

# Health, safety and security response to Ashburton shooting

## THE MINISTRY OF SOCIAL DEVELOPMENT

On 1 September 2014, Russell Tully, a Ministry of Social Development (MSD) client, entered the Ministry's Ashburton office with the intent to seriously harm staff. He shot and killed Peggy Noble and Leigh Cleveland, shot and seriously injured Lindy Curtis and attempted to kill Kym Adams.

This case study focuses on the Ministry's organisational health, safety and security response to the incident.

### Immediate response

Immediately after the incident, the Ministry put more than 100 extra security guards in place at service centres nationwide. A number of sites had to be closed to clients due to threats, all of which were referred to Police.

A zero-tolerance stance to threats to staff was reaffirmed. Any threat, no matter how minor, was referred to Police. Controlled access to all Work and Income sites was also put in place as an extra security measure.

### Independent review of Ministry's physical security environment

Following the incident in Ashburton, the Chief Executive of the Ministry of Social Development commissioned an independent review. Murray Jack, Chair of Deloitte New Zealand and Rob Robinson, former Police Commissioner, were appointed to carry out the review, which had two phases.

Phase one addressed the question:

*"Given the Ministry's functions and activities and the risks associated with those, were all practicable steps taken to ensure the safety of Ministry employees in relation to the shooting at the Ashburton office?"*

Phase two was concerned with improvements that could be made to the Ministry's security environment more generally. It posed the question:

*"What changes are recommended to the physical security environment in Ministry workplaces to ensure the physical safety of staff and members of the public from threats and assaults?"*

## **PHASE ONE**

The report from the first phase of the independent security review was released in late September 2014 and found that the Ministry took all practicable steps to ensure the safety of staff and could not have prevented what happened on 1 September.

The review also found that the Ministry took appropriate steps to enhance staff safety afterwards.

The report identified two general areas for improvement in the Ministry's approach to health and safety generally, which were:

- improved training needed to be expedited and followed up
- clear risk appetite and expectations needed to be established (i.e. clear benchmarks and tolerance levels for behaviour by clients).

Other more specific recommendations were to:

- strengthen guidance and processes relating to trespass notices
- encourage incident reporting and enhance analytics and associated governance reporting
- define an approach to better information sharing across various operations

The report can be found here:

<http://www.msd.govt.nz/documents/about-msd-and-our-work/publications-resources/archive/independent-review-of-the-security-environment.pdf>.

## **PHASE TWO**

Phase Two took a broader look at the Ministry's security and the report was released in early February 2015.

The report noted that the Ministry's safety and security operating model had evolved over time, rather than being deliberately defined as a consequence of strategic planning.

Twelve recommendations were made, each with a specific objective that the Ministry needed to achieve. These recommendations can be found here:

<https://www.msd.govt.nz/documents/about-msd-and-our-work/newsroom/media-releases/2015/security-review-phase-2.pdf>.

The review also provided more detailed considerations and a roadmap of activities to help the Ministry implement these over the following two to three years.

### **Security Response Programme**

To ensure that the recommendations were acted on, the Chief Executive established a two-year Security Response Programme (SRP). A dedicated team of 12 staff was assembled to drive the work, led by a General Manager. A Governance Board was set up to oversee the work.

The SRP team was dedicated to making sure staff could feel secure and confident to come to work, now and in the future. Its responsibility was to address the recommendations in the report.

The SRP team focused on understanding the entire safety and security environment and developed seven key work streams which looked at; Governance; risk appetite; on-site environment; off-site staff safety; staff training to address skills gaps; communications and change; and the impact of the Health and Safety Reform Bill.

A Security Response Reference Group was established in April 2015 with representatives from different sites and regions, providing a channel for staff to contribute to this important work. The purpose of the group was to take a wide-ranging view of the work that was being developed and was used as a sounding board to test assumptions during its development. Updates on the progress on each work stream were provided regularly to the Ministry's Leadership Team.

### **Security Response Programme progress review**

The Leadership Team commissioned EY to undertake a review of changes made and progress against the recommendations to ensure it had an independent view on the progress that had been made in implementing the recommendations made in the report.

The first report was a one year progress review in April 2016. The report considered whether the nature of the activities already completed and planned would be sufficient to meet the intent of the recommendations and whether the

progress made to date together with the forward programme was sufficient to meet the two year timeframe.

The report concluded that the nature of activities already completed and those planned would meet the intent of the Independent Review recommendations.

### **Security Response Programme final review**

The final report, delivered in August 2017, involved a review of SRP documentation, observations and interviews with the SRP team, Operational Leadership Group, the former SRP Board, the Health, Safety and Security Governance Committee, the Ministry's Leadership Team and Reference Group members.

The report considered that the nature of activities delivered met (and in some cases, exceeded) the intent of the Independent Review Recommendations. It considered that the SRP embraced the intent of these recommendations, as well as the specific wording.

It found that the Ministry:

- > undertook an exercise of developing and articulating the Ministry's health, safety and security risk appetite and tolerance;
- > developed a logical and robust operating model that reflects its broader health, safety and security strategy
- > assessed compliance with the Health and Safety at Work Act 2015
- > integrated health, safety and security into current change initiatives
- > reviewed services that could be provided in a non-face-to-face manner, e.g. through digital channels
- > reviewed safety and security policies, and developed a number of policy initiatives, many of which extended beyond the Programme's timeframe
- > developed a training programme, including situational awareness training, security training practice drills and manager training
- > implementing consistent site standards, encouraging site risk-based health, safety and security conversations
- > worked to get a better understanding of reporting and analysis of incidents and risk information
- > reviewed the role of security guards

- > promoted a more risk-aware culture and aimed to ensure that the workforce is engaged and the cultural change is embedded.

### **Worksafe New Zealand prosecution**

Following the Ashburton incident, charges were brought against The Ministry of Social Development by Worksafe. The Ministry entered a plea to one charge and disputed an allegation by WorkSafe that the Ministry had failed to ensure there was no physically unrestricted access to the staff working area.

In late 2016, Judge Doogue found that the Ministry had failed to ensure there was no physically unrestricted access to the staff working area but determined that this was unrelated to the ability of the offender to cause the devastating injuries by assaulting staff with a firearm.

The reserved judgment and sentencing notes can be found here:

<http://www.districtcourts.govt.nz/assets/unsecure/2016-09-12/2016-NZDC-12806-Worksafe-New-Zealand-v-Ministry-of-Social-Development.pdf>

<http://www.districtcourts.govt.nz/assets/unsecure/2016-12-06/2016-NZDC-24649-WorkSafe-New-Zealand-v-Ministry-of-Social-Development.pdf>

### **Health, safety and security at MSD today**

As part of the SRP, a new health, safety and security operating model was established and the new structure put into place in July 2016. It puts health, safety and security at the heart of everything the Ministry does and has raised the prominence and visibility of this essential area of work.

It is focused around three outcomes:

- > to keep ourselves and others safe,
- > ensure our workplaces are safe, secure and fit-for-purpose,
- > ensure we have the right processes, systems and information to respond and minimise risk.

In line with the requirements of the changes in the *Health and Safety at Work Act 2015*, the Ministry's Leadership Team has changed its governance approach to health, safety and security, taking a more proactive approach to risk management.

Staff also have a clear understanding of the health, safety and security system that is part of the fabric of the environment in which they work, which is there to support and protect them.