



**SOUTH WAIRARAPA
DISTRICT COUNCIL**

Kia Reretahi Tātau

AGENDA

Assurance, Risk and Finance Committee Meeting

Wednesday, 14 August 2024

**I hereby give notice that an Assurance, Risk and Finance Committee Meeting will
be held on:**

Date: Wednesday, 14 August 2024

Time: 2:00 pm

**Location: Supper Room, Waihinga Centre, Texas Street
Martinborough**

**Janice Smith
Chief Executive Officer**

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1 KARAKIA TIMATANGA – OPENING

Kia hora te marino
Kia whakapapa pounamu te moana
Hei huarahi mā tātou i te rangi nei
Aroha atu, aroha mai
Tātou i ā tātou katoa
Hui ē! Tāiki ē!

May peace be widespread
May the seas be like greenstone
A pathway for us all this day
Let us show respect for each other
For one another
Bind us all together!

2 APOLOGIES**3 CONFLICTS OF INTEREST****4 ACKNOWLEDGEMENTS AND TRIBUTES****5 PUBLIC PARTICIPATION****6 ACTIONS FROM PUBLIC PARTICIPATION****7 URGENT BUSINESS**

8 CONFIRMATION OF MINUTES

Assurance, Risk and Finance Committee Meeting - 29 May 2024

8.1 MINUTES OF THE ASSURANCE, RISK AND FINANCE COMMITTEE MEETING HELD ON 29 MAY 2024

Author: Amy Andersen, Lead Advisor, Democracy and Committees

Authoriser: Paul Gardner, Group Manager, Corporate Services

File Number:

RECOMMENDATIONS

1. That the minutes of the Assurance, Risk and Finance Committee meeting held on 29 May 2024 are confirmed as a true and correct record.

APPENDICES

Appendix 1 Assurance, Risk and Finance Committee - Minutes, 29 May 2024  



**SOUTH WAIRARAPA
DISTRICT COUNCIL**
Kia Reretahi Tātau

Assurance, Risk and Finance Committee Minutes from 29 May 2024

Present:	Bruce Robertson (Independent Chair), Mayor Martin Connelly, Councillors Colin Olds, Martin Bosley (via Zoom from 3:05pm) and Aaron Woodcock (until 3:30pm).
Apologies:	Councillor Kaye McAulay.
In Attendance:	Janice Smith (Chief Executive), Paul Gardner (General Manager Corporate Services, Russell O’Leary (Group Manager Planning and Regulatory), Charly Clarke (Chief Financial Officer), and Amy Andersen (Lead Advisor, Democracy and Committees).
Conduct of Business:	This meeting was held in the Supper Room, Waiinga Centre, 62 Texas Street, Martinborough and via audio-visual conference. This meeting was live-streamed is available to view on our YouTube channel. The meeting was held in public under the above provisions from 2:30pm to 4:29pm except where expressly noted.

A Open Section

A1. Karakia Timatanga - Opening

Attendees opened the meeting with a karakia.

A2. Apologies

ASSURANCE, RISK AND FINANCE COMMITTEE RESOLVED (ARF2024/14) to accept apologies from Cr McAulay and Cr Bosley; and Cr Woodcock for early departure at 3:30pm.

(Moved Robertson/Seconded Cr Olds)

Carried

A3. Conflicts of Interest

There were no conflicts of interest.

A4. Public Participation

There was no public participation.

A5. Actions from public participation

There was no public participation.

DISCLAIMER

Until confirmed as a true and correct record, at a subsequent meeting, the minutes of this meeting should not be relied on as to their correctness

A6. Extraordinary Business

There was no extraordinary business.

A7. Confirmation of minutes

ASSURANCE, RISK AND FINANCE COMMITTEE RESOLVED (ARF2024/15) to:
accept the minutes of the Assurance and Risk Committee meetings held on 21 February and 24 April 2024 are a true and correct record.

(Moved Robertson/Seconded Cr Olds)

Carried

Abstained: Cr Woodcock

A8. Matters from previous minutes

There were no matters arising from previous minutes.

B Decision Reports from Chief Executive and Staff**B1. Insurance Renewal Report**

Ms Clarke spoke to matters included in the report and responded to queries from members including: assets above \$50k; replacement of assets in specific situations e.g. fire, earthquake; excess on one individual claims (\$5k per claim); any claims over past the six 6 years (e.g. garage at Pain farm – under \$30k; flooding at Featherston Sports centre – around \$11k), underground assets (\$400k per minimum claim); and the premium costs proposal for material damage this year (budgeted for 20% increase).

Members commented on the completeness of the insurance profile and noted that the Committee are to progress a broader risk discussion.

ASSURANCE, RISK AND FINANCE COMMITTEE RESOLVED (ARF2024/16) to

1. Receive the *Insurance Renewal 2024* report.
2. Note that an increase of \$68,000 has been made to the insurance expense budget for 2024/25.
3. Approve a minimum threshold of \$50,000 of asset value for inclusion in the schedule of assets covered by Council's material damage insurance policy.
Amendment – additional motion which became a part of the substantive motion:
4. Report on broader discussions on risk , including assets we are unlikely to replace

[Items 1-4 read together]

(Moved Cr Woodcock/Seconded Mayor Connelly)

Carried

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C Information Reports from Chief Executive and Staff**C1. Finance Report**

Ms Clarke spoke to matters included in the report.

Mr Robertson highlighted that operating position is overall on track and where it's expected to be.

Ms Clarke and Ms Smith spoke to matters in relation to capex and debt, and carry-over into the new financial year, renewal, the recruitment of a Project Manager and Asset Manager (both positions have been budgeted for).

Mr Robertson noted he would like the Committee to review how SWDC are building certainty into the capex programme and managing its fiscal risk.

Ms Smith noted that a workplan is in development to ensure that there are confirmed timeframes across all projects/activities to avoid issues (seasonal impacts, ensure resources are available).

Cr Bosley arrived via Zoom at 3:04pm.

Ms Clarke responded to further queries from members including: the emergency works budget, and rates arrears and how they are being managed.

ASSURANCE, RISK AND FINANCE COMMITTEE RESOLVED (ARF2024/17) to:

1. Receive the *Finance Report*.
2. Note that no significant tax risks have been identified.
3. Note that the following investment thresholds have been breached in March 2024:
 - BNZ investments were 54% of the total portfolio, against a threshold of 50%
 - Wairarapa Building Society investments were 11% of the total portfolio, against a threshold of 10%

[Items 1-3 read together]

(Moved Robertson/Seconded Cr Olds)

Carried

C2. Annual Tax Update Report

Ms Clarke spoke to matters included in the report and responded to queries from members including PAYE and Fringe Benefits Tax.

ASSURANCE, RISK AND FINANCE COMMITTEE RESOLVED (ARF2024/18) to receive the Annual Tax Update Report.

(Moved Cr Olds/Seconded Cr Woodcock)

Carried

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C3. Audit Update Report

Ms Clarke spoke to the report and highlighted key timeframes and recommendations from the 2023 Audit report.

Ms Clarke responded to queries from members including: clarification of the first and third recommendations (recording of interests), depreciation and the trigger for removing assets.

Mr Robertson requested Audit NZ and OAG representative joins future Committee meetings via Zoom.

Ms Clarke and Ms Smith confirmed there is no formal audit plan at this time, and this is to be followed up with Audit NZ.

ASSURANCE, RISK AND FINANCE COMMITTEE RESOLVED (ARF2024/19) to receive the Audit Update Report.

(Moved Mayor Connelly/Seconded Cr Woodcock)

Carried

C4. Risk Management Update Report

Mr Gardner spoke to matters in the report.

Members noted the high number of private swimming pools in the region; Ms Smith noted that controls are in place to manage the risk (refer to Significant Risk Register).

Members queried the risk in relation to public pools (health and safety). Mr Gardner noted that when appointed, the responsibility would fall to the Asset Manager to progress this work.

Action 267: Members requested further information relating to swimming pool audits (*are all pools registered?*) and an update on how well pool inspections have been progressed. *R O'Leary/S Edney.*

Cr Woodcock left at 3:30pm.

Members also queried information requests, including proactive releases. Ms Smith confirmed that information is neither being created or analysed in order to answer LGOIMA requests.

Members questioned why regulatory failure was removed from the significant risk register. Ms Smith noted there is legislative compliance and statutory requirements in place and is being managed accordingly.

Members inquired as to whether there are any risks that were outside the Strategic Leadership Team's comfort zone and discussed need for risk appetite. Ms Smith noted the following risks: regional alignment, legislative reform and economic shock.

Members discussed regional alignment and sought clarification about this risk and shared services..

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Members requested a workshop with governance around issues for shared services, how much information is shared etc.

Members provided feedback that further discussion about practical actions to address and lower risk is required.

ASSURANCE, RISK AND FINANCE COMMITTEE RESOLVED (ARF2024/20) to receive the Risk Management Update Report.

(Moved Roberston/Seconded Mayor Connelly) Carried

C5. Health, Safety and Emergency Management Report

Mr Gardner spoke to matters included in the report and highlighted key topics for discussion. Members queried the risk description on p.87 of the agenda, the risks associated with emergency response (are SWDC investing in the right places for the future, resilience planning).

Members acknowledged the systems and mechanisms that are being put in place for emergency management.

Members discussed concerns that many people in the community don't know what to do in the event of a major event such as an earthquake and how to address this moving forward.

ASSURANCE, RISK AND FINANCE COMMITTEE RESOLVED (ARF2024/21) to receive the Health, Safety and Emergency Management Report.

(Moved Mayor Connelly/Seconded Cr Olds) Carried

C6. People Report

Mr Gardner spoke to matters included in the report and responded to queries including: recruitment and retention (confirmed that SWDC conduct exit interviews); employee experience.

Mr Gardner noted that there will be recruitment for a Legal Executive which will lower costs for ongoing legal advice.

ASSURANCE, RISK AND FINANCE COMMITTEE RESOLVED (ARF2024/22) to receive the People Report.

(Moved Mayor Connelly/Seconded Cr Olds) Carried

C7. Action Items Report

There were no open actions to discuss.

DISCLAIMER

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D. Karakia Whakamutunga – Closing

Attendees closed the meeting with a karakia.

The meeting closed at 4:29pm.

Confirmed as a true and correct record

.....(Chair)

.....(Date)

.....(Chief Executive)

.....(Date)

DISCLAIMER

Until confirmed as a true and correct record, at a subsequent meeting, the minutes of this meeting should not be relied on as to their correctness

9 MATTERS ARISING FROM PREVIOUS MEETINGS

10 DECISION REPORTS FROM CHIEF EXECUTIVE AND STAFF

10.1 PROTECTED DISCLOSURES POLICY

Author: Richard Atkins, Lead Advisor, Information Management

Authoriser: Paul Gardner, Group Manager, Corporate Services

File Number:

PURPOSE

To inform *members* of a new SWDC policy: the Protected Disclosures Policy.

EXECUTIVE SUMMARY

This report provides an overview of the Council's Protected Disclosure Policy and its compliance with the Protected Disclosures (Protection of Whistleblowers) Act 2022.

RECOMMENDATIONS

That *the Assurance, Risk and Finance Committee*:

1. *Receive the Protected Disclosures Policy report.*
2. *Adopt the Protected Disclosures Policy.*

BACKGROUND

The purpose of this new policy is to meet South Wairarapa District Council's (SWDC's) responsibilities under the Protected Disclosures (Protection of Whistleblowers) Act 2022 (the Act) to promote the public interest by facilitating the disclosure and timely investigation of matters of serious wrongdoing in, or by, SWDC.

This policy applies to all current and past SWDC employees, elected and appointed members, secondees, contractors and volunteers of SWDC, at all work sites and events, whether they are a discloser or receiver of a protected disclosure.

As required by the Act, a Protected Disclosures Procedure has also been developed to provide detailed guidance for making and investigating protected disclosures.

DISCUSSION

The Protected Disclosures Policy and Protected Disclosures Procedure are attached at Appendix 1 and Appendix 2 respectively.

COMPLIANCE SCHEDULE

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,

- a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
 - b) Assess the options in terms of their advantages and disadvantages; and
 - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

Compliance requirement	Staff assessment
State the level of significance (high or low) of the issue or proposal as determined by the Council's Significance and Engagement Policy	This is a matter of low significance.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the Long Term Plan) that relate to this decision.	This report complies with Protected Disclosures (Protection of Whistleblowers) Act 2022.
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.	There are no implications for Māori.
Chief Financial Officer review	The Chief Financial Officer has not reviewed this report. Not required in this case.
State the possible implications for health and safety	Not applicable.

APPENDICES

Appendix 1 **Protected Disclosures Policy** [↓](#) 

Appendix 2 **Protected Disclosures Procedure** [↓](#) 



SOUTH WAIRARAPA
DISTRICT COUNCIL
Kia Reretahi Tātau

Protected Disclosures Policy

Date of Approval	DD MMM YYYY
Policy ID	PI-ORG-010
Next Review	01-08-2027
Business Owner	Manager, Corporate Support
Version History	

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1. Purpose

- To meet South Wairarapa District Council's (SWDC's) responsibilities under the Protected Disclosures (Protection of Whistleblowers) Act 2022 (the Act) to promote the public interest by facilitating the disclosure and timely investigation of matters of serious wrongdoing in, or by, SWDC.
- To protect disclosers, who in accordance with the provisions of the Act, make disclosures of information about serious wrongdoing in, or by, SWDC.
- To show our commitment to high standards of ethical and accountable conduct, to not tolerate any form of wrongdoing, and to encourage reporting as an obligation of our organisation.

2. Scope

This policy applies to all current and past SWDC employees, elected and appointed members, secondees, contractors and volunteers of SWDC, at all work sites and events, whether they are a discloser or receiver of a protected disclosure.

3. Speaking Up

SWDC is committed to fostering a transparent culture. This means providing an environment that encourages open communication, and where feedback and constructive challenge is the norm. This means individuals are encouraged to speak up and raise concerns about conduct that may be unethical or illegal. We all have a responsibility to hold our colleagues accountable by reporting any concerns, even if it is only suspected.

If someone genuinely believes they have reliable information about a serious wrongdoing and want to see it investigated, then they should speak up about it and make a protected disclosure. If the matter is not about serious wrongdoing, then it can be raised through general speak up guidance provided in the Code of Conduct for Council Employees.

4. Definitions

Appropriate Authority

An Appropriate Authority is a trusted external party who can be approached if a discloser is not confident about making the disclosure within their own organisation. See Appendix 1 for a list of relevant Appropriate Authorities.

Discloser

As defined by the Act, an individual who is (or was formerly):

- a) an employee
- b) a seconded
- c) engaged or contracted under a contract for services to do work for the organisation

- d) concerned in the management of the organisation (including, for example, a person who is or was a member of the board or governing body of the organisation)
- e) a volunteer working for the organisation without reward or expectation of reward for that work.

Note that (d) includes the Mayor, Elected Members and Committee Members.

Protected Disclosure

As defined by the Act, a disclosure of information is a protected disclosure if the discloser:

- a) believes on reasonable grounds that there is, or has been, serious wrongdoing in or by the council; and
- b) discloses information about that in accordance with the Act; and
- c) does not disclose it in bad faith.

Receiver

As defined by the Act, the receiver of a protected disclosure who is either:

- a) the organisation concerned; or
- b) an appropriate authority.

Retaliate

As defined by the Act, means

- a) doing any of the following:
 - i. dismissing the employee
 - ii. refusing or omitting to offer or afford to the employee the same terms of employment, conditions of work, fringe benefits, or opportunities for training, promotion, and transfer as are made available to other employees of the same or substantially similar qualifications, experience, or skills employed in the same or substantially similar circumstances
 - iii. subjecting the employee to any detriment or disadvantage (including any detrimental or disadvantageous effect on the employee's employment, job performance, or job satisfaction) in circumstances in which other employees employed by the employer in work of that description are not or would not be subjected to such detriment or disadvantage
 - iv. retiring the employee, or requiring or causing the employee to retire or resign
- b) organising to do anything described in paragraph (a).

Serious Wrongdoing

As defined by the Act, includes any act, omission, or course of conduct in (or by) SWDC that is one or more of the following:

- a) an offence
- b) a serious risk to:
 - i. public health; or
 - ii. public safety; or
 - iii. the health or safety of any individual; or
 - iv. the environment
- c) a serious risk to the maintenance of law, including:
 - i. the prevention, investigation, and detection of offenses; or

- ii. the right to a fair trial
- d) an unlawful, a corrupt, or an irregular use of public funds or public resources
- e) oppressive, unlawfully discriminatory, or grossly negligent, or that is gross mismanagement, and is done (or is an omission) by:
 - i. an employee (if the organisation is a public sector organisation)
 - ii. a person performing (or purporting to perform) a function or duty or exercising (or purporting to exercise) a power on behalf of a public sector organisation or the Government.

5. Implementation

Please refer to the Protected Disclosures Procedure for detailed information.

5.1 Protections under the Act

Protections under the Act are given to the discloser, and anyone providing supporting information about a disclosure, when it is made about their organisation/workplace to their organisation in accordance with any internal procedures, or to an appropriate authority, at any time.

A discloser is protected if the discloser:

- Believes on reasonable grounds that there is, or has been, serious wrongdoing in or by the discloser's organisation; and
- Discloses information about that in accordance with the Act; and
- Does not disclose it in bad faith.

5.2 Confidentiality

The receiver is obliged to keep the discloser's identity confidential. It cannot be released under the Official Information Act 1982 or the local Government Official Information and Meetings Act 1987.

There are specific circumstances, listed in the Act, that allow the release of the discloser's identity. These are where it is essential in order to conduct an investigation. This decision is not made lightly and the discloser will be told.

5.3 No Retaliation

A person must not treat another less favourably because of a protected disclosure. And employers must not retaliate or threaten to retaliate against a discloser who is an employee.

5.4 No Victimisation

No person shall be victimised by anyone because they (or a relative or associate)

- have made, or intend to make, a protected disclosure;
- have encouraged another person to make a protected disclosure; or
- has given information in support of, or relating to, a protected disclosure; or
- intends to do any of the above.

5.5 No Contracting Out

The Act applies despite any agreement, contract, or internal procedure.

5.6 Supporting Information

Another discloser who discloses information in support of, or relating to, a protected disclosure is also entitled to protection under the Act if the discloser:

- Discloses in good faith
- Discloses as described in the guidelines for this policy.

5.7 Advising Employees

Council will publish widely and regularly information about this policy and the procedures for protected disclosures.

5.8 Anonymous Disclosure

An Ombudsman may provide information and guidance to organisations and disclosers about the circumstances in which anonymous protected disclosures may be made.

5.9 Right of Access

Any internal investigator who has been delegated this responsibility by the CE will be accorded free and unrestricted access to all SWDC records and premises, and the authority to examine, copy and/or remove all or any portion of the contents of files, desks, cabinets and other storage facilities on the premises without prior knowledge or consent of any individual who may use or have custody of any such items or facilities, when it is within the scope of the investigation.

6. Roles and Responsibilities

6.1 Discloser

It is important that you follow the guidelines detailed in the Protected Disclosures Procedure.

You may seek advice from the [Ombudsman \(info@ombudsman.parliament.nz\)](mailto:info@ombudsman.parliament.nz), P O Box 10152, Wellington 6143, 0800 802 602).

When you are sure:

- that a serious wrongdoing has happened, and
- you are wanting to report it in good faith, and
- you want the protection of the Act

you may write to or speak with your Group Manager or the CE. If the disclosure is about the CE or the Mayor, you may write to or speak with the Chair of the Assurance, Risk and Finance Committee.

If you believe, on reasonable grounds,

- that the person you would have reported to inside Council is involved in the wrongdoing, or
- that it's not appropriate to report to the above role because of your relationship or association with the alleged wrongdoer,

you may make your report to an appropriate authority. See **Definitions**, p. 3.

6.2 Receiver

It is important that you follow the guidelines detailed in the Protected Disclosures Procedure.

Advise the discloser:

- the procedure that will now be undertaken.
- what SWDC will do to maintain the discloser's confidentiality.
- what will happen if potentially identifying information is to be released.
- of the EAP or other service they may access for support.
- to whom the discloser may escalate any concerns.

Receiver may decide no action is required

In this case the discloser should be advised, with reasons, why no action will be taken.

Receiver may refer disclosure

SWDC may refer the matter to an appropriate authority.

6.3 Ombudsman

The Ombudsman may give advice to a discloser, investigate a disclosure either independently or alongside a public sector organisation, may review an investigation by a public sector organisation, and may provide advice to a discloser upon request.

7. Related Internal Policies and Procedures

- Protected Disclosures Procedure
- Code of Conduct for Council Employees
- Code of Conduct for Elected Members
- Standing Orders

8. References

Protected Disclosures (Protection of Whistleblowers) Act 2022

[Protected Disclosures \(Protection of Whistleblowers\) Act 2022 No 20, Public Act Contents – New Zealand Legislation](#)

Employment Relations Act 2000

[Employment Relations Act 2000 No 24 \(as at 01 July 2022\), Public Act Contents – New Zealand Legislation](#)

Human Rights Act 1993

[Human Rights Act 1993 No 82 \(as at 10 May 2022\), Public Act Contents – New Zealand Legislation](#)

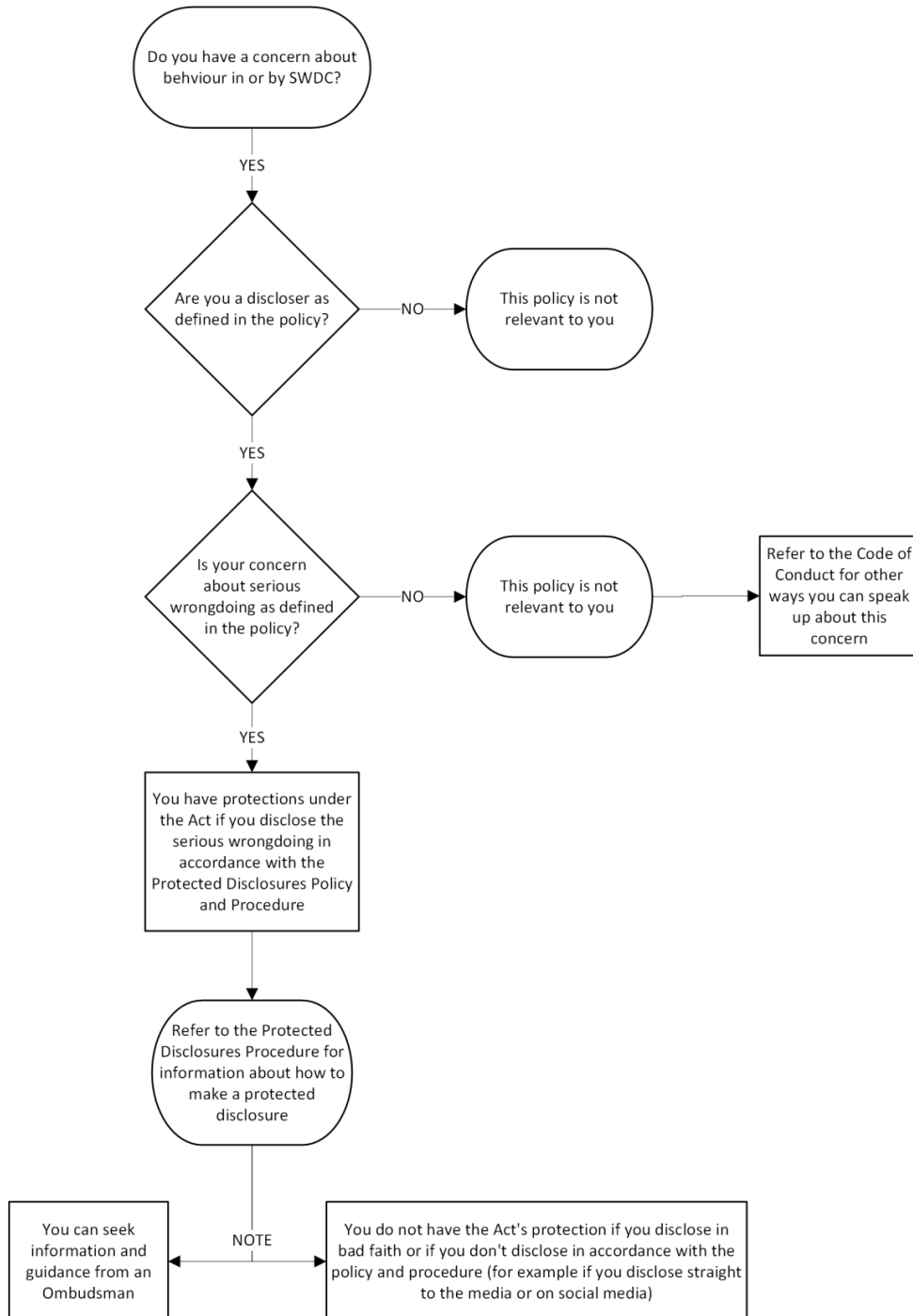
Schedule 1: List of Appropriate Authorities

An Appropriate Authority as defined by the Act, without limiting the meaning of the term, includes:

- the head of any public sector organisation
- any officer of Parliament
- the membership body of a particular profession, trade, or calling with the power to discipline its members
- persons or bodies listed in Schedule 2 of the Act, including:
 - the Commissioner of Police
 - the Controller and Auditor-General
 - the Department of Internal Affairs
 - the Director of the Serious Fraud Office
 - the Health and Disability Commissioner
 - the Human Rights Commission
 - the Independent Police Conduct Authority
 - the Inspector-General of Intelligence and Security
 - an Ombudsman
 - the Parliamentary Commissioner for the Environment
 - the Public Service Commission
 - the Solicitor-General
 - WorkSafe New Zealand.

An Appropriate Authority does not include a Minister or member of Parliament.

Schedule 2: Flow chart of how this policy applies to a discloser



Protected Disclosures Procedure

Date of Approval	DD MMM YYYY
Next Review	DD MMM YYYY
Business Owner	Matt Vins – Manager, Corporate Support
Version History	Version 1.0

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1. Purpose

To provide guidance to all disclosers on the implementation of the Protected Disclosures Policy in alignment with the Protected Disclosures (Protection of Whistleblowers) Act 2022 (the Act).

2. Operating Procedure

2.1 Making a protected disclosure – standard approach

2.1.1 The potential discloser must ensure that the following statements are true:

- The disclosure is about serious wrongdoing in or by South Wairarapa District Council (SWDC); and
- there are reasonable grounds to believe the information is true, or likely to be true; and
- the potential discloser wants to disclose the information in good faith so that serious wrongdoing may be investigated; and
- the potential discloser wants the disclosure to be protected.

2.1.2 Any potential discloser who intends to make a protected disclosure should, in the first instance, contact one or more of the following appropriate council officers:

- Chief Executive Officer (for the purposes of reporting any issues relating to an Elected or Appointed Member)
- any Group Manager;
- Chief Financial Officer;
- Manager, Corporate Support;
- Manager, Stakeholder Relationships;
- Manager, Community Operations;
- Manager, Wairarapa Library Service;
- Manager, Environmental Services;
- Manager, Planning;
- Manager, Building Services;
- Lead Advisor, People and Culture;
- Privacy Officer;
- any other staff member with significantly similar position titles established in the future.

2.1.3 The potential discloser intending to make a protected disclosure should inform the appropriate council officer that he or she wishes the disclosure to be protected.

2.1.4 The disclosure may be made to the appropriate council officer verbally or in writing. The Protected Disclosure Form (Schedule 2) can be used to record the disclosure.

2.1.5 Information and advice for those considering making a disclosure can also be sought from an Ombudsman.

2.1.6 SWDC will also provide a mechanism for anonymous reporting. This can encourage issues to be dealt with internally by providing a safe mechanism for individuals who are reluctant to use other channels to raise concerns. Anonymous disclosures may be difficult to fully

investigate, and disclosers may be encouraged to make a confidential disclosure in order to investigate the matter more thoroughly.

2.2 Making a protected disclosure – escalated approach

2.2.1 If a discloser, for any reason, does not feel it is appropriate to make the disclosure to any of the appropriate council officers listed above, the disclosure can be made at any time to:

- a) The Chief Executive Officer;
- b) The Mayor; or
- c) An appropriate authority.

2.2.2 A further disclosure can be made to a Government Minister if the discloser feels inadequate action has been taken.

2.2.3 Disclosures to the Chief Executive Officer, the Mayor, an appropriate authority or a Government Minister should be in writing.

2.3 Receiving a protected disclosure

2.3.1 The above procedures require the discloser making the protected disclosure to recognise it as such. However, this might not always be the case. As such, if there is any doubt, a disclosure should be treated as a protected disclosure until such time as that doubt is removed. The first response to a discloser is likely to set the tone for how they perceive their treatment throughout the process, and whether they are satisfied by the outcome.

2.3.2 The person receiving the protected disclosure should within 20 working days:

- a) Inform the person making the disclosure of the rights and protections (including the exceptions to those protections) offered by the Act, together with the circumstances where information may be shared with another appropriate authority under that Act;
- b) Acknowledge in writing the date the disclosure was received (and, if it was made orally, summarise the receiver's understanding of the disclosure) and the fact that it is made in accordance with the Act;
- c) Check with the discloser whether the disclosure has been made elsewhere (and any outcome); and
- d) Check if any other council policies relate to the issue of disclosure (e.g. a matter of a serious risk to the health or safety of an individual may have been reported under the Process for Handling Harassment, Bullying and Discrimination in the Code of Conduct for Council Employees, or the Elected Member Code of Conduct).

2.3.3 The person receiving the protected disclosure should immediately inform the Chief Executive Officer (unless the Chief Executive Officer is implicated in any alleged wrongdoing covered by the disclosure).

2.3.4 If the Chief Executive Officer is implicated in any alleged wrongdoing covered by the disclosure the person receiving the protected disclosure should immediately inform the Mayor.

- 2.3.5 The Chief Executive Officer (or the Mayor in circumstances addressed by section 2.3.4 above) is responsible for initiating whatever investigative processes he or she considers appropriate in the circumstances.
- 2.3.6 The Chief Executive Officer (or the Mayor in circumstances addressed by section 2.3.4 above) should within 20 working days of the original disclosure:
- a) Consider the disclosure and whether it warrants investigation;
 - b) Deal with the matter by doing one or more of the following:
 - i. investigating the disclosure
 - ii. addressing any serious wrongdoing by acting or recommending action
 - iii. referring the disclosure as outlined in 2.4
 - iv. deciding that no action is required as outlined in 2.5; and
 - c) Inform the discloser (with reasons) about what the receiver has done or is doing to deal with the matter in accordance with paragraph 2.3.6 b).
- 2.3.7 However, when it is impracticable to complete these actions within 20 working days, the receiver should carry out the actions described in 2.3.2 a) to d) and the Chief Executive Officer (or Mayor) should carry out 2.3.6 a) within 20 working days of the original disclosure and then should:
- a) Inform the discloser how long they expect to take to deal with the matter;
 - b) Appropriately update the discloser about progress;
 - c) Deal with the matter as described in subsection 2.3.6 b); and
 - d) Inform the discloser (with reasons) about what the receiver has done or is doing to deal with the matter in accordance with subsection 2.3.6 b).

2.4 Referring a protected disclosure

- 2.4.1 A disclosure may be referred to an appropriate authority (on more than one occasion) in certain circumstances, such as where it relates to:
- a) An offence
 - b) An unlawful, a corrupt, or an irregular use of public funds or public resources
 - c) Any other circumstance determined as high risk to the integrity of the council.
- 2.4.2 The discloser and the intended recipient will be consulted before the disclosure is referred.
- 2.4.3 If an appropriate authority receives a disclosure, they may refer the disclosure back to the council or to another appropriate authority. If an appropriate authority refers a disclosure back to the council, the council must inform the authority about what the council has done or is doing to deal with the matter (at the same time as the council informs the discloser of that).

2.5 When no action is required

- 2.5.1 A receiver may decide that no action is required if:
- a) The disclosure does not involve serious wrongdoing, is not considered a protected disclosure, or is not made by a discloser

- b) The length of time between the alleged serious wrongdoing and the disclosure makes an investigation impracticable or undesirable
- c) The matter is better addressed by other means.

2.5.2 The receiver must inform the discloser of the reasons no action is required.

2.6 Practical assistance and advice for disclosers

2.6.1 A discloser will be offered practical assistance and advice as follows:

- having a support person accompany them when making a disclosure
- having a support person identify, assess and mitigate any risks to the discloser
- reminding the discloser that information and advice can also be sought from an Ombudsman
- reminding the discloser of the general support and guidance available through the employee assistance programme
- peer support of an employee not involved in investigating the disclosure in any way
- identifying a senior contact within the organisation to whom the employee can escalate any concerns or issues

2.6.2 SWDC may contribute towards reasonable costs incurred by a discloser in making a protected disclosure (such as seeking advice related to the disclosure). This will be determined on a case-by-case basis.

2.7 Duty of confidentiality

2.7.1 The receiver must engage the SWDC Privacy Officer at the earliest opportunity following the receipt of a disclosure.

2.7.2 Where a disclosure is made to an appropriate council officer, Chief Executive Officer or Mayor in accordance with the policy, he or she will use their best endeavours not to disclose any information that might identify the individual making the disclosure unless:

- a) the individual consents in writing; or
- b) the appropriate council officer, Chief Executive Officer or Mayor have reasonable grounds to believe that the release of the identifying information is essential:
 - i. To the effective investigation of the allegations in the protected disclosure; or
 - ii. It is essential to prevent serious risk to public health or public safety, or to the environment, or the health or safety of any individual; or
 - iii. Having regard to the principles of natural justice; or
 - iv. To an investigation by a law enforcement or regulatory agency for the purpose of law enforcement.

2.7.3 Disclosers are encouraged to obtain legal advice prior to consenting to the disclosure of any identifying information.

2.7.4 SWDC will consult with disclosers before any information is released if for the reason described in 2.7.2 (b) (i) or (iii) and will consult if practicable for reasons 2.7.2 (b) (ii) or (iv).

- 2.7.5 SWDC will inform the discloser after releasing identifying information unless there is an urgent need to disclose, and consultation is not practical (e.g. where there is an immediate risk to health and safety of a person or the environment).
- 2.7.6 The council will meet its duty of confidentiality by ensuring:
- a) All information is managed as restricted documents in the council's document management system. Access will be limited to those managing the disclosure.
 - b) All disclosers will be able to request to view information they have disclosed and update or correct it at any time.
 - c) Information is only shared with officers who will be managing the serious wrongdoing.
 - d) As soon as a disclosure has been made, the appropriate council officer, Chief Executive Officer or Mayor will assign a pseudonym to the discloser. All communications or documents pertaining to the disclosure will omit the discloser's name or use the pseudonym, and omit the discloser's position.

2.8 Raising awareness of the policy and procedure

- 2.8.1 The policy and procedure will be available on the council public website.
- 2.8.2 The policy and procedure will be published widely on all internal communication platforms with information shared about how to use the procedure (such as inductions, staff communications, newsletters, Executive Stand Ups and Chief Executive Officer updates).
- 2.8.3 At least every six months communication will go out to all employees to raise awareness.
- 2.8.4 Where possible, positive reinforcement and reporting on the outcomes of concerns that have been raised within the organisation will be shared, without disclosing identifying information.
- 2.8.5 Training on protected disclosures will be provided to all employees when they commence working at the council.
- 2.8.6 Specialist training will be provided to people leaders and those appropriate council officers who will be receiving and handling protected disclosures, including information about who can be approached for confidential legal advice.

3. Relevant Delegations

- 3.1 Except with respect to circumstances addressed by section 2.3.4, the Chief Executive Officer is responsible for the implementation of these procedures. The Chief Executive Officer may delegate any or all responsibilities to whomsoever he or she deems appropriate in the circumstances.
- 3.2 With respect to circumstances addressed by section 2.3.4, the Mayor is responsible for the implementation of these procedures and may delegate any or all responsibilities to whomsoever he or she deems appropriate in the circumstances.

4. References and Relevant Legislation

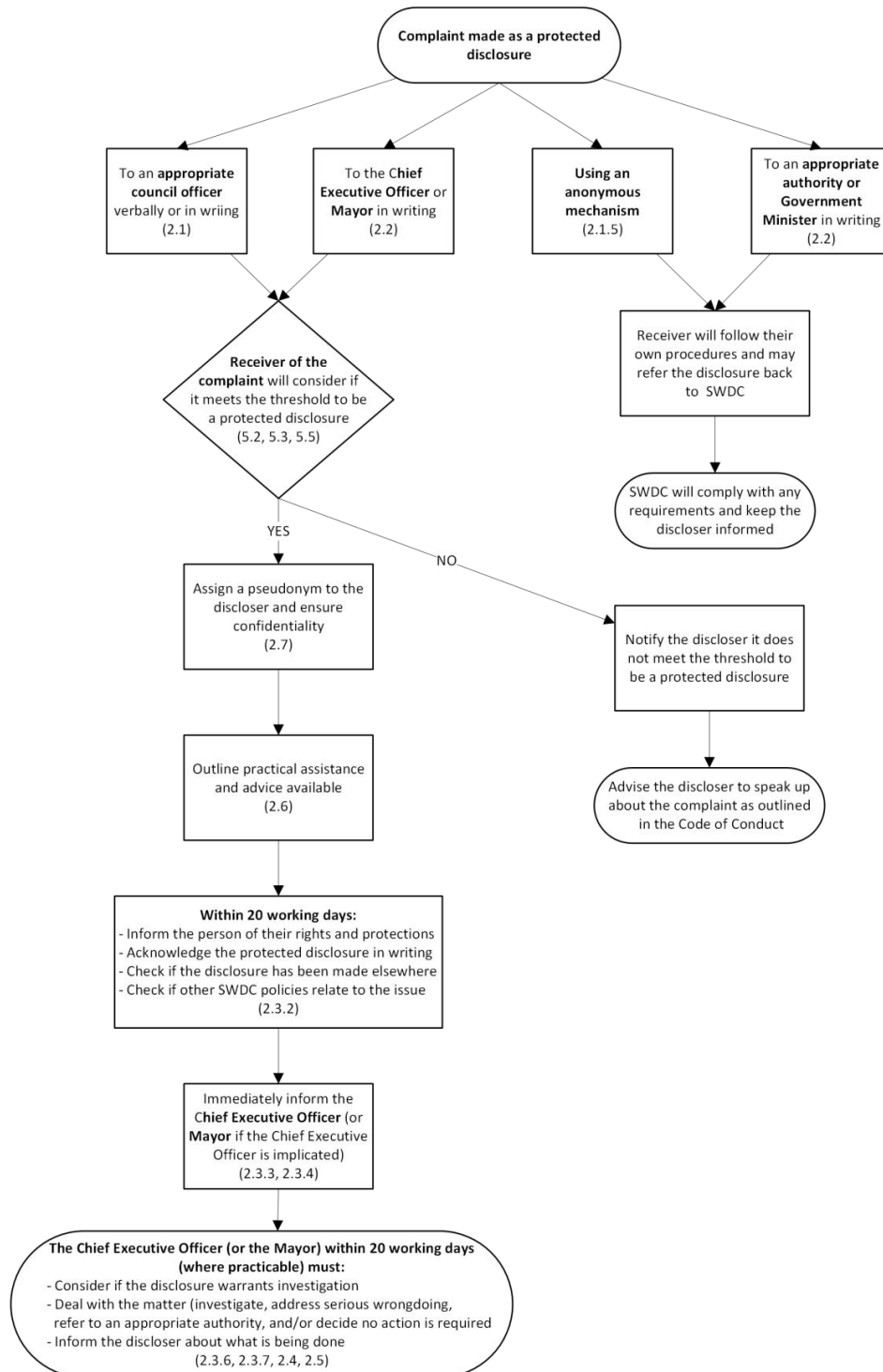
- Protected Disclosures (Protection of Whistleblowers) Act 2022
- Privacy Act 2020
- Employment Relations Act 2000
- Human Rights Act 1993
- Local Government Official Information and Meetings Act 1987
- Office of the Auditor-General: Putting integrity at the core of how public organisations operate

5. Associated Policies/Procedures

- Protected Disclosures Policy
- Code of Conduct for Council Employees
- Code of Conduct for Elected Members
- Standing Orders

Schedule 1: Protected Disclosure Procedure Flow Chart

Please refer to the relevant section of the procedure for more details.



Schedule 2: Protected Disclosure Form

Section 1 – Summary of facts (to be completed by the Receiver)

Please describe the act, omission or misconduct in as much detail as possible. Consider what happened, and when and where the incidents occurred. Who was involved? Additional information can be attached.

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Section 2 (To be signed by the Discloser)

I _____ agree that my reasonable belief concerning the alleged wrongdoing has been recorded above, that I understand the procedures which will be followed and that I consent to the investigation into the disclosure above proceeding.

This disclosure is made in good faith and on the understanding that I will not be liable to any civil or criminal proceeding or to disciplinary proceeding by reason of having made the disclosure and that no retaliatory action will be taken by my employer for making this disclosure.

Signature

Date

ACTION	DATE
Disclosure Lodged	
Facts verified by Discloser (above)	
Investigation Completed	
Action Plan Initiated	
Discloser Informed of Outcome	

10.2 FINANCE REPORT

Author: Millie Wahome, Lead Accountant

Authoriser: Paul Gardner, Group Manager, Corporate Services

File Number:

PURPOSE

To provide the Committee with a commentary on the year-to-date 31 May 2024 results and to report any financial risks or breaches of policies.

RECOMMENDATIONS

Officers recommend that the Committee:

1. **Receive** the Finance Report
2. **Note** that no significant tax risks have been identified
3. **Note** that the following investment thresholds have been breached in May:
 - BNZ investments were 54% of the total portfolio, against a threshold of 50%
 - Wairarapa Building Society investments were 11% of the total portfolio, against a threshold of 10%

APPENDICES

Appendix 1 Finance Report for the period ended 31 May 2024 [↓](#) 



**SOUTH WAIRARAPA
DISTRICT COUNCIL**

Kia Reretahi Tātau

**Monthly Financial Statements
For the period ended
31 May 2024**

Contents

1. Executive Summary - Financial Report
2. Statement of Financial Performance
3. Statement of Financial Position
4. Investment and Borrowing Summary
5. Capital Expenditure - Significant Projects
6. Rates Arrears - June 24
7. Debtors - June 24

10.3 AUDIT UPDATE

Author: Millie Wahome, Lead Accountant

Authoriser: Paul Gardner, Group Manager, Corporate Services

File Number:

PURPOSE

To update the committee on the progress of the regular audit cycle and any emerging risks.

BACKGROUND

The audit cycle is a crucial process ensuring transparency, accountability, and assurance in local government. This report provides an overview of the current progress in the audit cycle of South Wairarapa District Council.

Each year SWDC produces annual financial and non-financial performance information in the form of the Annual Report for the year ending 30th June. Audit NZ visits for two periods, known as Interim and Final.

The Interim audit period focuses on documented control systems and processes, and testing that those are followed. Testing of transactions for the period up to the latest completed month is also conducted.

During the Final audit period, the focus is more on the content of the draft Annual Report, including financial statements and non-financial performance measures.

RECOMMENDATIONS

That the Assurance, Risk and Finance Committee:

1. Receive the Audit Update report

RECOMMENDATIONS FROM AUDIT 2023

Three recommendations were made in the report for 2023 audit:

To implement completeness checks on declared interests and related party transactions.

- a. Has now been addressed for the 2024 year.

To implement a reconciliation of rates in advance between the general ledger and rates data.

- b. Has now been addressed for the 2024 year.

To identify and review fully depreciated assets that are still in use in the fixed asset register.

- c. This will be addressed once asset roles have been filled.

AUDIT 2024

In 2024 the Interim audit took place between 24th of June and the 5th of July. All Interim information requested was provided to Audit NZ.

The draft Annual Report is due to Audit NZ by 31st August, and the Final audit is due to take place from the 23rd of September, with the adoption of the final document scheduled on the 30th of October 2024. This is a tight timeframe which we will work with Audit NZ to maintain.

APPENDICES

Nil

10.4 ANNUAL WORKPLAN 2024/25

Author: Rob Thomas, Manager, Stakeholder Relationships

Authoriser: Janice Smith, Chief Executive Officer

File Number: N/A

PURPOSE

To inform members of the Assurance, Risk and Finance annual workplan for 2024/25.

EXECUTIVE SUMMARY

The annual workplan for 2024/25 sets out the planned and scheduled reporting to the Assurance, Risk and Finance Committee (ARF). The workplan, attached in Appendix 1, is categorised to identify the broad areas of responsibility for the Committee. Other items may be added by councillors and staff should this be required to respond to issues as they occur throughout the year.

RECOMMENDATIONS

That *the Assurance, Risk and Finance Committee:*

1. receives the Annual Workplan 2024/25 Report.
2. notes the current Annual Workplan in *Appendix 1* and an update to the insurance review.

BACKGROUND

The current ARF workplan in Appendix 1 is fairly reflected in today's agenda.

The only report not to be presented to ARF is the Insurance: Review of policies, processes and strategies. However, work on reviewing our insurance is currently underway:

Action item 263

At the ARF Committee meeting on the 29 May 2024, a resolution was passed to receive the Insurance Renewal 2024 report and approve a minimum threshold of \$50,000 of asset value for inclusion in the schedule of assets to be covered by Council's material damage insurance. Action item 263 was created to report on broader discussion on risk to include asset replacement.

Long Term Plan Risk Appetite Workshop

A workshop is planned, later in the year, with elected members to discuss their appetite for risk. Depending on the elected members risk appetite this will help to determine the level of insurance required for the council and this will be reflected in the Long Term Plan 2025/34.

COMPLIANCE SCHEDULE

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
 - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
 - b) Assess the options in terms of their advantages and disadvantages; and
 - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

Compliance requirement	Staff assessment
State the level of significance (high or low) of the issue or proposal as determined by the Council's Significance and Engagement Policy	This is a matter of low significance.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the Long Term Plan) that relate to this decision.	Not applicable.
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.	There are no implications for Māori.
Chief Financial Officer review	Not applicable.
State the possible implications for health and safety	Not applicable.

APPENDICES

Appendix 1 [Annual Workplan 2024/25](#)

11 INFORMATION REPORTS FROM CHIEF EXECUTIVE AND STAFF

11.1 RISK MANAGEMENT UPDATE

Author: Amy Andersen, Lead Advisor, Democracy and Committees

Authoriser: Paul Gardner, Group Manager, Corporate Services

File Number: Not applicable

PURPOSE

To provide members with updates to risk management since the last meeting of the Committee.

EXECUTIVE SUMMARY

Robust risk management is essential to South Wairarapa District Council to support the achievement of its strategic objectives.

The systematic management of risk is important for any organisation and in particular to a business as large and diverse as Council. Ensuring an appropriate risk management framework is in place is an important function of the Assurance, Risk and Finance Committee.

This report outlines initiatives that in staff's view should provide members of the Committee with confidence that risks, and statutory compliance are being well managed across the organisation and there is continuous improvement in the management of risk at Council. This formal reporting sits alongside the less formal Chief Executive and Strategic Leadership Team risk discussions, and the discussions that generally take place at each meeting of the Committee.

BACKGROUND

This report been developed in line with Council's current Risk Policy and Risk Management Framework and feedback from previous Committee meetings.

The key purpose of the report is to provide a base for discussion and to trigger effective risk conversations by the Committee. The report provides the Committee with the results of the quarterly review of risks including significant risk trends and any emerging risks.

The Strategic Leadership Team also conducts a quarterly review of the report in the lead-in to the Assurance, Finance and Risk Committee review.

The evolution of risk management reporting will continue as mechanisms for gathering the necessary data are developed and the organisation continues to mature in its' risk management practices. Staff welcome feedback and ideas from this Committee to improve the usefulness of the information provided.

DISCUSSION

1. Summary and key insights

There are no changes to the register presented at the last Committee meeting, apart from the addition of scoring columns; this addition is intended to support discussion with the Committee regarding the assessment and ongoing management of the risks.

The register includes nine strategic risks (SR) and three operational risks (OR) at this time, as recorded in table 1 below:

ID	Risk Theme	Residual Scoring	Residual Risk
SR1	Relationship with iwi, hapū, Māori	3	Medium
SR2	Climate Change	12	High
SR3	Crisis Management and Response	8	High
SR4	Financial accountability	2	Low
SR5	Government reforms	8	High
SR6	Social Licence to Operate and Reputation	4	Medium
SR7	Economic Shock	8	High
SR8	Regional alignment	8	High
SR9	Health and safety	4	Medium
OR1	IT System Failure	4	Medium
OR2	Critical Asset Failure	12	High
OR3	Swimming pool audits	2	Low

In terms of the scoring, table 2 shows where the highest risks are sitting after mitigations have been applied:

ID	Risk Theme	Residual Scoring	Residual Risk
SR2	Climate Change	12	High
OR2	Critical Asset Failure	12	High
SR3	Crisis Management and Response	8	High
SR5	Government reforms	8	High
SR7	Economic Shock	8	High
SR8	Regional alignment	8	High
SR6	Social Licence to Operate and Reputation	4	Medium
SR9	Health and safety	4	Medium
OR1	IT System Failure	4	Medium
SR1	Relationship with iwi, hapū, Māori	3	Medium
SR4	Financial accountability	2	Low
OR3	Swimming pool audits	2	Low

There are no changes to the high levels of residual risk which indicate the current volatility within the environment.

The full significant risk register can be found attached to this report as Appendix 1.

The risk framework for Council can be viewed on our website: <https://swdc.govt.nz/wp-content/uploads/Risk-Management-Framework-Feb24-1.pdf>

2. Mitigations

Overall, the mitigations included in the significant risk register involve monitoring and acceptance. Further planning for mitigations and prioritisation of identified risks is suggested to ensure that implementation and adjustments are being made consistently across the organisation.

Current mitigations are being monitored and reviewed on a regular basis by the Strategic Leadership Team. Please refer to Appendix 1 for more information.

3. Legislative compliance

Appendix 2 outlines information that in staff's view should provide the Assurance, Risk and Finance Committee confidence that statutory compliance is being monitored and well-managed. The key areas for the statutory compliance that this report covers are: building consents, resource consents, LIMS, water, information requests, Ombudsman's investigations and privacy.

The report provides an opportunity for the Committee to raise any questions about current statutory compliance and to discuss any areas for improvement.

4. Risk workshops

A workshop to refresh the significant risks will be scheduled later this year. The key objective of the significant risks workshop will be seeking input from the Committee to refresh the list, prioritise risks and discuss mitigations in further detail.

The development of a risk appetite statement is also set to commence later in the year. This tool will assist in confirming the appetite for each of the significant risks to identify tension/trade-off areas for each risk and clearly articulate where Council is willing to pursue or avoid risks.

APPENDICES

Appendix 1 **Significant Risk Register, July 2024**  

Appendix 2 **Legislative Compliance Update**  

11.2 SWIMMING POOL AUDIT INSPECTIONS UPDATE

Author: Sara Edney, Building Control Manager

Authoriser: Russell O'Leary, Group Manager, Planning and Environment

File Number:

PURPOSE

To inform *councillors/members* of the current status of the periodic inspections of residential pools that are a requirement of The Building Act 2004 section 162D.

EXECUTIVE SUMMARY

Every territorial authority must ensure that the following residential pools within its jurisdiction are inspected at least once every 3 years, within 6 months before or after the pool's anniversary date, to determine whether the pool has barriers that comply with the requirements of [section 162C](#):

(a) residential pools other than small heated pools:

(b) small heated pools that have barriers that are not exempt, in terms of [Schedule 1](#), from the requirement to have a building consent.

Owners can choose to use an independent pool inspector instead of the territorial authority for this inspection. If an independent pool inspector is used, they are required to provide a report of the inspection to the TA.

BACKGROUND

Councils Building Compliance Officer has a register of all known residential pools in the South Wairarapa.

There are currently 624 pools on the register with 508 of those pools subject to an audit inspection as per Section 162C.

The anniversary date referenced above is the date that the code compliance certificate was issued.

There are currently 116 active building consents for swimming pools that have not obtained their code compliance certificate, and therefore are not currently subject to these periodic inspections.

Section 222 of The Building Act 2004 provides the authority for Councils building officers to inspect residential pools, and to enter premises for the purpose of carrying out this inspection (as an authorised officer).

All Council building officers are warranted and carry a warrant card for this purpose.

DISCUSSION

All pools that were due for their periodic inspections between 1st January 2024 and 30th June 2024 have been inspected.

There are currently 59 residential pools that were due for their periodic inspections before 1st January 2024, that have not been carried out.

Some reasons for these inspections not having been carried out to date include:

- Owners continually cancelling inspections and not re-scheduling, or refusing to allow the inspector onsite to carry out the inspection.
- Inspector arriving onsite to find they cannot gain access to the property

What next:

A standard letter is scheduled to be sent to the 59 pool owners to notify them of the requirements for these inspections, and advising them that the inspection will happen within the next 3 months.

The owners will have the opportunity to contact Council and schedule a suitable time if they want to be present for the inspection, or notify us of their intention to use an IQPI.

Anyone choosing to use an IQPI will be notified that the inspection report is required to be submitted to Council prior to 30th November 2024.

We are currently investigating options for those properties that we continue to have trouble accessing.

APPENDICES

Nil

11.3 PEOPLE REPORT**Author:** Matt Vins, Manager, Corporate Support**Authoriser:** Paul Gardner, Group Manager, Corporate Services**File Number:****PURPOSE**

To provide councillors an overview of strategic people matters.

EXECUTIVE SUMMARY

Council has a duty of care to its people, the primary employer of which is the Chief Executive. In turn, The Chief Executive is employed by Councillors.

This report provides an overview of ongoing people related risks, and the associated actions and mitigations that are being used to manage them.

BACKGROUND

People related risks to Council as a legal entity may originate from various sources and tied to one or more of those factors. Our workforce obligations are clearly defined through legislation. These serve a purpose of acting as standards to which both employers (and by extension those that lead and set priorities) and its employees should all adhere.

Any updates to legislation will be captured and reported to the Assurance, Risk and Finance Committee as part of this paper on a quarterly basis. Matters relating to the Health and Safety at Work Act 2015 will be reported against separately.

DISCUSSION

Workforce risk should be defined as any workforce-related threat to an organisation's operational, financial, and reputational outcomes, including, but not limited to, such factors as: Skills and talent availability. Ability to address changing workforce expectations (such as social responsibility).

The five most critical people related risks are outlines below:

Risk Description	Risk Cause	Impact	Initial Risk Rating	Risk Controls	Residual Risk Rating
Conditions of employment (physical environment, cultural and contracted terms)	<ul style="list-style-type: none"> Contractual conditions of employment being challengeable. Unhealthy levels of physical and psychological safety Poor working environment. Inappropriate behaviour 	<ul style="list-style-type: none"> Critical roles being left vacant. Significant strain on remaining staff members Legal challenge Increased staff attrition Increases in sickness levels. Significant increases in financial costs in terms of opportunity loss, recruitment (time to hire) Poor employer brand 	High	<ul style="list-style-type: none"> Well-formed policies, standard procedures Development of a culture of continuous improvement Embedding of the Performance Management framework Abusive incident response processes Staff & EM Code of Conduct Onboarding and induction processes Support mechanisms i.e. EAP Collective Agreement terms Regular reviews of salaries and benefits Employee recognition programmes Assignment of appropriate delegations 	Moderate
Knowledge Transfer for Critical Roles	<ul style="list-style-type: none"> Aging workforce of key technical staff Lack of maturity in business processes 	<ul style="list-style-type: none"> Loss of institutional knowledge amongst team members Inability to deliver against service and service level expectations. 	High	<ul style="list-style-type: none"> Succession planning Pathway to retirement plans Cross functional roles Mentoring responsibilities woven into expectations of senior staff. Skills and knowledge mapping 	Moderate

		<ul style="list-style-type: none"> Over reliance on contractors to maintain technical insights. 			
Leave liability	<ul style="list-style-type: none"> Annual leave balances are excessive due to an actual or perceived inability to take leave. Sick leave levels escalate too problematic 	<ul style="list-style-type: none"> Leave liability resides on the balance sheet. The potential for significant wellbeing issues arising for staff members. Levels of sick leave impact upon organisational performance. 	High	<ul style="list-style-type: none"> Management leave management plans. SLT monitoring of sick and annual leave. H&S reporting Management application of Managed Sick Leave policy 	Moderate
Automation, AI and the future of work	<ul style="list-style-type: none"> Impacts of technology and AI on how services are delivered. The skills held by our workforce don't align with community expectations of our organisation. 	<ul style="list-style-type: none"> Council fails to harness the opportunities as presented by AI to deliver quality timely services and better outcomes to our communities. Council fails to understand its purpose and positioning in the Community. Loss of trust in Council operations and delivery. 	High	<ul style="list-style-type: none"> Knowledge and Information Management framework Providing future skills focused training through personal development planning. Dispensing clear guidelines on generative AI use. Improving messaging about job security. Stay informed of emerging technology and provide training. Train leadership to be more human centered. Communications and engagement planning Introduce strategic workforce planning with a multi-year outlook. Leverage IT and other tools to promote team connectedness. 	Moderate

				<ul style="list-style-type: none"> Analyse skill gaps in your workforce and offer reskilling and upskilling. Hire for skills, not role. Review our physical work environment and how teams are formed. Apply learnings/findings from the Future of Local Government report 2023. 	
Form following function	<ul style="list-style-type: none"> The size, shape and resourcing of the organisation must reflect the outcomes and services that the organisation is mandated to deliver to. 	<ul style="list-style-type: none"> Community services and priority expectations of the Council are not met. Community trust diminishes. The relationship between EM's and Officers erodes. 	Critical	<ul style="list-style-type: none"> Organisational design reviews Strategic workforce planning across all tiers of the organisation. Review of role expectations as vacancies arise. Review of delegations IT architecture is fit for purpose. Development of cross functional teams. Ongoing review of our physical workspace to support greater collaboration and high-quality outcomes. 	Low

Collective Bargaining

Collective bargaining discussions with the PSA are nearing completion. The outcomes of those negotiations will be incorporated into our current Enhanced Annual Plan budgets.

APPENDICES

Appendix 1 **ARF People Dashboard Aug 24** [!\[\]\(7fda115651271fe97b921a94cc0d0917_img.jpg\)](#) [!\[\]\(3f47a1077ff7545b0da66798a318f26d_img.jpg\)](#)

11.4 HEALTH, SAFETY AND EMERGENCY MANAGEMENT UPDATE**Author:** Nigel Carter, Lead Advisor, Health, Safety and Emergency Management**Authoriser:** Paul Gardner, Group Manager, Corporate Services**File Number:****PURPOSE**

To inform *councillors/members* with an overview of health, safety and emergency management matters by way of the Health & Safety Report for the period 1st May to 26th July 2024..

EXECUTIVE SUMMARY**BACKGROUND**

The Health and Safety at Work Act 2015 includes due diligence requirements for 'Officers' to proactively engage in health and safety matters. Officers includes Councillors and the Chief Executive.

The Civil Defence Emergency Management Act 2002 requires territorial authorities to provide Emergency Management for their districts, and to be part of the region's Emergency Management Group.

Quarterly H&S reporting will update Elected Members on matters pertaining to Health, Safety & Wellbeing performance, and Emergency Management performance, to provide assurance that SWDC is managing risks appropriately.

Section 1 of this report refers to H&S matters and risks. Section 2 refers to Emergency Management

DISCUSSION**Section 1: Health and Safety****Health and Safety Critical Risk Summary**

From the operational Health & Safety risk register the five most critical risks are outlined below.

Risk Description	Risk Cause	Impact	Initial Risk Rating	Risk Controls	Residual Risk Rating
Inappropriate behaviour directed towards staff	Abusive, threatening, rude, or inappropriate behaviour directed towards staff. Sources: members of public, media, EMs, other staff.	Psycho-social harm, potential for physical harm, traumatic psychological injury, staff attrition, reduced productivity	Critical	<ul style="list-style-type: none"> Policies, standard procedures De-escalation training Abusive incident response process Staff & EM Code of Conduct Leadership & EM's consistently providing support and encouragement to staff New employee H&S inductions EAP Lone worker and vehicle location monitoring protocols Body cameras Duress mechanisms Some separation of staff and public areas Security review of Kitchener St Reception 	Moderate
Working with other PCBU's	Work carried out on our behalf by other companies without direct employment management of workers, work arrangements, safety plans and culture.	<ul style="list-style-type: none"> Potential for harm: fatalities, injuries, near miss Noncompliance with HSW Act: working with other PCBU's, notifiable events, risk management. 	Critical	<ul style="list-style-type: none"> Procedures for engaging contractors align with WorkSafe guidelines and Unit Standard 17595 Ongoing roll out of SiteWise prequalification platform Ongoing training with officers who regularly engage contractors on best practice, risk identification, pre-qualification & selection, onboarding, monitoring and review. 	Moderate

		Damage to public/council property, damage to reputation. Public reputation Inadequate insurance		Review of safety plans for all high risk work for direct-hire contractors Assistance offered for completion of safety plans for lower risk work Review of performance reports, and safety plans as needed, for Service Level Agreement contractors.	
Vehicles, Driving, Roads	Staff driving behaviour Very limited control of other road user behaviour Vehicle safety aspects Limited mobile reception in areas of district High driving hours in specific teams Largest geographic district in Wellington region Fatigue, impairment	Vehicular accident: fatality, serious injury, property damage Worker isolation: breakdown, accident, violence in areas without mobile reception Reputational damage Climate impact	Critical	Driving policy & associated protocols: vehicle procurement standards, licence checks, etc. Argus vehicle tracking: location, speed, behaviour monitoring. Garmin GPS devices Vehicle safety checks Corridor access training	Moderate
Work at Height	Lack of physical equipment for heights access throughout property portfolio (e.g. ladder brackets, anchor points) Added expense for contractors	Fall from heights: fatality, serious injury Items dropped: bystander impact Prosecution for risk management failure/ failure to adhere to	Critical	Policies, standard procedures Contractor engagement protocols Heights work designated as high risk requiring confirmation of safety plans Heights access equipment (ladder brackets and anchor points) included in budget, not yet installed	Moderate

	using appropriate methods Increased staff resource to ensure contractors using appropriate methods	safe working practices Reputational damage			
Under reporting	Staff & contractors not reporting events relevant to H&S management Reluctance to report Lack of awareness of what and when to report	Lost opportunity to apply corrective actions, ensure treatment Risks/hazards unidentified Under appreciation of risk levels Failure to notify WorkSafe or relevant parties	High	Policies, standard procedures, IEA/CEA H&S induction Team meetings Multiple reporting channels Regular encouragement Informal conversation: actively asking Contractor reports	Moderate

General risk monitoring

Safety reports

For the period 1st May 2024 to 26th July 2024 there were 7 internal H&S reports. See appendix 1 for metrics.

Two reports relating to the risk of public initiated harm have helped to further refine the Safet Council Meeting Procedure. Two training sessions on Situational Safety were conducted in June as part of the risk controls around this risk.

One accident triggered a WorkSafe notification, with WorkSafe being satisfied that no further action or investigation was needed on their behalf. The instance involved a member of public tripping while ascending entrance stairs at a community building. Limited causal factors were able to be identified and corrective actions for those will be implemented.

Contractors

SWDC officers continue to work with external PCBUs where we have overlapping duties to ensure the duties are being met, and to assist in upskilling the PCBUs as required.

The use of the contractor prequalification is continuing to grow with more contractors added this quarter. The assessment scores of SWDC contractors continue to be above the average of all contractors in the system, indicating sound H&S practices.

Service Level Agreement Contractors continue to provide regular H&S reporting. All reports within this quarter were relatively minor in nature.

Policy Updates

Since the introduction of the new Driving policy on April 2nd, driving statistics show a significant improvement in driver behaviour from that date. When comparing the period 1st Feb – 30 April to 1st May – 26th July, a 67% decrease in instances of speeding is shown.

Section 2: Emergency Management

District Emergency Management Critical Risk Summary

Risk Description	Risk Cause	Impact	Initial Risk Rating	Risk Controls	Residual Risk Rating
Knowledge of localised risks	A lack of understanding of the Emergency and resilience landscape for the Wairarapa	Inability to plan strategically for where to dedicate resources.	High	Project required to undertake analysis and compile risk landscape	High

South Wairarapa District Council works collaboratively with Wellington Region Emergency Management Office, other Wellington & Wairarapa councils, iwi, support agencies and communities to manage emergency Reduction, Readiness, Response and Recovery (the “4 R’s”).

Reduction and Readiness

- Wairarapa Emergency Management is being needs review to best understand our risk landscape, to ensure our resources are best targeted to our operations across the four R’s.
- Marae Emergency Planning sessions support has been offered to all three South Wairarapa marae, with all three agreeing to offer emergency assistance to the public as part of emergency response, if needed.
- Through planning sessions with Kohunui Marae, facility improvement needs were identified and a successful application to the Community Wellbeing Fund will help with some of these needs.
- South Wairarapa’s part of the draft Wairarapa Emergency Debris Disposal plan has been delivered to the Wellington Region Lifelines Utilities Coordinator to take to the two Wairarapa iwi for consultation. After this it will come to South Wairarapa Elected Members for consultation.

Response

- Training for council staff in emergency management response continued in line with the commitment to have all staff trained to foundation level. As at 26th July 61% of SWDC staff have attended foundation training, compared to 37% last quarter.
- Emergency Assistance Centre Training was held in South Wairarapa for council staff, Papawai marae, support agencies (including MSD & MPI) and community groups. This training focused on how to assist members of public in emergencies e.g. assessing needs, finding or offering accommodation, linking with support agencies.
- Two SWDC officers are now on the Controller training pathway, including the new Manager, Corporate Support, who will become SWDC’s Alternate Controller.

Recovery

The combined Wairarapa Recovery Office continues to operate across South Wairarapa, Carterton and Masterton districts. The Recovery Office is co-ordinating between council and WREMO to manage the ongoing effects from the North Island Weather Events (NIWE) of Jan & Feb 2023. The main activities for South Wairarapa have included working with support agencies (East Coast Rural Support Trust, MSD, MPI, Federated Farmers, etc) to continue to deliver:

- Rural health programme support (e.g. General Nurse sponsored to work in rural communities, working at community events to provide basic health checks. This allows important conversations to occur and where appropriate, referrals to more specialised medical support and/or mental health support)
- Ongoing co-ordination for delivery of community resiliency assets to selected rural and coastal communities through funding from MPI. These assets included water tanks, AEDs, solar battery resilient internet setups, tsunami evacuation zone life sustaining containers, etc. With the recent appointment of a WREMO Emergency Management Advisor Community Resilience and Recovery, re-engagement with communities is underway.
- Combined administration and distribution of recovery/hardship funds into the wider Wairarapa Community, particularly groups that are still supporting NIWE impacted individuals and groups in impacted communities
- Working with RST to provide fencing and other farm side support.

APPENDICES

Appendix 1 **Health and Safety Metrics 1st May to 26th July 2024** [↓](#) 

11.5 CAPITAL PROJECTS SUMMARY**Author:** James O'Connor, Manager, Community Operations**Authoriser:** Stefan Corbett, Group Manager, Infrastructure and Community Operations**File Number:** NA**PURPOSE**

To inform the committee about progress on a small number of key projects and to get a feel from the committee on the information they would like in future reporting. Feedback is being sought on reporting content in order to incorporate suggestions into a project management framework that is being developed.

DISCUSSION

The Community Operations Team are in the early stages of setting up a project management function to enable more rigour in planning, executing, monitoring, controlling, and closing out projects. This includes developing project management systems and business processes, and training staff in these disciplines.

However, in the interim we are mindful that the committee requires improved visibility on projects, so in the interim the attached reports have been developed. These are two-fold in both providing brief information on a few projects, but also seeking the committees feedback on what the content of such reporting could be.

APPENDICES**Appendix 1** **Community Operations Project Workplan - 2024-2025** [↓](#) 

11.6 ACTION ITEMS

Author: Amy Andersen, Lead Advisor, Democracy and Committees

Authoriser: Paul Gardner, Group Manager, Corporate Services

File Number: Not applicable

PURPOSE

To present the Committee with updates on actions and resolutions.

EXECUTIVE SUMMARY

Action items from recent meetings are presented to the Committee for information.

BACKGROUND

The Chair may ask the Chief Executive for comment and all members may ask the Chief Executive for clarification and information through the Chair.

If the action has been completed between meetings it will be shown as 'actioned' for one meeting and then will remain in a master register but no longer reported on. Procedural resolutions are not reported on.

DISCUSSION

Please refer to the report appendix.

APPENDICES

Appendix 1 Action Items to 14 August 2024 [!\[\]\(3964e7cab451b18d292f00a01f9d676c_img.jpg\) !\[\]\(fb9118eab06030a193f87986f8539119_img.jpg\)](#)

12 PUBLIC EXCLUDED BUSINESS**RESOLUTION TO EXCLUDE THE PUBLIC****RECOMMENDATIONS**

That the public be excluded from the following parts of the proceedings of this meeting.

The general subject matter of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48 of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution	Plain English reason for passing this resolution in relation to each matter
12.1 - Cybersecurity Report Final	s7(2)(j) - the withholding of the information is necessary to prevent the disclosure or use of official information for improper gain or improper advantage	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7	To protect the Council's IT security and infrastructure.

13 KARAKIA WHAKAMUTUNGA – CLOSING

Kua mutu ā mātou mahi
Mō tēnei wā
Manaakitia mai mā katoa
O mātou hoa
O mātou whānau
Aio ki te Aorangi

Our work is finished
For the moment
Blessing upon us all
Our friends
Our families
Peace to the Universe