



Updated: 28 March 2022

Professional Standards consultation

Frequently Asked Questions (FAQs) – these will be updated throughout the consultation period

Member Consultation Process

1. What will happen with member feedback?

All feedback will be considered. A summary of recommended changes to the three policies will then be given to the Membership Advisory Panel (MAP) for their consideration prior to being submitted to the Board for approval. A summary of the membership's feedback as it relates to improving the policies and the changes made, will be made available.

2. When do we expect the policies to be effective and the Disciplinary Committee to be established?

At this time, we expect this to around May/June 2022.

3. Why is the membership being consulted on the 'Employee code of conduct, disciplinary processes, and procedures Policy,' when that is an employment matter?

The Association's goal is to align all Codes of behaviour. To help with that process, and for transparency, the Association is providing members with an opportunity to comment on all three policies.

UFBA Disciplinary and Complaints Committee Processes and Policy

4. Clause 17 - are there any circumstances in which Fire and Emergency NZ or a Brigade Leader would be notified about a complaint or grievance involving a member?

The agreement between FENZ and the UFBA may require the UFBA to notify FENZ of membership disciplinary action where that action may involve FENZ, or has the potential to bring FENZ into disrepute. Privacy law constraints apply.

5. Clause 29.2 - what does the term 'double jeopardy' mean?

The placing of a person on trial for an offence for which he or she has previously been put on trial for, for a valid charge. It prevents an accused person from being tried again

on the same (or similar) charges following an acquittal. It protects a person from an abuse of process.

6. Clause 32.1, 34, 38.1, 58.1 - what does the term 'natural justice' mean?

It refers to a process that is impartial, fair and reasonable, with people allowed an opportunity to present their case where their interests and rights may be affected by a decision. It is where decisions are made on the logical proof or evidence, after a balanced and considered assessment of the information without favouring one party over another.

7. Clause 32.8 - if the complaint involves a UFBA employee, is the complainant entitled to those parts of the report that relate directly to them?

No. The Disciplinary Committee is for matters that involve members (not employees). If however, the member is also an employee, it would depend on if the complaint is about their role as a member, or as an employee. If the complaint involves an employee, then employment procedures are invoked, not this process because the Employment Relations Act provides systems and protections to employees that must be implemented. A complaint made about an employee must be made under the Employee Code of conduct, disciplinary processes, and procedures Policy.

8. Clause 33 - what are the grounds for a complaint to be considered vexatious or malicious?

The process recognises that while anyone can bring a claim against another person or the Association, not all claims have merit or should proceed. A vexatious or malicious claim is made for the sole purpose of harassing, upsetting, or injuring another party, through, for instance, continuously bringing claims against them, or bringing various claims for different issues that are not based on facts or have no merit.

9. Clause 40.2 - what might a censure involve?

Where a member's actions are judged by the Disciplinary Committee to have breached the Code of Professional Membership Behaviour, access to membership benefits may be restricted for a period of time, or the membership may be cancelled.