and with the Chief Executive in Chief Executive-only time until 10.15am. The Chair declared the meeting open at 10.30am.

1. 21(89) Interests Register and Conflicts of Interest

Wendie Harvey advised that she had been appointed a director of the TAB, effective from 1 August.

Rebecca Keoghan advised that she had been appointed a trustee of the Glenfiddich Trust.

2. 21(90) Confirmation of the minutes of the previous meeting

The minutes of the meeting held on 25 June 2021 were approved as a true and accurate record of the meeting with the following amendment:

Capitalisation of the word "Officers" in 21(66).

Moved: Rebecca Keoghan; Seconded: Malcolm Inglis

3. 21(91) Action items from last meeting

The Board noted the action log presented and was advised that since the Action Log was loaded in Board books, item 368 had been completed.

4. 21(92) Volunteer Brigades – Legislative Options

Sid Wellik joined the meeting

It was noted the the Chair and Chief Executive had had constructive discussions with the United Fire Brigades Association (UFBA) the previous day.

It was agreed that management would initiate discussions on potential legislative options with the Department of Internal Affairs (DIA) as Fire and Emergency's monitoring agency.

It was also agreed that the requested legal advice on the implications, if any, for Board members as Officers of a PCBU under the Health and Safety at Work Act would be presented at the next Board meeting.

The Chair took the opportunity to update the Board on the external assessment that had been commissioned of the establishment of the permanent Behaviour and Conduct Office. She advised that the terms of reference had been signed off. The assessment would consider structure, processes and best practice. It would not examine previous or unresolved complaints. The Board requested from management talking points on the external assessment.

Actions

- Initiate discussions with DIA regarding the issues created by the current legal arrangements between Fire and Emergency and volunteer brigades
- Provide the Board with talking points on the external assessment of the establishment of the permanent Behaviour and Conduct Office

Resolved

That the Board:

1. **notes** there are a range of legislative options that could be pursued to address the issues created by volunteer fire brigades having a separate legal existence from Fire and Emergency
2. **notes** that each of the legislative options may face opposition from volunteers to varying degrees. However, these could be mitigated through ensuring good consultation processes are followed and careful messaging is provided through the policy development process.

3. **notes** any legislative change will need to be pursued through the Department of Internal Affairs, who will advise the Minister on whether any changes should be sought

Sid Wellik *departed the meeting*

5. 21(93) People Survey Update

The Board advised that it considered the People Survey and staff turnover rates critical to understanding organisational culture. Management advised that the Board would be presented with branch turnover rates and an organisation-wide action plan for addressing the issues identified by the survey at its October meeting. A review of the People Survey was being commissioned that would include looking for better benchmarking against other organisations.

The Board asked for participation rates and a summary of themes of comments made in the survey to be included in the October paper. It advised it was looking forward to seeing the additional information because it was what was done with the results that was important.

Actions

- Provide staff turnover statistics by branch at October Board meeting
- Provide an organisation-wide action plan for addressing issues identified by the People Survey at October Board meeting
- Provide summary of themes of People Survey comments at October Board meeting

Resolved

That the Board:

1. **notes** the contents of this paper
2. **notes** that a more detailed analysis of the results, including a branch-by-branch breakdown and an action plan to address the issues identified by the survey, will be provided to the Board in October; and
3. **notes** that an analysis and breakdown of staff turnover by branch will also be provided in October

6. 21(94) Chief Executive's Report

The Board was updated on the response to the flooding on the West Coast and in Marlborough. Management advised that one of the more challenging issues with any large incident was the transition from response to recovery. Responsibility for recovery fell between central Government, local Government, Civil Defence and Fire and Emergency and it was not always clear who was responsible for funding what. In the case of the West Coast flooding, the organisation had been asked to keep its UAV (Unmanned Aerial Vehicle) team on the Coast longer than intended. The cost was not huge, and the request had been agreed to, but it raised the question of how recovery should be funded.

- Consult with the ARC Chair about the position Fire and Emergency will take on proposed changes to the levy regime including a possible capital levy
- Confirm invitation to DIA to present to the Board on the process for advising Cabinet on changes to the levy regime
- Provide further Information on the in-house legal opinion provided to MBIE suggesting that

9(2)(h)

7. 21(95) Financial Report – 2020/21 Interim End of Year Financial Result

The Board was advised that the \$29.3 million surplus for the year was \$22.6 million ahead of budget. Significant contributors to the better-than-forecast result were the savings initiatives implemented to offset the expected impact of COVID-19 on levy revenue and the impact of the pandemic on logistics and labour supply. The depreciable life of Fire and Emergency's fleet had been reduced in line with the Government's intention to become carbon neutral. It was possible the financial result could change if the wider Government sector had a different view on accounting for the impact of the carbon neutral policy on its operations.

The Board congratulated management on the result and the clear reporting. It advised that thought would need to be given to explaining the surplus. Management advised that it would explain how the surplus came about in an unusual year and focus on the long-term capital needs of the organisation which significantly exceeded forecast revenue in the medium to long-term as well as the additional working capital required for the shift in levy payment cycles under the Part 3 of the new legislation.

8. 21(96) Safety, Health and Wellbeing Update

April Christie joined the meeting

The Board was informed that the organisation had exceeded its target of 2000 personnel participating in Psychological Wellbeing Workshops during the year. The Board advised that it would like to see a broader wellbeing lens applied to all health and safety reporting. Management advised that the reporting enhancements underway and progress within the Critical Risk Management work would assist with this.

The Board requested an update on the critical risk programme. It was advised that recruitment had commenced but finding people with the particular skill set required in the current market was proving to be a challenge.

The Board requested an update on the Health Standards and PCBU (Person Conducting a Business or Undertaking) Overlapping Duties projects. Management advised that a paper on the Health Standards project would be coming to the Board. Regular updates could be provided in the Chief Executive's quarterly Safety, Health and Wellbeing Update on the PCBU Overlapping Duties project.

The Board asked if the increase (from one to six) in the number of personnel accessing the Employee Assistance Programme for work stress in the July quarter was due to the change process.

Management advised that it was not currently possible to determine whether the stress was related to Fire and Emergency or other employers. The coming switch to a single provider of the employee assistance programmes would improve data collection.

The Incident and Level 2 Investigations paper was noted.

Action

- Add updates on the Overlapping Duties for PCBUs project to the Chief Executive's quarterly Safety, Health and Wellbeing updates

Resolved

That the Board:

1. **notes** the Incident and Level 2 Investigations quarterly report; and
2. **notes** two notifiable events for Quarter Four

April Christie departed the meeting

9. 21(97) Monthly Automated Dashboard – June 2021

The Board reviewed the projects proposed for inclusion in the dashboard for the coming year. It asked whether now was a good time to remove the gas detection project from the dashboard and why management was proposing to no longer report on two projects showing as amber. Management advised that the gas detection project was on a good path and that the two projects showing as amber – Live fire training and Next Generation Type 3 appliances – were comparatively small in value and expected to return to green soon. The Board noted that management would report by exception if these two projects materially changed in terms of progress status.

10. 21(98) Organisational Quarterly Performance Review – Quarter 4 2020/21

Management advised that it was aiming to provide a qualitative as well as a quantitative view of performance in the quarterly report.

The Board noted the correlation between fire safety marketing campaigns and increased public awareness of the speed with which fires can become unsurvivable. Management advised that the marketing team was working closely with Risk Reduction to ensure resources were deployed as effectively as possible.

The Board noted the improvement in the annual stakeholder engagement survey score from 6.4/10 to 7.4/10. Management advised that it was expecting to make further improvements to relationships with stakeholders once the new Service Delivery structure enabled relationships to be built on a local level. The Board would be updated on the steps being taken to support engagement activities of the organisation .

The Board sought additional information on the outcome of the asbestos survey programme.

Management undertook to provide more detail about the asbestos management plans developed to manage asbestos at the 315 sites at which it has been identified.

Action

- Update the Board on the steps being taken to support engagement activities of the organisation.
- Provide more detail about the asbestos management plans developed to manage asbestos at the 315 sites at which it has been identified

Resolved

That the Board:

1. **notes** the attached reporting, outlining how the organisation has performed over Q4; and
2. **agrees** that Communication and Engagement develop talking points for sharing this with tier three management so they can see what the reporting they provide is contributing to.

11. 21(99) Review of first draft of Annual Report 2020/21

Management advised that the first draft of the annual report was being presented as a skeleton to provide the Board with a sense of the proposed structure of the report. The Board advised that it liked the proposed areas of focus and the structure of the document. It noted that it was important that the language didn't suggest the job of unifying fire and emergency service had been completed and noted the importance of the use of plain language.

Resolved

That the Board:

1. **agrees** to provide feedback on the first draft of the Annual Report at the 30 July Board meeting;
2. **notes** we will incorporate any Board feedback into the second draft, which you will receive at your August meeting
3. **notes** the timeframes in this paper for producing the Annual Report, including the potential delay in Audit New Zealand timeframes; and
4. **notes** that the Annual Report will be provided to the Minister in November 2021 and published on the Fire and Emergency website thereafter

12. 21(100) Costing and Funding the Organisation Update

The Board was advised that good progress had been made in identifying potential white fleet and ICT savings. The potential impact of wage bargaining in addition to the effect of Public Service Commission pay guidance would be incorporated in future updates if relevant.

Resolved

That the Board:

1. **notes** the update on the ongoing savings workstreams to ensure costs remain within the fiscal parameters approved by the Board.

13. 21(101) Local Advisory Committee Performance 2020-21

The Board was advised that the LACs had met the Board's expectations in terms of developing and implementing work plans and stakeholder engagement plans, establishing relationships with local stakeholders and engaging with volunteers. However, their first year of operation had highlighted some issues about the process used to identify and deliver candidates for LAC membership, the

complexity of the legislative expectations of LACs and the place of LACs in a crowded space. Another year of operation alongside the new Service Delivery district leadership structure would provide useful information. The Board would be provided with advice on the future role of LACs towards the end of the financial year.

Resolved

That the Board:

1. **provides** feedback to the Local Advisory Committees on the committees' self-reviews

14. 21(102) Local Advisory Committees – Chatham Islands Quarter Four Report to the Board

The Board was advised that a letter would be sent to the Chatham Islands LAC thanking it for its contribution during the year.

Resolved

That the Board:

1. **notes** the contents of the report contained in Appendix 1: Chatham Islands LAC Report to Fire and Emergency Board – Quarter Four 2020-21

15. 21(103) Update on appointments process for Tairāwhiti and Chatham Islands Local Advisory Committees

The update on the appointment process for the vacancies on the Tairāwhiti and Chatham Islands Local Advisory Committees was noted.

Resolved

That the Board:

1. **notes** the contents of this paper

16. 21(104) General Business

The Remuneration Committee thanked the Chief Executive for his feedback on the proposed key performance indicators for the year. The Committee recommended that the draft key performance indicators be confirmed, subject to the changes proposed by the Chief Executive and the incorporation in his personal capability development plan of a minimum of two areas from the Māori Crown Relations Capability Framework.

The Board agreed to shift the date of the next Board meeting from 27 to 30 August.

Management advised that the United Fire Brigades Association (UFBA) was keen to have a Board-to-Board meeting after its annual conference in November. It was agreed that management would engage with the UFBA about potential dates.

Action

- Shift the next Board meeting from Friday 27 to Monday 30 August
- Engage with the UFBA about possible dates for a joint Board meeting after the UFBA's annual conference in November

Resolved

That the Board:

1. **confirms** the Chief Executive's draft key performance indicators, subject to the changes proposed by the Chief Executive and the incorporation in his personal capability development plan of a minimum of two areas from the Māori Crown Relations Capability Framework

Moved: Wendie Harvey; Seconded: Rebecca Keoghan

There being no further business the meeting closed at 2pm.

Rebecca Keoghan

Chair

30 July 2021

Released under the Official Information Act 1982



Board Minutes

BOARD MEETING

Date: Monday 30 August 2021

Time: 9.00am to 3.30pm

Venue: Zoom

Present:

Rebecca Keoghan	Chair
Wendie Harvey	Member
Malcolm Inglis	Member
Gwen Tepania-Palmer	Member
Mary-Anne Macleod (departed meeting 3.10pm - 3.20pm)	Member
Danny Tuato'o	Member

In Attendance:

Rhys Jones	Chief Executive
Raewyn Bleakley	Deputy Chief Executive Office of the Chief Executive
Kerry Gregory	Deputy Chief Executive Service Delivery
Darryl Purdy	Deputy Chief Executive Finance and Business Operations
Russell Wood	Deputy Chief Executive Organisational Strategy and Capability Development
Brendan Nally	Deputy Chief Executive People
Piki Thomas (9.05am – 9.10am)	National Manager Kaupapa Māori
Suzanne Doig (10am – 10.30am)	General Manager Policy, Department of Internal Affairs
Kate Raggett (10am – 10.30am)	Policy Manager, Department of Internal Affairs
Sid Wellik (1.20pm – 1.45pm)	Chief Legal Advisor
Ian Pickard (1.45pm – 2.30pm)	National Manager People and Workforce Capability
Lawrence Arps (1.45pm – 2.30pm)	Principal Advisor People and Workforce Capability
Nick Venter	Secretariat

Apologies:

National Manager Kaupapa Māori Piki Thomas opened the meeting with a mihi whakatau to welcome new Board members Mary-Anne Macleod and Danny Tuato'o to their first meeting of the



Board Minutes

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Apologies:

National Manager Kaupapa Māori Piki Thomas opened the meeting with a mihi whakatau to welcome new Board members Mary-Anne Macleod and Danny Tuato'o to their first meeting of the

Board. The Board met in Board-only time until 9.30am and with the Chief Executive in Chief Executive-only time until 9.45am.

1. 21(105) Interests Register and Conflicts of Interest

Gwen Tepania-Palmer advised that she had been appointed to the Toitū te Waiora Community, Health, Education and Social Services Workforce Development Council

2. 21(106) Confirmation of the minutes of the previous meeting

The minutes of the meeting held on 30 July 2021 were confirmed as a true and accurate record of the meeting.

Moved: Rebecca Keoghan; Seconded: Malcolm Inglis

3. 21(107) Action items from last meeting

The Board noted the items on the Action Log had either been completed or were on track.

4. 21(108) DIA Presentation on Levy Review

Suzanne Doig and Kate Raggett joined the meeting

The Board sought an update on the review of the Fire and Emergency levy, noting that the Fire and Emergency Act (Part 3) talks about the principles of equity and universality. It was advised that the choice for policy makers was between simplicity and cost on one hand and universality and fairness on the other. At this stage, the assumed benefits of simplicity appeared to be outweighing the benefits of broadening Fire and Emergency's funding base to better align with its broader legislative mandate. The insurance industry had advised that changing its systems to calculate the levy payable on material damage policies (as opposed to damage from fire only), as legislated for in the Act would cost about \$50 million, costs that would probably be passed on to policy holders. DIA suggested that switching from fire to material damage was unlikely to make a significant difference to average household costs, although the change would have a bigger impact on some commercial enterprises.

The Board asked what the insurance industry's \$50 million cost estimate was based on. DIA advised that it was waiting for the sector to respond to a request for a breakdown of the costs, but multiple systems would need to be changed to implement levy changes and IT costs were increasing rapidly due to COVID-19. Commercial confidentiality would constrain the information that could be provided, but the industry had engaged positively with the review.

The Board asked whether DIA had done independent testing of the \$50 million estimate. It was advised that that could be considered. The Board suggested Fire and Emergency and DIA consider jointly modelling the impact on householders of the proposed levy changes, if this was considered feasible.

9(2)(g)(i)

[Redacted text block]

Suzanne Doig and Kate Raggett departed the meeting

5. 21(109) Legal Advice Regarding Issues Associated with Volunteer Brigades

Sid Wellik joined the meeting

Legally Privileged Discussion: 9(2)(h)

9(2)(h)

[Large redacted area]

Released under the Official Information Act 1982

■ [REDACTED]
[REDACTED]

Sid Wellik departed the meeting

6. 21(110) Training and Development Strategy

Ian Pickard and Lawrence Arps joined the meeting

Management advised that it had taken note of Board feedback on the previous iteration of the strategy and made considerable change as a result. This included strengthening the linkage with the organisation's broader strategies, increasing the focus on quality assurance (although taking into consideration that there remains a gap in quality assurance still), cultural diversity and inclusive language and recognising the importance of training and development to cultural change.

The Board asked whether the organisation had the resources to implement the strategy. Management advised that it believed it had sufficient resources to implement the strategy. The organisation's \$42 million training budget was roughly equivalent to the budget of a medium-sized polytechnic and the strategy was iterative. A lot of what it covered was already underway and new initiatives would be phased in over five years.

The Board advised that training within the organisation needed to be learner-centric. It was advised that the organisation was focused on engaging in a culturally appropriate way. The strategy set the direction of travel; the supporting pedagogy would determine how it was delivered. The Board acknowledged the progress that had been made since it previously viewed the strategy. It advised that it would like to see changes made to the following at the next meeting please: references to cultural fit, a learner-centred focus, and quality assurance added to the Training and Development Strategy priorities.

It also advised that with the next iteration of the strategy it would like to see the role of the Academic Board and other governance committees explained along with explanations of how Fire and Emergency fitted with other tertiary education providers and how and when the strategy would be delivered within the existing \$42 million training budget.

Action

- Incorporate feedback provided by the Board in the next iteration of the Training and Development Strategy

Resolved

That the Board:

1. **notes** the current draft and provides feedback as required

Ian Pickard and Lawrence Arps departed the meeting

7. 21(111) Bargaining Update

The Board was briefed on the planning that had been done for communications during the current bargaining round.

8. 21(112) CE's Report

The Chief Executive updated the Board on the senior volunteer firefighter who had been found to be driving a fire truck without a licence. Review of the case had revealed that existing processes were not sufficient to guard against deliberate deception by an unlicensed driver. An automated solution was being explored to prevent such cases occurring in future.

The Board was updated on the alternative risk (self-insurance) insurance model that was being developed by the Ministry of Business, Innovation and Employment (MBIE) on behalf of government agencies. If fully implemented it could reduce levy revenue by \$30 million. MBIE was aware of the potential impact and engaging well with Fire and Emergency. The project was several years from fruition.

The Board sought advice on the weight that should be attached to the Stakeholder Engagement Survey, given that the results had been skewed by significant dissatisfaction from some unions and associations. It also sought additional information on the results related to the engagement with the forestry sector. Management advised that the survey was being reviewed for those reasons. As currently configured, the survey allowed results to be compared with previous years, but there were questions about whether it was delivering a representative and useful sample of stakeholder feedback.

The Board noted the data on complaints being managed by the Behaviour and Conduct Office (BCO). The Board noted that progress had been made on enhancing the quality of the reporting as the BCO was transitioning from the interim Office to the permanent Office. The Board asked that further work be done to include in the Board reporting interpretation and analysis of what the data is telling the BCO and commentary around how the findings are being incorporated into the work of the BCO as part of continuous improvement. The Board advised that as part of future reporting it would also like to see a written assurance from management that all cases were being managed in a timely fashion.

The Board noted progress of the establishment of the permanent BCO including that offers for seven of the remaining 11 positions in the BCO would be made to preferred candidates by the end of the week.

The Board sought advice on the factors that were considered before BCO matters were escalated to the Board. Management advised that cases were assessed against legal and "no surprises" criteria and legal advice had been taken on what level of detail could be disclosed to the Board and Minister. It was noted that there had been occasions when other parties had shared information to the media or publicly that Fire and Emergency could not legally disclose or comment on. Management undertook to provide a written protocol setting out how matters warranting Board visibility would be escalated to the Board.

The Board sought advice on the maturity of the “speaking up” culture within the organisation. Management advised that considerable progress still needed to be made in both career and volunteer ranks.

The Board sought an update on the project to replace the PSe payroll platform. It was advised that Fire and Emergency was one of three agencies that was well-placed to replace the existing platform before the supplier started to withdraw support from it. The business case was scheduled to come to the Board in October but it could be delayed for a couple of months to provide specificity about cost. The Board advised that it was happy to wait for a couple of months if that resulted in it receiving more informed information.

Action

- Provide detail of changes in forestry sector results in the Stakeholder Engagement Survey
- Develop written protocol setting out how behaviour and conduct matters that warrant Board attention are escalated to the Board

9. 21(113) Financial Report

The Board was advised that the organisation had recorded a favourable variance of \$2.1 million in the first month of the financial year and that cash reserves amounted to \$159.5 million which was reassuring given the move to Alert Level 4 to deal with the Delta variant of COVID-19. Escalating material and labour costs for construction could result in the organisation exceeding its capital budget for property projects or having to shift some building projects into subsequent years.

Based on experience from the previous year’s lockdown, there was not a need at this stage to implement savings initiatives to counter the impact of lockdown on levy revenue. Natural savings from reduced travel and other expenses during lockdown would likely act as a hedge. However, a close watch would be kept on economic indicators, levy revenue and expenditure.

The Board discussed the higher-than-budgeted career firefighter sick leave for the month, noting that other organisations were also experiencing higher rates of sick leave as personnel with colds who would once have come to work heeded advice to stay at home if they were showing flu-like symptoms.

Management advised that to assist levy payers impacted by COVID-19, it was planning to recommending that Fire and Emergency waive interest on late levy payments for affected levy payers for two months. Doing so the previous year had cost about \$130,000. The Board advised that there was no need to submit a paper. It endorsed waiving interest on late levy payments for two months for levy payers impacted by COVID-19 on the same terms as approved in the 2020/21 year.

Resolved

That the Board:

1. **endorses** waiving interest on late levy payments for two months for levy payers impacted by COVID-19 on the same terms as approved in the 2020/21 year

Moved: Malcolm Inglis; Seconded: Danny Tuato’o

10. 21(114) Safety, Health and Wellbeing Update

The Board sought an update on the issues identified with the previous year's audit of the ACC Accredited Employers Programme. Management advised that the actions arising from the previous year's audit had all been implemented, but there were still issues that needed to be resolved and the requirement for manual checking increased the risk of errors. These issues were being addressed.

The Board asked for additional information about work-related fractures to be included in SHW reporting so it could monitor trends. Management undertook to provide additional information about work-related fractures so trends could be monitored.

Action

- Provide additional information about work-related fractures and the steps being taken to investigate the root causes and actions and culture changes to be implemented to reduce the number of people being harmed by fractures
- Report back to the Board on the progress of health standards including business case for implementation and associated risks and costs

Resolved

That the Board:

1. **notes** the Safety, Health and Wellbeing monthly report; and
2. **notes** one notifiable event in June and none in July

11. 21(115) Monthly Automated Dashboard – July 2021

Management advised that the key projects selected for inclusion in the strategic portfolio had been refreshed. The Board would be updated on various projects both monthly and quarterly as appropriate.

The Board sought an update on the Health Standards Project. Management advised that a business case with scalable options was being prepared. An update paper would be provided to the Board at its October meeting. See action above

12. 21(116) Local Advisory Committees Priority Stakeholders for 2021/22 and Quarter One Board Reports

The Board was updated on the priority stakeholders identified by Local Advisory Committees for the coming year. It was advised that in-depth discussions would take place at the next face-to-face meeting with LAC Chairs.

Resolved

That the Board:

1. **approves** the LACs' priority stakeholders for 2021-22 (Appendix 1)

Moved: Rebecca Keoghan; Seconded: Wendie Harvey

13. 21(117) Printing Contract

The Board approved the signing of the Printed Materials Contract.

Resolved

That the Board:

1. **notes** that Fire and Emergency has been working to consolidate its Print services
2. **notes** the attached legal certificate, providing legal assurance to execute the contract
3. **approves** the signing of the Printed Materials Contract by the Chair of the Board on behalf of the Board; and
4. **authorises** the Chief Executive to approve the right of renewals within this contract in future

14. 21(118) Kaikōura Fire Station Build Approval

Management advised that the Kaikōura Fire Station was being rebuilt on a new site because the existing station was outdated and poorly located for operational response. The Board sought an update on discussions with St John Ambulance and other agencies about the possibility of co-locating emergency services in Kaikōura. Management undertook to provide the Board with an update on discussions with other agencies. The Board approved the budget for the project and the awarding of a contract for construction of the station.

Action

- Update the Board on discussions with St John and other agencies about the possibility of co-locating emergency services in Kaikōura

Resolved

That the Board:

1. **approves** the total capex budget of \$7,620,170 (excluding GST) which includes all construction costs, professional fees, consents fees and contingencies to date and to complete; and
2. **approves** awarding a contract to Cook Brothers Construction Ltd to complete the construction of the Kaikōura Fire Station to the value of 9(2)(b)(ii)

15. 21(119) Microsoft Licence Renewal

The Board was advised that negotiation of the renewal of the Microsoft licence had secured savings of about \$428,000 per year and expansion of coverage to all volunteers. Management was congratulated on taking a good approach to the renewal of the licence.

Resolved

That the Board:

1. **notes** the renewal terms for the Microsoft Enterprise Agreement Subscription renewal; and
2. **delegates** to the Chief Executive the authority to sign the Microsoft Enterprise Agreement Subscription renewal on the provision that the subscription amounts will not materially change

Moved: Rebecca Keoghan; Seconded: Gwen Tepania-Palmer

16. 21(120) NIWA Contract Renewal

Mary-Anne Macleod declared a conflict as a director of NIWA and departed the meeting

The Board approved the renewal of the agreement for the provision of the National Fire Weather System (FWYS) for a further two years, and beyond that, a further two years, pending satisfactory performance by the National Institute for Water and Atmospheric Research (NIWA). The Board noted that the FWYS was an integral service and it did not make sense to change the provider while the organisation was implementing many other changes.

Resolved

That the Board:

1. **notes** that in 2018, the Fire and Emergency Board approved an agreement with the National Institute for Water and Atmospheric Research (NIWA) to provide a National Fire Weather System and associated reporting for a term of three-years plus one right of renewal for a further two-year period
 2. **notes** the error where, the Agreement included two (2) two-year rights of renewal rather than one as specified in the Board's 2018 approval
 3. **notes** the discrepancy between the Board's 2018 approval and the Agreement does not impact the exercise of the first right of renewal being sought under this paper
 4. **approves** the National Manager Risk Reduction to extend the Agreement with NIWA for a further two-years under the initial right of renewal
 5. **approves** the second right of renewal included in error, pending satisfactory performance by the contract provider; and
1. **delegates** the decision to exercise any further rights of renewal to the Chief Executive

Moved: Rebecca Keoghan; Seconded Wendie Harvey

17. 21(121) External Assessment of the Establishment of the Behaviour and Conduct Office

Mary-Anne Macleod re-joined the meeting

The Board formally recorded its out-of-session agreement to an external assessment of the establishment of the permanent Behaviour and Conduct Office.

Resolved

That the Board:

1. **notes** that during late July the three individual members of the Board engaged (out-of-session) with the Chair to discuss, and agree to, an external assessment of the establishment of the permanent BCO; and the Board members provided feedback on the draft Terms of Reference to govern that external assessment
2. **notes** that it now wishes to formally document the Board members' previous engagement with the Chair regarding the external assessment; and
3. **records** that in late July the Board AGREED (out-of-session):
 - a) to engage an external party to undertake an external assessment of the establishment of the permanent BCO

- b) that the Chair finalise the Terms of Reference and
- c) that the Chair act as sponsor for the external assessment

Moved: Malcolm Inglis; Seconded: Wendie Harvey

18. 21(122) Costing and Funding the Organisation Update

The Board was updated on the work underway to ensure the organisation remained with the fiscal parameters set by the Board. It was advised that additional savings of \$900,000 this year and \$5.7m next year were required to meet Board expectations. Four active savings initiatives were currently underway. The Board advised that it took confidence from management's ability to keep within the parameters it had set.

Resolved

That the Board:

1. **notes** the update on the ongoing savings workstreams to ensure costs remain within the fiscal parameters approved by the Board

19. 21(123) Evaluation and Nominations Committee Update on the Tairāwhiti and Chatham Islands LAC Nominations

The Board noted that the low number of applications to fill the vacant positions on the Chatham Islands Local Advisory Committee (LAC) highlighted the challenges of recruitment in some areas. Management advised that the relative youth of some of the applicants was a positive development.

The Chair of the Evaluation and Appointments Committee thanked management and the LAC team for their assistance during the recruitment process.

20. 21(124) General Business

The Board thanked management for the work that had been put into preparing for the meeting and the continuing improvement in the quality of papers.

There being no further business the meeting closed with a karakia at 3.30pm.

Rebecca Keoghan
Chair

30 August 2021



Board Minutes

BOARD MEETING

Date: Friday 29 October 2021

Time: 8.00am to 1.35pm

Venue: Zoom

Present:

Rebecca Keoghan	Chair
Malcolm Inglis	Deputy Chair
Wendie Harvey	Member
Gwen Tepania-Palmer	Member
Mary-Anne Macleod	Member
Danny Tuato'o	Member

In Attendance:

Rhys Jones	Chief Executive
Raewyn Bleakley	Deputy Chief Executive Office of the Chief Executive
Kerry Gregory	Deputy Chief Executive Service Delivery
Darryl Purdy	Deputy Chief Executive Finance and Business Operations
Russell Wood	Deputy Chief Executive Organisational Strategy and Capability Development
Brendan Nally	Deputy Chief Executive People
Sid Wellik (9.05am – 11.10am and 1.15pm – 1.25pm)	Chief Legal Advisor
April Christie (10.45am – 11.10am and 11.25am – 11.40am)	Chief Advisor Safety Health and Wellbeing
Nicky Chilton	National Manager Communications and Engagement
Nick Venter	Secretariat

Apologies:

The Board met in Board only time from 8am to 8.40am at which point the Chief Executive joined the meeting. The other members of the Executive Leadership Team joined the meeting at 8.45am. The Chair declared the meeting open at 9am.

1. 21(125) Interests Register and Conflicts of Interest

Gwen Tepania-Palmer advised that she had switched from being Chair of the Ngati Hine Health Trust to being a Trust Board member.

Danny Tuato'o advised he had been appointed to the Board of Coastguard New Zealand.

Wendie Harvey advised that she had ceased to be Commissioner on the NZ Gambling Commission.

2. 21(126) Confirmation of the minutes of the previous meeting

The minutes of the meeting held on 30 August 2021 were confirmed as a true and accurate record of the meeting.

The Board sought an update on the Department of Internal Affairs' (DIA's) review of Fire and Emergency's funding mechanism. Management advised that the paper and Regulatory Impact Statement were now going to Cabinet Committee on 11 November and Cabinet on 15 November. The Board was advised that minor changes had been made to the paper by DIA to reflect Fire and Emergency's views. The Minister was aware of Fire and Emergency's views.

Moved: Rebecca Keoghan; Seconded: Wendie Harvey

3. 21(127) Action items from last meeting

The Board noted that the items on the Action Log had either been completed or were on track.

4. 21(128) Bargaining Update

Sid Wellik joined the meeting

The Board was updated on the planning underway to deal with the possibility of industrial action as part of Collective Employment Agreement bargaining. 9(2)(h)

[Redacted]

9(2)(j) [Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

The Board congratulated management on the quality of the contingency planning that had been done. It asked to be provided with updated summaries of NZPFU bargaining claims on a regular basis.

The Board also discussed the external legal advice.

Action

- Provide updated summaries of NZPFU bargaining claims on a regular basis
- Commission additional external legal advice regarding bargaining to further clarify a few matters

Resolved

That the Board:

1. **notes** the business continuity plans in place

5. **21(129) Health and Safety Duties and Volunteer Brigades Self-Reporting**

Legally Privileged Discussion: 9(2)(h)

9(2)(h)

6. **21(130) People Survey Action Plan (Responding to Staff Turnover Statistics)**

The Board considered the staff turnover data and the People Survey results. Management advised that turnover appeared to peak within Branches at times of structural change. The results confirmed the importance of establishing the permanent Behaviour and Conduct Office, implementing the Leadership Development Framework and addressing performance issues. A review was being conducted of the survey to ensure it remained fit for purpose and continued to support the organisation's strategic objectives.

The Board advised that it expected in future to see a clearer connection between the survey results and actions being implemented to address issues identified in the survey. Acting on the survey should be a priority. It also expressed a strong preference for comments to be invited on all survey questions rather than a selected group as currently occurred.

Resolved

That the Board:

1. notes the contents of this paper

7. 21(131) Health Standards Update

April Christie joined the meeting

Management advised that the purpose of the paper was to update the Board and, particularly new members, on the health standards project. The Fire and Emergency Act stated that the Board “may provide standards of health required of operational personnel to ensure that they are fit to perform competently their duties”. The Board had previously decided to implement Health Standards.

The Board discussed its obligations under the Health and Safety at Work Act and the potential costs associated with implementing health standards. Management confirmed to the Board that the organisation currently had in place entry standards and regular physical fitness testing for career personnel against standards, but noted health assessment and monitoring is a much broader area. The Board were advised that implementing health standards for approximately 14,000 career and volunteer personnel is anticipated to be in the vicinity of \$1.5 million to \$2 million. The ongoing cost of delivering a Health Standards programme (including assessments, education, support and recovery) could be as high as \$8 million a year.

The development and implementation of such a programme would be complex and would require engagement with unions and associations. Management is developing a business case which will include the “do nothing” option and a range of other options with corresponding assessments of cost, complexity, achievability and the level of compliance delivered by each as well as any other benefits for our personnel and organisation. The business case will go to ELT for consideration and then recommendations will be made by ELT to the Board.

Sid Wellik and April Christie departed the meeting

8. 21(132) CE’s Report

The Board was updated on the steps taken to give effect to the Public Health Order requiring personnel who work in close proximity to health practitioners to be vaccinated against COVID-19. Internal and external legal advice had been taken on the application of the Order to Fire and Emergency. The roles to which the Order applied had been agreed with Unions and Associations who, to date, had played a very constructive role in the process. The Board was advised that the Order took effect on 15 November. To enable the organisation to plan for any possible disruption of services, affected personnel had been given till 5 November to advise their vaccination status. Terminating the roles of unvaccinated personnel would be a last resort, but the organisation had to be mindful of how long the order could be in place for. It was estimated the order applied to about

90 per cent of operational personnel. Management was congratulated on the thoroughness of its preparations for the implementation of the Order.

The Board advised that it was extremely disappointed by the failures across the business that had led to it being misinformed about the 15 March Ashburton fire truck fire. An external review had been commissioned to ensure nothing like it happened again.

The Board asked why 80 new career firefighter recruits were required to fill current and anticipated vacancies this financial year when only about half that number usually left firefighting roles. Management advised that almost 40 firefighters had moved into management roles as part of the stand-up of the new Service Delivery District leadership teams.

The Board asked about the value of continuing participation in the ACC Accredited Employers Programme. Management advised that once it was confident the issues identified in the previous year's audit had been addressed, participation in the scheme would be reviewed. That was likely to occur in the second quarter of 2022.

The Board congratulated management on the successful stand-up of the new Service Delivery District leadership structure. It asked why no women had been appointed to District Manager roles. Management advised that no women had applied for these roles as part of the redeployment process. The organisation had a lack of women with the right level of both command and management qualifications at this level. However, 12 per cent of the appointed Service Delivery positions had been filled by women and in the future the organisation would have more women at the appropriate level to apply for District Manager roles. While 12 per cent was still a low number it represented progress in an organisation in which just six per cent of career firefighters were women. In addition, a significant number of the Risk Reduction and Community Readiness and Recovery roles in the new District structure had been filled by people from outside the organisation which increased the diversity of the organisation. All told, about 30 per cent of the new District leadership positions had been filled by people who had come from the natural environment background.

The Board discussed the external assessment of the establishment of the permanent Behaviour and Conduct Office (BCO). It asked for the action plan arising from the assessment to be attached to future BCO updates so progress could be reported against it.

Actions

- Review continued participation in the ACC Accredited Employers Programme in the second quarter of 2022
- Add the action plan arising from the KPMG assessment of the establishment of the BCO to future BCO updates

9. 21(133) Financial Report

The Board was advised that the September year to date financial result was a surplus of \$23.6 million, \$12.9 million ahead of budget. Revenue for September was \$5.2 million ahead of budget due to higher-than-forecast levy receipts and unbudgeted cost recovery. While the financial trend was positive, underlying wage pressures were building up. The Board thanked management for a high-quality paper.

10. 21(134) Safety, Health and Wellbeing Quarterly Update

April Christie rejoined the meeting

The Board discussed the injuries and notifiable events reported in the quarterly Safety Health and Wellbeing Quarterly Dashboard and requested additional information on the training provided to personnel using fire station gymnasiums. It also sought more analysis of the data presented in the Dashboard, asked for an assessment of the level of risk attached to corrective actions arising from health and safety investigations that had not yet been closed out and for an update on the challenges associated with recruiting specialist personnel to implement a framework for the management of critical Safety, Health and Wellbeing risks. Implementation of a Critical Risk Management framework was a priority for the Board, and it would like to be provided with a timeline for the implementation of the Critical Risk Management, Overlapping Duties and Health Standards projects.

Management undertook to give effect to the Board's requests and advised that, given the difficulty of recruiting specialist personnel to complete the Critical Risk Management framework workplan, it was looking at contracting options.

Actions

- Outline induction processes for use of station gym equipment
- Update the Board on the recruitment process to implement the Critical Risk Management Programme and provide a timeline for the completion of the Critical Risk Management framework, Overlapping Duties and Health Standards projects
- Indicate in future SHW quarterly dashboards the seriousness of actions arising from SHW investigations that have not yet been closed off

Resolved

That the Board:

1. **notes** the incident and Level 2 Investigation quarterly report
2. **notes** there were no notifiable events reported in Q1 2021/22

April Christie departed the meeting

11. 21(135) Monthly Automated Dashboard – September 2021

The Board reviewed the monthly automated dashboard. Management advised that due to supply chain cost pressures it was likely that the COVID-19 Response and Recovery Fund (CRRF) funding approved for "shovel-ready" new and upgraded fire stations would not be sufficient to fully cover the cost of the 26 projects. Discussions had begun with the Department of Internal Affairs about accessing CRRF contingency funds.

12. 21(136) Board Q1 Performance Review

The Board reviewed first quarter progress against Statement of Performance Expectation measures. Management advised that 21 of the measures were on track and seven were off track. Discussion centred on what was needed to get the off track measures back on track.

Management advised that most of the the seven off-track measures were within three per cent of target and there was not, at this stage, a requirement for additional resource to achieve them. The slower response times for career crews in Ngā tai ki te Puku were largely a product of increasing traffic congestion in and around Tauranga, but the organisation was looking to develop more sophisticated measures of performance than arbitrary right and wrong numbers. A crew arriving six seconds outside the target response time was unlikely to impact the outcome of an event. The forced postponement of the annual exercise to maintain International USAR classification was an international problem. COVID-19 was disrupting USAR accreditation all over the world. Through the Natural Environment Partnership Programme (NEPP), new agreements had been reached with plantation forest owners and the Department of Conservation, leading to greater consistency across the country and stronger relationships with the forestry sector in particular.

Resolved

That the Board:

1. **notes** the attached reporting, outlining how the organisation has performed over Q1

13. 21(137) UFBA Six-Monthly Report

The Board reviewed the UFBA's Six-Monthly Report noting that as a result of the new Conditional Grant Agreement, the UFBA would report on performance quarterly with an increased focus on demonstrating the value and benefit of services it provided. It reiterated that consideration of funding for the Pathways to Fire and Emergency project was contingent on receipt of a detailed implementation plan and evidence of the benefits of the work.

Resolved

That the Board:

1. **notes** the contents of the United Fire Brigades Association's (UFBA) six monthly report from 1 January to 30 June 2021;
2. **notes** that in future UFBA will provide performance reports quarterly in the line with the Conditional Grant Agreement; and
3. **writes** formally to the UFBA:
 - Noting the contents of their report;
 - Requesting further information on expenditure, commenting on Pathways to Fire and Emergency project funding and any other feedback from the Board on the 6-monthly report

14. 21(138) 2020/21 Annual Report Final

The Board was advised that the final financial statements for the 2020/21 year had been agreed with Audit NZ after papers were loaded for the Board meeting. As a result of adjustments made to depreciation and the reclassification of an asset held for sale the surplus had increased from \$29.3 million to \$36.75 million. The Chair of the Audit and Risk Committee advised that the final changes

to the accounts had been reviewed by the Committee in a special out-of-cycle meeting and it endorsed the accounts.

Resolved

That the Board:

1. **approves** the final version of the Annual Report 2020/21, including the changes to the financial statements outlined by management, on the recommendation of the Audit and Risk Committee
2. **approves** the representation letter to Audit New Zealand; and
3. **notes** that the Annual Report will be provided to the Minister in November 2021 and published on the Fire and Emergency website thereafter

15. 21(139) Q1 Board Report to the Minister

The Board reviewed the draft Quarter One report to the Minister. It asked for collective bargaining and the Chief Executive recruitment process to be referenced in the report. It also asked for operational responses to be added to the first quarter summary. Management undertook to make the requested changes.

Resolved

That the Board:

1. **agrees** to provide feedback on the draft Q1 Board Report at their 29 October meeting
2. **approves** the Q1 Board Report subject to incorporating Board feedback; and
3. **notes** that the final Q1 Board Report will be sent to the Minister's office by 11 November 2021

16. 21(140) Technical Competency Framework

The Board was advised that the purpose of the Technical Competency Framework (TCF) was to develop stronger, structured development pathways to support progression and performance of senior operational personnel. A TCF would equip managers who had come from different backgrounds with consistent skill sets. It would also support capability uplift and the transfer of knowledge and skills. The Board discussed the paper, noting that it was being asked to endorse the release of the consultation decision document before it had had an opportunity to review the business case for the project. The Board advised that the consultation document should not be released before it had had an opportunity to consider the business case at its December meeting. It expressed an interest in hearing more about how the project would be funded and how it would be integrated with the Training and Development Strategy.

Resolved

That the Board:

1. **notes** that it received a progress report on the development of a Technical Competency Framework and that the consultation decision document will not be released before it has had the opportunity to consider the project business case

17. 21(141) Levin Yellow Watch – Proceed to Consultation

The Board was briefed on the proposal to establish a Yellow Watch (daytime career crew) in Levin. Management advised that a lot of effort had gone into shoring up the Levin Volunteer brigade, but population growth and the unavailability of key personnel during working hours was putting adequate response capability at risk. Similar challenges were emerging in different parts of New Zealand and a presentation by OSCD and SD on the work to develop a new national approach to integrated evidence based resourcing was proposed for the February Board meeting.

The establishment of a Yellow Watch at Levin would have the added benefit of increasing the support available to neighbouring brigades. The next step was to consult with the NZPFU as was required by its Collective Agreement and with other Unions and Associations.

The Board advised that it took comfort from the level of detail in the draft business case and that it was looking forward to the presentation in February.

Action

- Present to the Board on the work underway to develop a new national approach to Integrated evidence based resourcing

Resolved

That the Board:

1. **notes** the risk to operational capability at Levin
2. **notes** that establishing a Yellow Watch in Levin will require ongoing costs of \$686,000 per annum
3. **agrees in principle** to establishing a Yellow Watch in Levin
4. **directs** Fire and Emergency to consult with relevant Unions and Associations; and
5. **notes** the Board will be offered a presentation on the work underway to assess national requirements at its February meeting

18. 21(142) Procurement Delegations and Fire Rescue Safety New Zealand Contract

Management advised that recent legal advice ^{9(2)(h)} [REDACTED]

[REDACTED] The Board agreed to delegate the approval of procurement plans with estimated whole-of-life operating costs of between \$2 million and \$10 million and capital expenditure of between \$5 million and \$20 million to the Chief Executive or Deputy Chief Executive Finance and Business Operations. It noted that final contracts with a whole-of-life cost above the Chief Executive's current financial delegations would be presented to the Board for approval.

Resolved

That the Board:

1. **notes** the organisation is improving its procurement processes
2. **notes** that legal advice [REDACTED]

3. **notes** that procurement documentation does not legally commit the organisation to expenditure, however, it does signal to the market an intention to commit to a level of expenditure
4. **authorises** delegating the approval of procurement plans and recommendation reports with estimated whole-of-life operating expenditure of between \$2 million and \$10 million and capital expenditure of between \$5 million and \$20 million to the Chief Executive or Deputy Chief Executive Finance and Business Operations
5. **notes** that final contracts with a whole-of-life cost above the Chief Executive's current financial delegations will be presented to the Board for approval
6. **notes** a report on the use of this delegation will be provided as an appendix to the regular financial report
7. **notes** that Fire and Emergency is in the final stages of contract negotiation with Fire Rescue Safety New Zealand for National Management of Road Rescue Equipment Servicing, with an estimated value over five years of \$3.1 million and the current contract expires before the December 2021 Board meeting
8. **authorises** the Chief Executive to sign off the contract for the National Management of Road Rescue Equipment Servicing
9. **approves** the signing of the Executive Officers Training Contract by the Chair of the Board on behalf of the Board
10. **authorises** the Chief Executive to approve the right of renewals within the Executive Officers Training Contract in future; and
11. **approves** the signing of the procurement plan and any future supplementary papers (such as the recommendation paper as a result of the tender) for Advertising Services by the Chair of the Board on behalf of the Board

Moved: Mary-Anne Macleod; **Seconded:** Gwen Tepania-Palmer

19. 21(143) Revised Audit and Risk Committee Terms of Reference

The Chair of the Committee advised that the proposed Terms of Reference (TOR) for the Committee had been amended to specifically acknowledge the independence of the Internal Audit function and to avoid crossover with the new People and Culture Committee. After the draft TOR had been loaded for Board consideration, the Audit and Risk Committee had recommended a further change to reflect the new reporting line of the Operational Efficiency and Readiness (OER) team on the advice of management. Subsequently an additional adjustment had been proposed to more accurately reflect the role of the OER team.

Resolved

That the Board:

1. **approves** the revised terms of reference for the Audit and Risk Committee, with the Operational assurance section amended as follows:

Operational assurance

- Advise the Board on the audit activity (operational reviews) completed by the Operational Efficiency and Readiness team
- Obtain assurance the Operational Efficiency and Readiness function is proactively monitoring operational risks and review any significant operational risks disclosed by the National Commander

Moved: Malcolm Inglis; Seconded: Rebecca Keoghan

20. 21(144) People and Culture Committee Terms of Reference

The Board discussed the proposed Terms of Reference for the new People and Culture Committee, noting that there were extensive provisions in the Governance Manual regarding Board members' responsibilities to do with People and Culture.

Resolved

That the Board:

1. **approves** the appended Terms of Reference for the new People and Culture Committee, subject to the acknowledgement of Board responsibilities in the Governance Manual

21. 21 (145) Appointment of New Committee Members

The Board approved the disestablishment of the Remuneration Committee and the establishment of a new People and Culture Committee. It approved the appointment of Danny Tuato'o to the Audit and Risk Committee. The Board approved the appointment of Wendie Harvey as Chair and Rebecca Keoghan and Mary-Anne Macleod as members of the People and Culture Committee.

Resolved

That the Board:

1. **approves** the disestablishment of the Remuneration Committee
2. **approves** the establishment of a new People and Culture Committee
3. **approves** the appointment of Wendie Harvey as Chair of the People and Culture Committee
4. **approves** the appointment of Rebecca Keoghan and Mary-Anne Macleod as members of the People and Culture Committee
5. **approves** the appointment of Danny Tuato'o to the Audit and Risk Committee; and
6. **notes** that, consistent with the Audit and Risk Committee Terms of Reference, the Board Chair is a member of the Audit and Risk Committee

Moved: Malcolm Inglis; Seconded: Gwen Tepania-Palmer

22. 21 (146) Appointment Recommendations for Tairāwhiti and Chatham Islands, Local Advisory Committees

The Board acknowledged the work done to strengthen the Tairāwhiti and Chatham Islands Local Advisory Committees.

Resolved

That the Board:

1. **approves** membership recommendations by the Committee in the attached report
2. **approves** Chair and Deputy Chair recommendations by the Committee in the attached report
3. **approves** the process for interviewing potential nominee for Tairāwhiti Chair
4. **notes** once the Board approves LAC member recommendations outlined above, the National LAC team will prepare and send formal communication to the successful and unsuccessful nominees. The Chair interview process will be carried out in November

23. 21 (147) Updated Board Governance Manual

Sid Wellik rejoined the meeting

The Board discussed the revised Governance Manual, seeking clarification of indemnity insurance arrangements, Fire and Emergency's corporate responsibility reporting obligations and the requirement to obtain approval from the Government Property Group for certain transactions. The Board was advised that the \$20 million minimum indemnity amount was per claim and that the organisation would report against its corporate responsibilities in future annual reports. Management undertook to provide further information about the requirement to obtain approval for certain transactions from the Government Property Group.

Actions

- Provide further detail about the requirement to obtain approval for certain transactions from the Government Property Group

Resolved

That the Board:

1. **approves** the updated Board Governance Manual

Sid Wellik departed the meeting

23. 21 (148) Public Safety Network Update

The Board was updated on the inter-agency Government funded project to replace existing emergency services' radios and cellular systems with a common set that had the capacity for technological growth in the future. Management advised that this was a critical piece of equipment

for all emergency services that was reaching the end of its life. A business case would come to the Board next year before the cross-agency business case was presented to Cabinet.

Resolved

That the Board:

1. **notes** the progress of the PSN Programme as outlined in this update
2. **notes** that the PSN Programme remains a key priority for Fire and Emergency; and
3. **notes** that the Fire and Emergency component of the implementation business case will be presented to the Fire and Emergency Board in February 2022

24. 21 (149) Audit and Risk Committee Verbal Report Back

The Chair of the Committee advised the Board that responsibility for some day-to-day operations of the Risk and Assurance Function had been temporarily transferred to the DCE Finance and Business Operations to enable the DCE Office of the Chief Executive to take up a key roll in leading the organisation's response to the COVID-19 mandatory vaccination Public Health Order. He noted no formal delegations had been changed and was satisfied the arrangements preserved the independence of the Internal Audit function. The Internal Audit Manager still reported to the DCE Office of the Chief Executive and maintained the right to call the Committee Chair on any issue.

25. General Business

There being no general business, the meeting closed at 1.35pm.

Rebecca Keohan

Chair

29 October 2021



Board Minutes

BOARD MEETING

Date: Friday 3 December 2021

Time: 8:00am – 2:20pm

Venue: NHQ

Present:

Rebecca Keoghan	Chair
Malcolm Inglis	Deputy Chair
Wendie Harvey	Member
Gwen Tepania-Palmer	Member
Mary-Anne Macleod	Member
Danny Tuato'o	Member

In Attendance:

Rhys Jones	Chief Executive
Raewyn Bleakley	Deputy Chief Executive Office of the Chief Executive
Kerry Gregory	Deputy Chief Executive Service Delivery
Darryl Purdy	Deputy Chief Executive Finance and Business Operations
Russell Wood	Deputy Chief Executive Organisational Strategy and Capability Development
Brendan Nally	Deputy Chief Executive People
Sid Wellik (9:25am-10:50am and 12.20pm – 1.05pm)	Chief Legal Advisor
Stacey Shortall (12:20pm – 1:05pm)	MinterEllisonRuddWatts
Nick Venter	Secretariat

Apologies:

The Board met in closed session from 8am to 9.05am. The Board met with the Chief Executive in Chief Executive-only time from 9.05am to 9.20am. The Chair declared the meeting open at 9.20am.

1. 21(150) Interests Register and Conflicts of Interest

There were no updates to the Register of Interests.

2. 21(151) Confirmation of the minutes of the previous meeting

The minutes of the meeting held on 29 October were confirmed as a true and accurate record of the meeting.

Moved: Rebecca Keoghan; Seconded: Wendie Harvey

3. 21(152) Action items from last meeting

The Committee noted the updates to the Action Log. It was advised that the external legal advice commissioned to further clarify a few matters regarding bargaining would be emailed to members after being discussed by ELT.

Action

- Email external legal advice commissioned to further clarify a few matters regarding bargaining to Board members after being discussed by ELT

4. 21(153) External Assessment of Permanent Behaviour and Conduct Office

Sid Wellik joined the meeting

The Board was provided with an update on the external assessment of the establishment of the permanent Behaviour and Conduct Office conducted by KPMG.

The Board discussed the governance arrangements for the Behaviour and Conduct Office. The roles of the project panel and the Behaviour and Conduct Office panel were clarified.

The Board asked whether external assessment of the Behaviour and Conduct Office and the action plan arising from the assessment should be placed on the Portal. Management undertook to consider whether the external assessment and the action plan should be placed on the Portal.

Action

- Consider putting the external assessment of the Behaviour and Conduct Office and the action plan arising from the external assessment on the Portal

Resolved

That the Board:

1. **notes** the KPMG Report; and
2. **notes** the KPMG BCO draft Action Plan

5. 21(154) Volunteer Brigades Self-Reporting Update

The Board was provided with an update on the next steps required to provide assurance that it is meeting its obligations under the Health and Safety at Work Act 2015 regarding volunteer brigade activities.

The Board advised management to be clear about the difference between the current state, including the obligations to report, and the required future state.

The Board advised the organisation to be sensitive to community sentiment and conscious of the shared ownership felt by many communities in their brigades.

Resolved

That the Board:

1. **approves** the recommended work plan

6. 21 (155) Bargaining Update

The Board was provided with an update on bargaining with the New Zealand Professional Firefighters Union (NZPFU), the Fire and Emergency Commanders Association (FECA) and the Public Service Association (PSA).

The Board discussed bargaining strategy and timeframes. It asked whether business continuity planning was continuing. Management advised that business continuity planning was ongoing with maintenance of response capability a focus.

Resolved

That the Board:

1. **notes** the contents of this paper

Sid Wellik departed the meeting

7. 21(156) CE's Report

The Chief Executive updated the Board on the extension of the deadline for the implementation of the mandatory vaccination Public Health Order. The Board discussed the support available to personnel affected by the Order.

The Board advised that it was heartened by the positive feedback from the participants in the pilot Hiwa-i-te-rangi cultural training programme in Timaru. It asked for its congratulations to be passed on to both the organisers and participants. Management undertook to do so.

The Board noted that the increase in the number of bullying and harassment complaints of a less serious nature received by the Behaviour and Conduct Office was a positive development because it showed that people were comfortable using the Office. That was a positive indicator of culture change within the organisation.

The Board expressed a desire to meet with the recently appointed director of the Behaviour and Conduct Office.

Actions

- Pass on the Board's congratulations to the organisers and participants in the Timaru Hiwa-i-te-rangi pilot
- Arrange for the new director of the Behaviour and Conduct Office Jason Price to meet the Board at its February meeting

8. 21(157) Financial Report

The Board was provided with the October financial report.

The Board noted that the organisation was well-placed to deal with mandatory vaccination cost pressures.

The Board asked how risk was assessed for major procurement projects. Management advised that consideration was given to the complexity of projects and the state of the market.

9. 21(158) Safety, Health and Wellbeing Update

The Board was provided with the monthly Safety, Health and Wellbeing (SHW) update for October 2021.

Management advised that since the paper was loaded, another notifiable event had occurred which had been reported to WorkSafe. The Board would be updated at its next meeting.

The Board sought advice on the options for integrating Safety, Health and Wellbeing reporting into the work of its new People and Culture sub-committee.

The Board advised that it was receiving good information about incidents but again reminded the team that it needed to hear more about the insights gained from Safety, Health and Wellbeing reporting and how lessons learned were being implemented and communicated throughout the organisation.

New Board member Mary-Anne Macleod requested a briefing on SHW reporting and data.

Actions

- Update the Board on the finger injury reported to WorkSafe as a notifiable event
- Provide advice to the People and Culture Committee Chair on the options for integrating SHW reporting into the work of the Committee
- Add insights gained from SHW reporting, and information about how lessons learned are being implemented, to the SHW Dashboard commentary
- Provide Mary-Anne Macleod with a briefing on SHW reporting and data

Resolved

That the Board:

1. **notes** the Safety, Health and Wellbeing monthly report and dashboard; and
2. **notes** that a one event was notified to WorkSafe

10. 21(159) Monthly Automated Dashboard

The Board was provided with the monthly automated dashboard for October 2021 and an update on key projects within the Strategic Portfolio and the projects being funded by the COVID-19 Response and Recovery Fund (CRRF).

The Board asked how the data in the dashboard was verified. Management undertook to report back on the verification process for data reported in the dashboard.

Action

- Check verification process for data reported in the Monthly Automated Dashboard and update the Board

11. 21(160) Technical Competency Framework Business Case

The Board was provided with a paper recommending that it approve funding for Phase 1 of the Technical Competency Framework (TCF).

The Board discussed the impact of the project on baseline funding, the involvement of external consultants and contractors in the delivery of the project and the relationship between the TCF and the draft Training and Development Strategy.

Resolved

That the Board:

1. **approves** the associated funding requirements for TCF Phase 1:
 - a) Project costs of \$6.053m (\$5.409m operational funding and \$0.646m capital funding) across FY21/22 – FY22/23.
 - b) Ongoing Phase 1 operational baseline costs of c. \$1.680m per annum from FY23/24.
2. **notes** the Board is required to approve the funding for Phase 1 of the project because the cost is outside the Chief Executive's delegation
3. **notes** that the project will be funded from within the organisation's existing funding baseline of \$617 million and within the existing training budget of \$42 million
4. **notes** the risks associated with relying on external consultants and contractors to deliver the project and that the Board expects the project to be re-integrated into business as usual over time
5. **notes** its expectation that some of the funding for the project will come from ceasing programmes that are likely to become no longer fit for purpose
6. **notes** its expectation that management will continue to explore ways of reducing the cost of the project
7. **notes** the business case for TCF Phase 1: New Ranks, is conditional upon a management challenge being set for the organisation to secure the operational funding required from FY23/24 to deliver TCF phase 1 (c.\$1.680m)
8. **notes** an Independent Quality Assurance (IQA) review of the project will be scheduled to track progress and benefit realisation
9. **notes** that the business case for TCF Phase 1: New Ranks has been endorsed by both the Investment Panel and the ELT
10. **notes** that a separate business case will be prepared for TCF Phases 2 and 3
11. **approves** the release of the consultation decision document confirming we will progress with a TCF

Moved: Rebecca Keoghan; Seconded: Gwen Tepania-Palmer

12. 21(161) Levin Yellow Watch Business Case

The Board considered the recommendation that it approve funding to establish a five-day-a-week Yellow Watch staffing model in Levin.

Resolved

That the Board:

1. **notes** that establishing a Yellow Watch staffing model in Levin will require ongoing costs of \$686,000 per annum which will be funded within existing baseline
2. **notes** the whole-of-life cost over a 10-year period lifts this above the Chief Executive's delegations
3. **notes** consultation has been completed with all relevant parties on the proposal; and
4. **approves** funding for a five-day-a-week Yellow Watch staffing model in Levin

Moved: Wendie Harvey; Seconded: Mary-Anne Macleod

14. 21(162) Fire and Emergency Participation in AoG Insurance Cluster

The Board considered a recommendation that Fire and Emergency remain part of the All of Government (AoG) insurance cluster but continue to review its insurance arrangements on a regular basis.

Resolved

That the Board:

1. **notes** that several external parties have been engaged to support work undertaken in considering Fire and Emergency's ongoing participation in the AoG insurance cluster
2. **notes** that there are opportunities and risks for Fire and Emergency of remaining in the AoG insurance cluster
3. **notes** that Fire and Emergency cannot be confident of achieving a lower premium for its MDBI policy if it exits the AoG insurance cluster
4. **notes** the Audit and Risk Committee endorses the approach proposed in this paper; and
5. **approves** Fire and Emergency remaining part of the AoG insurance cluster but continuing to review its arrangements on a regular basis (option 3)

Moved: Malcolm Inglis; Seconded: Wendie Harvey

15. 21(163) Levy and Inflationary Cost Pressures

The Board was provided with a paper explaining how the organisation would ensure expenditure stayed within the 2021/22 forecast of \$617.9 million, while meeting year-on-year inflationary cost pressures.

The Board noted that modelling showed that inflationary cost increases were likely to be met by accompanying increases in levy revenue.

Resolved

That the Board:

1. **notes** that after adjusting for inflation and associated cost increases, future budgets and forecasts will continue to meet the Board's directive to operate within the 2021/22 forecast outlined in the 2019/20 SPE with a baseline operating expenditure of \$617.9 million
2. **agrees** that expenditure can be adjusted year on year to allow for the impact of inflation on salaries, operating costs and depreciation provided expenditure is kept at a level that maintains a stable surplus against the expected annual increase to levy

3. **notes** that increasing capital expenditure requirements impact operating expenditure through increased depreciation; and
4. **agrees** that any non-inflationary increase in costs that would lift the \$617.9 million expenditure baseline is approved by the Board

16. 21(164) Kaiapoi Fire Station Construction

The Board was provided with a paper seeking approval for the Chief Executive to award and sign a construction contract with an estimated total capital budget of \$7,827,820 for the replacement of the Kaiapoi Fire Station.

The Board advised that it was pleased to see the new station would be used as a training hub by the nearby Pines/Kairaki Rural Brigade.

Resolved

That the Board:

1. **notes** the total indicative capex budget of \$7,116,200 (excluding GST) which includes all construction costs, professional fees, consents fees and contingencies to date and to complete
2. **notes** Phase 1 ground clearing and site remediation in preparation for construction is almost complete
3. **notes** Fire and Emergency is experiencing cost escalations (materials and labour) associated with the construction industry generally as a consequence of COVID-19; and
4. **delegates** authority to the Chief Executive to approve a total project budget of up to \$7,827,820 (based on \$7,116,200 plus a 10% contingency for cost variations) and to award and sign the construction contract when ready

Moved: Wendie Harvey; Seconded: Mary-Anne Macleod

17. 21(165) Treaty Right of First Refusal Request: Te Korowai o Wainuiārua

The Board was provided with a paper seeking approval to explore providing first right of refusal on land associated with the Owango, National Park, Ohakune and Raetihi fire stations as part of Treaty redress for Te Korowai o Wainuiārua.

Resolved

That the Board:

1. **notes** Fire and Emergency has been asked to consider agreeing to a first right of refusal on land associated with the Owango, National Park, Ohakune and Raetihi fire stations as part of a Treaty of Waitangi settlement
2. **agrees** to Fire and Emergency exploring the possibility of offering a right of first refusal on the fire station land listed above; and
3. **notes** that, if agreed to, the commitment will then appear in the Te Korowai o Wainuiārua land settlement agreement in principle, currently being prepared by Te Arawhiti (The Office of Treaty Settlements)

18. 21(166) Crown Loan Progress Update

The Board was provided with an update on the work underway on a Crown loan to enable the capital programme to be progressed faster than would be possible through funding from existing cash reserves.

Management advised that following a second meeting to discuss the proposal, the Department of Internal Affairs (DIA) had asked for a memo setting out the proposal. The memo would be provided to the Board for input before it was provided to DIA.

Action

- Provide the Board with the opportunity to input into the Crown loan memo before it goes to DIA

Resolved

That the Board:

1. **notes** that DIA has agreed in principle to support a Crown loan, with repayments to be met from increased funding in Part 3 levy changes
2. **notes** the work being undertaken in relation to a Crown loan to enable the capital programme to be progressed at a faster rate than would be possible through funding from existing cash reserves
3. **notes** the development of the Crown loan proposal will need to consider what level of funding is needed to support the capital plan from an integrated, strategic fiscal view; and
4. **notes** this work will be undertaken in parallel with the Part 3 funding programme

Rhys Jones, Raewyn Bleakley, Kerry Gregory, Brendan Nally, Russell Wood, Darryl Purdy and Nick Venter departed the meeting

19. 21(167) Legal Review of Health and Safety Reporting Systems including Verbal Update from Chair

Stacey Shortall and Sid Wellik joined the meeting

The Board met in closed session with Stacey Shortall and Sid Wellik to discuss the legal review of Health and Safety Reporting Systems.

Resolved

That the Board:

1. **notes** that an independent legal review has been commissioned ^{9(2)(h)} [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
3. **records** that in early November Board members approved the terms of reference for the review (out-of-session) and approved the Chair commissioning the review by MinterEllisonRuddWatts; and

4. **notes** that the Chief Executive has commissioned a complementary, independent Incident Cause Analysis Method (ICAM) investigation into the incident itself

Stacey Shortall and Sid Wellik departed the meeting

20. 21(168) Audit and Risk Committee Report Back

Rhys Jones, Raewyn Bleakley, Kerry Gregory, Brendan Nally, Russell Wood, Darryl Purdy and Nick Venter rejoined the meeting

The Chair of the Audit and Risk Committee provided the Board with an update on the 22 November Meeting of the Audit and Risk Committee, noting that it had discussed a recommendation that 28 historic salary and wage overpayments be written off. Work had been done to improve the system, but, frustratingly, some overpayments were continuing to occur due to human error.

The Deputy Chief Executive Finance and Business Operations provided a summary of the presentation given to the Committee on future balance sheet considerations.

Wendie Harvey asked to be provided with a copy of the draft Speak-Up Policy considered by the Committee.

Action

- Provide Wendie Harvey with a copy of the draft Speak-Up Policy

Resolved

That the Board:

1. **notes** the report of the meeting held on 22 November 2021
2. **agrees** to Fire and Emergency remaining part of the All of Government insurance cluster and reviewing its arrangements on a regular basis
3. **approves** the write-off of 28 historic salary and wage overpayments totaling \$33,163.10; and
4. **notes** that one previously identified risk has been re-rated as high

Moved: Rebecca Keoghan; Seconded: Malcolm Inglis

21. 21 (169) Tasman Fires Action Plan: Six-Monthly Progress Update

The Board was provided with an update on the progress made implementing the Tasman Fires Action Plan.

Resolved

That the Board:

1. **notes** the update on the Tasman Fires Action Plan as of 31 October 2021; and
2. **notes** the update will be proactively released on the Fire and Emergency external website in December

22. 21 (170) Positive Workplace Culture Six-Month Progress Report

The Board was provided with the Positive Workplace Culture Six-Month Progress Report.

The Board noted the independent review had recommended that progress against its recommendations be reported and evaluated for 36 months. That 36-month period would end in January 2022. Noting an external assessment of the establishment of the Behaviour and Conduct Office had just been completed by KPMG management advised that consideration was being given how to approach evaluating the progress of implementing the 33 recommendations in light of the KPMG External Assessment and the action plan that has been developed and now endorsed by the Board in response to this assessment.

Advice from the Positive Workplace Culture team has been requested by management on how to integrate all of the remaining work Positive Workplace Culture programme with the action plan adopted in response to KPMG's External Assessment and any other identified work. There is a live question to consider as to whether an external evaluation will still be necessary. Progress against the actions identified in the external assessment would be regularly reported to the Board in any case but integrated reporting against a single updated work programme would be preferable.

Resolved

That the Board:

1. **notes** the Positive Workplace Culture Six-Month Progress Report
2. **notes** a Ministerial Briefing will be provided to the Minister of Internal Affairs prior to public release of the report; and
3. **notes** the report will be made available to the public by mid-January 2022

23. 21 (171) LAC Quarterly Report to the Board

The Board was provided with the quarterly update on the performance and activity of Local Advisory Committees (LACs).

The Chair reported back to the Board on the discussion with LAC Chairs at the LAC Chairs' Forum the previous week.

Resolved

That the Board:

1. **notes** the appointment of six new LAC members - four to the Tairāwhiti LAC and two to the Chatham Islands LAC
2. **notes** the impact of recent COVID-19 restrictions on LAC engagement; and
3. **notes** updates from the LACs

24. General Business

The Board was advised that the Chief Executive of WorkSafe had offered to meet with the Board at a future meeting to discuss WorkSafe priorities. Management advised that a meeting would be scheduled.

There being no further business, the meeting closed at 2.20pm

Rebecca Keoghan
Chair

3 December 2021

Released under the Official Information Act 1982



Board Minutes

BOARD MEETING

Date: Friday 25 February 2022

Time: 8:00am – 2.05pm

Venue: Zoom

Present:

Rebecca Keoghan	Chair
Malcolm Inglis	Deputy Chair
Wendie Harvey	Member
Gwen Tepania-Palmer	Member
Mary-Anne Macleod	Member
Danny Tuato'o	Member

In Attendance:

Rhys Jones	Chief Executive
Raewyn Bleakley	Deputy Chief Executive Office of the Chief Executive
Kerry Gregory	Deputy Chief Executive Service Delivery
Darryl Purdy	Deputy Chief Executive Finance and Business Operations
Russell Wood	Deputy Chief Executive Organisational Strategy and Capability Development
Brendan Nally	Deputy Chief Executive People
Jason Price (9.35am – 10.10am)	Director Behaviour and Conduct Office
Phil Parkes (10.10am – 10.45am)	Chief Executive WorkSafe
April Christie (11.55am – 12.20pm)	Chief Advisor Safety, Health and Wellbeing
Sid Wellik (1.05pm – 1.10pm)	Chief Legal Advisor
Nick Venter	Secretariat

Apologies:

The Board met in closed session from 8.30am to 9.20am. The Board met with the Chief Executive in Chief Executive-only time from 9.20am to 9.25am. The Chair declared the meeting open at 9.25am.

1. 22(001) Interests Register and Conflicts of Interest

Malcolm Inglis advised that he was no longer a Whanganui LandSAR Group volunteer.

2. 22(002) Confirmation of the minutes of the previous meeting

The minutes of the meeting held on 3 December 2021 were confirmed as a true and accurate record of the meeting.

Moved: Rebecca Keoghan; Seconded: Wendie Harvey

3. 22(003) Action items from last meeting

The Board noted the updates to the Action Log.

4. 22(004) Behaviour and Conduct Office and Positive Workplace Programme Update and Introduction to Jason Price

Jason Price joined the meeting

The director of the Behaviour and Conduct Office provided the Board with an update on the establishment of the permanent Behaviour and Conduct Office.

The Board asked questions about the challenges faced by the office, the process for appointing external members to the office panel, the independence of the office, how the office would escalate concerns, how it could monitor the performance of the office and whether the ethnicity of those who were the subject of unwelcome behaviour would be captured in the data.

Management advised that it would be engaging with the People and Culture Committee at its next meeting and taking legal advice about the establishment of the office panel. The independence of the office was core to its design. Office concerns could be escalated through the Chief Legal Officer and the Chief Executive, and through the panel once it was established. Improved complaints data and analytics would enable the Board to track progress. The office would work with the National Manager Kaupapa Māori to ensure all relevant data was captured. The biggest challenge was gaining the confidence of all Fire and Emergency personnel.

Jason Price departed the meeting

5. 22(005) New National Approach to Integrated Evidence-Based Resourcing Presentation

A presentation was made to the Board on the steps being taken to drive evidence-based capital investment decisions. Considerations included Fire and Emergency's legislative obligations, inherited regional inconsistencies in service levels, cost and the numerous sources of data that could be factored into decision-making.

The Board thanked management for a valuable piece of work, noting that it was evidence of the increasing capability within the organisation.

6. 22 (006) Briefing from WorkSafe Chief Executive Phil Parkes

Phil Parkes joined the meeting

WorkSafe Chief Executive Phil Parkes provided the Board with an overview of health and safety in the workplace and his four priorities as chief executive: plant and structures, airborne hazardous substances and carcinogens, worker engagement and participation, and upstream duty holders. He advised that the single most impactful thing Board members could do to discharge their responsibilities was to have the organisation undertake annual SafePlus assessments.

The Board discussed his priorities and their application to Fire and Emergency. It sought his view on how directors of organisations should discharge their responsibilities as officers under the Health and Safety at Work Act when site visits were constrained by COVID-19. Phil Parkes advised that WorkSafe had organised a rolling programme of online opportunities for its directors to talk to its people.

Phil Parkes' offer to brief the Board again in a year's time was accepted.

Action

- Add invitation to WorkSafe Chief Executive Phil Parkes to attend the Board's February 2023 meeting to the Board work programme

Phil Parkes departed the meeting

7. 22 (007) CE's Report

The Board was updated on the content of the Chief Executive's Report. Management advised that 13 firefighters had tested positive for COVID-19 and 72 stations had either been affected by positive cases or close contacts. Those infected with the virus were being supported at a district level.

The Board asked whether Fire and Emergency was assisting ambulance services to maintain their capability. Management advised that it was talking to both St John and Wellington Free Ambulance and that some personnel were assisting at an individual volunteer level, such as by filling in as drivers. However, the organisation had to retain its response capability.

The Board sought additional information on training priorities during the pandemic. Management advised that the key focus was career recruit courses. It undertook to provide more information on training priorities.

The Board was advised that a scheduled follow-up meeting with the Department of Internal Affairs (DIA) about the possibility of a Crown loan to close the gap between projected funding and capital requirements over the next 20 years had been postponed due to the unavailability of a key DIA staff member. Work on future capital requirements modelling and a business case was continuing.

The Board was advised that the New Zealand Professional Firefighters Union (NZPFU) was continuing to consult with its members about the Collective Employment Agreement offer made to it.

Action

- Provide additional information to the Board on training priorities

8. 22 (008) Safety, Health and Wellbeing Update

April Christie joined the meeting

The Board was presented with the quarterly Safety, Health and Wellbeing Update and the Q2 Incident and Level 2 Investigations report.

Management advised that the recording in Safe@Work of 65 incidents at the Waiharara fire was a positive development as it showed personnel were engaging with Safe@Work.

The Board requested a full list of the Level One and Level Two investigations underway. Management undertook to provide a full list.

The Board was updated on a notifiable incident reported to WorkSafe. A firefighter had been knocked unconscious and was hospitalised after 9(2)a [REDACTED]. A Level Two investigation had been launched and the equipment involved in the incident had been impounded. The Board asked what protocols were in place for head injuries. Management advised that it worked closely with ACC and specialist rehabilitation advisors to determine the most appropriate care and rehabilitation support. Supporting affected individuals and learning lessons from such incidents were a priority for the organisation.

The Board requested an update on the Critical Risk Management work programme. Management advised that arrangements with a consultant were being finalised and a timeline was being prepared so that the Board could monitor progress. The Board stressed the importance of incorporating the expertise of frontline workers in the work programme. Management advised that risk workshops were being scheduled across the organisation.

The Board voiced frustration that, despite multiple requests over an extended period, it was still not receiving the analysis or insights it expected from Safety, Health and Wellbeing reporting. Members were not comfortable with the reporting or the injury rate within the organisation. Management advised that building capability was taking time. A lot of effort was going into ensuring the accuracy of data.

Action

- Provide the Board with a full list of the L1 and L2 SHW investigations underway

Resolved

That the Board:

1. notes the incident and Level 2 Investigation quarterly report; and _
2. notes there was one notifiable incident reported in this reporting period

April Christie departed the meeting

9. 22(009) Financial Report

The Board was provided with the January financial report. Management advised that both revenue and expenditure were favourable to budget. The Board noted COVID-19-related reductions in expenditure were disguising cost increases in some parts of the business.

The Board asked about the consequence of planned capital expenditure not occurring because of COVID-19. Management advised that delayed expenditure would be phased over future years. Consideration was being given to producing a rolling three-year capital expenditure budget to improve Board visibility of capex.

10. 22(010) Monthly Automated Dashboard

The Board was provided with the monthly automated dashboard for January 2022 and an update on key projects within the Strategic Portfolio and the projects being funded by the COVID-19 Response and Recovery Fund (CRRF).

Noting that a review of Service Delivery Guidelines was due to begin in the third quarter, the Board asked what its role would be in the review. Management advised that it would engage with the Board once the review got underway. A presentation would be made at the March Board meeting on high-level assumptions.

Action

- Update Board on review of Service Delivery guidelines

11. 22(011) Board Quarterly Performance Review – Q2

The Board was provided with the Quarterly Performance Review for the second quarter of the 2021/22 financial year. It noted that the report showed the Te Hiku region was not achieving some Statement of Performance Expectation measures at the same rate as other regions. Management advised that it was drilling into the data to determine what it revealed about the levels of service being provided to the public. The Board sought an update on that work. Management undertook to provide an update.

Action

- Update the Board on the regional difference of Te Hiku in comparison to other regions for volunteer and medical response times and volunteer responses to structure fires

Resolved

That the Board:

1. **notes** the attached reporting, outlining how the organisation has performed over Q2

12. 22(012) Q2 Board Report to the Minister

The Board was presented with the draft second quarter report to the Minister of Internal Affairs for the 2021/22 financial year.

The Board congratulated management on the clarity of the report and made a suggestion regarding the structure of the report and another regarding the organisational risks section. Management undertook to consider the suggestions.

Resolved

That the Board:

1. **agrees** to provide feedback on the draft Q2 Board Report at their 25 February 2022 meeting
2. **approves** the Q2 Board Report subject to incorporating Board feedback; and
3. **notes** that the final Q2 Board Report will be sent to the Minister's office by 8 March 2022

13. 22(013) New Type 3 Appliance Panel Contracts

The Board considered a recommendation that it delegate to the Chief Executive the authority for execution and awarding of contracts for the building of new Type 3 fire appliances.

Resolved

That the Board:

1. **approves** the execution and awarding of the two contracts for the two panel members of Angloco and Emergency One; and
2. **delegates** to the Chief Executive the authority to execute both contracts

Moved: Rebecca Keoghan; Seconded: Wendie Harvey

14. 22(014) Fire and Emergency NHQ Long Term Accommodation

The Board considered a recommendation that it approve the permanent relocation of Fire and Emergency's National Headquarters to the Spark Central building on Willis Street, Wellington.

The Board congratulated management on a well set out paper and discussed the proposed terms of the tenancy. It asked whether sub-leasing was an option if flexible working arrangements meant Fire and Emergency required less space in future. Management undertook to report back to the Board on whether sub-leasing was an option.

Action

- Report back to the Board on whether sub-leasing part of the new NHQ premises is an option if less space is required in future

Resolved

That the Board:

1. **notes** the requirement to vacate 80 The Terrace (80TT) towards the end of 2022 to enable extensive structural upgrade work to be undertaken
2. **notes** the shortlist of options for NHQ office space that have been considered; and
3. **approves** the recommended option for a long-term relocation of Fire and Emergency National Headquarters to the Spark Central building (Wellington)

Moved: Rebecca Keoghan; Seconded: Malcolm Inglis

4. **delegate** the execution of the Agreement to Lease and Deed of Lease to the Chief Executive

Moved: Rebecca Keoghan; Seconded: Danny Tuato'o

15. 22(015) Public Safety Network Business Case

The Board was provided with a paper seeking endorsement of the Public Safety Network (PSN) Business Case.

The Board discussed the business case and the risks associated with entering into a joint venture with other agencies. Management advised the project was cost neutral for Fire and Emergency and provided extra functionality as well as other benefits such as network priority at times of high demand.

Resolved

That the Board:

1. **approves** the Fire and Emergency PSN Business Case

Moved: Rebecca Keoghan; Seconded: Gwen Tepania-Palmer

16. 22(016) Digital Workflow Management Platform Contract Approval Ratification

The Board was provided with a paper recommending it formally ratify the Pega Digital Workflow Management Platform (DWMP) contract and approve the necessary delegations.

Resolved

That the Board:

1. **ratifies** the decision, to approve the DWMP Contract
2. delegates financial approval to the CE to execute final approval of the DWMP Business Case that incorporates the contract approval, comprised of a five-year whole of life cost of 9(2)(b)(i) Capex and 9(2)(b)(i) Opex
3. **notes** the five-year whole-of-life costs are included in baseline budgets and forecasts
4. **notes** that an impending change in accounting standards requires the Board to ratify the decision to approve the Business Case, to be compliant with Delegated Financial Authority (DFA) policies; and
5. **notes** the DWMP is a key technology capability for delivery of the Digital Strategy

Moved: Wendie Harvey; Seconded: Mary-Anne Macleod

17. 22(017) Eligibility for FireSuper – new roles established during Tranche 2

Sid Wellik joined the meeting

The Board was provided with background on the FireSuper scheme in advance of a meeting with the trustees of the scheme.

The Board noted that the Chair and Deputy Chair would engage with the FireSuper trustees appointed by Fire and Emergency and the full FireSuper Board. The Chair and Deputy Chair would then report back to the Board.

Resolved

That the Board:

1. **notes** that further legal advice is to be sought regarding 9(2)(h) [REDACTED]
2. **notes** that on receipt of further legal advice, ELT will recommend 9(2)(h) [REDACTED]
3. **notes** that draft legal advice regarding 9(2)(h) [REDACTED]
4. **notes** that once legal advice is finalised, 9(2)(h) [REDACTED]; and
5. **advises** FireSuper Board members at the 4 March meeting that legal advice is still to be finalised concerning 9(2)(h) [REDACTED]

18. 22(018) Medical Co-Response Training

The Board considered a recommendation that it delegate to the Chief Executive the authority to sign the Medical Co-Response training contract and future variations to the contract.

Management updated the Board on the process for letting the tender and advised that the existing contract with St John had been extended for three months to ensure continuity of service.

The Board advised that it was up to management to determine where the extra \$400,000 a year for the new contract came from, but it would expect to see management look for the money within the existing \$42 million training budget first.

Resolved

That the Board:

1. **notes** the Board had delegated authority to the Chief Executive to sign the Recommendation paper for this Contract at the October 2021 monthly meeting
2. **notes** the contract with Red Cross to provide Medical Co-Response training is expected to cost \$1.3 million a year
3. **notes** the whole-of-life value of the contract over seven years exceeds the Chief Executive's delegations
4. **notes** that meeting the additional cost of \$400,000 per year for the new contract will be a management challenge which is to be addressed by the Executive Leadership Team
5. **authorises** the Chief Executive to sign the contract; and
6. **delegates** the signing of future variations (of which there are two, 24-month rights of renewal) to the Chief Executive

Moved: Rebecca Keoghan; Seconded: Gwen Tepania-Palmer

19. 22(019) United Fire Brigades Association First Quarter Report

The Board was presented with the United Fire Brigades Association (UFBA)'s report for the first quarter to meet its reporting obligations under the new Conditional Grant Agreement.

The Board discussed the report, noting that the feedback from personnel who had not attended the UFBA's virtual annual general meeting suggested Fire and Emergency should be cautious about moving to more online engagement with its personnel.

The Board asked if Fire and Emergency's grant to the UFBA would be reduced by the shift to online events. Management advised that it was expecting a significant underspend.

Resolved

That the Board:

1. **notes** the contents of the UFBA's first quarter report 1 July to 30 September 2021 and the variation report for the UFBA AGM and Kōrero series
2. **notes** that this is the first quarterly performance report provided by the UFBA for the Conditional Grant Agreement; and
3. **writes** to the UFBA to:
 - acknowledge the contents of the reports; and
 - request further information on the items noted by management, and any further matters the Board wishes clarification on

20. 22 (020) Hawke's Bay LAC Chair and Tairāwhiti LAC Deputy Chair Recommendations

The Board was provided with the Evaluation and Appointment Committee's recommendations for the appointment of a new Chair and Deputy Chair for the Hawke's Bay Local Advisory Committee (LAC), and a new Deputy Chair for the Tairāwhiti LAC.

Resolved

That the Board:

1. **agrees** to the appointment of Debbie Northe as the Chair of the Hawke's Bay LAC, subject to a satisfactory interview
2. **agrees** to the appointment of Monique Heke as the Deputy Chair of the Hawke's Bay LAC, subject to a satisfactory interview; and
3. **agrees** to the appointment of Christopher Douglas-Huriwai as the Deputy Chair of the Tairāwhiti LAC, subject to a satisfactory interview

Moved: Malcolm Inglis; Seconded: Wendie Harvey

21. 22 (021) Advertising Service Orders Contracts

The Board considered a recommendation that it approve two advertising contracts and delegate to the Chief Executive the authority to sign two 12-month variations to each of the contracts.

The Board discussed the arrangements for transferring assets from the existing provider to the successful tenderers. Management advised that it would seek legal advice and escalate to the Board if any issues arose.

Resolved

That the Board:

1. **notes** that previously the Board signed the procurement plan approving this procurement to be undertaken
2. **notes** the Board had delegated authority to the CE to sign the Recommendation paper/s
3. **approves** the Board Chair to sign the Advertising Service Orders; and
4. **delegates** the signing of future variations (of which there are two, 12-month rights of renewal) to the Chief Executive

Moved: Malcolm Inglis; Seconded: Wendie Harvey

22. 22 (022) Formative Evaluation of Year One LACs

The Board was presented with the final report of the Year One LAC evaluation. It discussed the report, noting that the interviews with stakeholders had been conducted before the more recent positive engagement between LAC Chairs and the Board Chair.

The Board requested an update on the establishment of the additional LACs. Management advised that as the new Service Delivery district leadership had only been established in September and COVID-19 was disrupting business as usual it had been decided to wait till the new district leadership had been in place for at least a year before making any further decisions.

Resolved

That the Board:

1. **notes** the content of this paper and proposed next steps

23. 22 (023) People and Culture Committee Report to the Board

The People and Culture Committee Chair reported back to the Board on the 14 February meeting of the Committee.

The Board asked whether the planned increase in volunteer training meant volunteer numbers were growing. Management advised that it was planning for an outflow of volunteers due to the mandatory vaccination order.

Resolved

That the Board:

1. **notes** the report of the meeting held on 14 February 2022; and
2. **notes** the appended draft minutes

24. 22 (024) General Business

The Board resolved that its next meeting in March would be conducted virtually due to the continuing impact of the Omicron variant of COVID-19.

25. 22 (025) Board Only Time

The Board discussed a vaccination policy for Board members.

Resolved

That the Board:

1. **approves** that all Board members must be fully vaccinated (including any additional doses or boosters) against COVID-19
2. **approves** that all Board members must follow whatever COVID-19 health and safety protocols or mitigations have been put in place by Fire and Emergency management at any Fire and Emergency premises the Board may attend

There being no further business, the meeting closed at 2.05pm.

Rebecca Keoghan
Chair

25 February 2022

Released under the Official Information Act 1982



Board Minutes

BOARD MEETING

Date: Friday 25 March 2022

Time: 8:30am – 12.30pm

Venue: Zoom

Present:

Rebecca Keoghan	Chair
Malcolm Inglis	Deputy Chair
Wendie Harvey	Member
Mary-Anne Macleod	Member
Danny Tuato'o	Member

In Attendance:

Rhys Jones	Chief Executive
Raewyn Bleakley	Deputy Chief Executive Office of the Chief Executive
Kerry Gregory	Deputy Chief Executive Service Delivery
Darryl Purdy	Deputy Chief Executive Finance and Business Operations
Russell Wood	Deputy Chief Executive Organisational Strategy and Capability Development
Brendan Nally	Deputy Chief Executive People
Nick Venter	Secretariat

Apologies:

Gwen Tepania-Palmer

The Board met in closed session from 8.30am to 10.20am. The Board met with the Chief Executive and the Chief Executive-designate in Chief Executive-only time from 10.20am to 10.35am. The Chair declared the meeting open at 10.40am.

1. 22(026) Interests Register and Conflicts of Interest

There were no updates to the Register of Interests.

2. 22(027) Confirmation of the minutes of the previous meeting

The minutes of the meeting held on 25 March 2022 were confirmed as a true and accurate record of the meeting with the following amendment:

The removal of all the words after “next meeting” in the fourth paragraph of 22(030).

Moved: Rebecca Keoghan; Seconded: Wendie Harvey

3. 22(028) Action items from last meeting

The Board sought an update on item 362. Management advised that it was meeting shortly with the Department of Internal Affairs (DIA) about the policy work required to address the issues created by the current legal arrangements between Fire and Emergency and volunteer brigades and the timing of drafting letter required by action item 362 would be reconsidered after this meeting

4. 22(029) CE's Report

The Board was updated on bargaining with the New Zealand Professional Firefighters Union (NZPFU). It was also updated on the Employment Relations Authority's hearing of an NZPFU claim for firefighters working overtime on public holidays to be paid at two-and-a-quarter times the regular rate, rather than one-and-a-half times the rate as provided for in the Collective Employment Agreement. The authority was expected to take about a month to release its decision.

The Board sought a more detailed explanation of the designations "on hold" and "awaiting action" in the Behaviour and Conduct Office update. Management undertook to email definitions of the terms to Board members. The Board asked what steps were taken to manage the progress of cases and monitor the status of cases that were "on hold" or "awaiting action" to make sure cases were managed well.

Action

- Email to Board members definitions of the terms "on hold" and "awaiting action" used by the Behaviour and Conduct Office and explain how "on hold" and "awaiting action" cases are managed and monitored

5. 22(030) Safety, Health and Wellbeing Update

The Board was presented with the monthly Safety, Health and Wellbeing update for February 2022.

Management provided an update on the two additional notifiable events reported in March. The Board asked if the root causes of both events had been identified. Management advised that the cause of the incident at Fonterra's Edendale Plant appeared to be a lack of communication to the factory control room and the cause of the Woolston Training Centre incident appeared to be human error. The investigation would consider whether proper safety procedures were followed before the Woolston incident.

The Board expressed concern that the investigation of the February incident in which a volunteer suffered a head injury had still not concluded.

The Board advised that it was equally concerned about the time taken to initiate corrective action following investigations. The report showed some corrective actions were more than a year overdue. It asked to be provided with the findings of the review of outstanding corrective actions and advice about how these matters were going to be addressed. It also requested a dedicated commentary on what actions had been taken to address outstanding corrective actions since the meeting at its next meeting, noting that the number of times those responsible for the corrective actions were being notified that they were overdue was evidence that the system was not working.

The Board thanked management for the list of open Level 1 and Level 2 investigations. It asked for the list to be refined for the next meeting.

The Board advised that the time taken to complete investigations after three finger injuries was too long and progress too slow. Management advised that the individual investigations had been closed out, but a Learning Team had been established to look for common causative factors and identify whether there were systemic issues that needed to be addressed. The Board asked to be updated on the team's findings.

Action

- Advise the Board on the findings of the review of outstanding corrective actions and how these matters are going to be addressed
- Provide a dedicated commentary on what actions have been taken to address outstanding corrective actions since March at the Board's next meeting
- Refine the list of open L1 and L2 investigations to show risk, trends and progress
- Update Board on the Learning Team's analysis of the commonality of the three finger injuries reported to the Board

Resolved

That the Board:

1. **notes** the Safety, Health and Wellbeing monthly report and dashboard
2. **notes** that one event was notified to WorkSafe in February; and
3. **notes** that two further notifiable events have occurred in March and been notified to WorkSafe

6. 22(031) Ashburton Fire Follow-Up

The Board was updated on the Incident Causation Analysis Method (ICAM) investigation of the Ashburton truck fire in March 2021. It was advised that the investigation had highlighted two systemic issues that needed to be addressed. They were frontline attitudes towards risk tolerance and reporting and the inadequate "cross-flow" of information between different systems within the organisation. A work programme had been initiated to identify and address organisational-wide improvements to systems and processes. The Board would be updated on progress at its next meeting in April and regularly thereafter.

The Board advised that it expected matters that could be addressed quickly to be addressed with urgency and that it required more than transactional updates on an action plan. It wanted to be able to understand and assess the effectiveness of the actions. To do so it needed to be informed what the impact of the actions would be and what members would see that was different as a result of the action plan.

It also asked for those involved in the incident to be thanked for the honesty with which they had reported what occurred. If the organisation wanted people to continue to speak up, they needed to be provided with reassurance and thanked for doing so.

Actions

- Provide regular progress reports to Board on work programme put in place to address findings of Ashburton reviews

- Include in April Ashburton work programme update, advice about actions already taken to address review findings
- Thank those involved in the Ashburton truck fire incident for the honest reporting of what occurred which had identified systemic challenges faced by the organisation

7. 22(032) Financial Report

The Board was provided with the February financial report and a recommendation that it approve the maintenance for a further two years of the \$10 million standby facility established in case of reduced revenue as a result of COVID-19.

The Board observed that, given the experience of the past two COVID-19 affected years, the capital expenditure forecast appeared optimistic.

Resolved

That the Board:

1. **approves** the maintenance of the \$10 million Standby Facility for a further two years

8. 22(033) SPE 2022/23 First Draft

The Board was provided with the first draft of the Statement of Performance Expectations 2022/23 (SPE).

The Board noted the importance of key initiatives to bring about culture change within the organisation. These included the Positive Workplace Culture programme and the establishment of the permanent Behaviour and Conduct Office to give effect to recommendations in Coral Shaw's review of workplace policies, procedures and practices to address bullying and harassment. They also included the work being done to address critical safety, health and wellbeing risks. It asked for these initiatives to be highlighted in the SPE.

Action

- Highlight in the SPE the Positive Workplace Culture programme, the work planned to build on the establishment of the permanent Behaviour and Conduct Office and the work being done to address critical safety, health and wellbeing risks

Resolved

That the Board:

1. **notes** management will incorporate any Board feedback into the second draft, which it will review at the 29 April Board meeting prior to it being provided to the Minister for review
2. **notes** the timeframes for producing the SPE; and
3. **notes** that the final SPE will be provided to the Minister by 30 June 2022 and published on the Fire and Emergency website thereafter

9. 22(034) Monthly Automated Dashboard

The Board was provided with the monthly automated dashboard for February 2022 and an update on key projects within the Strategic Portfolio and the projects being funded by the COVID-19 Response and Recovery Fund (CRRF).

Management offered to provide an update on prioritisation at the next meeting. The Board accepted the offer.

The Board advised that it would be interested in seeing the analysis of the increasing trend in false alarm incidents. Management undertook to provide the analysis, noting that it was a complex issue. Up to 40 per cent of responses in larger population centres were false alarms, but not all were unwelcome. Fire and Emergency wanted to hear from people when they thought there was a risk to which firefighters should be alerted.

Actions

- Provide an update on prioritisation at the next meeting
- Provide the Board with the results of the analysis being undertaken into false alarm trends

10. 22(035) DRS – s35 Appeals Process

The Board was provided with an update on the arrangements for dealing with the appeals to the Board that are legislated for by section 35 of the Fire and Emergency New Zealand Act 2017.

The Board asked to be informed if any volunteers required to leave Fire and Emergency due to incapacity exercised their right to appeal the decision.

Action

- Build the Board's request to be notified of any appeals under section 35 of the Fire and Emergency New Zealand Act 2017 into section 35 processes

Resolved

That the Board:

1. **notes** the contents of this paper
2. **approves** the process for notices of appeal under section 35 of the Fire and Emergency New Zealand Act to be filed directly with the Scheme Administrator instead of the Board
3. **approves** the Scheme Administrator as a person to whom the Board may delegate its function under section 35(2) of the Fire and Emergency New Zealand Act
4. **approves** the delegation of the Board's function of accepting notices of appeal under section 35(2) of the Fire and Emergency New Zealand Act to the Scheme Administrator

Moved: Rebecca Keoghan; Seconded: Malcolm Inglis

5. **authorises** the Chair to sign the attached instrument on behalf of the Board to give effect to the delegation of the Board's function under section 35(2) of the Fire and Emergency New Zealand Act to the Scheme Administrator

Moved: Wendie Harvey; Seconded: Mary-Anne Macleod

11. 22(036) Unified Uniform Update

The Board was presented with a paper recommending that the Unified Uniform Project (UUP) be merged with the Business as Usual (BAU) retendering of the existing supply of uniform.

The Board noted that communications to firefighters were important and would need to be well-managed.

Resolved

That the Board:

1. **notes** the UUP was established in 2017 with the objective of implementing a shared sense of identity for Fire and Emergency personnel
2. **notes** that to date the project has overseen the national roll-out of soft-shell jackets and baseball caps
3. **notes** that in 2021 the UUP Sponsor Group commissioned a report from John Ivil (ex-Head of Government Procurement at Ministry of Business, Innovation and Employment) who recommended that UUP tenders be merged with the broader retendering of the uniform services
4. **approves** merging the UUP with the BAU retendering of the existing supply of uniform and closing the UUP
5. **approves** a change in approach from a national roll-out to a progressive roll-out of the Fire and Emergency uniform
6. **notes** that the substantial upfront costs required for a national roll out of a common Fire and Emergency uniform will no longer be required if recommendations 4 and 5 are approved; and
7. **notes** a communication plan to Fire and Emergency personnel and stakeholders will be prepared and implemented if recommendations 4 and 5 are approved

Moved: Rebecca Keoghan; Seconded: Danny Tuato'o

12. 22(037) Parnell Fire Station New Build – Delegated Financial Authority

The Board considered a recommendation that it delegate to the Chief Executive the authority to award and sign a construction contract for the proposed replacement Parnell Fire Station.

The Board asked where the Parnell crews would be based during the rebuild. Management advised that the crews would relocate to the Auckland Central Station for the rebuild which would not significantly impact response times, particularly in Auckland City.

The Board asked, in future, to be provided with an explanation of why less favourable options had been ruled out. Management advised that the options had been considered in the business case for the project. In future, they would be summarised in papers seeking Board approval for significant capital projects.

Resolved

That the Board:

1. **notes** the total indicative capex budget of \$11.640 million (excluding GST) which includes all construction costs, professional fees, consents fees and contingencies to date and to complete
2. **notes** Fire and Emergency is experiencing cost escalations (materials and labour) associated with the construction industry generally because of COVID-19 and, therefore, has provisioned a higher than normal contingency allocation of 20%
3. **notes** governance of the project will be provided by the Integrated Asset Governance Group; and

4. **delegates** authority to the Chief Executive to approve a total project budget of up to \$11.640 million (based on \$9.834 million plus a 20% contingency for cost escalations) and to award and sign the construction contract when ready

Moved: Rebecca Keoghan; Seconded: Malcolm Inglis

9(2)(J)

Resolved

That the Board:

1. **notes** 9(2)(J)

2. **notes** 9(2)(J)

3. **notes** 9(2)(J)

4. **approves** 9(2)(J)

Moved: Rebecca Keoghan; Seconded: Danny Tuato'o

14. 22(039) Local Advisory Committees – COVID-19 vaccination requirements

The Board noted the progress of the development of a draft policy including that consultation had taken place with LAC members. Discussion of this paper was deferred to enable consideration to be given to the impact of recent changes to the Government's COVID-19 requirements.

15. 22(040) Behaviour and Conduct Office Escalation Protocol

The Board was provided with a recommendation that it approve an addition to the Board Governance Manual setting out how Behaviour and Conduct Office matters warranting Board attention will be escalated to the Board.

The Board asked for the terms of reference for the People and Culture Committee to be checked for consistency with the protocol for escalating Behaviour and Conduct Office matters to the Board.

Action

- Check that the protocol for escalating BCO matters to the Board aligns with the terms of reference for the People and Culture Committee

Resolved

That the Board:

1. **approves** an addition to the Board Governance Manual setting out how Behaviour and Conduct Office matters warranting Board attention will be escalated to the Board

Moved: Rebecca Keoghan; Seconded: Wendie Harvey

16. 22(041) Accommodation and Meals Contract Variations

The Board considered a recommendation that it approve and sign contract variations with the providers of meals and accommodation for students attending training courses at the National Training Centre in Rotorua.

The Board noted that the estimated value of the two contract extensions was based on running two recruit courses a year rather than four.

Resolved

That the Board:

1. **approves** the delegation to the Chief Executive to sign the two proposed contract variations for AAPC Properties and NZ Hotel CNI Management LP

Moved: Rebecca Keoghan; Seconded Danny Tuato'o

17. 22(042) FireSuper Correspondence

The Chair updated the Board on the recent meeting with the FireSuper trustees to discuss their request for approval in principle for changes to be made to FireSuper's investment offerings.

Management advised that while the FireSuper proposals seemed straightforward, multiple Acts and regulations were involved. The legal and financial ramifications would be assessed as quickly as possible.

The Board advised that it was keen to signal in principle support for the more straightforward FireSuper proposals, subject to assurance about the legislative, financial and employment relations implications of the proposed changes.

Resolved

That the Board:

1. **notes** the content of this paper
2. **agrees** to acknowledge receipt of FireSuper's letter and advise it that a more detailed response will be provided once the Board has had a chance to consider advice on its proposals; and
3. **approves** management undertaking further analysis of FireSuper's proposals and bringing them back to the Board for consideration

18. 22(043) Presentation on High-Level Assumptions That Will Inform Review of Service Delivery Guidelines

The presentation was deferred until the next meeting of the Board.

19. 22 (044) Audit and Risk Committee Report Back

The Board was provided with an update on the Audit and Risk Committee meeting held on 14 March 2022.

The Committee Chair briefed the Board on a levy matter that was discussed at the Committee's meeting.

Resolved

That the Board:

1. **notes** the report of the meeting held on 14 March 2022
2. **notes** the Committee has asked for the Board to be provided with regular updates on initiatives to address and reduce the increasing cost of career firefighter leave, sick leave, accident leave and return to work duties; and
3. **notes** that there are no new high-rated risks to report

20. 22 (045) General Business

The Chair thanked the outgoing Chief Executive for the massive contribution he had made to establishing the organisation and setting a clear pathway for the organisation to follow.

There being no further business, the meeting closed at 12.30pm.

Rebecca Keoghan
Chair

25 March 2022