

From: [Jones, Rhys](#)
To: 9(2)a
Cc: [Bleakley, Raewyn](#); [Gregory, Kerry](#)
Subject: Tangata Matatau
Date: Friday, 19 February 2021 9:00:00 am

Kia ora 9(2)a

Last week our Chair Paul Swain wrote to your 9(2)a regarding Tangata Matatau. In the letter Paul indicated that I would be contacting you directly about some further operational matters we wish to raise with you.

There are two issues to raise. First, we were very surprised and somewhat disappointed to see recently a website launched with no communication with us. This website appears to use a number of images of our Fire and Emergency people, as well some with legacy organisation branding. We have not supplied these and were not contacted about this. Furthermore the use of so many Fire and Emergency (and legacy) branded images makes this appear as a site that is endorsed or managed by Fire and Emergency. It would be preferable for more generic rural firefighting imagery to be used where our brand/ logo is not visible. The use of images in this way may breach our brand policy, and we would request they be removed. This is outlined in our Brand Policy. We ask that your communications team engages with our National Manager Communications and Engagement, Nicky Chilton, to discuss how to address this situation as soon as possible.

The second issue relates to reports that 9(2)a has contacted Service Delivery staff to discuss Tangata Matatau matters and seek their support and views. We would have expected that preceding any such meetings there would have been discussions with our Executive Leaders and also that they would not take place in the absence of a formal agreement about how we will work together. These meetings have put our people in a very difficult position as they have not been briefed on either Tangata Matatau or our guidance on how FENZ should engage with that organisation, so are not authorised to commit to a position on behalf of Fire and Emergency. I ask that these meetings cease immediately and that you and others, as the official representatives of Tangata Matatau, meet with myself, the National Commander and the DCE OCE urgently to clarify how we will engage from here.

Regards,

Rhys Jones

Chief Executive

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9(2)a

25 February 2021

Rhys Jones
Chief Executive
Fire and Emergency New Zealand
80 The Terrace
Wellington

Per email

Tēnā koe Rhys,

Further to your email message 19th February, I refer to Paul Swains recent letter to 9(2)a in relation to Tāngata Matatau establishment costs and the assurance his Board requires that FENZ funds were not used for that purpose. I can assure you that no levy money was used to establish the Association.

I also confirm that FENZ imagery is no longer on the Tāngata Matatau website. On behalf of Tāngata Matatau, I apologise for this oversight and any unintended concern this may have caused FENZ.

Tāngata Matatau welcomes the FENZ invitation to re-engage with you to discuss how FENZ and Tāngata Matatau will continue to develop a mutually beneficial relationship in the near future. In preparation for that meeting, I take this opportunity to provide a summary of background information about Tāngata Matatau for FENZ, most of which FENZ is aware of from prior discussions.

About Tāngata Matatau

Tāngata Matatau members are independent specialist organisations that are relied upon to partner with Fire and Emergency to serve and protect New Zealand from unwanted fire, and other emergencies. Amongst other capability they have a particular expertise in wildfire and specialist heavy industry such as petro-chemicals. Many of these organisations within Tāngata Matatau are FENZ Contractors who are importantly one of three workforce groups that make up the FENZ Personnel in the Fire and Emergency New Zealand Act, 2017.

Tāngata Matatau brings together individuals, organisations and agencies associated with fire services, emergency services and emergency management together to provide constructive, influential and expert advice, to shape desired outcomes for the sector. As a collective body of expert organisations Tāngata Matatau does this by working with members to:

- provide strategic input into Sector policy and law, standards and Codes of Practice, training and research;
- facilitate Sector engagement and coordination, where useful to unite Members (and/or Chapters of Tāngata Matatau) to advance a common need in areas of wide interest;
- lead and facilitating Sector training, professional development and research, and
- engage constructively with relevant government agencies¹ and other organisations to provide strategic leadership, and an independent perspective, that represents the interests of the members.
- Tāngata Matatau is an Incorporated Society governed by a Membership Council.

¹ Fire and Emergency New Zealand; MPI; MBIE; Maritime NZ; Civil Aviation Authority to name a few.



Tāngata Matatau encourages wide participation of the sector in this forward-thinking and connected organisation, striving for better outcomes for New Zealand. The broad membership aims to represent inclusion of the wider community, cultures and industries and to acknowledge the unique place of Māori as tangata whenua.

A need for an independent association for FRFANZ members not merging with the UFBA

In 2017, United Fire Brigades' Association (UFBA) and Forest Rural Association New Zealand (FRFANZ) membership voted for change – to merge the two Associations to align better with the changes happening in Fire and Emergency NZ (FENZ), to provide for a unified volunteer workforce to engage in an orderly manner with FENZ and the emergency sector generally.

In 2018, a roadshow saw UFBA and FRFANZ engage with members from both Associations across New Zealand. Members gave a clear message that if UFBA and FRFANZ were to be dissolved and a new entity was created, this would be overly disruptive, costly and not likely to be efficient. Secondly, the membership felt that non-brigade FRFANZ members such as helicopter crews, forestry organisations, and similar, would not feel a natural affinity with the proposed (UFBA/FRFANZ) merged Association. The concept of establishing a separate independent entity (a Peak Body), to the UFBA, for these members was raised and then formed part of future communications with members, FENZ, the previous Minister for the Department of Internal Affairs, and relevant others in the sector.

The development of the Peak Body and other UFBA constitutional changes required assurance that the merged association addressed member needs. This led to extensive Peak Body interviews with non-brigade FRFANZ members, past presidents of the UFBA and representatives from across membership. This meant both FRFANZ non-brigades, FRFANZ brigade members and UFBA members were all covered, within reason, when it came to representation.

Following the UFBA/FRFANZ merger, the decision to proceed with the establishment of an independent organisation for these members was confirmed.

A Peak Body Members' Council was formed in April 2020 with former FRFANZ non-brigade entities and leaders from organisations with vested interests in the developments affecting the fire and emergency sector and to begin the process of determining how best to proceed.

UFBA members, and non-merging FRFANZ members, were notified of the Peak Body's development through e-newsletters throughout 2020. Information on the process can also be accessed in the UFBA Annual Report and the proceedings at the UFBA's AGM, held November 2020.

Given UFBA's responsibility to former FRFANZ members not merging with the UFBA, the Association offered to provide temporary assistance to establish the Peak Body. Establishment work was disrupted by Covid-19 imposed lockdown during 2020.

Tāngata Matatau is here for the benefit of its members and partners that wish to engage with the Association to achieve mutual goals. It is not formed to engage solely with FENZ. Tāngata Matatau is not a union. It is an Association of professional organisations.

Legal entities established in 2020

The Peak Body was then formally established as an Incorporated Society on 23 July 2020, and named Tāngata Matatau. The organisation's sole shareholder is Tāngata Matatau Incorporated.



On 3 August 2020, Tāngata Matatau was registered as a limited liability company and incorporated with two Directors; [REDACTED] and [REDACTED], by way of the respective “acting” Chairman and CEO roles they held on the Peak Body Members’ Council.

Tāngata Matatau Ltd is a non-trading company. As a common practice, registration as a company helps to secure naming rights etc. If Tāngata Matatau decides in the future to implement a trading arm to help sustain the Association, provisions are in-place. This would be a matter solely for the Members’ Council to decide in the future.

The UFBA Board vigorously refute any mischievous and false public allegations made by the New Zealand Professional Firefighters Association (NZPFU) and disaffected members of the UFBA, that the Chair and CEO have acted in an improper manner in dispensing its duties to assist the establishment of Tāngata Matatau as a close-out action following the merger of UFBA and FRFANZ Associations.

Legal obligations to FENZ Contractors

FENZ has a diverse service delivery workforce comprising employees, volunteers and contractors. As mentioned, Tāngata Matatau members includes two of the three important workforce personnel groups being volunteers and contractors.

The Fire and Emergency New Zealand Act, 2017 formally recognises contractors as FENZ Personnel² with a clear expectation that FENZ recognise the critical role these organisations play in supporting FENZ to deliver on its mandate. It is of concern to Tāngata Matatau members that this group appear not formally recognised in the FENZ 10-year plan

FENZ Contractors are a diverse group of independent organisations. As discussed with FENZ, the forming of Tāngata Matatau is designed to assist its members to have a cohesive voice within FENZ, and to aid FENZ in their engagement of a diverse and widespread group of organisations.

Tāngata Matatau has assured FENZ previously, and its members, that it seeks to engage positively and proactively with FENZ to achieve reform outcomes and key improvements designed to benefit all New Zealanders.

Funding of Tāngata Matatau

Tāngata Matatau has made it clear to FENZ on at least two occasions that it has no intention of asking FENZ for money to establish the Association. This position remains unchanged.

FENZ support of Tāngata Matatau

Tāngata Matatau have met with the FENZ Chair, yourself and other ELT members on two to three occasions to update the organisation on the establishment of Tāngata Matatau and the progress and intentions of the Association, importantly that it seeks to be a positive and proactive sector partner

It is from these meetings and discussions with FENZ that we were of the understanding that FENZ were supportive of this Association’s establishment, particularly following a sector survey run by

² Subpart 2 – (6)

FENZ personnel or personnel, in relation to FENZ, includes-

- a) *employees;*
- b) *volunteers;*
- c) *contractors.*



Tāngata Matatau, involving FENZ contractors, where it was evident many were becoming increasingly dissatisfied with FENZ engagement with them after the organisation's establishment in 2017. The results of this survey were discussed with Paul Swain, Kerry Gregory and yourself. At this time, FENZ agreed in principle to proceed in good faith with Tāngata Matatau to build the relationship and ultimately to enter into a Memorandum of Understanding in time. COVID-19 lockdown then interfered with progress. 2021 will see Tāngata Matatau further develop its membership.

Closing

In summary, Tāngata Matatau was established as a close-out action for FRFANZ members that did not form part of the UFBA/FRFANZ merger.

Tāngata Matatau members are a group of industry experts with extensive industry knowledge and assets that are of ongoing value to FENZ.

Tāngata Matatau is an entity growing in its value to support FENZ as the lead sector agency in achieving positive change, as intended with the reform of New Zealand's fire services, and other agencies where there is reason to come together for mutual benefit.

Tāngata Matatau has sought to update FENZ at several junctures. It is disappointing that COVID-19 and other FENZ priorities have interfered with the progress that was underway to form a positive and formal relationship between the organisations.

We are equally disappointed that the mischievous and deliberate attempts by the NZPFU and disaffected members of the UFBA, to discredit Tāngata Matatau, have inaccurately sought to cast doubt on what is a positive and proactive Association in position to support FENZ and other agencies to deliver on objectives of mutual interest.

Tāngata Matatau welcomes a meeting date to advance discussions with FENZ.

Nāku noa, nā

9(2)a

