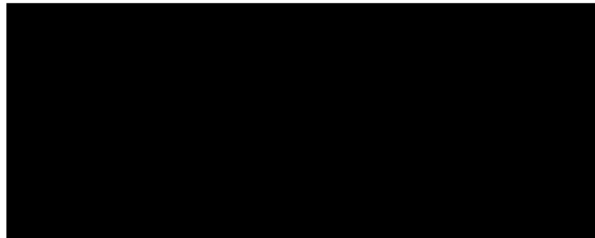




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16 July 2018



Information Request – complaints about misconduct i.e. bullying, harassment, sexual assault, assault, for the period 1.1.16 - 18.5.18

I refer to your official information request dated 18 May 2018 regarding complaints about misconduct i.e. bullying, harassment, sexual assault, assault, for the period 1.1.16 - 18.5.18.

The safety, health and wellbeing of our people is of paramount importance to us. Discrimination, bullying or harassment of any kind is totally unacceptable.

We are committed to ensuring that all our people are able to participate and have their efforts recognised regardless of their gender, ethnicity, sexual orientation, age, beliefs, opinions or family circumstances. If any of our personnel or volunteers are subject to discrimination, bullying or harassment or see it happening to others, we encourage them to speak up. We take all complaints seriously and act on any complaints that are raised with us.

We have external independent confidential counselling and support services. These are available to all personnel, and their immediate families, at no cost.

You have asked a number of questions relating to the period 1 January 2016 to 18 May 2018. The answers are below:

How many complaints about misconduct have been made about both NZ Fire Service (pre FENZ) and FENZ staff?

Fire and Emergency has received 134 complaints in the period concerned. These include informal complaints and complaints from the public, against Fire and Emergency's 2776 paid and 11195 volunteer staff (staff figures as at 25 May 2018). The data includes all cases of potential misconduct, not just those investigated as a result of complaints. It also includes investigations into incidents that involved off duty staff and were unrelated to their roles at Fire and Emergency.

How many of those complaints have been upheld?

How many are still under investigation?

Of the 134 complaints received, 89 were upheld and 33 were not upheld. 12 of the cases are still under investigation.

What have the range of complaints been about - ie. bullying, harassment, sexual assault, assault, etc

The complaints received cover the following misconduct types:

- Breach of alcohol rules or misuse of drugs
- Arson
- Assault
- Bullying
- Criminal Charges
- Dishonesty
- Harassment or sexual harassment
- Health and Safety
- Inappropriate behaviour
- Poor performance.

Because of their nature, some complaints may fall into more than one category.

How many investigations have been carried out in relation to such complaints?

All complaints received are investigated, some more formally than others.

How many complaints were referred to police?

No names were given to the police. One case was brought to our attention by the police.

How many employment contracts were ended as result of an investigation into a complaint or complaints?

Investigations into complaints resulted in 15 staff being dismissed or discharged.

A further breakdown of these figures is *enclosed* in the following table.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602. Note also that this response (with your personal details removed) may be published on the Fire and Emergency website.

Yours sincerely



Leigh Deuchars
Director, Office of the Chief Executive

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Breakdown of Misconduct totals for the period 1 January 2016 to 18 May 2018.

Misconduct type	Number of incidents	Substantiated	Unsubstantiated	On going	actions
Breach of alcohol rules or misuse of drugs	8	4	2	2	<ul style="list-style-type: none"> two written warnings issued one resignation one rules clarification
Arson	1			1	<ul style="list-style-type: none"> awaiting outcome of trial
Assault	3	2		1	<ul style="list-style-type: none"> one final warning one case still open
Bullying	30	13	15	2	<ul style="list-style-type: none"> four dismissals three written warnings one caution three mediated settlements one informal resolution* once case still open
Criminal charges	5	5			<ul style="list-style-type: none"> one dismissal one suspension two resignations one case still open
Dishonesty	7	6		1	<ul style="list-style-type: none"> three dismissals two written warnings one suspension
Harassment or sexual harassment	10	6	4		<ul style="list-style-type: none"> one resignation one final warning written warning issued to two parties re-training provided two cases still open
Health and safety	2	2			<ul style="list-style-type: none"> two written warnings
Inappropriate behaviour	62	46	11	5	<ul style="list-style-type: none"> four dismissals two resignations one resignation assumed four final written warnings nine written warnings four verbal warnings two cautions two apologies one mediated settlement one reset of expectations 13 informal resolutions* demotion two cases still open
Poor performance	6	5	1		<ul style="list-style-type: none"> three dismissals one written warning informal action*
Total	134	89	33	12	

* Informal resolutions include counselling, coaching and mediation.