



FIRE
EMERGENCY

NEW ZEALAND



People branch – Region Functions and Behaviour and Conduct Office

Consultation Proposal

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Message from Brendan Nally, Deputy Chief Executive People

Kia ora koutou

This document sets out proposals for a new permanent structure for our region HR teams, the details of the People Services Manager positions and the establishment and details of permanent Volunteer Development Manager positions. It also proposes the establishment of a permanent Behaviour and Conduct office.

These proposals follow decisions made in February confirming the People Branch Leadership Team, and the subsequent stand-up of the new People branch from July.

At that time, I said that once the People Branch Leadership team was in place, we would look at the branch teams to ensure we had the right structure and capability for our organisation and our people. These proposals are the outcome of that work for these particular functions, teams and positions.

In parallel, the need for a permanent Behaviour and Conduct Office has been identified to address unwanted behaviour and help support cultural change. This new function would:

- Be the centre of excellence for values-based behaviour leading proactive work around standards and education
- Build on the progress of the Behaviour and Conduct Office with the interim complaints process, which currently works with the Human Resources team in the People branch to manage unwanted behaviour-based complaints

The following proposal addresses four key areas of change. Grouping multiple proposals together provides a more holistic view of the potential changes and their interplay, as well as enabling us to potentially offer more options to affected people in terms of their career pathways.

I am extremely proud of our organisation, of the People branch, and of all of us in it. I know we all work hard every day to serve our people – and I believe these proposals will help our branch support the organisation more effectively.

Changes like those proposed here creates uncertainty for those involved. My aim is for this to be a transparent process, that's underpinned by our organisational values. I am also committed to completing this process as efficiently as possible, taking into account that the wider consultation on the proposed permanent Behaviour and Conduct Office (BCO) scope and functions is also being conducted concurrently, to give all team members as much certainty as possible about their future opportunities within Fire and Emergency.

Please feel free to raise any concerns you have with me directly, or with your manager. A range of options are also available on the Health, Safety and Wellbeing page on the [Portal](#).

I appreciate you taking the time to review and provide feedback on this proposal. I also appreciate your ongoing professionalism and efforts during this period. I encourage you to view this as a positive opportunity to provide your input to ensure we are well set up for the future and can support a unified Fire and Emergency.

Ngā mihi

Brendan Nally, Deputy Chief Executive – People Branch

Section 1 - Rationale for proposing these changes

Background

The creation of Fire and Emergency New Zealand provided a wider mandate for the way our organisation serves communities across New Zealand. To achieve this, it is critical all our people are working together and have the right skills and training to do the job, so we can provide our communities with consistent, high-quality services no matter where they are in New Zealand.

This means the People branch needs to do things differently and build a positive end-to-end people experience that is anchored in our values.

Our people strategy¹ sets the direction of how we attract, support, develop and retain people from a range of backgrounds. It puts our people at the heart of everything we do and deliver - He Waka Eke Noa (everyone in one canoe with no exception). It recognises different strengths and skills, which are united in a common purpose, vision and shared identity.

To serve our communities in an environment of continuous change we need to be proactive in building capacity for the future and responsive to the day-to-day challenges we face, ensuring we have great leadership, and our people can be at their best; engaging, performing, growing and looking for ways to do things better.

People branch

A key driver for the proposed People branch changes is to apply a 'people lens' across everything we do. We want to ensure that we have the right people, with the right skills to keep pace with the changing nature of the work we do to respond within our communities. We want to put people at the centre when we are designing and delivering people strategies, our services and ensure their experience with us along the way is aligned to our values.

With a more integrated Service Delivery structure in the future it provides the opportunity to partner strategically, support growth, manage risk and maintain our trusted capability in helping all our people be the best they can by supporting region leaders and their teams. This ultimately enables the new People branch model, as confirmed in the Tranche 3 People branch change, to be built around our people (the 'customer') and their teams and puts them at the heart of how we work.

Looking to the future we require a greater balance between generalist and specialist capability, and tactical and strategic services. As identified in the Tranche 3 change process there is currently a fragmented and inconsistent experience with the People branch, both for customers and the teams operating within the branch. We believe that by having the right roles, clearly focussed in the right places with the right capability, and operating in an integrated and collaborative way, we will be able to more effectively deliver better people outcomes for Fire and Emergency, and the communities we serve.

¹ In draft to be finalised

Human Resources provide generalist services across the broad spectrum of people/workforce activity, making connections with specialist capability, both from within the People branch and across the regions to deliver frontline, day-to-day people strategies, services and programmes. Specialist functions such as the proposed, People Services Managers, Volunteer Development Managers and Behaviour and Conduct Office, would provide deep expertise and services for critical strategic priority areas for the organisation.

Feedback from the Tranche 3 People branch consultation showed that people were largely supportive of the People Services model but wanted us to continue to develop the People Services Manager role in the context of our region model and define the accountabilities in relation to other People branch region positions. Further design work has now been completed, including engagement with key stakeholders, and this has resulted in a clearer definition of the proposed People Services Manager as providing a strategic partnering function focused on supporting Service Delivery's people strategies and programmes.

Behaviour and Conduct Office

There have been a number of influences to the formation of the proposed BCO. These include:

- The release of WorkSafe New Zealand guidelines about workplace bullying in 2014
- In 2015/16 the Fire Services' Audit and Risk Committee undertook a review of the processes and procedures relating to the prevention of and response to bullying and harassment
- In 2017, when Fire and Emergency New Zealand was established, we used the opportunity to focus on our broader workplace culture which forms part of our strategic framework
- Following research visits to Australian Fire and Emergency organisations with professional standards functions, an indicative business case was developed in 2018 with the aim of establishing a Values, Ethics and Conduct Office (VECO). Due to organisational priorities at the time, this proposal was not pursued.
- To better understand the existing culture, the Chief Executive, Rhys Jones, commissioned an Independent Review of Fire and Emergency New Zealand's workplace policies, procedures and practices to address bullying and harassment (The Review), where 33 recommendations were made. All of these recommendations were accepted
- The Positive Workplace Culture Programme was set up to implement a range of initiatives to address the 33 recommendations, including the establishment of a Behaviour and Conduct Office

It has taken time to investigate ways of addressing concerns around behaviour and conduct and design the proposed function and structure of the permanent BCO so that it works for all our people and our organisation.

Engagement on the proposed design went through a range of stakeholders including:

- Directional endorsement and guidance for the design approach and high-level design by the Positive Workplace Culture ELT Panel
- Engagement of the approach and proposed high-level design with the Internal Specialist Working Group (members from Human Resources and Health, Safety and Wellbeing) and the Respect and Inclusion Taskforce, and sub-groups, which includes representatives from all people networks (Women's Development, Pou Takawaenga Māori, Afi Pasefika and Rainbow Network) and Unions and Associations

- Engagement with the HRM's
- Online, national and regional engagement
- Endorsement of the final proposed design by the Positive Workplace Culture ELT Panel

Refer to [Appendix 3](#) for more details.

Section 2 - Feedback sought

The material in this document are proposals only. No final decisions have been made and we want to hear any feedback, suggestions and comments that you have on anything in this document, such as, but not limited to:

- The rationale for the change
- The proposed new structure
- The proposed new roles
- The proposed impact to positions
- The proposal for how we would reconfirm and reassign people into roles
- Any other options you think we should consider
- Anything you think we have overlooked or should consider
- Any other support you need during this process.

How you can submit your feedback

People branch personnel, the Service Delivery Leadership Team and Regional Leadership Teams can access a dedicated and confidential SharePoint site. This link will also be sent by email on the day consultation commences.

Feedback can be submitted via the Feedback Form on this SharePoint site before 5pm on 28 January 2021.

Any questions, can be submitted via the Questions Form on this SharePoint site, or alternatively by emailing Peoplebranchconsultation@fireandemergency.nz

If you cannot access the SharePoint site, please email Peoplebranchconsultation@fireandemergency.nz

If you cannot access the SharePoint site, please email us at Peoplebranchconsultation@fireandemergency.nz.

Documents

The documents below can be accessed on the SharePoint site at the links provided:

- Proposal (link to be provided Tuesday 1 December)
- [Proposed Draft Positions Descriptions](#)

We are working with Korn Ferry to establish indicative sizing for the proposed new positions and we will provide that information as soon as it is available.

You are entitled to seek your own independent advice regarding this proposal and have your own representative or support person present at any meetings relating to it.

BCO scope and functions proposal

At the same time as this consultation, we are also consulting with the whole of the organisation and Unions and Associations through ConsiderThis² on the scope and functions of the BCO. This includes all elements covered in [Appendix 3](#). This is so we can consider feedback from the organisation about the BCO along with your feedback.

² The process for this consultation is different and is outlined below

Section 3 - Overview of proposed changes

1. People Services

Summary of change proposal:

- Create five People Services Manager (PSM) positions (one for each region)
- The PSMs would provide strategic business partner capability to support regions focusing on medium to long term and act as the conduit between People branch and Service Delivery
- Ensure collaboration with other People branch Functions in regions to deliver the needs of our customer

The People Services directorate was consulted on and subsequently established as a result of the Tranche 3 change, however, the five PSM positions, one for each region, were not finalised or recruited on the basis that further work was needed.

The PSM roles are key to the success of the overall People branch model in the regions. Further work has now been completed to define how the roles would work and this has resulted in the following proposal.

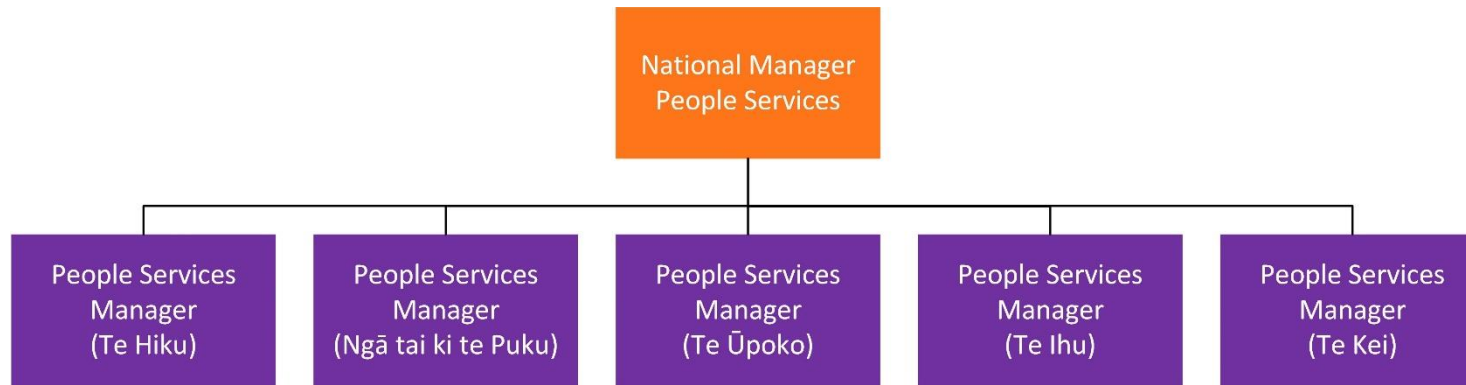
The vision for the People Services directorate is to:

- Work as the conduit between the People branch and Service Delivery, ensuring a collaborative partnership and providing coordinated, streamlined and integrated services and solutions to meet their needs
- Provide greater strategic business partnering capability and capacity to support the design and delivery of region workforce strategies and requirements across Service Delivery, with a particular focus on the medium to long term
- Ensure business needs are channelled back to the People branch (and vice versa) to aid in the planning and design of organisational people strategies and programmes
- Focus on greater coordination and sharing of business improvement, workforce learning and insight across the organisation

Each PSM would be a key member of their respective Service Delivery Region Leadership Team (RLT). As the central point of contact for People branch services at the region level they would be responsible for planning and coordinating all People branch resources within their region to deliver to our customers. The PSMs would work alongside RLTs to support the development and implementation of the business strategies and plans. As the strategic partner between RLT and the People branch, they would ensure a two-way flow of engagement, information and intelligence to support Service Delivery.

These proposed positions would work collaboratively with the regional People branch roles (e.g. Region HR Managers, Safety Health and Wellbeing Coordinators, VDM's, Region Training Coordinators) as well as the NHQ People branch roles (e.g. remuneration, recruitment, volunteerism) to ensure any medium to long term plans are achievable in the Districts, and to operationalise those plans once they are in place. The proposed PSM positions would not have direct line management responsibilities.

Proposed structure – People Services



No change



Proposed new position

2. Volunteer Development Manager (VDM)

Summary of change proposal:

- Create five permanent Volunteer Development Manager positions (one for each region), reporting to the Principal Advisor Leadership Development
- Provide clear and focused accountability for volunteer leadership development
- Role positioned as part of national team with a consistent approach to leadership development
- Close collaboration with other People branch functions in regions to deliver the needs of our customer

Volunteer leaders directly lead, develop and grow the majority of our workforce. They are visible leaders and representatives of Fire and Emergency within their communities. Not unlike all people leaders at Fire and Emergency, they come from diverse backgrounds with a range of strengths and talents.

While that diversity is an asset to us, it also means their capability to lead is varied, and requires investment, development and support. Building volunteer capability is a key component of our Volunteerism Strategy and outlined in the legislation relating to volunteers.

Recognising this longstanding need for greater development of volunteer leadership capability, in February 2017, the Volunteer Working Group identified the need for the Volunteer Development Manager (VDM) role.

The focus of the VDM role was to strengthen leadership capability through coaching, mentoring, and assisting leaders in understanding developmental needs.

Initially two, then an additional three, fixed term VDM positions were created as part of a pilot which is due to conclude in March 2021.

A recent evaluation of the VDM pilot to inform ongoing requirements found:

- The VDM role fills a significant gap in the organisation that is not being provided otherwise
- Regions had different levels of readiness for the VDM role, and reach and coverage was mixed
- The VDM role lacked clarity

Based on our volunteerism objectives, along with the findings from the VDM pilot, we are proposing to establish the VDMs as permanent positions, but with clearer accountability and direction.

Their scope would have a much clearer focus on strengthening and developing the leadership capability of our volunteer leaders.

They would pull back from broader areas the role grew into through the pilot, including conflict resolution, internal brigade issues, brigade management advice, region/area and brigade relationship issues, recognising that this responsibility sits in other roles (e.g. BCO, Area Management).

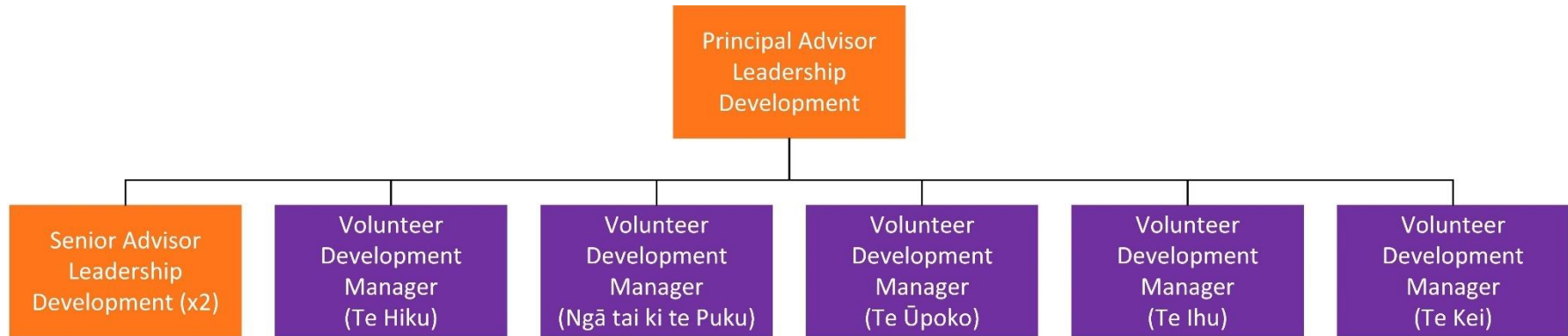
We propose to make the VDM positions part of a national team, led by the Principal Advisor Leadership Development. This would support them, so their activities were more consistent and better aligned with our national approaches.

This would enable a more coordinated effort that builds on the foundations taking shape in our leadership system, including the Leadership Development Framework. They would drive regional delivery of the framework for volunteer leaders, and the programmes, initiatives and offerings that align to it. By using tools and methodology in developing our leaders, their efforts would be more purposeful and focused, creating greater impact.

The VDM's insight and understanding of volunteer leadership development needs would help to ensure that leadership programmes, initiatives and offerings are tailored and fit for purpose.

VDMs would also work with and alongside other regional People branch roles to ensure a co-ordinated approach to delivering people services, and would balance nationally driven delivery with being responsive to emerging local leadership development needs.

Proposed structure – Leadership Development



No change



Proposed new position

3. Region HR

Summary of change proposal:

- Establish a new HR Service Delivery model led by a new Manager Region HR Operations role
- Disestablish six Regional HR Manager positions, and four Senior HR Advisor positions
- Create six new Region HR Manager positions and four Senior HR Advisor positions, noting that while the position title is similar, the scope of the position and responsibilities would be different.
- Provide broad-ranging generalist HR services to District Leadership teams, and operational HR services to regions
- Shift the complaint management, investigation process and restorative intervention in relation to unwanted behaviour from the HR role to the BCO

The People Experience directorate delivers the core frontline, day-to-day services to managers and people across Fire and Emergency. Much of these services are delivered from teams in National Headquarters across the employee/volunteer lifecycle (i.e. the different stages a person advances through in an organisation e.g. recruitment, remuneration and rewards, performance, leaving).

We see the core role of the Region HR team as providing broad-ranging generalist HR services, making connections with specialist capability, both from head office and in the regions as required, and delivering people strategies and programmes across the business working with People branch specialists.

To deliver this service thoroughly and consistently requires capacity. Currently the team are pulled into reactive operational issues including a large volume of investigations and complaint resolution.

With the changes proposed for the BCO, the HR team would still participate in the unwanted behaviour complaints process, helping identifying areas of concern and escalating these or referring complaints. They would not undertake the facilitated resolution of complaints or investigations which would be done by the BCO. At the conclusion of an investigation if relevant the HR team would support the manager to undertake the appropriate resulting interventions (e.g. disciplinary process, training, performance management) as required.

We believe that the changes proposed would enable the regional HR model to be able to more effectively deliver the broader range of generalist HR services (both proactive and reactive) required to support Service Delivery people and workforce strategies.

With the proposed stand-up of the strategic PSM position and the resolution of unwanted behaviour complaints moving to the BCO the role would focus more on operational delivery, partnering and advice, and coordinating specialist services.

The region HR positions would work closely with the PSM's, VDM's and BCO to ensure a cohesive service to Service Delivery with the PSM's providing the strategic conduit to People branch areas and HR operational areas.

The HR team would provide support and coaching to managers around management disciplines such as performance management to increase capability whereas the VDM's would focus on soft skill leadership development for volunteers leaders.

The team would act as 'delivery partners' and ensure People branch services to the regions were delivered in an integrated and effective way. This would be achieved by:

- Ensuring all reactive and operational aspects of HR are managed appropriately as well as leading proactive HR interventions
- Working closely with the new District leadership teams and supporting the embedding of the new operating model and ways of working
- Working collaboratively with PSMs to ensure long-term workforce plans and initiatives consider the operational reality and needs of each region and districts, and are operationalised effectively
- Acting as a conduit between the People Experience teams and the region coordinating with the PSM so the Region Manager has an overall view
- Support the establishment and embedding of the new Service Delivery District model and leadership teams
- Providing expert advice to leadership teams, anticipating requirements to ensure advice is accurate and fit for purpose, and leads to desired outcomes
- Identifying key trends across their respective regions and working with the appropriate parties to develop and deliver the appropriate interventions

It is proposed that this team would remain structurally similar to the current team set-up, except for the addition of a proposed new Manager Region HR Operations which the proposed Region Human Resource Managers would report to. While the new proposed positions are different to those that currently exist, it is proposed that the positions titles would remain similar to what they currently are, as those titles still best represent what the position is and how it is commonly known.

The proposed Manager Region HR Operations would provide leadership, support and oversight to the Regional HR team and be the key HR support for the National Commander. They would be responsible for designing and embedding an HR service model adding value to the overall people experience by ensuring a coordinated provision of specialist services to the regions (e.g. employment relations, remuneration, recruitment). They would work collaboratively with the leaders of the new functions (BCO, PSM, VDM) to ensure a cohesive service to Service Delivery.

National Headquarters HR

The National Headquarters (NHQ) HR team is not in scope of this change proposal. This is because the NHQ HR team has different responsibilities from the current regional HR manager roles, for example, recruitment.

In addition, the proposed PSM and VDM positions would not impact this team directly given their regional focus, and the number of complaints relating to unwanted behaviour are only a small proportion of work undertaken in NHQ. The NHQ HR function and NHQ People Services Manager role that was included in the Tranche 3 change proposal will be looked at in the future.

Current structure – Human Resources

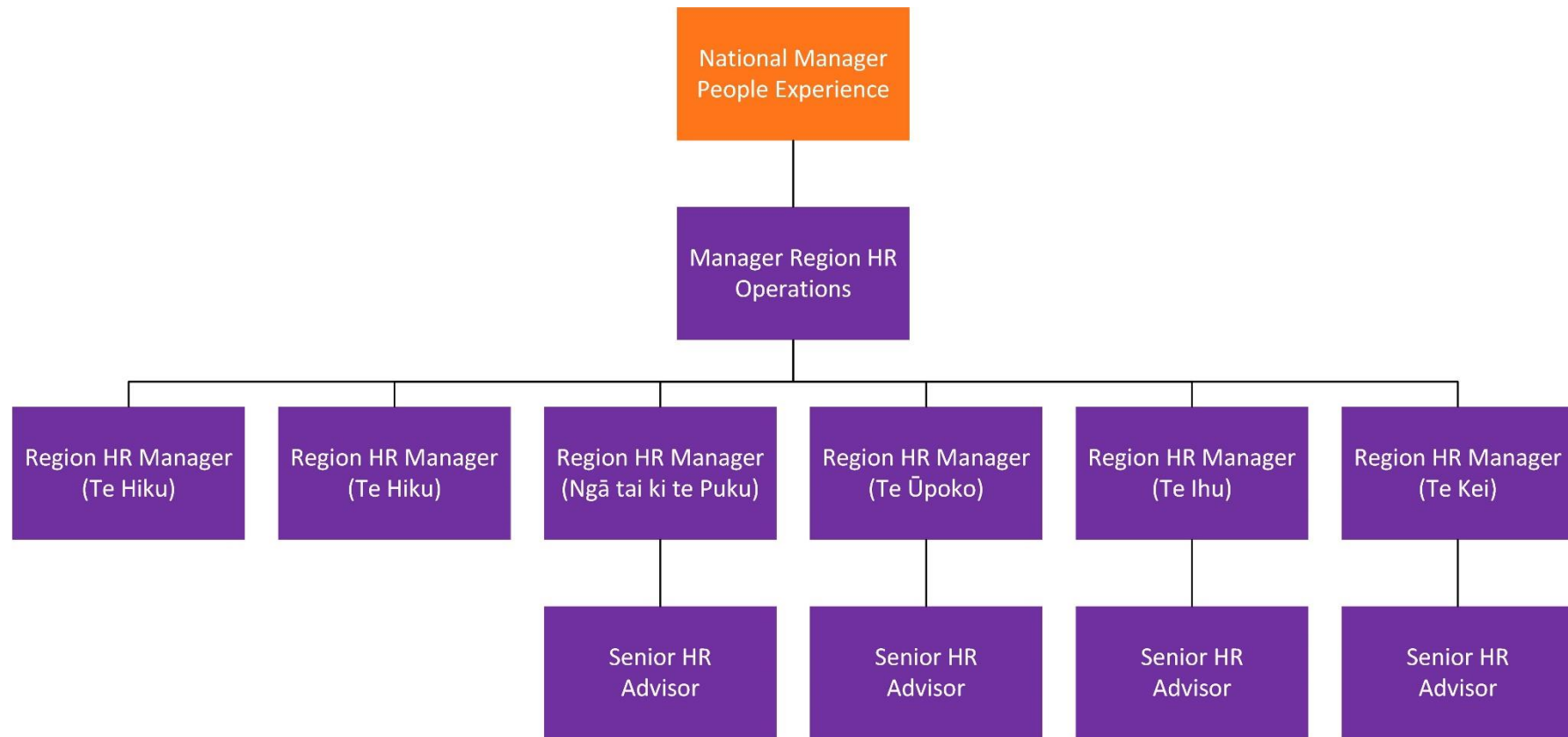


Note: The National Manager has additional positions and teams that aren't reflected including a National Headquarters HR Team

No change

Proposed to be disestablished

Proposed new structure – Human Resources



Note: The National Manager has additional positions and teams that aren't reflected including a National Headquarters HR Team



No change



Proposed new position

4. Behaviour and Conduct Office

Summary of change proposal:

- Create 12 new positions
- The proposed permanent BCO would:
 - Set standards and expectations
 - Educate and engage through training and development around values-based behaviours
 - Manage all complaints of unwanted behaviour including bullying and harassment. This covers facilitated resolution, internal investigations, coordinating external investigations, restoring relationships post resolution and reporting on complaints and broader information
 - Not conduct the resulting process (e.g. disciplinary process, training, performance management) if applicable, which would continue to be done by the Manager supported by HR
 - Report to the Positive Workplace Culture ELT Panel for 18 months, before moving to be part of the People branch

We are proposing that the proposed permanent BCO would:

- Proactively set standards and provide education to reduce unwanted behaviour
- Effectively manage complaints to address unwanted behaviour and work with individuals to restore positive working relationships following a complaint.

We are proposing to establish two BCO management roles – one with primarily strategic focus and one with primarily operational focus. Two functional areas would be established, the first covering complaints management, facilitative resolution/restoration and investigation and would be geographically dispersed, and the second focused on learning and development and building capability.

At present complaints of unwanted behaviour can be made through many different channels. While this provides options for our people, it creates challenges in managing and reporting on complaints and risk of inconsistent approaches and outcomes.

In addition, while resolving complaints in a trusted, transparent, timely and fair manner is an important goal, we need to proactively deal with any underlying problems that result in complaints of unwanted behaviour to minimise harm and develop a positive culture.

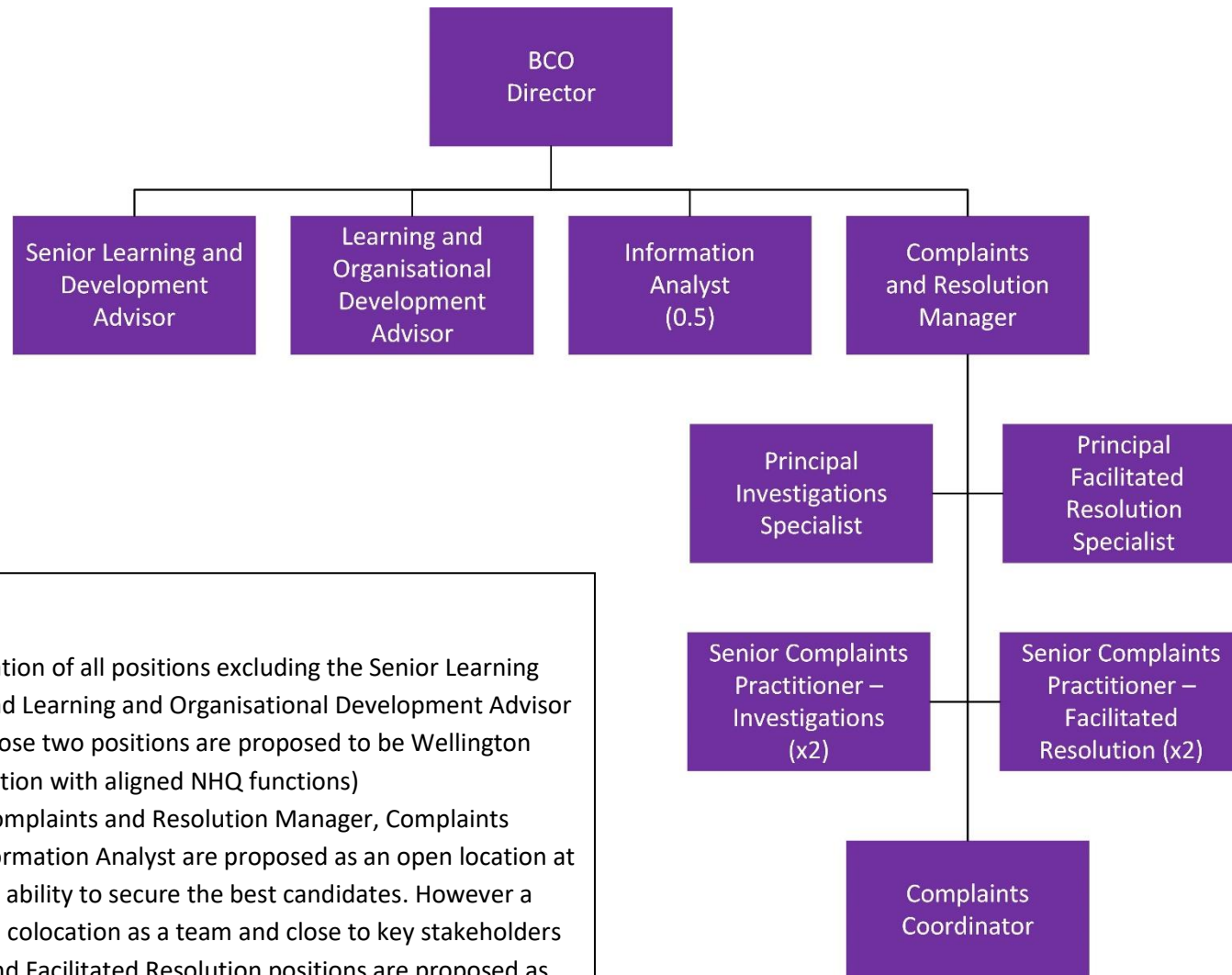
We need to change the perception of what is acceptable and what is not acceptable, and provide people with tools and support so they can call out unwanted behaviour. We would gather data and insights from complaints, as well as anecdotal information from leaders and teams, to help us prioritise interventions and offer restorative processes to address team conflicts before they escalate.

We are proposing that all complaints about unwanted behaviour are managed by the proposed permanent BCO. It would do this in an objective, impartial and consistent way. The BCO would ensure the proposed new process is applied uniformly to complaints across the organisation.

In addition, the proposed permanent BCO would develop and promote above the line workplace behaviour and professional standards. All the policies, processes, training and education being put in place by the Positive Workplace Culture programme to build a positive culture would be embedded in the BCO.

Refer to [Appendix 3](#) for more detail.

Proposed structure – Behaviour and Conduct Office



Note:

- At this stage the location of all positions excluding the Senior Learning and Development and Learning and Organisational Development Advisor would be flexible (those two positions are proposed to be Wellington based due to co-location with aligned NHQ functions)
- The BCO Director, Complaints and Resolution Manager, Complaints Coordinator and Information Analyst are proposed as an open location at this stage to give the ability to secure the best candidates. However a preference would be colocation as a team and close to key stakeholders
- The Investigations and Facilitated Resolution positions are proposed as an open location. However an even distribution across the country would be preferred to minimise travel



Proposed new position

Section 5 - Proposed changes and impacts

We have assessed the proposed changes to current positions using criteria including:

- The accountabilities of the positions including scale and complexity
- Levels of decision making required of the positions
- Skills, knowledge and experience including any specific qualifications or training
- The terms and conditions for the positions including remuneration
- Geographical location, i.e. where would the positions be based

This assessment leads to one of the following proposed impact categories:

Impact Category	Description
No change or minimal change	The current position would exist unchanged in the new structure <u>or</u> would have some minimal changes, e.g. job title, reporting line.
Some change	The current position would continue to exist with some changes, e.g. some changed or new accountabilities; a different location within a reasonable commuting distance.
Significant change or position no longer required - disestablished	The current position would be significantly different to the position required in the new structure, e.g. significant change in accountabilities <u>or</u> The current position would not exist in the new structure.
Reduction in the number of positions	The current position would be required in the new structure but the requirement would be for a reduced number and/or FTE of the positions.

For this change it is proposed that the impact to positions would be as follows:

Current Position	Changes Proposed	Reason for proposed change
Region Human Resources Manager	Significant change – disestablish positions	<ul style="list-style-type: none">• Impact to strategic partnering element of position from the introduction of the PSM position• Removal of a significant proportion of work associated with complaints investigation and resolution from the proposed BCO changes
Region Senior Human Resources Advisor	Significant change – disestablish positions	<ul style="list-style-type: none">• Removal of a significant proportion of work associated with complaints investigation and resolution from the proposed BCO changes

We do not consider that any of the new positions are significantly similar to either of these two current positions. However, we do consider that the new Region HR Manager and Region Senior HR Advisor bear the closest similarity to the current roles. For that reason, if a current HR Manager expressed interest for a new HR manager position in the same location they would be automatically

redeployed to that position, without having to undergo an assessment/selection process. The same would apply to the current Senior HR Advisors.

Based on the proposed impacts to positions the proposed impact to the employees employed substantively in these positions would be as follows:

Impact Category	Status	Proposed Outcome for Individual
Minimal change	Impacted	Reconfirmation into position in new organisational structure
Some change	Impacted	Reassigned into a position in the organisational structure
Significant change or position no longer required - disestablished	Affected	Identification of possible redeployment options within the organisation with redundancy seen as a last resort
Reduction in the number of positions	Impacted if Reconfirmed or Reassigned Affected if not successful in the selection process	Where there are more permanent employees than positions available for Reconfirmation or Reassignment, then a selection process would be undertaken to select those employees who will be Reconfirmed or Reassigned. This process would be closed, i.e. only permanent employees employed in these positions would be part of the selection process

Section 6 - Proposed redeployment process

Selection

We are proposing that redeployment opportunities would be positions of the same or a lower salary band. The proposed selection criteria for relevant positions are included in [Appendix 2](#).

Other positions would be applied for by affected people as per Fire and Emergency's standard recruitment process and would be contestable.

As outlined above, if a current Human Resources Manager expressed interest for a new Region Human Resources Manager position in the same location they would be automatically redeployed to that position. Likewise, for a Senior Human Resources Advisor expressing interest for a new Region Senior Human Resources Advisor in the same location. All other redeployment options would require a CV, presentation and interview.

Affected employees would express interest in suitable redeployment opportunities in order of preference.

Where affected employees expressed interest in a location outside reasonable commuting distance of their current location any affected employees from that location would be assessed and considered first.

Refer to [Appendix 1](#) for full details.

Section 7 - Timeline

These dates are proposed only and may change depending on feedback to this proposal, the wider BCO proposal or on Fire and Emergency's requirements.

Event	Dates
Consultation commences	1 December 2020
Feedback to be provided by	5pm 28 January 2021
Decision on structure to be made by CE and DCE People	26 February 2021 (indicative)
Decision communicated	4 March 2021 (indicative)
If applicable following decisions, the following steps would then occur	
EOI/selection process for new roles with affected staff, if needed.	5 March – 26 March 2021
Meet with staff who applied for but were not appointed to roles in the new structure. Discuss consideration of other roles in the organisation. Notice of redundancy to be given as a last resort if appropriate or will work through recruitment processes for other roles.	29 March – 2 April 2021
Appointments to new roles advised (roles that have been applied for rather than reconfirmations or reassignments).	5 April 2021

Note: in terms of implementation there would be a transition period between the old model and new model around complaints management, and two of the proactive positions in the BCO may be implemented at a later date.

Section 8 - Support Available

We understand that any proposed change can be difficult and unsettling. Fire and Emergency is committed to supporting our people. We encourage anyone who thinks they would benefit from support to take advantage of the wellbeing support available to you and your immediate family members.

The free and confidential Employee Assistance Programme is available if you need someone external and independent to talk with, and can be contacted on;

EAP Services

0800 327 669

www.eapservices.co.nz

Vitae

0508 664 981

www.vitae.co.nz

We are also happy set up meetings with members of the People branch leadership team to provide an opportunity for you to meet (independently or with others) to discuss the proposal further and answer any questions that you have.

You can find out more information about support services at
<https://portal.fireandemergency.nz/covid-19/welfare-and-wellbeing/>

Support further throughout the process

If we proceed with the proposal it could result in some employees having their position disestablished. We will work with those individuals to identify potential redeployment options, and provide career support for those processes as required.

While redundancy is considered a last resort, if no suitable redeployment options were found, notice of redundancy would be provided and we would work closely with anyone in that situation to provide tailored support to assist them with that transition.

Appendix 1 – Proposed Employee Transition process

The proposed process would apply to full time and part time permanent paid employees of Fire and Emergency NZ. Where an employee is on secondment their substantive position would be used to determine the potential impact of the change on them, and their entitlements under their employment agreement.

The process would not apply to employees on a fixed term agreement or contractors. If, following consultation a decision is made that would have an impact on the position the fixed term employee is occupying, then the applicable provisions of the fixed term agreement would be followed.

Reconfirmation

If it is determined that a position in the new organisational structure would be the same or would require minimal change to the current position, then the employee for whom this is their substantive position, would be Reconfirmed. As a guide this means that the position would be generally the same or comparable, though may require minimal change such as a change in reporting line or a job title change.

Where there are more permanent employees than positions available for Reconfirmation, then a selection process would be undertaken to select the employees whose positions would be Reconfirmed. This process would be a closed process, i.e. only permanent employees employed in these positions would be part of the selection process.

If an employee is not successful in being Reconfirmed into a position, then the next step would be to look at redeployment options (see below).

Reassignment

If it is determined that a position in the new structure would require more than a minimal change to the current position but not a significant change, then the employee for whom this is their substantive position will be Reassigned into that position.

A position suitable for Reassignment is one that has duties and responsibilities that are similar to the current position. It would have the same, or no less favourable terms and conditions of employment, and would not involve a change in duties that are considered to be unreasonable, taking into account:

- Skills, qualifications, experience and abilities; and
- Potential for retraining on new aspects of the position. Generally, this retraining should take no longer than 3 months duration, however each circumstance is unique and would be considered on a case by case basis as to what is reasonable.
- The position would be in the same location or 'reasonable commuting distance'. Reasonable commuting distance should be calculated from the current work location with consideration to where the employee lives and transport links. An employee should not be severely impacted by time, transport links and cost. As a guide reasonable commuting distance is approximately a 30km additional distance.

Where these criteria are met, an employee would be Reassigned into that position in the new structure.

Where there are more permanent employees than positions available for Reassignment, then a selection process would be undertaken to select the employees who would be Reassigned into the reduced number of positions. This process would be a closed process, i.e. only permanent employees employed in these positions would be part of the selection process.

If an employee is not successful in being Reassigned into a position, then the next step would be to look at redeployment options (see below).

Redeployment

If it is determined that a position in the current organisational structure would be subject to significant change or no longer required as a result of the implementation of the new organisational structure (i.e. the current substantive position is disestablished), then the employee for whom this is their substantive position is considered as having 'affected' status. Employees who have affected status would be eligible to be considered for Redeployment to a new or vacant position in the organisational structure.

Fire and Emergency NZ will support 'affected' employees in identifying possible redeployment options for them within the organisation.

On the basis that Redeployment would be to a position that is likely to be significantly different from their substantive position, an employee does not have to agree to any offer of Redeployment.

The decision on whether to apply for any new or vacant positions sits with the affected employee.

If an employee chooses to apply for a position, this can be any new or vacant position they feel they have the relevant skills for, with some upskilling. To be appointed to this position, the employee would need to be assessed as being 'suitable' for the position.

Being 'suitable' is assessed through the employee demonstrating that they have the skills, knowledge, experience and abilities, as detailed in the position description, to undertake the new position, and any upskilling on new and unfamiliar aspects could be achieved within a relatively short period of time.

It could be that more than one affected employee is assessed as being suitable for the same position. In this instance the best suited person would be offered the position.

Once an affected employee is assessed as being suitable for a position they have applied for, they would be provided with a provisional offer of employment for their consideration.

If an affected employee is offered Redeployment to a position that is paid less than their current salary, their salary would be 'Grand parented' (see below).

If an affected employee is offered redeployment to a position in a different location which is not within a reasonable commuting distance, then a relocation allowance may be applicable.

Fire and Emergency NZ will work with all 'affected' employees to assist them in identifying possible redeployment options within the organisation.

Redundancy

We want to retain valuable skills and experience wherever possible, and redundancy will be a last resort. The organisation will work with all affected employees and their Union/Association or support representatives to avoid redundancy wherever possible.

However, there may be times when an employee is not successful in securing redeployment and all other options have been explored. The employee will be advised of this in writing and the notice and redundancy provisions of their employment agreement will apply.

During this time, employees will be encouraged to apply for any suitable vacancy within Fire and Emergency NZ.

Employees who have been given notice of termination by reason of redundancy will be entitled to payment of redundancy compensation in accordance with the terms of their employment agreement.

Whilst on notice of termination if the employee accepts an alternate position within the organisation then they will no longer be entitled to payment of redundancy compensation.

Details of the employee's redundancy compensation entitlement will be confirmed when notice is given.

Grandparenting

When an employee has 'affected' status and as part of redeployment is offered a position that is at a lower pay band than their current position, then Grandparenting provisions would apply. This means that the employee's pay rate is kept the same, though they are not eligible for further base pay increases until the range maximum surpasses the employee's pay rate or a two-year period, whichever comes first. After two years the employee's pay rate would revert to 100% of the band for that position.

To be eligible for Grandparenting, the position that the affected employee is offered would be at a lower pay band than their substantive position and deemed a reasonable alternative, i.e. normally the new position would be a maximum of two pay bands lower than their current substantive position.

If any employee applies for and is appointed to a role outside of this proposal, that appointment would be treated like usual appointments - an offer would be made at an appropriate point in the salary band and there would be no grandparenting of the current salary.

Appendix 2 – Proposed selection criteria

People Services Manager

Proven experience working in a Strategic Business Partner role partnering with senior leadership and providing credible strategic advice

Experience leading and supporting strategic planning preferably in a people context

Sound knowledge of a variety of people disciplines

Ability to effectively influence without direct line management accountability

Ability to identify connections and risks across complex environments

Volunteer Development Manager

Knowledge of Leadership Development and Learning Theory

Demonstrated experience in the delivery of Leadership Development

Ability to effectively utilise consultative, coaching and influencing techniques

Proven ability to build effective relationships with a broad range of stakeholders

Complaints and Resolutions Manager

Demonstrated success effectively leading an autonomous team and effectively balancing monitoring and delegation

Demonstrated ability to analyse and interpret complex and sensitive information and make effective, well-reasoned recommendations to others according to the nature and circumstances of the complaint

Proven ability to build and maintain effective relationships with a broad range of stakeholders while at the same time remaining impartial and objective

Proven ability to manage a multi-faceted team and processes effectively ensuring timeframes are met and risks are identified and escalated

Principal Facilitated Resolution Specialist

Relevant qualifications in facilitation processes

Significant experience applying a range of facilitated resolution interventions in a variety of situations

Knowledge of best practice facilitation techniques

Success effectively navigating sensitive or complex issues tactfully

Proven ability to coach and mentor

Principal Investigations Specialist

In-depth understanding and experience within complex areas of the legal and regulatory framework including applying risk assessment methodology

Significant experience as an investigative lead on multiple significant investigations, audits or programmes of work where different skill sets have been needed in each

Ability to quickly establish and build strong working relationships, and work with a range of people across different cultures and backgrounds

Demonstrated experience in coaching and mentoring others

Success effectively navigating sensitive or complex issues tactfully

Refined decision-making skills and sound judgement

Senior Complaints Practitioner – Facilitated Resolution

Significant experience in facilitation

Innovative and uses initiative

Success effectively navigating sensitive or complex issues tactfully

Senior Complaints Practitioner - Investigations

Experience working in an environment of regulatory compliance and preparing investigation reports

Success effectively navigating sensitive or complex issues tactfully

An understanding and appreciation of the principals of natural justice and how these apply

Sound investigative skills including gathering, researching, analysing and evaluating information

Appendix 3 – Behaviour and Conduct Office (BCO) Consultation Proposal for the Permanent Function

Message from Rhys Jones, Chief Executive

Kia ora koutou

Fire and Emergency takes complaints of unwanted behaviour very seriously. Bullying and harassment of any kind does not support our values or expectations of our people.

We commissioned an independent review in 2018, a year after Fire and Emergency NZ was established, which in 2019 found that while the vast majority of our people act ethically and respectfully, unwanted behaviour has been a feature at all levels of our organisation.

Our Positive Workplace Culture Action Plan was initiated to address the 33 recommendations made by the independent review. Of these recommendations, all have either been implemented, or are in the process of being implemented.

Our values, launched in 2019, reflect what is important to our people and set out what we believe is core to who we are and the organisation we aspire to be. Our Code of Behaviour gives further meaning to our values by describing above the line (acceptable) and below the line (unacceptable) behaviour.

This along with our Policy to address bullying, harassment and victimisation is helping to make it clear that unacceptable or unwanted behaviour will not be tolerated, and provides all our people with the information they need to understand bullying, harassment and victimisation, how to prevent it, and how to report and resolve concerns.

An important part of the Independent Review was to have a clear and confidential complaints process. The Behaviour and Conduct Office is the internal mechanism for employees, volunteers, contractors and members of the public to seek information, get information about their options or raise a complaint.

Our current interim complaint process is managed by the BCO and Human Resources, supported by the relevant manager.

This proposal seeks feedback from all our people and their representatives on how a permanent Behaviour and Conduct Office with a self-contained team would be set up and what it would do.

We are working towards a strong values-based culture where we hold ourselves to account and call-out unwanted behaviour when we see it. A permanent BCO with its own dedicated employees would be accountable for managing, investigating and resolving all complaints of unwanted behaviour, together with proactive education and training.

We know changing behaviour will not happen overnight and it's up to all of us to help shift the dial. There will be external influences that will make it difficult for us to see the gains we are making. No matter what happens around us, we are proposing the BCO to be the fire break to effectively deal with unwanted behaviour, while focusing on prevention and education to help us build a strong culture where unwanted behaviour is stopped before it starts.

In presenting this proposal I would like to thank all our people for your continued support in building a Fire and Emergency where everyone is safe, welcome and included.

Noho ora mai rā

nā Rhys

Section 1 - Introduction

Wāhanga 1: Kupu Whakataki

This section provides an overview of the document and proposal for consultation.

What is the purpose of this document?

This document outlines a proposal for the permanent Behaviour and Conduct Office. It is open to all FENZ personnel and their representatives as an audience who, while not directly affected, may access or support the BCO in the future to provide feedback.

Those who would be directly affected are being consulted with around both this proposal, other relevant proposals and specific potential impacts to their roles.

This document is designed to help you understand the proposal, the rationale, and explains the process for providing feedback.

Timeframes for consultation

The indicative timeframe for the consultation period is 3 December 2020 to 5pm Friday 28 January 2021. Next steps are identified in Section 5.

How should you use this document?

This document sets out the proposed changes and the consultation process. It can help you to understand the proposed changes and think about the feedback you might like to provide.

Details about the consultation process

All information about the proposal and the consultation process will be published on an online system called **ConsiderThis**. This is the same online tool we used for consultation on the proposals for our organisational structure and approach to rank. This system is open to all our people and their representatives as a mechanism for providing feedback on the proposal.

We believe using **ConsiderThis** will make the consultation process more transparent and encourage constructive discussions and feedback. This helps get the best information to make recommendations for final decisions.

Information about the proposal will also be available on the Fire and Emergency portal.

We will protect people's privacy, the identity of personnel providing feedback will not be visible to other people viewing **ConsiderThis** unless the individual makes reference to their identity in their feedback. In addition, individuals can choose to mark their feedback as private, which means it will not be published on **ConsiderThis**.

All feedback will go through a moderation process before being published on **ConsiderThis** to make sure feedback is respectful and does not contain inappropriate language. If through the moderation process it is felt that any feedback cannot be published, the individual providing the feedback will be asked to consider if they wish to change their feedback; if they do not wish to do this then the

feedback will be collected but not published on **ConsiderThis** for everyone to see. Feedback cannot be edited or deleted by anyone other than the person providing it.

All comments will however be considered in the analysis of feedback, even if they are not published, e.g., if they have been marked as private or if they were not considered appropriate for publishing.

Once the feedback has been reviewed and considered, the Chief Executive will make decisions on whether or not to proceed with the proposal, as well as any changes. A document outlining decisions and the reasons for them will be communicated to affected individuals, the wider organisation and unions and associations.

How you can submit your feedback on this proposal?

We encourage you to submit feedback on any aspect of the proposed changes, even if you may not be affected by them directly. All Fire and Emergency employees and volunteers may provide feedback on this proposal. Unions and Associations will be collating and submitting feedback on behalf of their members.

Your individual login details will be available as follows:

Employees

All employees will receive an email to their Fire and Emergency NZ email address with login details to **ConsiderThis** on the day consultation commences. If you do not receive an email, please contact the BCO Project Team with your name and preferred contact email address by emailing

ConsiderThis@fireandemergency.nz

Feedback can also be provided through your union or association.

Volunteers

All volunteers with an active Fire and Emergency NZ email address or who have provided Fire and Emergency with a personal email address will receive an email with a login on the day consultation commences. If you do not receive an email, please contact the BCO Project Team with your name, preferred contact email address and your brigade by emailing: ConsiderThis@fireandemergency.nz

Feedback can also be provided through your association. If for any reason you cannot access **ConsiderThis**, you can request your Controller, Chief Fire Officer (CFO) or other leader to submit your feedback into **ConsiderThis** for you.

Teams or groups

If a team or group wishes to provide feedback, one individual in the team or group will need to log in to **ConsiderThis** to record the feedback. It would be helpful if within the feedback the numbers and collective nature of the group are detailed, e.g., five individuals from a brigade.

Section 2 - Background

Wāhanga 2: He Whakamārama

Fire and Emergency New Zealand was formed in July 2017 and brought together 14,000 people across 40 different organisations, all with different cultures and ways of doing things.

A number of initiatives were undertaken to investigate ways of addressing concerns around behaviour and conduct:

1. Senior management visited Fire & Rescue New South Wales (FRNSW) in July 2017 which resulted in an investigation into the concept of an Office of Professional Standards (OPS).
2. In June 2018, an indicative business case was developed with the aim of establishing a Values, Ethics and Conduct Office (VECO) which was not pursued.
3. In July 2018 we commissioned retired Judge Coral Shaw to carry out an independent review into our workplace policies, practices and procedures to address bullying and harassment (Review).

[This Review](#) was our choice. It was our line in the sand – bullying and harassment have no place in Fire and Emergency.

Independent review of our workplace policies, procedures and practices to address bullying and harassment

In January 2019 we [released the findings of the Review](#), and Chief Executive Rhys Jones publicly accepted all 33 recommendations from the review.

In summary, the Review found:

1. Bullying and harassment was a feature of Fire and Emergency at all levels and across all regions.
2. There were unacceptable levels of racism, sexism and discrimination towards particular groups of people.
3. People have a fear of speaking up – 53% of those who witnessed and/or experienced bullying or harassment did not report it.

In summary, the Review recommended:

- Leaders from all parts of the organisation must commit to addressing the issue of bullying and harassment, to adopt a zero-tolerance approach to such behaviour and aim to eliminate it from the organisation.
- Fire and Emergency acknowledge and systematically address the barriers to reporting bullying and harassment.
- Fire and Emergency develop and implement a system of capturing and recording all enquiries, complaints, grievances and/or disputes regarding bullying and harassment.
- Fire and Emergency must have clear values and develop a Code of Behaviour that all people accept and adhere to. These should both be incorporated into all aspects of Fire and Emergency life, so people are fully accountable.
- Policies, procedures and guidelines must give more detail around bullying and harassment to be fit for purpose.
- Education and training and the complaints process need to be addressed.

The Positive Workplace Culture Programme (PWC) was established to address the findings of the Review.

We're building a Fire and Emergency where everyone feels safe, welcome and included.

The Behaviour and Conduct Office would implement many of the recommendations³ that came out of the Independent Review into bullying and harassment at Fire and Emergency. One of the recommendations that came out of the Independent Review was to improve the complaints process. A complaints process is a way for people to raise concerns about the way they have been or are being treated by other people in Fire and Emergency.

As a result, from June 2019 to Feb 2020, Fire and Emergency engaged Humankind, an external provider, to provide services to people raising a complaint of bullying or harassment or wishing to seek information from someone impartial and objective from the incident or issue while the Interim BCO was stood up.

In March 2020, the Interim Complaints process within the BCO was stood up to be the central point for receiving and recording complaints about bullying and harassment, providing oversight of the management of complaints of unwanted behaviour, and providing information on options while the permanent office and new function, complaints process and system were designed. The current Interim process and BCO supplements the current complaints process managed by Human Resources for resolving complaints providing an additional channel for people and a check and balance to enhance consistency.

A permanent BCO was unable to be set-up until some of the foundations for the BCO to operate effectively had been designed, tested and implemented including:

- Organisational values
- The code of behaviour
- The policy to address Bullying, Harassment and Victimisation

Other critical foundations also under development are:

- Standards of Conduct
- Policy to address Sexual Harm

Tranche 3: People branch proposal

In September 2019 it was proposed that the BCO would report to a new Workplace Culture and Standards directorate in the People branch.

During consultation views were expressed that the BCO should be independent from the People branch and alternative suggestions were made for where it should [report](#). This was based on the need for perceived impartiality and objectivity. There were also contrasting views that the mechanisms and processes were set up correctly, and assurances could be provided regardless of where the office sat.

³ Refer to Appendix 1 for relevant recommendations

As a result, the decision was taken that the governance of the BCO be undertaken by the Positive Workplace Culture Panel while the design and development of the permanent BCO was underway at least during the first 18-month establishment period.

Engagement on the design of the BCO

There has been a wide variety of engagement since April 2019 to understand the requirements of the BCO. This included:

- Meetings and workshops with an Internal Specialists Working Group
- Meetings and workshops with the Respect and Inclusion Taskforce
- Meetings and workshops with the Respect and Inclusion Taskforce Policies and Procedures subgroup
- Regional engagement sessions
- A National Hui
- Regional walkthroughs
- An online survey

Online Survey

In June 2020 a survey was sent out to gather perspectives from our people on what would be important to them in a future BCO. These results supplemented feedback from regional engagement sessions, a National Hui and three regional workshops.

This feedback was not formal consultation which we are engaging in now but helped inform elements of the proposed BCO design.

We received 312 survey responses from across the organisation.

The following summarises the feedback:

- A clear preference for multiple communication channels to be available to contact the BCO
- A preference for a formal role rather than part-time regional representatives
- A clear preference for contacting the BCO directly, rather than via a regional representative
- A clear preference for the BCO to manage behaviour cases, rather than providing oversight only
- Independence (impartiality and objectivity), rather than accessibility, was seen as the most important attribute for the BCO

Informing the Design

Getting the right design of the permanent BCO is important to us. There were a wide range of influences informing the proposed design of the BCO including:



Engagement and Endorsement

It has taken time to investigate ways of addressing concerns around behaviour and conduct and then come up with the best way to build a BCO that works for all our people and our organisation.

The proposed design went through an engagement and/or endorsement approach including:

- Directional endorsement and guidance for the design approach and high-level design by the Positive Workplace Culture ELT Panel
- Engagement with HR Managers
- Engagement of the approach and proposed high-level design with the Internal Specialist Working Group (members from Human Resources and Health, Safety and Wellbeing) and the Respect and Inclusion Taskforce which includes representatives from all people networks (Women's Development, Pou Takawaenga Māori, Afi Pasefika and Rainbow Network) and Unions and Associations
- Endorsement of the final proposed design by the Positive Workplace Culture Executive Leadership Team Panel

Section 3 - Proposal

Wāhanga 3: Whakakaupapa

This section outlines the proposal for change

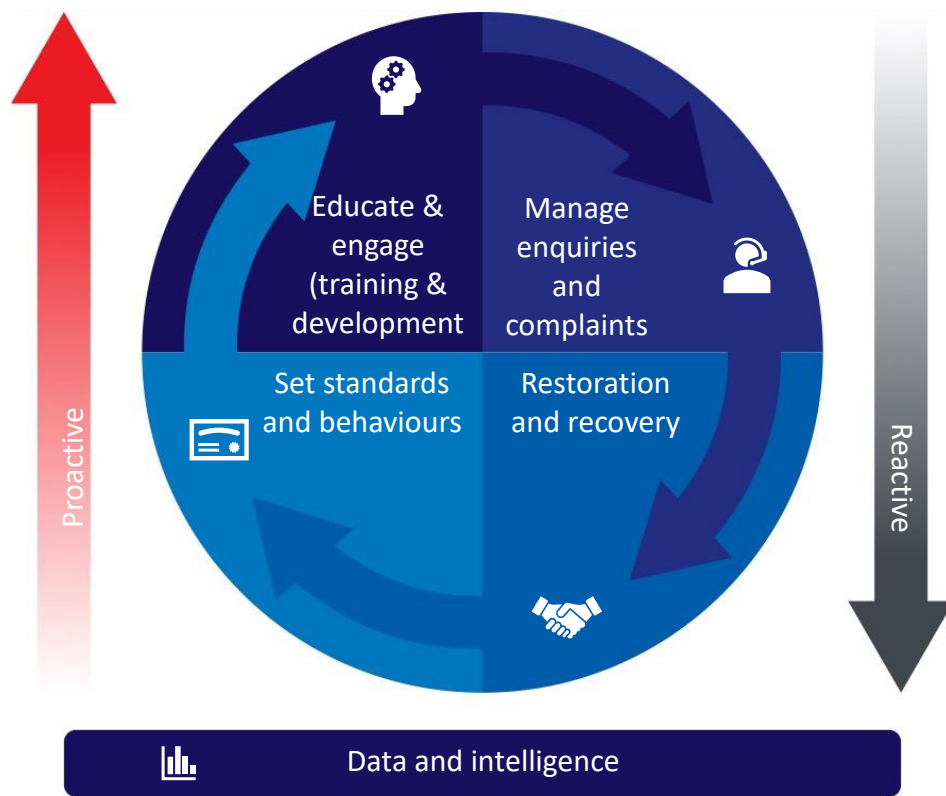
Proposed scope

A key part of the proposed change is deciding the scope of the BCO including:

1. Proposed functions
2. Managing enquiries and complaints - the proposed scope of one of the functions

1. Proposed functions

There are five proposed functions as detailed in the graphic below:



These functions are partially being fulfilled currently:

1. Human Resources manages enquiries and complaints
2. The PWC programme is developing the foundation for setting standards and behaviours, educating and engaging and scoping a system to allow effective data and intelligence and proactive intervention
3. The Interim BCO is developing the foundations for restoration and recovery.

We propose that the BCO undertakes all five functions, proactively setting standards and providing education to prevent unwanted behaviour while reactively and effectively managing complaints to address unwanted behaviour and working with individuals to restore positive working relationships following a complaint.

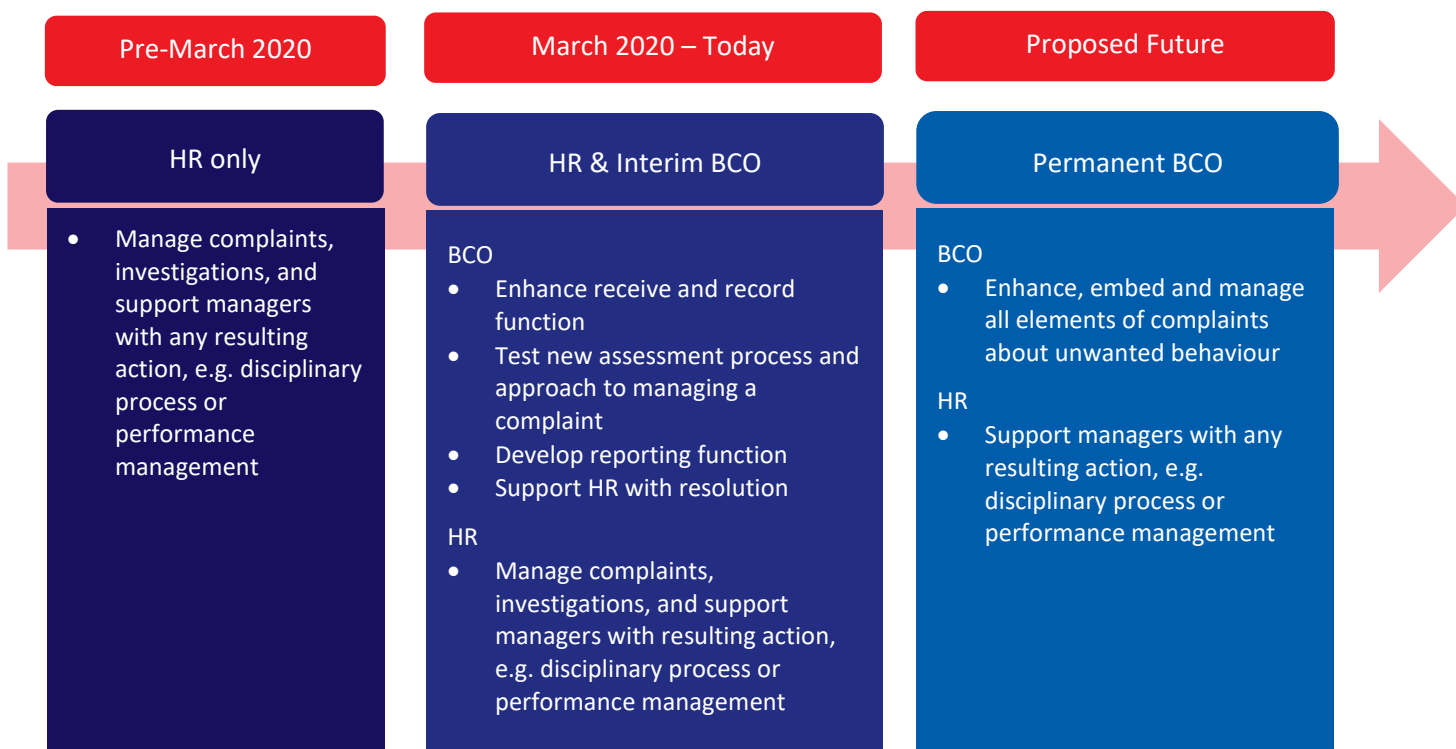
The BCO would become the centre of excellence for values-based behaviour. In order to achieve this, the five functions must work closely together to inform and enable each other. If one or more of these functions were taken outside the BCO, we believe it would be significantly more difficult to achieve the required change.

2. Managing enquiries and complaints

There are five key stages to the complaints process as detailed in the graphic below:



There has been increased focus on certain stages over time which is outlined below:



We propose the future BCO manages all stages of the complaints process dealing with unwanted behaviour with key improvements⁴ in line with best practice.

We believe the benefit of this is that there would be end to end visibility of the process. It would ensure the required degree of objectivity and impartiality and provide dedicated resourcing and focus to the process.

The Interim BCO is focused on Bullying and Harassment complaints. These complaints are required to meet a certain threshold which is described in the [Policy to Address Bullying, Harassment and Victimisation](#).



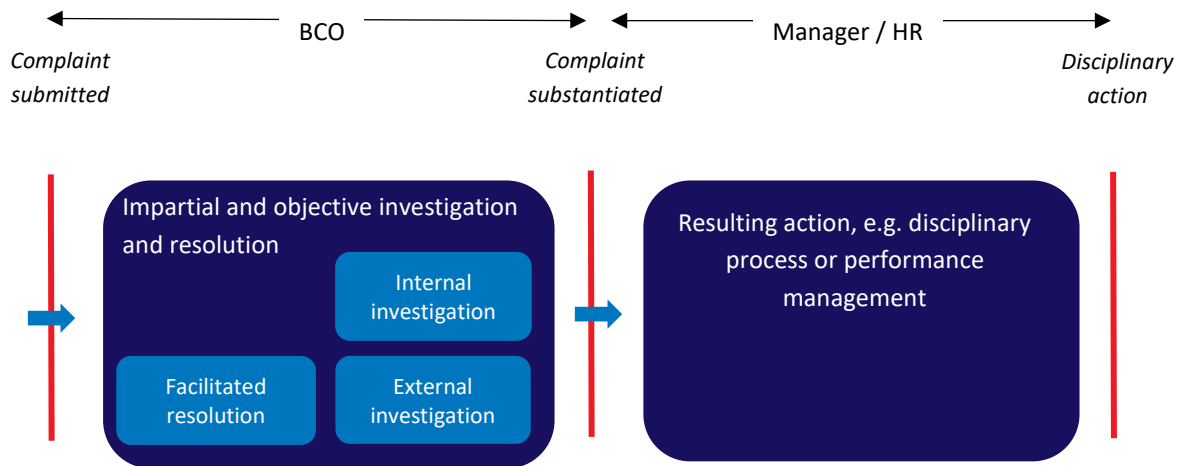
We propose that the scope of the BCO is widened to deal with all unwanted behaviour – i.e. behaviours that don't necessarily meet the bullying, harassment and victimisation threshold as well as those that do.

The reason for this is that having a threshold creates a barrier that may deter people from reporting unwanted behaviour if they cannot easily determine whether it meets the threshold or not. It could

⁴ Refer to Appendix 3

also be confusing as to where to report this behaviour. In addition, failing to address unwanted behaviours that don't meet the bullying and harassment threshold may result in more serious behaviour and causing more significant harm.

The following graphic shows the proposed split of work between the BCO and HR teams



We propose that the scope of the Resolution stage is split with the BCO or external investigator conducting the investigation, and the Manager (supported by HR in People branch) conducting the resulting action e.g. disciplinary process or performance management (if applicable).

We believe this would better enable complaints to be managed objectively and impartially, provide dedicated specialist resourcing and focus to the process, and release capacity within the HR team.

We anticipate that while the BCO would resolve the majority of complaints, there would be clear instances which would require appointment of an external investigator. The BCO would undertake a risk assessment to determine where this is required. For example:

- Sensitive allegations - e.g. sexual harm allegation
- Questions of credibility e.g.
 - When a serious allegation of inappropriate behaviour is made by a member of the public
 - When a serious allegation is made about a senior member of staff

We propose that external investigations into unwanted behaviour are overseen and coordinated by the BCO.

The centralised and consistent approach to managing complaints would ensure that internal and external investigations had the necessary coordination, monitoring and oversight.

The proposed permanent Behaviour and Conduct Office would be the internal mechanism for providing support and resolving complaints about unwanted behaviour. All personnel and the public could get advice or raise a complaint via the BCO. We are currently identifying the different pathways available to personnel who are not satisfied with the decision made on their complaint or the process followed by the BCO.

Reporting line

As outlined in the Tranche 3 People branch decisions document, the permanent BCO would continue to report to the PWC ELT Panel for a period of 18 months from the date it was established.

Over time we expect that proactive work (such as leadership training) would reduce the emphasis on the complaints side of the BCO. With natural alignment with the proactive functions of the proposed BCO with other teams in the People branch it could make sense for the BCO to report there at an appropriate time.

Proposed design

BCO Management

We believe this function should be high profile and relatively autonomous based on our experience with the current BCO. Based on this we propose a permanent BCO Director is established to lead and provide oversight of the multiple functions of the BCO. The role would be responsible for activities such as building awareness of the BCO and ensuring its services are trusted, building and maintaining internal and external networks and representing the BCO as required for high profile enquiries or events.

To achieve this, we propose that the manager role is included in the team to support the proposed Director in managing the day to day operational activity of the BCO. This role would ensure the management and resolution of complaints, and restoration and recovery activities are appropriately resourced, operating within agreed service levels and budgets, and ensure risks and issues are properly managed and reported/escalated.



Set standards and behaviours

The proposed Director would take the lead on this with the engage and educate team supporting including a part/shared resource reviewing and maintaining the various policies, processes, procedures and standards that for which the permanent BCO would be responsible.

The focus of this area would be setting professional standards and behaviours in the workforce and raising awareness of the BCO and supporting tools.



Educate & engage (training & development)

The Positive Workplace Culture Programme is developing the following Initiatives which in future will need to be supported as well as additional needs identified.

The focus of this team would be to provide training and education to support the identification and management of inappropriate behaviour. This team would comprise specialist learning and development capability and lead the embedding of organisational values and enable and support development of leadership capability. This includes:

- The code of behaviour
- The standards of conduct
- The policy to address Bullying, Harassment and Victimisation
- The policy to address Sexual Harm
- Delivery of Respect Training, Crew Conversations Training and Inclusive Leadership training

This area would provide resource and focus to address Recommendations⁵ 16, 17, 21 and 31.

Many of the needs are not fully understood at this stage. For this reason, we propose that a small team be initially established to deliver this function, and at the same time develop organisational knowledge and networks and scope and manage the various options to meet the need which could be developed and delivered in-house, outsourced or via a mixed model.



Manage enquiries and complaints

We propose that a moderate sized team is responsible for all elements of complaint management with three specific separate focuses.

1. Complaint management to provide information for enquiries and then facilitating and monitoring the complaint process.
2. Provide facilitation and mediation support to resolve enquiries informally (i.e. without an investigation and a potential disciplinary outcome)
3. Provide investigation services where a formal resolution is required. As stated above at times this would be outsourced to an external investigator. If the substance of the complaint was

⁵ Refer to Appendix 1

established, then this would be handed over to the Manager (with the support of HR in People branch) to take resulting action, e.g. disciplinary process or performance management

We propose creating a Principal role that would focus on informal and formal resolution. This would allow the development of best practice, support and guidance for less senior practitioners and an internal resource for complex complaints where appropriate. All roles would have specialist skills in their area of expertise.



Restoration and recovery

The informal resolution resources would be able to provide restorative facilitation at the end of a process and recovery services would be offered via the complaint management resources. Restorative facilitation is about working with all parties to repair relationships to enable them to move forward while recovery services are additional support to help individuals to recover from the incident.



Data and intelligence

We propose that with minimal data initially a part/shared resource is established to provide analytical support to the BCO (and where there are potential synergies more broadly).

The focus of this role would be data capture and analysis to inform early intervention, training and education as well as system wide learning to enable continuous improvement.

This area would provide resource and focus to address Recommendation 18⁶

Location

We propose that although the team would have a centralised reporting-line they would be geographically dispersed to provide a presence across the country as well as flexibility and access.

Proposed interactions

The proposed permanent BCO would operate within the broader organisational context therefore there we expect of close working relationships with key functions and teams.

Human Resources (People Experience directorate)

Human Resources would work closely with Managers to provide support and identify enquiries which may need to be raised via the BCO. They would support the Manager with any action resulting from an investigation.

⁶ Refer to Appendix 1

Employee Relations (Workplace Culture and Change directorate)	We expect that the BCO specialists would have an oversight relationship with the Employee Relations team to ensure consistency around outcomes
Safety, Health and Wellbeing (People Experience directorate)	If a potential complaint or risk was raised via Safety, Health and Wellbeing, we propose the Safety Health and Wellbeing Advisor would continue to provide support to people affected by unwanted behaviour, or those affected, including the person accused, through Fire and Emergency's support channels. Any complaints would be sent to the BCO. There may be some policy, process and system changes required to support this.
<p>Recommendation 21 specified that the roles of the Human Resources team, the Employment Relations team and the Safety, Health and Wellbeing team in managing enquiries and complaints of bullying and harassment are reviewed and rationalised. We believe that the above role clarity, having a centralised system for receiving and managing complaints, and work to successfully embed the new model would address this recommendation.</p>	
Unions and Associations	Unions and Associations would continue to represent their members through support and advocacy throughout the process.
Workforce Capability (People and Workforce Capability directorate)	The proposed BCO 'engage and educate team' would have a close working relationship with key areas of this directorate to ensure learning needs are scoped with a full view of other activity planned and that there is alignment or combined development or leveraging resourcing across the business.
People Networks	With a small centralised function proposed networks ⁷ would be key in raising the profile of the BCO, providing support, guiding people to the process and raising any general issues they are seeing that could be addressed by the BCO.

⁷ For example, WFENZ, Afi Pasefika, Pou Takawaenga and the Rainbow Network.

Section 4 - Implementation

Wāhanga 4: Te Whakatinanatanga

This section describes the proposed approach to implementing the BCO once decisions have been made following consultation.

Following consultation, and if the decision is made to proceed with some or all of the proposal set out in this document, careful consideration would be given to how and when transition to any new structures and working arrangements.

Potential stand up would largely depend on appointments to new positions, many of which may not occur until the first half of 2021. A key additional consideration is the reduction in levy brought about as a result of the economic impact of Covid-19 on businesses and the commercial sector. That will likely require us to approach implementation over time in a phased way which would require us to operate a hybrid model in-between the current and new models for a period.

In addition, we would be mindful of those who could be recruited into the new organisational structure – lengthy transition delays may have a disruptive impact.

If you have any suggestions or ideas about the process and timing of implementing the new function if this proposal goes ahead, please provide them in your feedback.

Section 5 - Next steps

Wāhanga 5: Ngā Mahi Whai Muri

This section describes what will happen following the end of the consultation period.

Decisions announcement

Decisions on whether or not to proceed with the proposed changes will not be made until all feedback on the proposal has been considered. Following consultation, feedback will be themed and provided to the Positive Workplace Culture ELT Panel for consideration with decisions made around any changes to all or part of the proposal. A summary of feedback will be provided as part of the decision document with relevant responses.

We want to ensure that our people feel well supported throughout this process and that legal and contractual obligations are faithfully observed.

Section 6 - Support channels

If you are feeling unsafe or have experienced unwanted behaviour you can contact the BCO for confidential information and advice about options, reporting, and support:

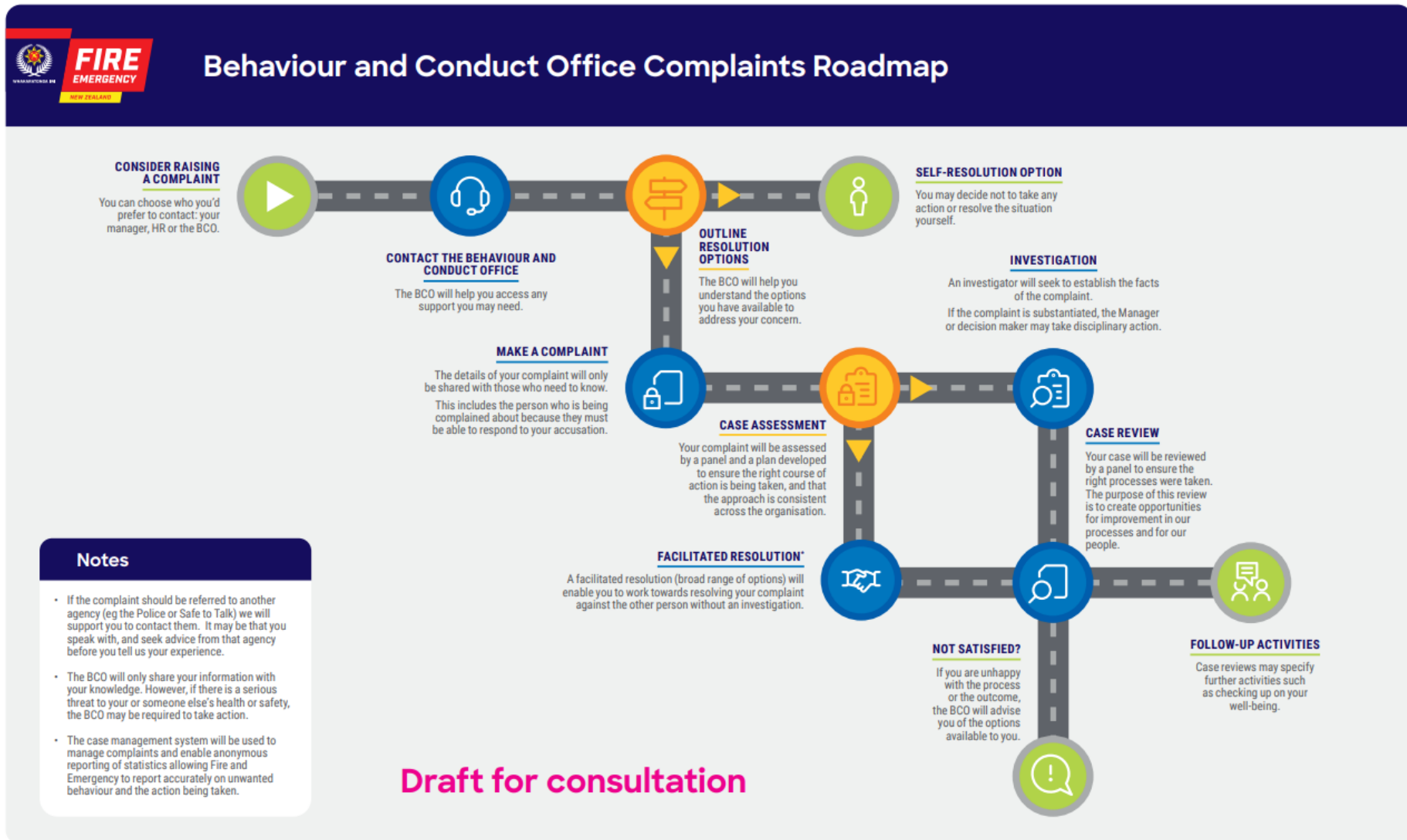
- Phoning 0800 470 951 (available Monday to Friday, 9am-5pm)
- Emailing bco@fireandemergency.nz
- Completing this [Behaviour and Conduct Office Complaints and enquiry form](#) and emailing it to bco@fireandemergency.nz

Appendix 1: Independent review recommendations

The proposed BCO design would enable the following recommendations to be addressed:

#	Independent review recommendations
4	FENZ acknowledges and systematically addresses the barriers to reporting bullying and harassment
5	FENZ procedures are extended to ensure that the content and scope of their coverage are comprehensive and in line with state sector and WorkSafe guidelines and best practice.
6	FENZ creates an integrated framework for addressing bullying and harassment as a significant health and safety risk in FENZ
7	FENZ develops tools to identify, eliminate or minimise the risks to mental health and wellbeing caused by bullying and harassment
9	The work undertaken to address bullying and harassment is subject to regular monitoring and review of the effectiveness of the actions and controls, including at a governance level and with the engagement of all unions and associations
12	Once the review has been completed and a more coherent system of bullying and harassment policies and procedures is put in place, the template forms are amended to reflect the suggested processes and FENZ values, to ensure consistency in approach and consistency in the message received from FENZ management
13	If the 'How Do I' guides remain in use, they need to be updated to ensure they are comprehensive to enable the reader to be fully informed about the options open to them, and that any relevant information is readily accessible when the relevant 'How Do I' guide is consulted
14	A common set of procedures and practices for receiving and managing complaints of bullying and harassment is formulated and implemented without delay
15	The practices and procedures for receiving and managing complaints of bullying and harassment include deadlines by which both targets and accused are regularly advised of the progress of the complaint and the outcome of any investigation.
16	All persons who are charged with receiving and resolving complaints of bullying and harassment receive adequate education and training in the definition and awareness of the dynamics that drive and support this behaviour
17	All persons who have responsibility for receiving and resolving complaints of bullying and harassment receive adequate education or training in the delivery of the new procedures and practices.
18	FENZ provides adequate resources and support to collect and manage all data relating to bullying and harassment
19	FENZ develops and implements a system of capturing and recording all issues, complaints, grievances and/or disputes regarding bullying and harassment.
21	Roles of the Human Resources team, the Employment Relations team and the Safety, Health and Wellbeing team in managing issues and complaints of bullying and harassment are reviewed and rationalised in the light of the other recommendations this report
28	The performance requirements of the system for dealing with bullying and harassment is formulated and implemented after full engagement with workers and unions and associations
32	FENZ develops and implements a complaints process for issues of bullying and harassment
33	It is recommended that all the recommendations in this report that are accepted and implemented by FENZ are regularly monitored and evaluated over a period of 36 months

Appendix 2: Proposed high level complaints process



Appendix 3: Proposed improvements

Below are the key improvements we believe the new model would provide:

Case Assessment Process

This process means that using a variety of experience and expertise to initially review complaints to drive impartiality and consistency and minimise any bias or conflicts of interest from entering the decision-making process.

Approach Plans

As a result of the Case Assessment process the approach plan would clearly document roles the approach to managing the complaint, with timeframes and objectives. The BCO would monitor these timeframes and be able to provide updates.

Structured Approach to Informal Resolution

With a structured approach to informal resolution and a range of options, education could be provided, and expectations set early in the process around the benefits, limitations and suitability of an informal approach.

Case Reviews

Cases would be reviewed prior to being closed to ensure consistency of approach, learn lessons, share information and refine approaches.

Post-resolution follow-up actions

There would be more of a focus on actions after resolution (if required) like restorative facilitation (to ensure the workplace can start to work together effectively again), education and training, additional support for participants in the process. This would help to restore relationships, and avoid victimisation or retribution. In addition, participants would be asked for their reviews on the process to help continuous improvement.

Ability for the BCO to raise cases and take action

The BCO would take a proactive approach using information from trends and anecdotal information from networks or partners.

Specialised resourcing

There would be resources specialised in facilitated resolution and others in investigations each with a Principal role focused on ensuring best practice is embedded in each discipline with the Principal Investigations Specialist coordinating any external investigations required. This would ensure consistency and robustness of practice.