



LEGISLATIVE ASSEMBLY
of BRITISH COLUMBIA

Legislative Assembly Management Committee

***Workplace Review
Information***

February 21, 2019

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Debbie Francis, *Independent External Review of Bullying and Harassment of Staff in New Zealand's Parliamentary Workplace*, (still underway).

LAMC Motion Adopted January 21, 2019

“that the Acting Clerk develop a framework for a workplace review of the Legislative Assembly departments, subject to criteria to be determined by the committee, in order to address matters raised in the report by the Speaker.”

Workplace Review



LEGISLATIVE ASSEMBLY MANAGEMENT COMMITTEE INFORMATION NOTE: WORKPLACE REVIEW

On January 21, 2019, the Legislative Assembly Management Committee (LAMC) adopted the following motion:

“That the Acting Clerk develop a framework for a workplace review of the Legislative Assembly departments, subject to criteria to be determined by the Committee, in order to address matters raised in the *Report by the Speaker*.”

The term “workplace review” was not further defined or described by LAMC. It potentially covers a range of issues encountered in a workplace. Without further information it is difficult to develop a review that is responsive to LAMC’s motion and the concerns that led to it. However, the reference in the motion to addressing matters raised in the *Report of the Speaker* suggests there are two broad aspects to LAMC’s motion:

- A) A mechanism for the receipt of allegations of misconduct, the investigation of those allegations and the reporting of the results; and,**
- B) A broader report on the current working environment for Legislative Assembly staff which may include:**
 - **Human resources policies and practices, including hiring, remuneration, performance management, and termination;**
 - **Workplace environment, management and culture, including standards of conduct and ethics; and**
 - **Governance and accountability frameworks, including reporting structures and oversight.**

Aspect (B) of the workplace review may require further analysis in order that it:

- Focus on the matters of greatest importance to LAMC.
- Not interfere with the police investigation.
- Not duplicate the current Auditor General review, but rather leverage the outcomes of those reports as produced.
- Be scheduled so as to take into account the capacity of the administration of the Assembly to be subject to multiple investigations and reviews at the same time.

What is a Workplace Review?

Workplace reviews are generally described as a broad environmental scan of a workplace used to assess the overall health of an organization. The opportunity to discuss issues can be seen as positive and cathartic for participants in the review process. It can also be encouraging for employees to see that the

employer values the opinion of all staff and is committed to exploring workplace issues and culture. The data from a workplace review is broader and provides rich information that can inform forward-looking recommendations and actions for organizational improvement as well as highlight positives that may already exist.

A workplace review is most effective and produces the richest data when employees feel comfortable participating in a candid manner. A review undertaken by an individual that is independent of the organization, and voluntary participation on a confidential basis, are ways to encourage this type of participation.

Workplace Review Best Practices

A literature survey of workplace reviews indicates that such a review could be based on the following five principles:

1. **Transparency**- to ensure that the purpose of the review is clear and the outcomes are shared with everyone (participants, employees, management).
2. **Voluntary participation**- to ensure that participants' comments are not guarded or calculated.
3. **Confidentiality**- to ensure that individuals feel comfortable speaking freely without fear of being identified. Participants should not be identified and the contents of the report should be non-attributable.
4. **Inclusivity**- to ensure that there is no attempt to hide information and all information is considered. It should be open to all employees and management who want to participate (can be inclusive of former employees as well).
5. **Independence**- generally carried out by an external reviewer to remove any perception of bias and strengthen the validity of the process' findings.

*Note: any specific illegal actions or serious breaches of policy that may be identified during the course of a review are directed to the proper channels.

Preliminary considerations

To guide the development of a robust framework for the workplace review, the following questions have been prepared for the Committee's consideration:

Objective

What does the Committee view as the overall objective of the workplace review?

- To establish whether, and if so to what extent, specific allegations brought forward by current and former employees are founded and move forward with restitution where appropriate?
- To identify any themes and patterns with respect to operations of the organization and receive recommendations for improvement?
- Any other matters that the Reviewer needs to consider as part of this review?

What is the scope of the review?

- Which current and former staff are in scope for the review?
- Matters brought forward in the Report of the Speaker?
- Is there a specific timeframe under consideration?

Essential Elements

What does the Committee view as the essential elements of a workplace review?

- Voluntary participation?
- Confidentiality?
- Independence?

Are there particular aspects or areas of the Assembly that must be included as part of the review?

- Human resources policies and practices?
- Workplace management and culture?
- Governance and accountability frameworks including reporting and oversight?

Approach and Methodology

What is the preferred approach to the workplace review?

- How to provide current and former employees with the opportunity to share their relevant perspectives by outlining in person or in writing their experience?
- Shall information collected from employees and Legislative Assembly documents be treated in confidence and not published or released? Shall any references to such information in any report resulting from the Review be anonymized and no individuals identified or identifiable?
- If serious allegations of misconduct are identified, should they be referred to police, Human Resources, or an investigator (depending on the nature of the misconduct)?
- Shall the reviewer be provided with all necessary resources and administrative assistance required from the Legislative Assembly?

Reporting

What are the reporting requirements/accountabilities for the Reviewer?

- Shall the Reviewer provide a draft, and ultimately a final, written report to LAMC which outlines the process, sets out any matters of concern, includes a summary of the information collated, and the Reviewer's findings and any recommendations on matters which are in scope of this Review?

Timing

- When shall the interviews/focus groups/staff engagement take place?
- When shall a draft report be provided to the Legislative Assembly for input?
- When will the final report be provided?

Budget

What is the budget for the workplace review?

- \$135,000 to \$180,000 is the anticipated cost for the workplace review currently underway at the New Zealand Parliament.
- \$2.4M for the Ombudsperson to complete the *Misfire* report about the Ministry of Health firings.

Workplace Review Examples



LEGISLATIVE ASSEMBLY MANAGEMENT COMMITTEE INFORMATION NOTE: WORKPLACE REVIEW EXAMPLES

Recent Examples of Workplace Reviews

Three recent examples of workplace reviews are:

- Ombudsperson Referral Report to the Legislative Assembly Select Standing Committee on Finance and Government Services, *Misfire: The 2012 Ministry of Health Employment Terminations and Related Matters*, 2017.
- Dame Laura Cox, *The Bullying and Harassment of House of Commons Staff: Independent Inquiry Report*, 2018.
- Debbie Francis, *Independent External Review of Bullying and Harassment of Staff in New Zealand's Parliamentary Workplace*, (still underway).

The Terms of Reference for these reviews are provided later in this binder.

Terms of Reference/ Scope – Examples

Ombudsperson Referral Report to the Legislative Assembly Select Standing Committee on Finance and Government Services, *Misfire: The 2012 Ministry of Health Employment Terminations and Related Matters, 2017*

Background

- On July 29, 2015, the Legislative Assembly Select Standing Committee on Finance and Government Services, pursuant to section 10(3) of the *Ombudsperson Act*, referred the Ministry of Health terminations file to the Ombudsperson “for investigation and report as the Ombudsperson may see fit, including events leading up to the decision to terminate the employees; the decision to terminate itself; the actions take by government following the terminations; and any other matters the Ombudsperson may deem worthy of investigation. The Committee trusts that his investigation can conclude in a timely manner.”
- On September 9, 2015, the Committee approved and adopted *Special Directions* and directed the Chair, on behalf of the Committee, to formally transmit the *Special Directions* to the Ombudsperson.
- The Ombudsperson’s Referral Report No. 1 titled, *Misfire: The 2012 Ministry of Health Employment Terminations and Related Matters*, was submitted to the Speaker and publicly released on April 6, 2017.
- On October 18, 2018, the Ombudsperson submitted to the Speaker Referral Report No. 2 titled, *Interim Assessment of Implementation of Recommendations, Misfire: The 2012 Ministry of Health Employment Terminations and Related Matters*. The report states that government accepted all of the recommendations in the *Misfire* report and had implemented 37 of the 41 recommendations, with work on the remaining recommendations well underway. Key recommendations include: a public apology and ex gratia payments to affected individuals as well as the following systemic changes:
 - Standards of Conduct for public service employees and public service investigations, and employment suspension and dismissal decisions;
 - Public Interest Disclosure – implemented through the legislation adopted by the Legislative Assembly in May 2018 which makes the Ombudsperson responsible for this matter.
 - Oversight of Dismissal Decisions – implemented through legislation adopted by the Legislative Assembly in May 2018 which provides the Merit Commissioner with such oversight.
- The terms of reference, or Special Directions, for the Ombudsperson Referral Report adopted by the Select Standing Committee on Finance and Government Services are attached.

SPECIAL DIRECTIONS REGARDING REFERRAL TO OMBUDSPERSON

1. On July 29, 2015, the Select Standing Committee on Finance and Government Services (the Committee) adopted a motion pursuant to s. 10(3) of the *Ombudsperson Act* to:

"... refer the Ministry of Health terminations file to the Ombudsperson for investigation and report as the Ombudsperson may see fit; including events leading up to the decision to terminate the employees; the decision to terminate itself; the actions taken by government following the terminations and any other matters the Ombudsperson may deem worthy of investigation. The Committee trusts that his investigation can conclude in a timely manner."
2. The Committee considers it helpful to provide these special directions to the Ombudsperson, without purporting to limit any subject matter or line of inquiry the Ombudsperson may consider appropriate to investigate in relation to this referral.
3. The Committee's referral is predicated on the Government of British Columbia acting in accordance with its representations to the Committee that the Government will take the following steps ("Government Actions") to facilitate the Ombudsperson's investigation of this referral, namely:
 - (a) Proclaim into force the *Ombudsperson Amendment Act, 2015*, S.B.C. 2015, c. 30;
 - (b) Provide the Ombudsperson with complete access to all required and relevant information, without limitation, in accordance with established protocols;
 - (c) Apply the Protocol Agreement between the Ombudsperson and the Government of British Columbia (2011), covering written and electronic records described in s. 18 of the *Ombudsperson Act*, to all matters covered by s. 18 including oral statements;
 - (d) Apply the existing Memorandum of Understanding between the Ombudsperson and the Government of British Columbia relating to legal advice, to ensure that the Ombudsperson has access to all relevant legal advice provided to Government in relation to the subject matter of this referral;
 - (e) Release terminated employees and contractors from any confidentiality provisions including those entered into as part of the resolution of any litigation, in order to support their full participation in the investigation; and
 - (f) Approve the budget recommended by the Committee arising from this referral.

SUBJECT MATTER

4. Without limiting the matters the Ombudsperson considers appropriate to investigate arising from the Committee's referral, the Committee directs that the matters subject to investigation will include:
 - (a) The Ministry of Health's employment terminations of Ramsay Hamdi, David Scott, the late Roderick MacIsaac, Dr. Malcolm Maclure, Robert Hart, Dr. Rebecca Warburton and Ron Mattson;
 - (b) The termination of the contract of Dr. William Warburton and, to the extent the Ombudsperson determines the issues to be related, the termination of the contracts of other contract researchers;
 - (c) The events leading up to the terminations, the terminations themselves, decisions to suspend and/or reinstate data access and actions taken by Government following the terminations referred to in (a) and (b), including statements regarding the involvement of the Royal Canadian Mounted Police in relation to the terminations;
 - (d) To the extent the Ombudsperson determines that it is related to (a), (b) or (c) above, any matter related to provincial Government involvement with the following pharmaceutical research organizations, including matters related to funding, contracts and data access:
 - (i) University of British Columbia Therapeutics Initiative;
 - (ii) University of Victoria Alzheimer's Drug Therapy Initiative;
 - (iii) British Columbia Centre for Excellence in HIV/AIDS.
 - (e) The nature and extent of the involvement of the following in the matters described in (a), (b), (c) and, if applicable, (d) above at any relevant time:
 - (i) any member of Executive Council;
 - (ii) the Ministry of Health;
 - (iii) the Ministry of Finance;
 - (iv) the Ministry of Justice;
 - (v) the Government Communications and Public Engagement Office;
 - (vi) the BC Public Service Agency;
 - (vii) the Office of the Premier; and
 - (viii) the Office of the Deputy Minister to the Premier.

INVESTIGATIVE PROCESS

5. Without altering or limiting the Ombudsperson's authority to conduct his investigation in private subject to section 9 of the Ombudsperson Act and to otherwise control his process, develop an

investigation plan and carry out his procedures in the fashion he considers necessary or appropriate, the Committee recognizes and directs as follows with regard to the Ombudsperson's investigation process:

- (a) The Ombudsperson may in his discretion limit the scope of the investigation where he considers it would unnecessarily or improperly duplicate any other investigation, report or statutory process under the mandate of an Officer of the Legislature.
- (b) The Ombudsperson may in his discretion defer any portion of the investigation or report where he determines that this is appropriate or necessary in light of some other investigatory or adjudicative process.
- (c) The Ombudsperson may in his discretion refer any matter to the appropriate oversight, investigatory, or regulatory body in accordance with the Ombudsperson Act where the Ombudsperson has reasonable grounds to believe an offence or professional or ethical misconduct may have occurred.

BUDGET

- 6. The Ombudsperson is directed at the earliest opportunity, and prior to undertaking his investigation, to submit to the Committee for approval a detailed supplementary budget submission for 2015-2016 arising from this referral, which budget is intended to ensure that the Ombudsperson is able to conduct this investigation thoroughly without impairing his ability to carry out his other work under the Ombudsperson Act in response to complaints and in the public interest. Additional 2016-2017 budgetary funding, as required, shall be considered in conjunction with the Committee's regular annual budgetary submission process.

REPORTING

- 7. Without limiting the Ombudsperson's reporting authority or purporting in any way to fetter the Ombudsperson's independent mandate to make the findings and recommendations he considers appropriate in accordance with his usual review standards regarding any matter arising from this referral in his final report, the Committee directs as follows:
 - (a) The Ombudsperson may in his discretion provide such interim reports to the Committee as the Ombudsperson considers necessary on any administration or budgetary matter, any material impediment to the investigation, or any other matter.
 - (b) Should the Ombudsperson determine that:
 - i. records including documentation and correspondence related to the subject matter referred are unavailable due to records destruction or other reason;
 - ii. the Ombudsperson does not have access to a key witness or witnesses; or
 - iii. the Government Actions referred to in paragraph 3 have not been satisfactorily met, the Ombudsperson's Final Report shall include a description of the nature, extent and apparent cause of such unavailability or insufficient Government Actions and the impact on the investigation if that can be assessed.

- (c) In order to make the report public, the Ombudsperson shall deposit the Final Report with the Speaker of the Legislative Assembly in accordance with the Ombudsperson Act. The report shall be provided to the Office of the Speaker whether the Legislative Assembly is in session, adjourned or dissolved.
- (d) The Ombudsperson shall publish and publicly distribute the Report, in print and electronic format, following its release by the Speaker of the Legislative Assembly of British Columbia.

Note: The report is available at <https://bcombudsperson.ca/sites/default/files/Referral%20Report%20-%20Misfire.pdf>

Terms of Reference/ Scope – Examples

Dame Laura Cox, *The Bullying and Harassment of House of Commons Staff: Independent Inquiry Report, 2018*

Note: This report began in April 2018 and concluded in October 2018.

Background

- On March 19, 2018, the House of Commons Commission, the statutory body responsible for administration and services of the House of Commons which is comprised of Members and senior officials and is chaired by the Speaker, decided on an independent inquiry into the nature and extent of bullying and harassment.
- The task of appointing someone to conduct the inquiry and of agreeing to an appropriate Terms of Reference was delegated to two non-executive Members of the Commission. On April 23, Dame Laura Cox, a retired judge, was appointed to conduct the inquiry.
- Dame Laura Cox's final report, titled, *The Bullying and Harassment of House of Commons Staff: Independent Inquiry Report*, published her report on October 15, 2018.

Terms of Reference

The agreed terms of reference for this inquiry are as follows:

Objectives

The objectives of the inquiry are –

- to establish the nature and extent of bullying and harassment (including sexual harassment and any systemic behaviours) of past and present House of Commons staff;
- to identify any themes and patterns regarding how previous complaints about such behaviour were handled or how complainants were treated, or, if no formal or informal complaint was made, the reasons for this;
- to assess previous, existing and any proposed policies and procedures relating to bullying or harassment and to complaints about such behaviour, comparing them to current best practice, with a view to making any recommendations for improvement in the way in which such complaints are handled or will be handled in the future, including the availability of appropriate internal or external support; and
- to consider and comment upon the House of Commons as a place of work with regard to ensuring the treatment of staff with dignity and respect and maintaining an open and supportive culture.

Scope and Methodology

- The Inquiry will invite past and present House of Commons staff and others with relevant perspectives (including staff representatives) to offer in person or in writing their experiences of perceived bullying and harassment, including sexual harassment.

- All contributions will be treated in strict confidence and will not be published or liable to release. Any references to such information in any Report arising from the Inquiry will be anonymised. No individual will be identified or identifiable.
- It is not the purpose of the Inquiry to reopen past complaints of bullying or harassment or to investigate new ones against particular individuals. It is hoped that the opportunity offered to House of Commons staff to reflect on the House of Commons as a place of work and to present their experiences to an independent third party in confidence may help them to achieve closure, where appropriate.
- No existing route of complaint open to staff will be affected by the Inquiry, and those submitting experiences will be given details of any existing routes which may be pursued, and of available support or counselling services or other pathways for the resolution of such complaints.
- The Inquiry will be provided with all necessary resources under the auspices of the two non-executive members of the House of Commons Commission, who will provide any necessary guidance and support as requested by the Inquiry in order to help it achieve its objectives.
- The Inquiry will aim to present preliminary findings to the House of Commons before the summer recess, depending on the numbers of people who come forward, and a Final Report as soon as reasonably practicable thereafter.

Note: The report is available at <https://www.cloisters.com/images/Bullying-Harassment-HOC-Staff-Oct-2018.pdf>

Terms of Reference/ Scope – Examples

Debbie Francis, *Independent External Review of Bullying and Harassment of Staff in New Zealand's Parliamentary Workplace*, (still underway)

Note: This report began in December 2018 and is expected to conclude in May 2019.

Background

- On November 27, 2018, in response to allegations of bullying and harassment, the Speaker engaged an independent external reviewer to undertake a workplace review beginning in December 2018.
- The independent, external reviewer, Debbie Francis, has previously led performance improvement reviews at Parliament and undertook recent work on bullying and harassment at the New Zealand Defence Force.
- A draft report, with findings and recommendations, will be presented to the Speaker and the Chief Executive or General Manager of participating Parliamentary agencies. It is still to be determined when the report will be made public.

Terms of Reference for Independent External Review of Bullying and Harassment of Staff in New Zealand's Parliamentary Workplace

In this document Parliamentary Service (as the lead agency for this review), DIA/Ministerial and Secretariat Services, and the Office of the Clerk set out the following terms of reference in respect of the review to be carried out by an independent external reviewer, Debbie Francis (the **Reviewer**) into the bullying and harassment of staff in New Zealand's Parliamentary Workplace (the **Review**).

1. Agencies to this Review

The agencies to this Review are:

- Parliamentary Service (**PS**);
 - DIA/Ministerial and Secretariat Services (**MaSS**); and
 - Office of the Clerk (**OOC**);
- together the **Agencies**.

2. Objectives of the Review

The objectives of the Review are:

- to establish whether, and if so to what extent, bullying and harassment (including sexual harassment and any systemic behaviours) of staff employed or engaged by the respective Agencies from the 51st Parliament (since October 2014) may have occurred and who are otherwise within the scope of this Review;
- to identify any themes and patterns regarding how previous reports of incidents and complaints about such behaviour were handled and how those reporting incidents or raising complainant were treated and any barriers to reporting or making complaints;

- (c) to assess existing policies and procedures relating to bullying and harassment and to complaints about behaviour, comparing them to best practice, with a view to making any recommendations for improvement in any way in which such complaints are handled or will be handled in the future;
- (d) to consider and comment upon the New Zealand Parliament as a place of work with regard to ensuring the treatment of PS, MaSS and OOC Staff with dignity and respect and maintaining an open and supportive culture
- (e) to establish whether the Agencies have appropriate prevention and other control measures in place to deal with any risks arising from bullying and harassment, in accordance with the guidance issued to date by WorkSafe NZ;
- (f) to establish whether the prevention and other control measures in place are effectively managing the risks from bullying and harassment with a view to making recommendations as to how, if at all, such measures can be improved; and
- (g) any other matters the Reviewer needs to consider as part of this Review; (the **Review Objectives**).

3. Staff in scope for this Review

The following staff employed or engaged by each of the Agencies from the 51st Parliament (since October 2014) are in scope will be offered the opportunity to participate in this Review:

- (a) All PS contractors and employees including Corporate support, Member support and Political office staff both on and off-precinct (**PS Staff**);
- (b) All Ministerial and Secretariat Services contractors and employees including Corporate support and Ministers office staff on precinct (**MaSS Staff**); and
- (c) All OOC contractors and employees (**OOO Staff**);(together the **PS, MaSS and OOC Staff**).

4. Background

- (a) PS employs or engages most (not all) of the staff working either in the parliamentary precinct or in the electoral offices of Members of Parliament around New Zealand. In addition, the Department of Internal Affairs acting through their Ministerial and Secretariat Services unit (**MaSS**) employ or engage staff supporting Ministers. The Office of the Clerk (**OOO**) employs or engages staff to support the operations of the House of Representatives. PS, MaSS and OOC are also Persons Conducting a Business or Undertaking (**PCBU**) under the Health and Safety at Work Act 2015 (**HSW Act**) (as are Members of Parliament, political parties and some others) For completeness, the term "officer" under the HSW Act does not include a Minister of the Crown acting in

that capacity. However, Ministers are 'workers' under the HSW Act.

- (b) Bullying and harassment is not acceptable in any workplace and, in accordance with the Agencies' respective responsibilities and obligations, they wish to ensure that the Parliamentary workplace is free of such behaviour. The Agencies need to ensure, so far as is reasonably practicable, the health and safety of their workers and that other persons are not put at risk by their work. This includes taking steps to ensure that their workers and others in the workplace do not carry out, and are free from, bullying and harassment.

5. Approach and methodology

- (c) The Review will provide the PS, MaSS and OOC Staff and others with relevant perspectives with the opportunity to share their relevant perspectives by outlining in person or in writing their experiences of perceived bullying and harassment, including sexual harassment. For the avoidance of doubt, no PS, MaSS or OOC Staff can, or will, be compelled to participate in this Review.
- (d) All such information collected from the PS, MaSS and OOC Staff will be treated in strict confidence and will not be published or liable to release. Any references to such information in any report resulting from the Review will be anonymised and no individual will be identified or identifiable.
- (e) It is not the objective of this Review to reopen past complaints of alleged or upheld bullying and harassment or to investigate new reports of incidents or complaints against specific individuals. However, if any such matters come to the Reviewer's attention then she will ensure that information regarding appropriate support and any specialist assistance is made available and that people are encouraged to raise any such matters with the appropriate Agency and/or other body.
- (f) No existing avenue of complaint open to the PS, MaSS and OOC Staff will be affected by this Review and those who take the opportunity to share their experiences will be given details of any existing avenues, which may be taken, and of available support or counselling services or other pathways for the resolution of such complaints.
- (g) The Reviewer will be provided with:
 - (i) all necessary resources and administrative assistance via a Project Steering Group as set out in the **Appendix**; and
 - (ii) all necessary guidance on any questions which may arise for the Reviewer including best practice management controls and in making recommendations, via a Review Steering Group as set out in the **Appendix** and with involvement and input from the respective Agencies' legal advisers as may be required.

- (h) The Reviewer will utilise an approach to gather a point in time snapshot of matters in scope for the Review. This will include a mix of interviews (including Party Chairpersons, political Party leaders, Chiefs of Staff, Chief Whips, Members (both targeted and randomly selected), focus groups (comprising separate parliamentary staff groups, member and political staff groups, with each group comprising individuals from the same political party, not a combination from different political parties) and survey techniques.
- (i) Enhanced personal support options will be made available to those participating in the Review, should exposure to this subject matter in itself create or revive trauma. This will include enhanced Employee Assistance Programme (EAP) support and access to a mental health phone line through which any affected individuals can access trained support to clinical levels if required. All such services will protect the privacy of those individuals.

5. Reporting

The Reviewer will provide a draft, and ultimately a final, written report addressed jointly to the Speaker, and the Clerk, and to PS and MaSS General Managers which:

- (a) outlines the review process;
- (b) sets out any matters of concern;
- (c) includes a summary of the information collated (with such information to be presented in a manner and which does not disclose the identity of those who have been interviewed by the Reviewer); and
- (d) sets out the Reviewer's findings and any recommendations on the matters which are in scope of this Review.

6. Timing

- (a) The majority of interview and focus groups are expected to take place between December 2018 to the end of February 2019.
- (b) A draft Report outlining findings and specific recommendations (if any) are expected to be delivered to the Agencies and their legal advisors by the Reviewer by the end of April 2019.
- (c) Once the Agencies have provided input into the Reviewer's draft findings and recommendations, then the Reviewer will:
 - (i) consider any such input from the Agencies;
 - (ii) make any changes to the Report she considers appropriate; and

- (iii) provide a final Report to the Speaker, to the Clerk, and to the PS and MaSS CE/General Managers, expected to be around May 2019.
- (d) The Clerk, and the PS and MaSS General Managers will consider the Reviewer's written report, including the Reviewer's findings and any recommendations, and will consider whether any further action is appropriate in all the circumstances.

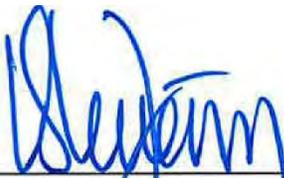
7. Protection of privacy

- (a) It is desired that the Review will be carried out with the benefit of free and frank disclosures and open discussion by those participating. In order to facilitate this and protect individuals' privacy, all aspects of the Review including documentation produced will be treated as confidential.
- (b) However, at an appropriate time the Reviewer's findings and any recommendations on the matters which are in scope of this Review will be made public.

8. Documentation

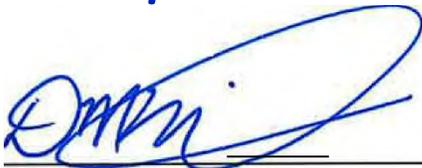
- (a) The following documentation is **enclosed**:
 - (i) WorkSafe guidance for businesses and workers on preventing and responding to sexual harassment at work, issued October 2018; and
 - (ii) WorkSafe NZ guidance: "Preventing and responding to bullying at work" issued March 2017.
- (b) The Reviewer is to be provided with relevant HR policies and procedures and any other documentation relevant to this Review, upon her requesting it from any person.

Signed for and on behalf of the Agencies:



Signature of David Stevenson
General Manager,
Parliamentary Service

Dated: 11/11/2018



Signature of David Wilson
Clerk of the House of Representatives

Dated: 11/11/2018



Signatures Paul James/Morag Ingr
Chief Executive, DIA/General Manager

Ministerial and Secretariat Services

Dated: 11/11/2018

APPENDIX

Project Steering Group and Review Steering Group

- The **Project Steering Group** below will be established to ensure the Reviewer is provided with all necessary resources and administrative assistance as may be required by the Reviewer. The Project Steering Group members will comprise:
 - o General Manager, PS (Chair)
 - o General Manager, MaSS
 - o General Manager HR, DIA
 - o Clerk of the House of Representatives
 - o A representative from OOC
 - o A representative from MaSS/DIA
 - o PS Chief People Officer
 - o IT Specialist (if required)
 - o PS Administrator (EA to GM PS)
 - o Comms Adviser (Paul Rayner)
 - o The Reviewer

- A **Review Reference Group** will be established to provide specialist expertise on matters arising for the Reviewer. This Group will be chaired by the Speaker of the House. Other members of this Group will include Counsel for Office of the Clerk (or Parliamentary law), specified Party Leaders or nominees (4), appropriate representatives from the Unions (PSA and/or E Tu) and from specialist bodies such as WorkSafe NZ and the NZ Police.

Role/Responsibilities of Review Reference Group

- The Group members serve as a source of advice, counsel, and include an external perspective to assist the Reviewer throughout the review period.
- The Group includes a source of external perspective and strategic thinking with a view to:
 - a. Supporting the successful delivery of the Review
 - b. Monitoring the progress on the Review's deliverables against the agreed objectives,
 - c. Monitoring delivery and providing feedback to the Reviewer on any concerns or draft findings
 - d. Providing direction and alignment with industry best practice and
 - e. Providing advice on the management of risk.
- An important aspect of the Group's purpose is its dual role to provide both support and challenge to the Reviewer during the Review process.

Note: More information is available at <https://www.parliament.nz/en/get-involved/features/independent-review-launched-into-bullying-and-harassment-at-parliament/>