

FISH & GAME NZ, SOUTHLAND REGION

AGENDA

**FOR THE COUNCIL MEETING
TO BE HELD 17 EYE STREET
INVERCARGILL**

THURSDAY 1st February 2024

COMMENCING AT 6.30 PM



Pierce Febery with summer success

NOTICE OF MEETING:

The next meeting of the Southland Fish & Game Council will be held on
Thursday, 1st February 2024
at the Southland Fish and Game Offices, 17 Eye Street, Invercargill,
commencing at 6.30pm pm.

AGENDA:

1. Welcome
2. Apologies.
3. Declarations of Interest.
Register circulated at meeting for Councilors to declare & sign if any conflicts of interest with agenda items.
4. Confirmation of Minutes.
 - Confirm Minutes of the SFGC Public meeting held 7th December 2023.
5. Notices of Motion.
 - Receive & accept Health & Safety report to 31 January 2024.
 - Draft Governance Code of Conduct.
 - Draft Prevention of Bullying and Harassment Policy.
 - Draft Drug and Alcohol Policy.
 - Draft Drug & Alcohol Procedure.
 - Organisational Strategy-Consideration of Southland adoption
6. Staff Report.
7. Councilor's Information reports.
 - Good Employer Obligations Legal Opinion
 - Process for managing bullying & harassment.
8. Administration Reports.
 - Accounts paid & Direct Credit/Debit payment list since last meeting.
 - Licence sales progress to 14 January 2024.
 - Budget to Actual progress to 31 January 2024.
9. NZ Council update-Dave Harris.
10. Items for the next agenda.
11. Closure of meeting.

Unconfirmed Minutes of the Fish & Game NZ, Southland Region Council meeting held at Waghorn's Woolshed, Waituna Lagoon on Thursday 7th December 2023.

Lindsay Withington (Chair) David MacGregor
Dave Harris Lyndon Norman
Corey Carston Stevie-Rae Blair
David Linklater

Present:

In attendance: Zane Moss (Manager), Corina Jordan (New Zealand Fish & Game CEO), Jacob Smyth, Ben Febery, Cohen Stewart, Ian Hadland (Otago F & G)

Steve McCartney (Minutes).

Members of the Public: One

1 Welcome:

The Chairman opened the meeting at 8.00pm and welcomed those in attendance.

2 Apologies:

Mike Hartstonge, Craig Horrell and Bill Jarvie.

Moved: D Harris. Seconded: L Norman. Carried.

3 Declarations of Interest:

The individual member declaration of conflicts of interest with any item on the agenda had been circulated to members before the start of the meeting.

Any conflicts were noted by the Chairman.

4 Confirmation of Minutes.

The minutes of the public meeting held 5th October 2023 were considered.

Resolved D Linklater/D Harris: That the minutes of the public meeting held 5th October 2023 were taken as read and were a true and correct record. Carried.

5 Notices of Motion

Health & Safety Report to 30th November 2023.

The Council Health & Safety report for the period was attached to the agenda for consideration. All known hazards were listed in the Southland Health & Safety Plan.

The meeting was advised that the health and safety plan had been reviewed and that the H & S Plan is provided to external contract providers, feedback from whom indicates our plan is robust.

Resolved M Turner/L Norman: That the Health and Safety Report to 30th November 2023, be received and accepted. Carried.

Designated Waters licence

The Athol Fishing and Hunting club were concerned about the beat system F & G introduced on the Mataura River. Whilst this matter was resolved it did highlight to staff that such management mechanisms may cause conflict in small communities. The possible introduction of Designated Waters Licensing on the Mataura River, perhaps including the Waikaia, may similarly cause upset with local anglers. Staff are seeking feedback from other regions in respect to offering DW licenses to locals (NZ resident) at no charge, on a national basis.

Moved D Harris/M Turner *To support staff approaching other regions for feedback in respect to offering regional designated waters licence free of charge. Carried.*

Gamebird Regulations for 2024 season.

The manager outlined the model Cohen had developed regarding the effect of soil moisture conditions on mallard populations. This model indicates that we are likely to have lower bird numbers this coming season, hence the recommendation to reduce the bag limit from 20 to 15. This was also in keeping with the formula Council had previously approved, taking into consideration factors such as the previous year's count, previous year's harvest, rainfall and brood counts. The season closure date is proposed to be 21st July, which would coincide with the end of the school holidays, something the Council had previously suggested. Shoveler harvest is proposed to be set at 1 drake. This is based on the national trend (given the mobility of the population), which suggests the population is at best stable. Staff had consulted with our Ngai Tahu representative, who supported a one drake limit.

Discussion from the floor centered around variances in population estimates and to a lesser degree, other regional harvest limits.

Moved D Harris/M Turner *To accept all of the staff recommendations for both bag limits and season lengths for the 2024 season. In favour 3, against 3. Chairman's vote 1 in favour. Carried.*

6. Staff Report

The manager reported that wetland work continues to increase. Dairy NZ are looking to fund a project (Edge of Field Interventions) in the Waimea catchment, which staff are involved in. Staff are also investigating a research project aimed at collecting data from wetlands (typical builds) in order to provide information to farmers in regard to nutrient budgeting.

SWALP – continues on.

Monowai jetty Project – pioneer have signed a licence to occupy. Staff have sought a renewal of the quotes for project materials.

SFGC attended the Environment Southland Awards evening where we sponsor the Environmental Action in Water Quality Improvement Fund. The winners were the Makarewa Catchment Group for risk management of winter crop sediment losses.

Draft Policy on setting National Policy.

Council's Information reports.

Letters to Composite developments and Britten Wynyard-Outdoor division regarding the results of the Women's Angler survey.

Letter to NZC chairman re feedback from SFGC.

Letter to the Athol Hunting and Fishing Club re their concern with the Upper Mataura beat system.

Email from Nathan Nelson thanking the Southland Fish & Game 'guy' for the YouTube videos on lures techniques in river along with the angler's access maps.

Administration Reports

Licence sales slightly behind target LEQ's. No other issues raised.

NZC items.

Dave Harris reported –

Dame Lynda Topp has been appointed as F & G's patron.

NZC had a presentation from DOC on Health and Safety.

Legal fund applications received were approved.

Research fund application – approval for Cohen regarding recreational Trout Fishing and Wellbeing in Aotearoa. Also, approval for Rasmus to attend a World Fisheries Conference.

Public excluded – F & G Magazines to continue.

Awarua Bay

Cr Carston enquired regarding Awarua bay. The manager advised that DOC want to close part a New River Estuary and all of Awarua Bay, but that the information came to us late o/a of DOC sending it to an incorrect email address. F & G will formulate an alternative plan and to this end have spoken with hunters who use the area and asking for their observations of Dotterel behaviour. This matter to be brought to council before the next meeting.

Items for next meeting

Executive positions renewal

Draft Governance code of conduct.

Consideration of the Organisational Strategy.

The meeting closed at 8.38 pm.

Chairman _____ Date _____

HEALTH AND SAFETY REPORT

Background

As part of its commitment to Health and Safety and providing a safe workplace the Southland Fish and Game Council requires a report at each meeting describing:

1. Implementation and adherence to the Health and Safety policy/manual – including H&S as an agenda item for staff & ranger meetings.
2. Monitoring and Reporting – in accordance with the Health and Safety plan;
3. Risk Management (identification and treatment) – any new issues or hazards that have arisen and how these have been addressed.
4. Training programme – information sharing and training of staff and volunteers;
5. H&S incidents – near misses or injuries sustained, plus updates on past events;
6. Recommendations.

31st December 2023 update:

1. Implementation and adherence to the Health and Safety Plan

The Council Health and Safety Plan & Policy was approved at the Council meeting held 9th June 2016 and the Plan reviewed annually by staff. The 2023 annual review has been completed. An updated Health & Safety policy was signed by the manager (as per our H&S schedule) and placed in prominent positions in the Invercargill and Te Anau offices.

Our Health & Safety plan has been reviewed in 2023. Staff are currently using the Health & Safety audit checklist (provided by NZ Council) to thoroughly go through all aspects of our H&S plan to insure it remains fit for purpose. Changes will be made to the Health & Safety Plan, hazard register and appendices as appropriate.

We have now produced a Health and Safety Performance Checklist to make sure we are covering everything we need to during H&S meetings. We have also produced a H&S review schedule which documents any changes/additions we make to any elements of our H&S processes. A newly developed H&S action register documents H&S actions which need to take place, who is responsible for the H&S action and when it is to be completed by.

The Health & Safety Policy sets out the commitment that the Council has towards the Health and Safety of all Fish and Game workers and visitors. A copy of the Policy is displayed in the entrance way to the offices in Invercargill and Te Anau for all workers and visitors to see. The Policy is to be reviewed every three years and the last review was 11th November 2021, the next review being due in November 2024.

- **Staff meetings include Health and Safety on the Agenda.**
- Staff are given an opportunity to raise any issues and as a team we develop a procedure to minimise the risk. All staff are made aware immediately of any new hazards identified.
- Staff training requirements pertaining to Health & Safety, is ongoing and reviewed annually.
- Tailgate forms are used when staff go out in the Field or Ranging, these are updated as new hazards are identified.
- The boardroom when used for a meeting (visitors to the site)- all persons attending the meeting will be given a verbal Health and Safety briefing by the Chairman – i.e. shown where all exits are in case of emergency and notified of any hazards in the area.

Monitoring and Reporting

Work Place Accident Register
as at 31st December 2023

Number of workplace injuries in 2023-2024 year	1
Number of workplace injuries in 2022-2023 year	0
Number of workplace injuries in 2021-2022 year	1

2. Risk Management (identification and treatment)

Health & Safety meetings with staff are held on a regular basis with minutes of the meetings taken.

Staff continue to supply the Office with work intention forms before any activities were undertaken with start and finish times and search times recorded.

Tailgate forms are signed off by workers prior to commencing activities to identify risks and hazards so that all members were aware of the hazards and the controls in place to minimise any risk. Tailgate forms were always being reviewed and necessary updates made.

Staff & Contractors are reminded to report any near misses and minor/major incidents and to update tailgate forms when any additional significant hazards were identified.

Contractors to Fish & Game are required to sign our H&S Plan & H&S induction checklist.

A vehicle safety check list has been developed to be filled out by staff during bi-monthly H&S meetings so any safety issues with vehicles are identified.

Additionally, a new safety interaction form has been developed to keep H&S in the forefront of the staff 's mind when conducting their work.

3. Training programme

A staff training schedule was ongoing to ensure all hazards that required specific training were identified.

4. H&S Incidents

Member of the public used a partially assembled access stile (in the garage) which collapsed. No injury, but potential for an injury event. 'Staff Only' access sign to be placed on entry doors.

5. Recommendations

Council receive and accept this Health & Safety report.

DRAFT GOVERNANCE CODE OF CONDUCT

Section	Governance
Contact/Owner	NZC HR
Last Review	New Policy
Next Review	
Approval	NZC
Effective Date	

1. PURPOSE

This Code sets out the minimum standards of conduct for all Councils and supports the values of Fish and Game NZ. Reflected in this *Code of Conduct* is the importance of trust and confidence in the relationship between Fish and Game Councils and their employees.

It is intended that this Code can be included in, or used as a template to update, the Council's current Governance Policies.

2. POLICY

Council Members are expected to act reasonably at all times in compliance with their Councils Standing Orders and Governance policies and taking into account the interests and welfare of other Members and Council staff and their obligations under the Public Sector Act 2020 to be a "good employer".

The "good employer" principle means that Councils must operate employment policies that provide for fair and proper treatment of employees in all aspects of their employment, including recruitment, development, diversity, remuneration and health and safety.

Members are expected to maintain the highest integrity, discretion and ethical conduct when performing their duties or representing the Fish and Game Council. Members are expected to exercise good judgement to determine what action should be taken in any given situation and be able to withstand scrutiny from internal and external parties.

3. EXPECTED BEHAVIOURS

1. Personal responsibilities:

- act in good faith
- act honestly and with integrity in all aspects of Council activity;
- respect the rights of others and treat others courteously and without discrimination or harassment and comply with Fish and Game's Bullying and Harassment Prevention Policy and Process;
- be respectful of, and responsive to all genders, cultures, values and beliefs;
- exercise reasonable care, diligence and skill at all times
- lay aside all private and personal interests in decision making

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- comply with relevant Fish and Game policies, processes, standards, Vision, Mission, values (The Fish and Game Strategy, including the Vision, Mission and Values are attached)
- understand the Council's responsibilities as a PCBU under the Health and Safety at Work Act 2015 and ensure that these requirements are adhered to and implemented.
- act in a safe manner to protect your health and safety and that of other Council members and employees of the Council, and comply with all Health and Safety policies and procedures.

2. External relationships:

- actively promote and support the Council and its decisions in all relevant fora
- act reasonably, honourably and in good faith when working with the fishing and hunting communities
- create and maintain positive relationships and networks with others.
- don't undermine other Members, the Council or Council staff in any media, including social media

3. Confidential information:

- be responsible for the security and confidentiality of any personal information that you have acquired;
- ensure that any information you have acquired through the Council is not used for personal advantage; and
- ensure that financial and non-financial information gathered by Fish and Game and your knowledge of its systems and processes is used solely to perform Fish and Game business.

4. Conflicts of interest:

- avoid or register any financial interest in any undertaking that could be seen to compromise your responsibilities to Fish and Game,
- do not allow personal relationships with staff or licence holders to affect or appear to affect the professional relationship with them; and
- when your personal views differ from those of Fish and Game, you must ensure that both your personal integrity and the integrity of Fish and Game are not compromised. If you are likely to find yourself in this situation, then you should discuss the matter with your Chair first.

5. Uphold the reputation of Fish and Game:

- act with integrity at all times;
- ensure your participation in political matters does not conflict with your duty to your Fish and Game Council and
- ensure your private activities do not reflect adversely on Fish and Game, on Fish and Game staff or key stakeholders.

6. Additional expectations for Members as Good Employers:

- Ensure that employment policies are in place that provide for fair and proper treatment of employees in all aspects of their employment
- Ensure that all practicable steps are taken to minimise or eliminate health and safety risks for employees. This includes bullying, harassment or mistreatment of employees.
- Be supportive of employees of the Council and do not criticise employees or the service provided by the Council and Management to anyone other than the Chair or Executive Committee
- Support the Chief Executive/Regional manager to implement the decisions of the Council but not interfere with the management of Council staff except where the CE/RM has breached employment policies or law
- lead by example and model the standards of behaviour expected of Council employees
- do not communicate privately with employees of the Council on matters which fall under the Council or Chief Executive responsibility in such a way as to threaten or weaken the relationship between the Council and the Chief Executive.

7. Miconduct:

- If any Member of the Council is disrespectful or uses offensive or malicious language at a meeting, the Chair has the authority to remove that member from the meeting, under the Standing Orders, if the member refuses to withdraw the comments or to apologise.
- Similarly, if a Member’s conduct is disorderly, the Chair may require that Member to leave the meeting (See Clause 3.4 of the Standing Orders)
- If a Member has strong views about a Matter that create a risk of bias, prejudice or pre-determination that is inconsistent with performing their duties in an impartial manner, they will be excluded from the meeting when that Matter is being discussed as per the Council’s Standing Orders or Conflict of Interest Policy
- As a last resort and following a fair investigation, the Minister may remove any Council Member from office for misconduct under Section 26ZA2 of the Conservation Act,

8. Other relevant information

- Code of Conduct for Crown Entity Board Members
<https://www.publicservice.govt.nz/guidance/code-of-conduct-for-crown-entity-board-members/>
- Council Standing Orders
- Council’s Governance Policies
- Health and Safety at Work Act 2015, Duties of a PCBU
<https://www.legislation.govt.nz/act/public/2015/0070/latest/DLM5976894.html>

To be signed with Oath of Office

I agree to abide by this Code of Conduct in all aspects of my Council activity

Signed: Date:

4. DOCUMENT MANAGEMENT CONTROL

Prepared by: Jane Hutchings, HR Business Partner
Owned by: NZC/NZC CEO
Authorised by: Fish and Game New Zealand National Council
Date Issued (for Consultation):
Next Review:

Prevention of Bullying and Harassment Policy

Section	Operational
Contact/Owner	NZC HR
Last Review	New Policy
Next Review	
Approval	NZC
Effective Date	

PURPOSE

The purpose of this policy is to:

- Show that unacceptable or unwelcome behaviours as set out below will not be tolerated
- make clear our commitment to being an effective and sustainable organisation with a culture of mutual respect
- provide you with the information you need to understand:
 - bullying, harassment and victimisation
 - how to prevent it
 - where this is not successful, how to report and resolve concerns

Support our values:

- Trust
- Inclusion
- Connection
- Service

This Policy applies to all Fish and Game NZ staff and Councillors

DEFINITIONS

Bullying

Bullying is unreasonable and unwanted, repeated and ongoing behaviour towards a person or group that can lead to physical and/or psychological harm.

This covers actions which a reasonable person wouldn't do in similar circumstances. It includes victimising, humiliating, intimidating or threatening a person.

Repeated behaviour can include a range of actions, which can be clear, direct and obvious, or more indirect and subtle. It can affect a person's dignity, psychological or physical integrity.

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A single incident isn't considered bullying but should be addressed by management, as inappropriate behaviours can escalate if ignored. Also, a single incident, if serious enough, can amount to harassment. See the definition of harassment in the next block of information.

Examples of bullying include, but are not limited to:

- threats
- intimidation
- physical violence
- shouting
- interfering with equipment or possessions
- excluding or isolating a person from colleagues or from work events
- 'ganging up'
- defamatory gossip
- unjustified criticism, such as a manager being unavailable to give feedback then finding fault with work not done as they wanted
- unjustified threats of dismissal
- unfair treatment
- public humiliation
- setting unrealistic deadlines, over-pressuring, over-working
- underworking, creating a feeling of uselessness
- removing responsibility without justification
- adding responsibility without justification
- changing targets or deadlines without justification
- any other means of undermining a person's right to dignity at work.

Workplace bullying is not:

- mutually acceptable, well-intentioned friendly banter, good-natured jokes and compliments
- friendships and relationships where the parties consent to the relationship
- issuing reasonable instructions and expecting them to be carried out
- warning or disciplining someone, including suspension or demotion, in line with our policy and procedures
- insisting on high standards of performance for core responsibilities, as well as in areas such as quality, safety, team cooperation, and attendance
- legitimate criticisms about work performance
- giving critical feedback, including in a performance discussion
- performance improvement or performance management processes
- disciplinary investigations
- robust discussion about issues or concerns in the workplace
- differences of opinions and non-aggressive conflicts
- a single incident of minor unreasonable behaviour.

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Harassment

Harassment is unwanted and unwarranted behaviour that a person finds offensive, intimidating or humiliating. The behaviour is repeated, or significant enough as a single incident, to have a detrimental effect on a person's dignity, safety and wellbeing.

Harassment can be physical, psychological, verbal or visual behaviour. As with bullying, harassment might be clear, direct and obvious, or more indirect and subtle.

This is most commonly sexual or racial harassment (both defined below) but can include other forms, such as:

- emotional harassment
- psychological harassment
- physical harassment
- derogatory comments directed at someone's status or role in the organisation.

Sexual harassment

Sexual harassment is any unwelcome or offensive sexual behaviour that is repeated, or is significant enough as a single incident to have a harmful effect on a person.

It can involve spoken or written material, images, digital material or a physical act.

Sexual harassment is unlawful under the [Human Rights Act \(1993\)](#) and the [Employment Relations Act \(2000\)](#). Sexual violation, any activity done without a person's consent, and indecent assault are unlawful under the [Crimes Act 1961](#).

Electronically (including online) sharing of sexual photographs, videos, rumours, comments or information about another person without their consent are unlawful under the [Harmful Digital Communications Act \(2015\)](#). This Act includes a new criminal offence to help tackle the most serious instances of bullying and harassment by people using digital technology. It is illegal to send messages and post material online that deliberately cause someone serious emotional distress.

The [Victims' Rights Act \(2002\)](#) ensures that if someone has suffered harm as a result of an offence of a sexual nature, they are to be treated with courtesy and compassion and have their dignity and privacy respected.

Examples of sexual harassment include, but are not limited to:

- offensive sexual remarks or jokes
- implied or actual threats of being overlooked for work opportunities or promotions if a person declines a manager's advances
- unwelcome touching, patting, or pinching by any personnel
- intentionally exposing or flashing private body parts
- being hassled for a date, regardless of acceptance, or being followed home or elsewhere by any personnel
- images or other material of a sexually explicit or offensive nature in the workplace, including in electronic form
- intrusive or unwelcome questions about a person's personal life.

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Racial harassment

Racial harassment is behaviour that is racist (about someone's ethnicity, colour, or national origin) and unwelcome, hurtful, offensive, belittling or threatening and is either repeated or serious enough to have a harmful effect on a person, and expresses hostility, contempt or ridicule.

Examples of racial harassment include, but are not limited to:

- offensive remarks or jokes about a person's race, colour, ethnicity or nationality
 - mimicking how a person speaks, e.g. if they have an accent
 - calling someone a racist name or using 'slurs'
 - racially offensive material in the workplace
 - deliberately mispronouncing a person's name
 - excluding or isolating a person because of their race, colour, ethnicity or nationality.
-

Discrimination

Discrimination is behaviour that results in a person being treated unfairly or less favourably than another person in the same or similar circumstances.

Under the Human Rights Act 1993 it is unlawful to discriminate based on:

- sex – includes pregnancy and childbirth, and discrimination against transgender and intersex people because of their sex or gender identity
- marital status – includes whether a person is or is not single, married, in a civil union, or in a de facto relationship, divorced, widowed, separated or with a domestic partner
- religious belief – not limited to traditional or mainstream religions
- ethical belief – not having a religious belief, whether in respect of a particular religion or religions or all religions
- colour, race, or ethnic or national origins – includes nationality or citizenship
- disability – including physical disability or impairment, physical illness, psychiatric illness, intellectual or psychological disability or impairment, any other loss or abnormality of psychological, physiological, or anatomical structure or function, reliance on a guide dog, wheelchair, or other remedial means, the presence in the body of organisms capable of causing illness
- age – people are protected from age discrimination if they are over 16 years old
- political opinion – the lack of a particular political opinion or any political opinion
- employment status – being unemployed, a volunteer, or being a recipient of a benefit under the Social Security Act 2018 or an entitlement under the Injury Prevention, Rehabilitation, and Compensation Act 2001
- family status – includes having or not having children or other dependants, being married to, in a civil union, de facto relationship with, or a relative to a particular person
- sexual orientation – being heterosexual, homosexual, lesbian or bisexual.

Unlawful discrimination covers a wide range of attitudes and behaviours, and

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includes discrimination against someone because of their past, present or assumed circumstances. For example, it is unlawful to discriminate against someone because they have a mental illness, have had one in the past, or because someone assumes they have a mental illness.

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Victimisation Victimisation means punishing a person, or negative behaviour or action towards a person because they were involved in a dispute or complaint (either as the person making the complaint or allegations, witness, support person, person complained about, or otherwise).

The Human Rights Act 1993 also protects all people from being victimised because they:

- were involved in a dispute
- supported another person to make a complaint
- contacted the Human Rights Commission about harassment or discrimination.

The Employment Relations Act 2000 also protects employees against victimisation of this kind.

Accountabilities

The Manager and the Council We will work to respond to and minimise workplace bullying, harassment and victimisation. We will do this by:

- establishing and promoting respect for the broad range of human values and character strengths required for Fish and Game NZ
- actively looking for ways to support positive workplaces that workers feel are pleasant, fair, rewarding and positively challenging
- encouraging positive leadership styles, and investing in and supporting all our personnel to achieve this
- training key personnel on how to receive bullying and harassment reports and give support and advice
- where appropriate, directing attention towards behaviour rather than people
- aiming to promote harmonious relationships across Fish and Game NZ
- giving workers who believe they've been bullied, harassed or victimised a range of options to resolve the issue and access support
- offering a range of solutions up to and including taking formal actions, where appropriate
- aiming to repair the working relationship and promote positive work values
- openly discussing bullying, harassment and victimisation in both formal and informal settings
- providing information and training about bullying, harassment and victimisation
- identifying factors that contribute to bullying, harassment and victimisation
- putting effective control measures in place to address those and prevent them from happening again
- ensuring our processes and systems for addressing bullying, harassment and victimisation are fit for purpose and reviewing them regularly.

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When dealing with an allegation of bullying, harassment and victimisation, we will:

- treat all matters seriously
 - where appropriate, investigate promptly and impartially
 - reasonably support all parties involved
 - find appropriate remedies and consequences for confirmed bullying as well as false reports
 - communicate the process and its outcome (though not necessarily any action taken against a person if that violates their privacy)
 - ensure confidentiality
 - apply the principles of natural justice
 - keep good documentation
-

Manager

The Manager agrees to:

- ensure personnel are clear on what their roles involve
 - intervene early to call out and deal with any unreasonable behaviour before it escalates
 - record and, where appropriate, investigate complaints fairly and in line with our policies and processes
 - not ignore issues raised
 - where there is a conflict of interest, defer responsibility to another manager, where appropriate
 - cooperate with investigations
 - look for informal solutions (self-help, giving feedback, mediation or facilitation) before escalating an issue to higher levels (such as investigation) where appropriate.
-

All staff

All staff agree to:

- tell their manager if they experience or see any bullying, harassing or victimising behaviours
 - if the manager is the person considered to be behaving in an inappropriate manner, tell another manager or HR
 - try low-level solutions (e.g. talking to the person initially, if safe to do so)
 - follow our informal or formal processes (**as outlined in the Process for Managing Bullying and Harassment**) when making a complaint
 - keep an eye out for other people and provide support when they see a person being isolated or experiencing reprisals.
-

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DOCUMENT MANAGEMENT CONTROL

Prepared by: Jane Hutchings, HR Business Partner
Owned by: NZC/NZC CEO
Authorised by: Fish and Game New Zealand National Council
Date Issued (for Consultation):
Next Review

DRAFT

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DRAFT DRUG AND ALCOHOL POLICY

Section	Operational
Contact/Owner	NZC HR
Last Review	New Policy
Next Review	
Approval	NZC
Effective Date	

1. PURPOSE

The purpose of this Policy is to:

- Demonstrate Fish and Game NZs commitment to health and safety and to outline our expectations and requirements regarding a drug and alcohol-free work environment, and also to provide a safe work environment for all employees.
- Provide advice and guidance to ensure that all employees fully understand their responsibility under this policy
- Outline our approach to prevention, education, screening and assistances with regards to drugs and alcohol in the workplace

2. POLICY

Being at work while impaired or at risk of impairment from drugs or alcohol is a serious health and safety risk.

Employees are strictly prohibited from:

- The use, sale, supply, transfer or possession of drugs unless use and possession are medically prescribed and do not impair or are a risk of impairment.
- Attending work with drugs or alcohol in their system, with levels above those set out in Appendix A of the Drug and Alcohol Procedures

3. Personal Conduct and Responsibilities

It is everyone's responsibility to identify concerns about health and safety at work. If an employee feels unsafe working with one of their colleagues because they suspect that he/she is in breach of this policy, they should refer the matter to their manager.

If an employee discloses they have a drug or alcohol problem that is affecting their work, Fish and Game encourages the employee to ask for help from their manager or Human Resources at an early stage (before the employee is the subject of testing), without fear of reprisal or disciplinary action.

Proactive disclosure of drug or alcohol problems will be kept confidential as a health-related matter.

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4. Drugs and Alcohol in the Workplace

Workplaces are defined as any place where an employee performs work related tasks, including (but not limited to) offices, Fish and Game vehicles and boats, places where field work is undertaken, travel between workplaces, training courses or conferences and accommodation provided by Fish and Game.

No alcohol may be consumed in the workplace, on or offsite, by any Fish and Game employee except, where formal staff functions have been arranged and approval is given by the manager. Alcohol may be consumed at social events at places and times designated in advance by Fish and Game. Employees and management are responsible for ensuring that all staff are able to get home safely.

No illicit or restricted drugs are to be brought into Fish and Game's workplaces at any time or consumed during work hours.

Legal drugs (prescribed by a medical practitioner) or non-prescription over the counter drugs are deemed to be acceptable as long as work duties and safety are not impaired.

Employees using legal drugs that might impair performance must immediately notify their manager prior to commencing work.

5. Enforcement of the Policy

Alleged breaches of the key requirements by Fish and Game employees may be investigated as serious misconduct. While a potential breach of the policy is being investigated, Fish and Game may:

- Apply a safety stand-down to an employee from employment, to enable an appropriate investigation to occur for health and safety/wellbeing reasons.
- Require the employee to undergo further drug/alcohol screening tests and return a negative result before returning to work
- Suspend the driving privileges of a Fish and Game vehicle or boat until the investigation is concluded.
- Temporarily assign modified or restricted duties.

Following an investigation, Fish and Game New Zealand may:

- Offer, at its discretion the opportunity for the employee to participate in a rehabilitation programme, and/or;
- Take disciplinary action up to and including summary dismissal

The nature and severity of the breach will determine the disciplinary action that is taken.

6. Search and Surveillance

In order to assist with achieving the objectives set out in this policy, Fish and Game New Zealand reserves the right to undertake searches for drugs and alcohol within any Fish and Game New Zealand property and/or workplace

Fish and Game New Zealand property includes offices, vehicles, boats, workstations and storage areas but does not include the employees' home or place of residence if it is used for flexible working or working from home.

7. Drug and Alcohol Testing

Fish and Game New Zealand may undertake drug and/or alcohol testing to ensure compliance with this policy.

The processes for drug and alcohol testing are detailed in the Fish and Game New Zealand Drug and Alcohol Procedure. Testing will be undertaken by a professional drug detection agency such as the TDDA.

Pre-employment testing

Prospective employees may be required to undergo pre-employment or engagement drug and

alcohol testing.

If a prospective employee returns a positive or non-negative result for the presence of drugs or alcohol, Fish and Game New Zealand may discontinue their application, or if the applicant has already been appointed, their employment or engagement may be stood down and/or employment terminated.

Post incident/event testing

If there is an incident, accident, near miss or property damage involving an actual or potential compromise of health and safety standards and an employee's actions, or lack of action, may have been a direct or indirect contributory factor (incident, accident or near miss/close call), then an alcohol and drug test may be required.

Reasonable cause testing

If Fish and Game New Zealand suspects on reasonable grounds that an employee is under the influence of drugs or alcohol. Reasonable cause may be based on a pattern of behaviour, actions or conduct. See Appendix B of the Drug and Alcohol Procedures for examples of behavioral indicators.

Fish and Game managers must carefully consider the grounds for suspicion and should seek advice before making a judgement as to whether reasonable cause has been established.

8. Employee Disclosure, Assistance and Rehabilitation

Employees will have access to assistance from Instep's Alcohol and Other Drug Programme.

If an employee discloses that they have a drug or alcohol problem that is affecting their work, Fish and Game New Zealand encourages the employee to ask for help from their manager or HR, at an early stage (before the employee is the subject of testing), without fear of reprisal or disciplinary action.

Proactive disclosures of drug or alcohol problems will be kept confidential as a health-related matter.

If the employee is not comfortable discussing the problem with their manager, they may contact another manager and Fish and Game New Zealand's Employee Assistance Programme (EAP) provider -Instep. Instep provide a free and confidential service, which is independent from Fish and Game New Zealand.

Fish and Game New Zealand will consider what reasonable steps it can take to assist an employee who proactively discloses a drug and /or alcohol problem, including referral to appropriate treatment providers.

If an employee returns a positive drug and / or alcohol test (as noted in Section 9) and subsequently discloses a drug or alcohol problem, Fish and Game New Zealand may take disciplinary action up to and including summary dismissal and/or any other actions available to it pursuant to this policy and the Fish and Game New Zealand Drug and Alcohol Procedure.

DOCUMENT MANAGEMENT CONTROL

Prepared by: Jane Hutchings, HR Business Partner
Owned by: NZC/NZC CEO
Authorised by: Fish and Game New Zealand National Council
Date Issued (for Consultation):
Next Review:

- ii. Adopt a Code of Conduct for Council and Committee members setting out clear expectations for their behaviour, along with a policy and process for dealing with alleged breaches of the Code. This could be based on the Local Government New Zealand template. It would be preferable to have a single Code applying across all Councils, using a template adopted by the New Zealand Council as national policy.
- iii. Pending the adoption of a Code, Councils should issue an instruction to Council and Committee members setting out expectations with respect to their behaviour.

Good Employer and Health and Safety Obligations

“Good employer” obligations

3. The New Zealand Council and regional Fish and Game Councils must comply with the principle of being a “good employer” set out in the Public Sector Act 2020.¹ A “good employer” is expected to operate an employment policy that provides for the fair and proper treatment of employees in all aspects of their employment.² This includes the following matters:³
 - a. The impartial selection of suitably qualified people for appointment;
 - b. Good and safe working conditions;
 - c. An equal opportunities programme;
 - d. Recognition of the aims, aspirations, and employment requirements of Māori and the need for greater involvement of Māori in the public service;
 - e. Opportunities to enhance individual employees’ abilities;
 - f. Recognition of the aims and aspirations, employment requirements, and cultural differences of ethnic and minority groups;
 - g. Recognition of the employment requirements of women;
 - h. Recognition of the employment requirements of people with disabilities;
 - i. Recognition of the importance of achieving pay equity between female and male employees; and
 - j. Recognition of the importance of decisions about remuneration being free from bias (including gender bias).

¹ Conservation Act 1987, sections 26G and 26T.

² Public Service Act 2020, sections 73, 74 and 75.

³ Public Service Act 2020, section 73(3).

4. Councils are required to have employment policies in place to address these issues.⁴ These employment policies would apply to the Council as the legal employer and to all Council employees, including the CEO/Regional Manager.
5. As Council and Committee members are not Council employees they would not be bound by Council employment policies. To address this, it is recommended that all Councils should adopt a Code of Conduct setting expectations of behaviour on the part of Council and Committee members, along with a policy and process to deal with alleged breaches.

Obligations under the Health and Safety at Work Act 2015

6. The “good employer” obligation to provide “good and safe working conditions” reinforces the Councils’ general obligations under the Health and Safety at Work Act 2015.⁵ Councils have a legal duty under that Act to take reasonably practicable steps to eliminate or minimise health and safety risks at work.⁶ The range of potential workplace health and safety risks is broad and includes bullying, harassment, and mistreatment of employees.⁷
7. Council and Committee members also owe individual legal duties under the Health and Safety at Work Act 2015:
 - a. As officers of the Council, Council members must exercise due diligence to ensure that the Council is meeting its duty to eliminate health and safety risks.⁸
 - b. As persons at a workplace, Council and Committee members must take reasonable care for their own safety, take reasonable care that their acts or omissions do not adversely affect the health and safety of others, and comply with any reasonable instruction given by the Council to enable the Council to meet its health and safety obligations.⁹
8. These duties apply to Council and Committee members even though their roles are unpaid and they are exercising statutory functions under the Conservation Act 1987.¹⁰
9. The potential penalties for breaches of the Health and Safety at Work Act vary.¹¹

⁴ Public Service Act 2020, section 73.

⁵ Health and Safety at Work Act 2015,

⁶ Health and Safety at Work Act 2015, s 36.

⁷ “Health” is defined to mean both physical and mental health: Health and Safety at Work Act 2015, s 16. For WorkSafe guidance on bullying as a health and safety risk see: <https://www.worksafe.govt.nz/topic-and-industry/bullying/>

⁸ Health and Safety at Work Act 2015, s 44. Section 44(3) of the Health and Safety at Work Act exempts members of regional councils and territorial authorities from compliance with the due diligence obligations. There is no case law on whether a member of a Fish and Game Council could establish that that exemption should also apply to them. Given the narrow framing of s 44(3), it would be prudent for Fish and Game Council Members to proceed on the basis that they are subject to the due diligence obligations.

⁹ Health and Safety at Work Act 2015, s 46.

¹⁰ Health and Safety at Work Act 2015, ss 17(2) and 51.

¹¹ While s 26ZB of the Conservation Act 1987 provides that no member of a Council shall be personally liable for any default made by the Council or one of its members in good faith during the course of operations, it is unclear whether this provision would protect a Councillor from liability as an officer under the Health and Safety at Work Act 2015. The relevant obligations under that Act are owed individually, rather than by the Council. In any event, to establish that s 26ZB should apply, a Councillor would need to show that his or her

Breaches by a Council can attract fines of between \$500,000 to \$3 million depending on their seriousness.¹² The most serious breaches by individuals attract fines of up to \$300,000 or up to five years' imprisonment.¹³ For lesser breaches, the maximum fines range from \$50,000 to \$100,000.¹⁴ It is not possible to insure against these fines, and a Council cannot indemnify individual Council or Committee members against them.¹⁵ Failure to ensure a safe working environment also presents a separate legal risk of an employee bringing a personal grievance against the Council.

Obligations under the Human Rights Act 1993

10. The "good employer" obligations with respect to diversity and "good and safe working conditions" also reinforce Councils' general obligations under the Human Rights Act 1993. That Act prohibits employers from discriminating on the grounds of age, gender, religion, race, ethnic background, sexual orientation, family or marital status, or disability.¹⁶ It also requires Councils to take steps to protect their staff from sexual or racial harassment.¹⁷ Failure to take appropriate steps may result in a complaint by an employee against the Council and payment of compensation.¹⁸

Political and organisational considerations

11. In addition to the above legal risks, bullying, discrimination, or mistreatment of employees could result in a Council member being removed from office on the grounds of "misconduct".¹⁹ It is also likely to undermine both the Minister's and licence holders' confidence in Councils and Council members. Poor treatment of employees additionally presents an organisational risk due to the well-established costs of recruiting and replacing an existing employee.²⁰

conduct was in good faith, which would be difficult in circumstances where the alleged breach was based on bullying or mistreatment of employees.

¹² Health and Safety at Work Act 2015, ss 47 to 49.

¹³ Health and Safety at Work Act 2015, ss 47 and 48. Note that under s 51 of the Health and Safety at Work Act 2015 an unpaid Council member cannot be fined for a breach of their duties as an officer, but can be fined for a breach of their duties as a person at a workplace.

¹⁴ Health and Safety at Work Act 2015, s 49. Breaches of the duties of an officer carry a maximum potential penalty of \$100,000 whereas breaches of the duty on a person in a workplace result in a maximum potential fine of \$50,000. Note that under s 51 of the Health and Safety at Work Act 2015 an unpaid Council member cannot be fined for a breach of their duties as an officer, but can be fined for a breach of their duties as a person at a workplace.

¹⁵ Health and Safety at Work Act 2015, s 29.

¹⁶ Human Rights Act 1993, s 22.

¹⁷ Human Rights Act 1993, s 68.

¹⁸ Either in the form of a personal grievance or as a complaint to the Human Rights Commission under the Human Rights Act 1993.

¹⁹ Conservation Act 1987, s 26ZA(2).

²⁰ See, for example, The Work Institute, *The Cost of Replacing an Employee*, which refers to estimated costs of employee turnover ranging from 33 to 200% of the departing employee's salary: <https://workinstitute.com/breaking-down-the-direct-costs-of-employee-turnover/>.

Recommendations

12. The best way to ensure that Councils, and Council and Committee members, comply with their “good employer” and associated obligations is for all Councils to:
 - a. Ensure that they have up-to-date employment policies in place that address the matters set out in paragraphs 3, 6 and 10 of this advice.
 - b. Adopt a Code of Conduct for Council and Committee members. The Code of Conduct should set out: clear expectations of behaviour on the part of Council and Committee members; and a policy and process for dealing with alleged breaches. It would be preferable for this Code to be identical across all Fish and Game Councils.²¹ Local Government New Zealand has produced a helpful Code of Conduct which could be used as a template.²²
13. Until a Code of Conduct can be implemented, Councils should consider issuing an instruction to Council and Committee members setting out expectations with respect to their behaviour. I envisage that those expectations would largely replicate the principles set out in the Local Government New Zealand template.²³
14. I hope that this advice is helpful. Please get in touch if you have any queries or you would like to discuss any aspect of this advice further.

Yours sincerely,



Elana Geddis
Barrister



Alison Gordon
Barrister

²¹ In the form of a template adopted by the New Zealand Council as national policy under s 26C(1)(a) Conservation Act 1987.

²² Local Government New Zealand, Code of Conduct 2022, available at <https://www.lgnz.co.nz/assets/Induction/Code-Of-Conduct-.pdf>.

²³ Including, for example, the expectation that councillors treat one another, Council staff, and members of the public with respect, and that they do not bully, harass, or unlawfully discriminate against any person including Council employees.

Process for Managing Bullying and Harassment

Section	Operational
Contact/Owner	NZC HR
Last Review	New Process
Next Review	
Approval	NZC
Effective Date	

Introduction

Raising concerns, as either the person making the complaint or allegations, or a bystander can be challenging. We are committed to ensuring that all employees who raise concerns are treated fairly and with respect, and to maintaining confidentiality as appropriate.

Principles for managing complaints

We have procedures in place for making and managing complaints to ensure we treat any complaint or query as confidentially as possible, take it seriously, and act on it promptly.

We prefer to provide options, appropriate support and appropriately tailored solutions, rather than taking a 'one size fits all' approach. For example, options can include:

- exploring informal solutions before taking formal action, if this is appropriate
- exploring informal solutions without requiring formal action, if this is appropriate
- proceeding straight to a formal investigation if necessary.

We will:

- apply the principles of natural justice
- treat all parties fairly
- respect and support all parties through the process
- take all practicable steps to prevent retaliation or victimisation against anyone who makes a complaint.

Raising and managing complaints

There are several methods for responding to bullying, harassment or victimisation. There's no need to start with self-help if another option is more appropriate.

Before raising concerns, it can be helpful to seek advice and support. Identify someone appropriate to tell as soon as possible – their accounts may also be used as evidence, and their advice and support may also help in other ways.

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It can be useful to talk with a trusted friend or advisor, or seek advice from a colleague, manager, HR, or counsellor (including EAP).

Another option is to contact a public sector agency or helpline, etc.

Take notes of incidents – names, dates, times, places, and witnesses – and your response. It is best to note these as close as possible to the time they occur, as they may be used as evidence in a formal complaint.

Sexual harassment complaints

It may be difficult to talk about sexual harassment:

- You may have experienced behaviour which you do not feel is appropriate but are uncertain if it is or could be seen as sexual harassment.
- You may be embarrassed about discussing this, or worry that you will not be believed, or that complaining might make the situation worse and that you might face repercussions for your working relationships.
- You may be worried that complaining could impact your role or impact others.

We take all complaints and disclosures seriously and are committed to empowering all personnel to feel safe to talk about and come forward when people behave inappropriately in the workplace.

Self-help

This option can be used to address issues at the lower end of the spectrum of concerning behaviours, or when a person making a complaint or allegations feels safe to have a face-to-face conversation.

- Act quickly – if possible, the person making the complaint or allegations should discuss concerns early with the person behaving inappropriately. Often, the earlier you call out behaviour, the easier it is to stop it.
 - Describe the behaviours. Be as objective and accurate as possible – describing specific incidents can help. Explain how the behaviour is affecting you, and ask the person to stop.
 - Explain the next steps – the person making the complaint or allegations should explain what they will do if the behaviour continues (such as formally report the behaviour).
 - Give the other person time to respond to your complaint – both parties should give the other person time to consider what has been said before discussing the best way forward. Some people need to think about what they've been told before they can respond to it. It's also hard for most people to hear they're doing something that is causing someone else discomfort or distress, and that can make them come across as defensive.
 - Behave appropriately – these are often difficult conversations to have and it's important for all parties to safeguard themselves by behaving appropriately no matter how the other person responds.
 - Engage enough support. This may mean that the person making the complaint or allegations talks to someone both before and after they talk to the person complained about. There is a list of support options at the end of this policy.
-

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Informal intervention

The person making the complaint or allegations should use this option when they need additional support or are not comfortable having a face-to-face conversation without a third-party present, but do not wish to make a formal complaint.

- First, if it's safe, the person making the complaint or allegations should speak to their manager about the conduct and seek their guidance on dealing with the situation.
- If their concerns are about their line manager, they can go to their Council Chair or one of the NZ Council staff for advice and support.
- They should consider speaking to a support person for advice or assistance.
- Use informal approaches such as facilitated meetings (generally through HR) to address the conduct effectively. This includes agreeing on a 'road map' for future communications.
- Make sure these outcomes are clearly documented to avoid any confusion about what has been agreed moving forward.

Formal intervention

Use this option:

- if self-help and/or informal intervention hasn't worked:
- in the first instance if the person making the complaint or allegations believes the behaviour is repeated or serious enough to have a detrimental effect.

There are different ways to make a complaint:

- Usually the person making the complaint or allegations can complain directly to their line manager, to their Council Chair or to HR.
- Depending on the circumstances and how the person making the complaint or allegations wants the matter resolved, a formal investigation may be initiated.

External intervention

If the person making the complaint or allegations is not satisfied with the outcome of self-help, informal or formal options, they can seek external intervention through the following organisations:

- the [Human Rights Commission](#) – for complaints about discrimination on one of the 13 grounds prohibited in the Human Rights Act (see [Definitions](#) > Discrimination, above) and for sexual or racial harassment
- [WorkSafe](#) – for complaints about a breach of the duty of care to take all practicable steps to provide a safe workplace, e.g. workplace bullying
- [New Zealand Police](#) – report all threats of violence, actual physical violence or other criminal acts to the Police as well as your manager
- the Ministry for Business, Innovation and Employment's [Mediation Services](#) – to help resolve employment relations problems:

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- between the employee and the organisation, or
- between two employees – if both parties agree, the employees can attend mediation to work out a way forward in which they can work together while upholding both parties’ rights
- Employment Relations Authority – for employees to lodge a personal grievance (PG) for claims such as unjustified disadvantage or constructive dismissal.

Note:

- This is for action against the employer, i.e. the organisation, not a person.
- The ERA will almost always require good faith attempts at mediation before it will hear and determine a grievance – employees should approach the mediation service first.

Anonymous complaints

- You can make anonymous complaints
 - in writing
 - in person with a manager or HR representative.
- We will assess each case according to its own circumstances.
- We can only investigate an anonymous complaint if doing so without naming the person making the complaint or allegations would be fair to all parties involved

Malicious complaints

If an investigation concludes that the person complained about did not behave as the person making the complaint or allegations alleged, we may investigate whether the complaint was frivolous, false or malicious. If we find that a complaint was frivolous, false or malicious, we may take disciplinary action against the person making the complaint or allegations.

Misconduct and serious misconduct

Conduct may amount to misconduct or serious misconduct if

- an allegation of harassment, bullying or victimisation is substantiated
- if any part of this policy or our Code of Conduct is breached.

We are committed to addressing breaches of this policy promptly and effectively by taking appropriate disciplinary action.

Potential outcomes

The outcomes of a breach of this policy will depend on all of the circumstances of the situation. Conduct that amounts to misconduct or serious misconduct will be addressed via appropriate disciplinary action.

Confidentiality

We will treat bullying, harassment and victimisation confidentially, as far as the circumstances allow. Parties to a complaint must maintain confidentiality, but may inform those with a genuine need to know e.g. a formal support person

We take breaches of confidentiality seriously. We may deem them misconduct or serious misconduct and take appropriate disciplinary action.

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How to make a complaint

Complaints in writing

To make a written complaint, email your manager, your Council Chair or HR with the following details:

- What happened?
- When and where did it happen?
- How did you respond at the time?
- Were there any witnesses?
- What was the impact on you?
- What resolution do you want to see?

It is best to complain in writing because:

- it helps us clearly understand the details
- it prevents us from misinterpreting any specifics
- it speeds up the process.

Verbal complaints

To make a verbal complaint there must be a record of the conversation – either:

1. someone must make a sound recording, or
2. the person receiving the complaint takes notes.
2. This record is transcribed or typed up.
3. The person making the complaint or allegations reviews the transcription to ensure the information is accurate and that it conveys all that they wish to convey to us.

This process can be time-consuming, and for this reason, we prefer written complaints.

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Bystanders and upstanders

Bystanders and upstanders

Bystanders and upstanders play an important role when they witness bullying, harassment, or victimisation:

- A bystander is someone who observes unacceptable behaviour.
- An upstander takes steps to help or support the person being harmed.

We expect you to speak up when you see unacceptable behaviour, where it is safe to do so, take responsibility for ensuring that the work environment is safe and team members are operating in a safe place.

Bystanders and upstanders have different options, depending on the circumstances. These include:

- Speaking with the person who was subjected to the behaviour and making them aware of their options
- Approaching the person who is displaying the behaviour and explaining what you have seen and why you do not feel that it is appropriate
- Raising the matter with a manager
- Reporting the issue to HR

Bystanders and upstanders should feel able to speak up to help us rid our workplaces of inappropriate behaviours.

It is not acceptable to:

- Support people initiating unwanted behaviour
- Turn a blind eye to unwanted behaviour and walk past it

If you have witnessed bullying, harassment or victimisation, advise an appropriate person immediately, and remember that support and advice are also available for you.

Links, resources and support

Sexual harassment

For those affected by sexual harassment, external support options include the [Safe to Talk](#) sexual harm helpline, which helps people to engage with local specialist sexual violence support agencies.
Instep EAP counselling : 0800 284 678

Mediation services

The Ministry of Business, Innovation and Employment provides free mediation services. When a party brings a personal grievance, it will be referred to mediation. It is not necessary to bring a personal grievance to gain access to the free mediation when there is a workplace relationship problem. The service mediates between employees, or between an employee and the organisation.

Contact Mediation Services on 0800 800 863 or visit their webpage <https://www.employment.govt.nz/resolving-problems/steps-to-resolve/mediation/>

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WorkSafe NZ

As the health and safety regulator, WorkSafe provides resources about managing health and safety risks. They can also receive complaints about breaches of obligations under the [Health and Safety at Work Act 2015](#) to take all reasonably practicable steps to provide a safe workplace.

Contact WorkSafe on 0800 030 040 or visit <https://worksafe.govt.nz/>

Human Rights Commission

The Human Rights Commission offers a free service to deal with both informal enquiries and complaints related to discrimination and racial and sexual harassment issues.

Contact the Human Rights Commission on 0800 496 877 or visit <https://www.hrc.co.nz/>

Office for Disability Issues

The Office for Disability Issues is the focal point in government for disability issues, supporting implementation of the United Nations Convention on the Rights of Persons with Disabilities and the New Zealand Disability Strategy.

Contact The Office for Disability Issues on 04 916 3300 or visit <https://www.odi.govt.nz/>

New Zealand Police

Report threats of violence, actual physical violence or other criminal acts to the Police:

- phone 111 for emergencies
 - phone 105 for non-emergencies
 - go to <https://www.police.govt.nz/>
 - go to your local police station.
-

Legislation

[Health and Safety at Work Act 2015](#)

We all have important responsibilities under the Health and Safety at Work Act 2015. We all have a duty to take reasonable care that our acts or omissions do not harm the health and safety of other people. Bullying, harassing or victimising another person is behaviour that can be harmful to a person's health and wellbeing. A person behaving in such a manner could be prosecuted and fined.

[Human Rights Act 1993](#)

[Employment Relations Act 2000](#)

[New Zealand Bill of Rights Act 1990](#)

[Privacy Act 2020](#)

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Steve McCartney

From: Ben Febery <bfebery@fishandgame.org.nz>
Sent: Tuesday, 19 December 2023 9:27 AM
To: Steve McCartney
Cc: Zane Moss
Subject: Fw: Upper Mataura Beat System
Attachments: IMG20231218095135.jpg

Morning Steve,

Can you please add this email exchange with the secretary of the Athol Hunting and Fishing Club to correspondence for the next Council meeting.

Also, can you include the attached image beneath it so that the councillors can see the sign that was collaborated on.

Thanks,
Ben

From: Eddie <e.p.h@xtra.co.nz>
Sent: Tuesday, December 19, 2023 8:52 AM
To: Ben Febery <bfebery@fishandgame.org.nz>
Subject: Re: Upper Mataura Beat System

Good Morning Ben,
Job well done. I think that was a good collaborative outcome between the Cub and Fish and Game for what we hope will be a better fishing experience.

Going forward I hope everybody respects those signs and their intentions but I don't foresee any issues

Thanks again and have a good break, no doubt with a spot of fishing

Merry Christmas
Kind regards Eddie

From: Ben Febery <bfebery@fishandgame.org.nz>
Sent: Monday, December 18, 2023 7:45 PM
To: Eddie <e.p.h@xtra.co.nz>
Subject: Re: Upper Mataura Beat System

Season's greetings Eddie,

Just wanted to let you know that I've done the rounds today and have put the signs up. I've added one to every beat sign upstream of Nokomai Gorge.

Profit and Loss

	2024	2024 OVERALL BUDGET	2023
Vehicles	13,785	-	32,311
Total Other expenses	35,944	-	113,809
Total Overheads	324,898	-	749,171
2005 - Depreciation	-	-	57,236
1534 - Pressure Sensitive Fisheries Compliance	30	-	-
Total EXPENSES	398,465	-	1,017,644
Operating Surplus/(Deficit)	563,163	-	718,988
Less other Expenses			
1843 - NZ Fish & Game Levy	(200,797)	-	(765,227)
Total Less other Expenses	(200,797)	-	(765,227)
Unmapped Accounts			
4243 - Contract Income	7,985	-	-
3006 - Designated Waters Licence Sales - Southland	5,689	-	-
Total Unmapped Accounts	13,674	-	-
NET SURPLUS/(DEFICT)	362,366	-	(46,239)

	2024	2024 OVERALL BUDGET	2023
Other Publications	-	-	223
1314 - Pressure sensitive fisheries	14,057	-	275
Training & R3	2,239	-	1,332
Total Angler & Hunter participation	23,265	-	25,098
Public interface			
Communication	2,192	-	2,555
Public promotions	-	-	43
Visitor facilities	217	-	803
Fish in schools programme	-	-	510
Total Public interface	2,409	-	3,911
Compliance			
Ranging	-	-	417
Ranger training	-	-	255
Compliance	2,565	-	5,359
Total Compliance	2,565	-	6,031
Licensing			
Commission	32,477	-	62,246
Total Licensing	32,477	-	62,246
Council			
Council meetings	2,106	-	5,217
Total Council	2,106	-	5,217
Planning & reporting			
Reporting	469	-	614
1834 - Audit Costs	8,776	-	8,492
1842 - National Liaison	278	-	161
1841 - Policy development/ Managers Meetings	-	-	50
Total Planning & reporting	9,523	-	9,317
Total Outputs	73,536	-	211,236
Overheads			
Employee related costs			
Salaries and wages	275,516	-	597,818
1923 - Fringe Benefit Tax	-	-	4,855
1921 - ACC Levy	-	-	1,640
Staff training & other expenses	2,726	-	8,926
KiwiSaver contributions	10,712	-	22,123
Total Employee related costs	288,954	-	635,362
Other expenses			
Communications & Consumables	5,447	-	16,960
Field equipment	278	-	6,854
General	7,822	-	31,318
Office equipment	2,427	-	6,173
Office premises	6,185	-	20,193

Profit and Loss

Fish and Game New Zealand, Southland Region For the year ended 31 August 2024

	2024	2024 OVERALL BUDGET	2023
REVENUE			
Fish and Game licence sales			
Fish Sales	944,416	-	1,052,944
Game licence	-	-	410,937
3005 - Non-Resident Licence Levy Revenue	198	-	76,388
Total Fish and Game licence sales	944,614	-	1,540,270
Interest			
4971 - Interest Public Trust	406	-	706
4971.1 - Interest Other	2,332	-	38,715
Total Interest	2,738	-	39,420
Other Income			
Diversion Scheme Game	-	-	2,100
Diversion Scheme Fishing	2,800	-	4,602
4531 - Fine Income (Courts)	319	-	840
4242 - MLC Fish Pass Management- Meridian	4,638	-	10,511
4533 - MPI - Biosecurity CCD programme	-	-	30,000
NIWA Monitoring	(16)	-	31,297
4211.1 - RMA Oncharge NZC Income	-	-	74,361
4941 - Rental - Te Anau Cottage	4,870	-	-
4947 - Rent - Office Space Eye St	750	-	1,952
Sale of Products	274	-	(721)
4161 - Put n Take Income	-	-	2,000
4532 - Eftpos transactions	641	-	-
Total Other Income	14,275	-	156,941
Total REVENUE	961,628	-	1,736,631
EXPENSES			
Outputs			
Species management			
Population monitoring	18	-	21,169
Releases	54	-	80
Total Species management	73	-	21,249
Habitat protection & management			
1212 - RMA Consents evaluation	-	-	348
1213 - ES Water & Land Plan Appeal	(612)	-	64,005
Assisted habitat	1,730	-	13,066
Assessing & monitoring	-	-	749
Total Habitat protection & management	1,118	-	78,168
Angler & Hunter participation			
Access	6,969	-	23,268

Farmlands - 5 litre garden sprayer	73.5
PGG Wrightsons - spray	266.44
Farmlands - gloves, mask, spray	167.85
outside sports - staff gear allowance - Dwight	149.99
Alloied Press - ODT 12 mths sub	186.3
Pak n Sav - coffee	32.45
Marine deals - rod tubes	64.98

Grand Total	\$167,160.28
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22/01/2024 Paymark ltd

\$21.74 EFTPOS mthly fee

15/01/2024	BNZ Visa	\$4,420.26	Garmin - Freedom Plan	25
			Te Anau Paper plus - Laminated planner	16.99
			NZTA - Rego trailer A440s	31.09
			Pak N Sav - coffee	21.87
			Brunel Peaks café - lunch Periphyton Volunteers	17.94
			Fresh Choice Te Anau - milk	2.55
			BNZ - a/c fee \$6.25 x 7 cards	43.75
			Mitre 10 Te Anau - sealing tape - salmon tank	6.91
			2 talk - prepaid calls	51.75
			Microsoft 365 - mthly sub	217.35
			The Batch Café - Cohen/ Health researcher m/tea	9
			NZTA - RUC for PRG681 (Dwight's truck)	772.44
			New World - vouchers	700
			Paper Plus - courier documents	19.79
			NZTA - RUC KTF247 (Bill's truck)	772.44
			PGG Wrightsons - protective overalls - spraying	33.98
			Fresh Choice - milk	2.46
			Garmin - Freedom Plan	25
			Order of Saint John - refresher course Zane/Cohen	350
11/12/2023	BNZ Visa	\$2,870.14	Countdown - catering supplies, Staff function	163.41
			Otatara 4 Square - catering supplies, Staff function	29.75
			Noel Lemming - Alkaline batteries	35.72
			Liquorland South City - Staff function	166.93
			Otatara 4 Square - gas bottle + supplies	61.24
			Pak n Sav - AGM catering supplies	75.45
			New world Windsor - Fish Futures - Cohen	21.09
			Go Wireless NZ - upgraded phone system	499.77
			E H Ball - Metalex clear for stiles	58.26
			PGG wrightsons - spray for willows	266.44
			Pak n Sav - groceries	37.33
			Pak n Sav - bait	21.99
			NZTA - rego renewal PRG681	207.83
			Hunting & Fishing InGill -line,bait,hooks	59.9
			NZTA - trailer rego - A613S	36.84
			NZTA - trailer rego - 165SM	31.09
			Microsoft - office 365 sub	217.35
			2Talk - prepaid landline calls	51.75
			Countdown - milk	3.55
			Clyde Stret dairy - drinking water o/a water 17 Eye st dirty.	10.24
			Paperplus Te Anau - pens	8.99
			Noel Lemming - Alkaline batteries	105.06
			Pak n Sav - coffee	21.87
			Noel Lemming - 9V battery	5.59

**SOUTHLAND FISH & GAME COUNCIL PAYMENT LIST FOR THE DECEMBER 2023 MEETING.
ACCOUNTS PAID SINCE THE LAST MEETING**

Direct Credits paid:

6/12/2023	Tenacy Services	\$800.00	Bond - Te Anau house
13/12/2023	Meridian Energy Ltd	\$96.89	power - Te Anau
13/12/2023	Meridian Energy Ltd	\$335.26	power - 17 Eye street.
20/12/2023	Aon New Zealand	\$1,037.01	Insurance premium - new truck
20/12/2023	Eastern Fish & Game	\$948.75	set up of EOY templates for Carmel
20/12/2023	Joss Stroud	\$200.00	cleaning 17 Eye Street
20/12/2023	Mararoa Motors	\$590.72	service PRG681 Dwight's truck
20/12/2023	Stihl Shop Fiordland marine	\$327.60	Bilge pump
20/12/2023	Automotive Solutions	\$518.26	Service NUF116 Jacob's truck
20/12/2023	Fiordland nurseries	\$119.75	servicing grounds Te Anau cottage
20/12/2023	F & G Auckland/Waikato	\$64.93	freight - Schools clay shooting shield
20/12/2023	Office products depot	\$70.35	Label writer labels
20/12/2023	Eastern Fish & Game	\$69.40	Xero mthly sub
20/12/2023	Balfour Gun Club	\$300.00	sponsorship - inter-collegiate shooting prize
20/12/2023	Fuji Xerox	\$153.97	Photocopies
20/12/2023	Noel Lemming	\$2,643.11	Laptop
20/12/2023	Office products depot	\$25.58	File fasteners
20/12/2023	Sally Gepp	\$14,800.11	SWALP
20/12/2023	Mararoa Motors	\$1,001.90	service KTF247
20/12/2023	inland revenue	\$15,649.88	PAYE
20/12/2023	Officemax	\$41.75	stationery
20/12/2023	Aramax Courier	\$9.00	freight charge on picture to Len Prentice
20/12/2023	Craigs design & Print	\$656.16	Letterhead
22/12/2023	Blake harper	\$100.00	overnight allowance
3/01/2024	BNZ	\$1.20	IBB fee
12/01/2024	Ford NZ	\$66,640.73	Purchase new ranger truck
15/01/2024	BNZ	\$14.76	Merchant fee
16/01/2024	Stuff NZ	\$235.99	Advert - AGM notice
19/01/2024	Inland revenue	\$28,058.21	PAYE
19/01/2024	Fuji Xerox	\$153.42	Photocopies
19/01/2024	Mararoa motors	\$50.00	WOF - trailer
19/01/2024	Rodgers Garage	\$145.35	refund duplicated fish licence sale - ESL issue.
19/01/2024	Eastern Fish & game	\$69.40	Xero mthly sub
19/01/2024	Speedy Signs	\$279.45	12 composite panels
19/01/2024	NZ Fish & Game Council	\$944.54	SFGC portion of Statutory Insurance premium
19/01/2024	BDO Invercargill	\$10,092.01	Audit fee
19/01/2024	OfficeMax	\$13.89	Stationery
19/01/2024	Paul Garbett	\$608.00	Wellbeing research project
19/01/2024	Paul Garbett	\$304.00	Wellbeing research project
19/01/2024	InGill Hunting & Fishing	\$339.15	refund duplicated fish licence sales - ESL issue.
19/01/2024	MA & CM Turner	\$342.00	Meeting travel
19/01/2024	NZ Fish & Game Council	\$636.96	Seaflux Charges Sept - Dec

Sub total **\$149,489.44**

Plus Direct Debits

28/11/2023	Eyede Solutions	\$2,544.00	fish sales
4/12/2023	One NZ Group	\$363.61	cellphones
11/12/2023	BP Oil NZ Ltd	\$2,697.72	fuel - fleet
20/12/2023	Velocitynet	\$244.00	Internet access
20/12/2023	Paymark Ltd	\$21.74	EFTPOS mthly charge
28/12/2023	Eyede Solutions	\$749.00	Fish sales
3/01/2024	One NZ Group	\$367.95	Cell phones
10/01/2024	BP Oil NZ Ltd	\$3,126.68	Vehicle fleet
22/01/2024	Velocitynet	\$244.00	Internet access

FISHING LICENCE SALES PROGRESS

Current season sales Fish 2023/2024			Current season sales Fish 2022/2023			Complete season sales 21/22		
Category	No Sold		Category	No Sold		Category	No Sold	
Whole season adult	2631	\$402,543.00	Whole season adult	2794	\$405,130.00	Whole season adult	3350	\$458,950.00
Whole season Jun	746	\$23,126.00	Whole season Jun	708	\$20,532.00	Whole season Jun	710	\$19,170.00
NR Adult whole season	475	\$125,400.00	NR Adult whole season	445	\$111,250.00	NR Adult	77	\$14,245.00
NR Junior whole season	24	\$1,200.00	NR Junior whole season	18	\$846.00	NR Junior	7	\$245.00
NR Child	10	\$500.00	NR Child	11	\$517.00	NR Child	0	\$0.00
NR Day Adult	617	\$22,829.00	NR Day Adult	419	\$14,665.00	NR Day Adult	95	\$3,325.00
NR Day Junior	21	\$462.00	NR Day Junior	8	\$168.00	NR Day Junior	2	\$42.00
NR Day Child	12	\$264.00	NR Day Child	7	\$147.00	NR Day Child	0	\$0.00
Local Area	257	\$31,354.00	Local Area	282	\$32,712.00	Local Area	288	\$31,680.00
Senior Loyal	553	\$71,890.00	Senior Loyal	560	\$64,960.00	Senior Loyal	582	\$67,512.00
Family	2168	\$429,264.00	Family	2365	\$444,620.00	Family	2545	\$453,010.00
Adult Day	672	\$16,128.00	Adult Day	693	\$15,939.00	Adult Day	1327	\$29,194.00
Junior Day	111	\$555.00	Junior Day	99	\$495.00	Junior Day	121	\$605.00
Short Break	246	\$13,530.00	Short Break	214	\$11,128.00	Short Break	423	\$20,727.00
Long Break	27	\$2,889.00	Long Break	16	\$1,616.00	Long Break	21	\$2,016.00
Winter Adult	0	\$0.00	Winter Adult	0	\$0.00	Winter Adult	107	\$8,774.00
Searun Salmon Card	183	\$915.00	Searun Salmon Card	243	\$1,215.00			
Designated Waters - Res	1696	\$8,480.00						
Designated Waters - NR	242	\$9,680.00						
TOTAL	10691	\$1,161,009.00	TOTAL	8882	\$1,125,940.00	TOTAL	9655	\$1,109,495.00
LEQ'S	7588		LEQ'S	7765		LEQ'S	8099	

LEQ TARGETS FOR FISH 2023/2024 = 9167

LEQ TARGETS FOR FISH 2022/2023 = 8617

FISH LICENCE LEQ'S ARE 82.7% OF TARGET. LAST YEAR AT SAME TIME 90.1% OF TARGET

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STHLD FISH LICENCE SALES AS AT 14 JANUARY 2024 ARE DOWN 4.1% ON LAST YEARS SALES AT THE SAME TIME.

NATIONALLY THE FISH LIC SALES ARE DOWN 3.5% ON LAST YEARS SALES TO THE SAME TIME

GAME LICENCE SALES COMPLETE SEASON

Current season Game 2024			Current season Game 2023			Final Game 2021 Sales		
Category	No Sold	31/07/2024	Category	No Sold	31/07/2023	Category	No Sold	
Adult WS	4522	\$443,156.00	Adult WS	4522	\$443,156.00	Adult WS	4735	\$464,030.00
Junior WS	488	\$11,224.00	Junior WS	488	\$11,224.00	Junior WS	462	\$10,626.00
Ad Day	37	\$851.00	Ad Day	37	\$851.00	Ad Day	30	\$690.00
Jun Day	2	\$16.00	Jun Day	2	\$16.00	Jun Day	1	\$8.00
Child WS	169	\$676.00	Child WS	169	\$676.00	Child	179	\$716.00
TOTALS	5218	\$455,923.00	TOTALS	5218	\$455,923.00	TOTALS	5407	\$476,070.00
LEQ'S	4672		LEQ'S	4261		LEQ'S	4858	

LEQ TARGETS FOR GAME 2023/24 = 4672

LEQ TARGETS FOR GAME 2022/23 = 4261

GAME LICENCE LEQ'S ARE CURRENTLY 88.14% OF TARGET.

LAST YEAR AT SAME TIME 102.6% OF TARGET

STHLD GAME LICENCES AS AT 31st AUGUST 2023 ARE DOWN 2.1% ON LAST YEARS SALES AT THE SAME TIME

NATIONALLY THE GAME LIC SALES ARE DOWN 1.3% ON LAST YEARS SALES TO THE SAME TIME