

Board response to the Independent Evaluation of Fire and Emergency New Zealand's Dispute Resolution Scheme dated February 2024

Introduction

Under the Rules of the Fire and Emergency New Zealand Dispute Resolution Rules 2021 ("Rules") the Board was required to appoint an independent reviewer to carry out an evaluation of the Fire and Emergency Disputes Resolution Scheme and to produce a report. The Review was conducted by Bruce Cottrill FAMINZ of Cottrill & Associates. Under the Rules the Board is required to publish the Review on the Fire and Emergency website and the Board has approved that publication.

Under the Rules the Board is also required to publish its response to the Review on the Fire and Emergency website. This letter is the Board's response to the Review.

Acceptance of the Review

The Board accepts the Review. The Board also acknowledges with thanks the quality and value of the Review.

Substance of the Review

The Board was pleased to note that the reviewer found that the FENZ Dispute Resolution Scheme satisfies in the main the requirements of the Fire and Emergency New Zealand Act 2017 ("Act").

The Board was also pleased to note that the Review noted that the deficiencies identified in the Review are not serious breaches of the Scheme's principles of accessibility; independence; fairness; accountability; efficiency; and effectiveness.

Proposed Actions based on Recommendations in the Review

The Board intends to implement measures which capture the essence of the Recommendations.

Recommendation 1

The Board will amend the Operational Guidelines regarding the role of the Dispute Resolution Scheme including clarifying the meaning of "must have attempted to resolve" and the role and purpose of the Dispute Resolution Scheme.

The Board also agrees there should be a working nexus between Fire and Emergency Complaints Management Process and the Disputes Resolution Scheme including case hand over criteria and protocols and will request management to progress this recommendation.

Recommendation 2

The Board notes that there is already an independent advocacy service available as an alternative to that provided by UFBA. This service is available via application to the Deputy Chief Executive, Office of the Chief Executive through the Fire and Emergency website. The Board will request management to make this alternative service more prominent. Fire and Emergency will also engage with the provider of the Scheme to explore how it can make the alternative advocacy available through Fire and Emergency more prominent.

Recommendation 3

Fire and Emergency will enter into discussions with the Provider of the Scheme about making the result of the satisfaction survey available on a website that the Provider considers suitable.

Recommendation 4

The Board will request amendments to the Operational Guidelines to reflect recommendation 4. When the Rules of the Scheme are substantively reviewed in the future the Board will ensure recommendation 4 is included in the proposed amendments to the Rules for the Minister to approve.

Consistent with our commitment to working with Māori as tangata whenua, the Board also proposes that the Dispute Resolution Scheme authentically uses tikanga. Fire and Emergency will obtain guidance from the Government Centre for Dispute Resolution and undertake appropriate consultation before amending the Operational Guidelines for tikanga.

Future independent review of the Dispute Resolution Scheme

The Board notes that it must appoint an independent reviewer to carry out another evaluation of the Dispute Resolution Scheme and produce a report at a period of no more than three years from the Review.