



Terms of Reference

Fire & Emergency NZ Independent Operational Review

New Zealand International Convention Centre Fire at SkyCity 2019

14 January 2020

Purpose

Fire and Emergency NZ is an organisation wanting to learn from its operational activities in order to support ongoing improvement. An independent review of Fire and Emergency NZ's operations during the 2019 fire at the New Zealand International Convention Centre at SkyCity (NZICC) provides an important opportunity for potential improvement. This review should identify successes as well as areas for improvement regarding both the firefighting operations and Fire and Emergency NZ support activities.

The Chief Executive is the sponsor of this Independent Review and the Deputy Chief Executive, Office of the Chief Executive (DCE, OCE) will provide day-to-day oversight.

Principles

The review will be undertaken in a manner that is independent, impartial, fair, and in accordance with these Terms of Reference. It will comply with any relevant laws and with the principles of natural justice.

Fire and Emergency NZ will fully support the review team to undertake the Independent Review. This includes access to Fire and Emergency's operational debriefs, as well as to personnel, other staff, and representatives from Unions and Associations, for free and frank discussions and interviews.

Background

On Tuesday, 22 October 2019, a large fire broke out in the Auckland Central Business District at the NZICC, which was under construction.

Fire and Emergency NZ firefighting crews arrived at the scene at approximately 1:10pm. The fire was complex and dangerous, which at its peak, was attended by about 130 firefighters, 30 appliances and 16 operational vehicles.

The fire severely impacted the Auckland Central Business District, and it resulted in a full evacuation of the NZICC precinct.

Once the fire was brought under control, firefighting crews spent several days monitoring hot spots and managing any flare ups.

Fire and Emergency NZ also conducted a statutory investigation at the site, to determine the cause and origin of the fire. Representatives from 10 different organisations including police, insurers and other government agencies conducted a cooperative investigation.

Fire and Emergency NZ handed back control of the building to Fletcher Construction 11 days later, at close of business on Friday 1 November 2019.

Scope

Fire and Emergency NZ is particularly interested in the identification of successes and areas for improvement regarding its operations, including its management of key stakeholders.

In order to ensure communities are not lost sight of throughout the review process, the Independent Review is to draw on the '4Rs' methodology of emergency management:

- reduction
- readiness
- response, and
- recovery.

This will assist in identifying the extent to which a coordinated and effective response by Fire and Emergency NZ occurred during the fire. A draft analysis framework is **set out in Annex One** for consideration by the review team. This should also include consideration of actions taken by Fire and Emergency NZ to ensure public and political confidence in the firefighting operations.

Within Scope

The scope of the review requires consideration of the:

- pre-event planning with respect to site visits (including fire engineering review documentation, operational assessment/planning, and engagement with stakeholders involved in the design and construction of the complex with regard to active and passive firefighting equipment)
- review of Fire and Emergency NZ's policies and procedures relevant to the incident to determine whether they were adhered to, and to identify any gaps in those policies and procedures
- firefighting operations and performance on-the-ground (including the initial and extended response); the attraction, deployment and support of surge capacity; the effectiveness of handovers; the use and effectiveness of aerial appliances and equipment; and the capability and capacity of Fire and Emergency NZ to respond to other contemporaneous incidents)
- on-the-ground communication, coordination and collaboration between Fire and Emergency NZ and other response partners (such as: Auckland Emergency Management, New Zealand Police, MCDem, Water Care, Auckland Transport, St John Ambulance); with regard to the actions by Fire and Emergency NZ¹
- connection with, and co-ordination between, the on-the-ground firefighting operations (IMT), the Fire and Emergency NZ Regional Co-ordination Centre (RCC) and the Fire and Emergency NZ National Coordination Centre (NCC)

¹ It is out of scope for this review to consider the perspective or actions of any other agency.

- connection with, and use of, other functions and teams within Fire and Emergency NZ's National Headquarters (NHQ), including the National Communications Team, the Public Information Management (PIM) function, and whether the relevant internal policies were adhered to
- all aspects of safety, health and wellbeing of staff (including Fire and Emergency NZ's response to any safety concerns (such as fatigue management)), management of resources, crew rotation, ablution facilities, and meals and refreshments)
- financial management and processes (including the management of resources that supported the incident, for example the use of volunteer firefighters, and relief and standby decisions).
- reporting mechanisms and engagement with key stakeholders (including the public, the Board, the United Fire Brigades' Association, the New Zealand Professional Firefighters Union, the Minister of Internal Affairs, Department of Prime Minister and Cabinet, and the Department of Internal Affairs (as Fire and Emergency NZ's monitoring agency)).

Outside of Scope

The scope of the review excludes consideration of:

- the origin and cause of the fire
- the conduct or behaviour of any individuals involved for performance-related purposes
- the regulatory framework per se (ie any review of Fire and Emergency NZ's statutory functions or powers)
- the subsequent investigations into the fire, including the cause and origin investigation
- legislative policy, and legal, issues, such any potential fault or liability in connection with the fire
- building legal compliance issues
- the operations and/or performance of agencies other than Fire and Emergency NZ.

as these matters may be subject to separate processes.

Process

The review team has no ability to compel individuals to participate; participation is voluntary. The independent reviewer will invite participants to talk freely and frankly and will undertake to respect any points considered as sensitive, or any observations and judgments made in confidence. The review team should observe that interviewees may have their nominated representative (from their union or association) in attendance, and provisions will be made to interview staff while on duty.

In all other regards, the review team will decide the process to be used, however it is expected that it will include consideration of:

- any relevant legislation (including the Fire and Emergency New Zealand Act 2017 and the Health and Safety at Work Act 2015)
- standard operational documents (including policies, plans and procedures; debrief documents; fire logs and transcripts)
- interviews (personnel and, possibly, key stakeholders)
- physical inspections of the incident ground and facilities operational equipment and fleet such as aerial equipment.

These sources, alongside other relevant information the review team requires, will inform the Independent Review's findings and the review team's subsequent report to Fire and Emergency NZ.

Fire and Emergency NZ will have the opportunity to comment of the draft findings of the review prior to those findings being finalised.

Information Sources

Findings from any standard operational debriefs will be made available to the review team, including:

- Commanders and watch debriefs; and
- The Area 4 debrief.

Other information sources will be identified on an as-needs-basis, but will include:

- The ICAD report
- The Recovery Plan and Report
- A Briefing from the Fire Investigation Team
- Video footage taken by Command Unit camera throughout initial stages of incident
- Recordings of UHF radio traffic of incident
- Individual firefighter testimonies
- Staff survey conducted by NZPFU post fire
- Communications Centre Dispatchers
- Media reports.

Review Team

The review team will be led by an independent reviewer, appointed by the review sponsor and recommended by the Australasian Fire and Emergency Service Authorities Council (AFAC).

A writer and up to two Fire and Emergency operations staff (neither of whom will have been involved in the operation) will also be provided. Secretariat services for the review, including the writer, will be provided by the Office of the Chief Executive from within existing Fire and Emergency NZ resourcing.

Confidentiality and disclosure

Persons interviewed as part of the Independent Review will have their roles/positions disclosed, but not their names.

The review team will not disclose any information, nor make findings on information provided by parties, which would prejudice the processes or outcomes of this review (or other reviews or investigations). This includes not making any public comments about the Independent Review before it is completed.


Costs

Fire and Emergency NZ will meet the actual and reasonable costs of the review team in undertaking the review. The review team will liaise with the sponsor to ensure costs are kept to a reasonable level while supporting the review to achieve its purpose.

Fire and Emergency NZ personnel and staff will be interviewed during work time and will not incur any costs. Other parties will meet their own costs.

Review Report

The review team is responsible for reporting back to the sponsors with an interim report (for comment), and a final written report². The report should include recommended actions to enhance the effectiveness and efficiency of Fire and Emergency NZ's operations regarding structural fires.

Signature: 
Name: Rhys Jones
Title: Chief Executive

Date: 14 / 1 / 20

² Refer to Annex two for indicative milestones.

Annex one – Draft high level analysis framework

The following high level analysis framework draws on the 4Rs emergency management model:

Risk Reduction	1. Understanding of hazard and reduction of likelihood or impact		
Readiness	2. Fire management planning		
	3. Fire readiness measures		
	4. Provision for multi-agency interoperability		
Response	<i>Initial Response</i>		
		5. Notification and initial response	
		6. Initial size up – risk assessment – incident action plan via Fire and Emergency's Incident Management System (IMS)	
	<i>Extended response</i>	7. Public information management	
		8. Communication and co-ordination with relevant agencies	
		9. Application of risk management principles	
		10. Co-ordinated Incident Management System (CIMS) command and control <ul style="list-style-type: none"> a. Control b. Intelligence c. Planning d. Operations e. Logistics f. Public information management 	
		11. Incident action plan compilation/implementation	
		12. Incident record maintenance	
		13. Logistics section establishment and maintenance	
		14. Control, containment, suppression of fire(s)	
		Recovery	15. Assess and reporting of damage, loss, and rehabilitation requirements
			16. Completion of post-incident reporting

Annex two – Indicative Milestones

The following provides indicative milestones to inform planning by the independent reviewer:

Preparation work is undertaken: <ul style="list-style-type: none">• Information sources provided• Interviews arranged• Interview pack provided to independent reviewer
Interviews undertaken
Drafting of report
Draft report provided to sponsor for consultation
Feedback on draft report provided to independent reviewer
Final report due with sponsor