

Francis Independent External Review

Progress Report Number One

Being safe, feeling safe

New Zealand Police has a clear purpose: to ensure everybody can be safe and feel safe – and that starts with our own people. To perform at our best, our culture needs to be positive, safe and healthy.

In late 2019 an independent external review was commissioned to see whether Police had appropriate systems and processes to prevent and respond to bullying. The Francis Independent External Review provided a clear picture of what is working well within Police, and where we could do better, benchmarking our processes against positive workplace standards across the public service. Thirty recommendations were made for improving Police systems and processes in five interconnected areas:

- ▶ Effective leadership;
- ▶ Explicit behavioural standards and a considered approach to cultural health;
- ▶ Positive cultural drivers in the employee lifecycle;
- ▶ Safe and secure processes for disclosure and skilled support for staff; and
- ▶ Effective complaint management and resolution.

Police accepted all of the recommendations, although implementation has been impacted by Operation COVID-19. As a result, we have initially focussed on the 17 recommendations that can be actioned effectively in the current environment.

Progress on these recommendations has been swift and significant. In the last six months we've:

- ▶ Transformed our recruitment and appointment process, with the launch of Talent Pathway on 31 August. Our new system is simpler, fairer and more transparent.
- ▶ Launched our inaugural Leadership Development Programme through the Continuous Education Programme (CEP) on 3 August. This will equip our leaders with support on coaching and reflective practice.
- ▶ Undertaken three pulse surveys and one dedicated Culture Survey, to better understand the experience of our people working within Police and how to improve it.
- ▶ Completed the necessary work to pilot our new people-centric restorative practice approach as part of reforming our disciplinary process.

Our aim is to have all of the recommendations completed by 30 June 2021. This report outlines our progress over the past six months as part of our ongoing transformation. We'll be releasing quarterly progress reports in future to keep you informed, as we make Police an even better place to work.

Andrew Coster

New Zealand Police Commissioner

Effective leadership

THE FRANCIS REVIEW SAID

Recommendation 1

Ensure that there is no tolerance for misaligned behaviours or inappropriate leadership styles at senior levels.

Recommendation 3

Develop Leadership Success Profiles (LSPs) for each developmental level of the Police framework.

Recommendation 4

Support formal, course-based leadership development with on-job training elements to ensure continuous skills refreshment.

Recommendation 6

Further embed the PHPF culture conversations by equipping all Sergeant, Senior Sergeant and Inspector level staff with practical training in coaching skills, to ensure consistent, high quality conversations.

The issue

To achieve a high performing, safe and positive culture, our leaders must lead by example, consistently demonstrating high personal integrity. They need a clear picture of what is expected of them and what a successful leader looks like. They also need training and support to coach their teams to perform at their best.

Our response

Senior leaders must live the values

This work is being led by Commissioner Coster, through the Be first, then do priority, which is at the centre of our refreshed strategy (comprising Our Business, Plan and Priorities). In strengthening who we are as an organisation we are focused on:

- ▶ Our people (ensuring they are safe, valued, fair and reflective);
- ▶ Our leadership (creating an environment where we live our values and are inclusive. We will enable everyone to be their best using Police High Performance Framework - PHPF); and
- ▶ Our culture (encouraging a collective effort for shared outcomes, and enabling our people to bring humanity to every interaction).

The Be First, Then Do Strategy and Action Plan, led by the Leadership and Capability Group, will help us deliver on this

priority and Our Business. The Executive is role modelling our new approach and using the monthly PHPF culture conversations to help embed it. At a district level, the Commissioner is meeting with every District Leadership Team to talk to his aspirations and priorities, where Be first, then do is at the forefront of discussions. At a leadership level, Be first, then do and our refreshed approach to leadership and culture is incorporated into our Continuous Education Programme (CEP).

Defining what great leadership looks like

Our Leadership Success Profiles set out what good leadership looks like at every level within Police alongside the positive behaviours, attributes and technical competencies our people need to operate successfully. We've reviewed the Profiles and have included the new competencies of Inclusion, Reflection, Curious and Calm. The System competency has become 'System Leadership', in line with the Review findings, and aligned to best practice across the public service.

As part of the Be First, Then Do Strategy, we're also looking more closely at the personal attributes and behaviours in our Core Competencies to ensure they truly underpin Our Values and enable our people to deliver on Our Business. We expect to re-launch the updated Core Competencies (with updated Leadership Success Profiles and enhanced attributes and behaviours) in the coming months.

Enhancing our leadership ability

Through CEP and the PHPF, we're enhancing the leadership ability of our entire workforce. On 3 August 2020, we launched the inaugural CEP 12-month Leadership Development Programme, focussing initially on first-line leaders at Acting Sergeant/Sergeant and Police employee equivalent levels. 'Coaching' is at the heart of our Leadership Development Programme and our leaders will be equipped with practical techniques and feedback tools drawn from international best practice and models (including DESC, GROW and SCARF*). The programme will give our leaders confidence to apply our high performance tools, and to coach their people and teams on an everyday basis. This includes being able to have authentic, regular, consistent and high quality conversations. All 14,000+ of our people will be trained in coaching as the CEP Leadership Development Programme is rolled out. The next programme for Manager/Leaders (Acting Senior Sergeants, Senior Sergeants and Police employee equivalents) will commence in November 2020. The Leadership Development Programme is being overseen by a standalone governance committee, and will be independently evaluated.

* DESC (Describe, Explain, Suggest, Consequence), GROW (Goal, Reality, Options, Way-Forward), SCARF (Status, Certainty, Autonomy, Relatedness, Fairness).

Explicit behavioural standards and a considered approach to cultural health

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Recommendation 9

Undertake more frequent pulse surveys or real time feedback exercises on behavioural matters, including bullying, to take more frequent temperature checks and help focus deeper investigations.

Recommendation 27

Encourage greater use of exit interviews, share pattern data and ensure follow up to respondents.

The issue

The Francis Review acknowledged the work we have done to shape and sustain a positive culture, but that we needed to be more deliberate about keeping our values alive and being clear about the behaviours we expect. The Review said we could do more to give our increasingly diverse workforce a voice with regards to raising bullying or other breaches of values. More frequent, targeted surveys on matters of concern would be more useful. The Review also pointed to the value of exit interviews as an organisational health check.

All future surveys (involving our people, partners and the public) will be centralised within our Evidence Based Policing Centre. The insights gained from these surveys will be treated as critical command information and shared across Police to enhance decision-making. All survey results will be made available to our people and follow up actions will be the responsibility of an executive sponsor, with oversight from the appropriate executive governance or sub-governance group.

Our response

Checking in on our health as an organisation

We're committed to understanding our peoples' experience of working for and within Police and to addressing the issues our people raise in a timely, tangible and transparent way. Since April 2020, we've run three pulse surveys to check on our peoples safety and wellbeing during Operation COVID-19 and on how our refreshed organisational Strategy (comprising of Our Business, Our Plan and Our Priorities) was landing. We've also completed over 1000 induction and exit surveys to better understand why people join and leave Police and what can be done to make Police an even better place to work. The results have informed our Wellbeing Strategy, and the Flexible Working Action Plan and have helped shape our communications to staff around Our Business. More recently, we've just completed a whole-of-organisation survey on our workplace culture.

Positive cultural drivers in the employee lifecycle

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Recommendation 12

Ensure that all recruitment processes at all levels include consideration of personal attributes and behaviours.

Recommendation 14

Revamp the internal appointments processes to reflect talent management changes, increase the use of objective data (such as upwards feedback) and to reduce bias (such as the use of blind shortlisting or external panels).

The issue

To prevent bullying, protective elements need to be embedded in employment processes, from recruitment to exit. The Review also noted that there was scope to develop much more rigorous and consistent talent mapping and management processes. All staff need to know how they are viewed by the organisation and to be able to anticipate progression pathways, development and succession opportunities.

Our response

A fairer, more transparent recruitment and appointment process

As a result of staff feedback we've transformed our system by launching Talent Pathway. This is a new recruitment and appointment process that is simpler, fairer and more transparent. It was tested, as part of the development phase, on 1000 roles across districts and service centres and rolled out in August 2020.

New features of Talent Pathway include: a centralised recruitment model staffed with specialists who will partner with leaders to facilitate appointments; enhanced assessment and short listing; a national register for interview chairs and panel members; unconscious bias education and training; removal of the requirement for CVs for internal applicants; support for candidates for

interviews, including feedback after interview; automated reference checking, with verbal checks for senior or nominated roles; and a holistic view and assessment of candidates' state of mind, behaviours and attributes throughout the process.

We are also looking at introducing new rules around the use of Expressions of Interest (EOI) specifying how EOIs must be advertised and requiring any EOI over 12 months (initially) to be facilitated by the Talent Pathway team.

At this stage we are not using 'blind shortlisting' as evidence shows that blind shortlisting alone does not reduce unconscious bias or guarantee a more diverse workforce. Instead, we are reducing bias in a more holistic way throughout the entire recruitment and appointment process. For example, there is a dedicated centralised team of recruitment experts trained in identifying bias and how to mitigate it.

We'll be surveying panel members and applicants regularly to ensure our new approach is fit for purpose, and undertaking formal implementation reviews every three months for the next 12 months. These will include further consideration of blind shortlisting, and the possible introduction of other tools, such as 360 degree feedback, for designated and/or senior roles.

Safe and secure processes for disclosure and skilled support for staff

THE FRANCIS REVIEW SAID

Recommendation 18

Replace the current Speak Up channel with an externally hosted helpline staffed by trained professionals who utilise a 'victim first' approach to provide initial advice on HR or wellbeing matters, undertake triage and assist staff to access additional care as required.

Recommendation 21

Refresh and re-communicate internal policies on bullying, harassment and discrimination.

Recommendation 22

Clarify and re-communicate the formal processes for making a complaint under the Protected Disclosures Act

The issue

It is essential that we have safe and secure channels for disclosure and skilled support for victims or complainants. Speak Up was established as the primary channel for reporting bullying but, in its current form, suffers from a number of problems. People making complaints need more support and may not feel their safety is being prioritised. At the same time, current policies around harassment and discrimination and the Protected Disclosures Act need to provide clearer guidance to staff.

Our response

A new internal system to manage and address bullying where it occurs

We've consulted with a range of public sector organisations to gain insights into how they manage and address bullying. Most agencies use an in-house model similar to Speak Up as part of their prevention and management system. We think a new internal model, with appropriate end-to-end support, is the best option for our people. The new system will be based on best practice across the public service and will address all of the learnings from the 2019 review of Speak Up as well as the Francis Review.

An internal model ensures that we're responsible for our people's health, safety and wellbeing. It allows us to provide the appropriate level of holistic support to the parties involved, and enables us to work with our

people in a restorative way to resolve issues quickly – at a level commensurate with their seriousness – before they escalate. It will also ensure that our people get the necessary oversight, monitoring, consistency and feedback.

Outsourcing would make it difficult to implement other Review recommendations including centrally or regionally 'hubbed' triage centres for receipt of complaints files, categorisation decisions and commissioning of investigations, and establishing a centralised case management centre for all internal complaints.

People will still be able to make anonymous complaints to an external agency for very serious issues. These include Service Unions, the Employment Relations Tribunal, WorkSafe New Zealand, the Public Service Commission, and the Human Rights Commission.

We've discussed this change with the review author, Debbie Francis, who supports our intent and approach. We hope to trial aspects of the new system, as part of the restorative practice pilots, to ensure our approach is fit for purpose.

Effective complaint management and resolution

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Recommendation 24

Establish a central or regionally 'hubbed' triage centre for receipt of complaints files, categorisation decisions and commissioning of investigations.

Recommendation 25

Adopt restorative justice principles as the default approach to complaints relating to interpersonal behaviour, with more formal approaches only used in serious cases or if restorative approaches have failed.

Recommendation 26

Create, on a consistent model, interdisciplinary teams at District level, including wellbeing, HR and other support providers, agree service standards, information sharing protocols and risk assessment approaches for high needs staff.

Recommendation 28

Establish a centralised case management centre for all internal complaints files (on the model of the case management system used for operational policing) and provide regular updates to complainants on the progress of their files.

Recommendation 29

Develop a specialist internal team of investigators, trained in employment law, to undertake formal investigations into disciplinary matters and ensure members work to consistent processes and timelines. Support these teams with consistent moderation and quality assurance mechanisms, perhaps provided by external advisors.

Recommendation 30

Agree the governance and accountability arrangements for actioning these recommendations, including a single Executive sponsor.

The issue

The Review noted that current HR systems and processes for managing and investigating complaints were disjointed and inconsistent. Responsibilities and process handoffs were unclear in and across districts, between districts and headquarters, and between internal functional groups and between Executive sponsors. Also, seemingly minor performance or conduct issues were being escalated into protracted and formal disciplinary processes where better outcomes may have resulted from earlier and lower-level interventions. The disciplinary process needed to be redesigned. A restorative practice approach was recommended, with formal investigations reserved for more serious cases.

Our response

A people-centred, safe and responsive disciplinary process

We're addressing Recommendations 24-26 and 28-29 from the Francis Review as part of our Disciplinary Process Project. In the last six months, we've been working closely with staff and key stakeholders, including the IPCA, to prepare to pilot our newly-designed disciplinary process. This will introduce a new people-centric model with multiple pathways, restorative practice and appropriate resolutions. The pilot will be supported by new policy, guidance, and training.

The new process is based on five guiding principles:

- ▶ Te Pūtahi o te Tangata (people centric),
- ▶ Whakawhirinaki (trusted),
- ▶ Whaiwhakaaro (responsive),
- ▶ Tikanga Haumaru (safe), and
- ▶ Noho Haepapa (accountable).

Locally-focussed Employment Resolution Teams (ERTs) will manage cases and provide advice and guidance to all parties. This will include facilitating access to specialist support services. A team of trained and dedicated investigators will undertake employment and criminal investigations.

The pilots will run for six months starting from November 2020. There will be a phased rollout, with each new pilot commencing fortnightly. Pilots will be evaluated and options examined for a national rollout. The eight pilot sites are: Auckland City, Bay of Plenty, Eastern, Wellington, Canterbury and all Emergency Communications Centres in Northern, Central and Southern.

What's next?

The Executive Leadership Team will continue to monitor implementation of the recommendations of the Francis Review, with the Organisational Capability Governance Group providing oversight and direction of the relevant initiatives within Police. The next quarterly progress report will be released in December 2020. For more information, visit police.govt.nz or email: HighPerformanceTeam@police.govt.nz

