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Request: OIA-1311

Original LGOIMA Request:

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Could I please have the following information related to your territorial authority.

Topic A - Ombudsman's report 'Open for Business' dated October 2023

- 1) what steps has your territorial authority taken in regards to the Ombudsman's report?
- 2) what actions/motions have been passed by your territorial authority in response to the Ombudsman's report?
- 3) what steps are still under consideration?
- 4) what has or will the total cost been of any changes?

Topic B - costs relating to councillors interactions

- 1) How much has your territorial authority budgeted in each of the last 3 years for any costs related to councillor conduct. This could include individual conduct or between other councillors, mayor/chair or Chief Executive. This may include mediation, legal fees, legal investigations and similar.
- 2) How much has your territorial authority spent in each of the last 3 financial years for any costs related to councillor conduct. This could include individual conduct or between other councillors, mayor/chair or Chief Executive. This may include mediation, legal fees, legal investigations and similar.

Topic C - staffing numbers

- 1) What is the full FTE staff number if your territorial authority was fully staffed?
- 2) What is your current FTE staff number employed?
- 3) What percentage of full FTE staff required is currently vacant?
- 4) What percentage of the vacant positions are not being actively recruited to fill. E.g. what percentage are currently remaining vacant?
- 5) What effect will these vacancies have on the services your territorial authority delivers / can deliver?

Topic D - senior leadership

- 1) Has your Chief Executive resigned, or a new CE been appointed in the last 3 years?
- 2) How many of your Tier Two leaders resigned, or a new leader been appointed in the last 3 years?
- 3) Have your territorial authority had a staff restructure implemented, considered by senior leadership or consulted in in the last 3 years. This includes a restructure of the whole territorial authority, or one or more department.

Topic E - contractors

- 1) How much was budgeted by your territorial authority in each of the last 3 years for external contractors?
- 2) How much was the budgeted amount as a percentage of total income for each of the last three years?
- 3) How much was spent by your territorial authority in each of the last 3 years for external contractors?
- 4) How much was the amount spent on contractors as a percentage of total income for each of the last three years?
- 5) Is your territorial authority's spend on contractors expected to increase this year because of staffing shortages.
- 6) Could the services contracted for be hired directly under the territorial authority?

7) What were the three companies, receiving the highest contractors spend in the last year?

**Official LGOIMA Response:**

**Council Officers have reviewed your request and have collated the answers in red below.**

**Topic A - Ombudsman's report 'Open for Business' dated October 2023**

1) what steps has your territorial authority taken in regards to the Ombudsman's report?

Waitaki District Council has reviewed the Ombudsman's report and held discussions with relevant staff, the Executive Leadership Team, and the Governance Team, with the objective of developing a set of definitions and operating rules for non-decision-making activities for consideration and adoption by Council.

2) what actions/motions have been passed by your territorial authority in response to the Ombudsman's report?

The new set of definitions and operating rules for non-decision-making activities were adopted by Council at the Council Meeting held on 12 December 2023, as part of Council's consideration of the Meetings Schedule 2024 agenda item 5.3. The component of the corresponding meeting resolution related to those definitions and operating rules is provided below.

**RESOLVED WDC 2023/210**

Moved: Cr Jim Thomson

Seconded: Cr John McCone

That Council:

4. *Confirms, with agreed amendments at this meeting, the Council definitions and operating rules for other events/activities that involve Elected Members, as listed in this report, as part of Council's response to the "Open for business: A report on the Chief Ombudsman's investigation into local council meetings and workshops" published on 24 October 2023.*

**CARRIED**

The definitions/operating rules document has been published on Council's website and a link to it is provided below.

<https://www.waitaki.govt.nz/files/assets/public/v/1/files/our-council/council-meetings/2024-waitaki-district-council-definitions-and-operating-rules-for-non-decision-making-events-wef-february-2024.pdf>

3) what steps are still under consideration?

New process documents are now in development and training in how to apply the new definitions/operating rules has still to occur. The first public notification of non-decision-making activities for Council that will be held in February will be published in the last week of January in accordance with legislative timeframes.

4) what has or will the total cost been of any changes?

The time taken to review the Ombudsman's report and discuss/develop Council's definitions and operating rules for non-decision-making activities by relevant staff, the Executive Leadership Team and Governance Team members has been absorbed into business as usual (BAU) costs. Costs for new process development and for training in the application of the new definitions/rules is unknown at this time.

**Topic B - costs relating to councillors interactions**

1) How much has your territorial authority budgeted in each of the last 3 years for any costs related to councillor conduct. This could include individual conduct or between other councillors, mayor/chair or Chief Executive. This may include mediation, legal fees, legal investigations and similar.

None

2) How much has your territorial authority spent in each of the last 3 financial years for any costs related to councillor conduct. This could include individual conduct or between other councillors, mayor/chair or Chief Executive. This may include mediation, legal fees, legal investigations and similar.

Nothing

### Topic C - staffing numbers

1) What is the full FTE staff number if your territorial authority was fully staffed? 232.39 FTE including 19 vacancies

2) What is your current FTE staff number employed? As at 22 December, 213.39 FTE

3) What percentage of full FTE staff required is currently vacant? 8.17%

4) What percentage of the vacant positions are not being actively recruited to fill. E.g. what percentage are currently remaining vacant? Out of all vacancies, 36% are not currently being actively recruited for.

5) What effect will these vacancies have on the services your territorial authority delivers / can deliver?

Even with existing vacancies, Council remains committed to maintaining seamless delivery of services, so expect there to be minimal impact. We also consider every vacancy carefully to ensure that we are structured as effectively and efficiently as we can be. That said, it is crucial to recognise the importance of filling vacant roles strategically and at the right time, ensuring continued operational efficiency.

### Topic D - senior leadership

1) Has your Chief Executive resigned, or a new CE been appointed in the last 3 years? Yes

2) How many of your Tier Two leaders resigned, or a new leader been appointed in the last 3 years?

Tier Two leaders resigned: 3

Tier Two leaders appointed: 1

3) Have your territorial authority had a staff restructure implemented, considered by senior leadership or consulted in in the last 3 years. This includes a restructure of the whole territorial authority, or one or more department. Yes

### Topic E - contractors

1) How much was budgeted by your territorial authority in each of the last 3 years for external contractors? Please refer to the below table.

2) How much was the budgeted amount as a percentage of total income for each of the last three years? Please refer to the below table.

3) How much was spent by your territorial authority in each of the last 3 years for external contractors? Please refer to the below table.

4) How much was the amount spent on contractors as a percentage of total income for each of the last three years? Please refer to the below table.

	2023		2022		2021	
	Actual	Budget	Actual	Budget	Actual	Budget
	\$000	\$000	\$000	\$000	\$000	\$000
External contractors	26,379	19,257	16,883	14,820	17,493	16,872
Total income	64,953	69,703	61,563	61,849	57,260	56,520
External contractors spend as a percentage of total income	41%	28%	27%	24%	31%	30%

5) Is your territorial authority's spend on contractors expected to increase this year because of staffing shortages.

The expected increase in spend is largely due to the increased costs associated with maintaining our roads, water services and parks, not due to staffing shortages.

6) Could the services contracted for be hired directly under the territorial authority?

Yes, the services contracted for could be hired directly by WDC. However, this would come at a significant ongoing cost, whereas some contractors are only required short-term, for specific projects etc.

7) What were the three companies, receiving the highest contractors spend in the last year?

The three companies receiving the highest contractors spend last year were: South Roads Limited (largely 3-waters contracts, roading contract up until October 2022, emergency roading work), Whitestone Contracting Limited (roading contract from October 2022, other sundry maintenance contracts), and Downer New Zealand Limited (parks and reserves maintenance and general contractor).