



Systems Audit Team Audit Report

Annual Systems Audit of the RNZSPCA
July - September 2021

MPI - IL 5373

FINAL REPORT

Executive Summary

This annual audit assessed the ongoing suitability of the Royal New Zealand Society for the Protection of Companion Animals (RNZSPCA) as an "Approved Organisation" under the Animal Welfare Act 1999 (AWA).

The audit verified compliance of the RNZSPCA with Part 7 of the AWA, the Memorandum of Understanding (MOU) between MPI and the RNZSPCA and its associated Appendix One, and the SPCA Performance and Technical Standards (PTS) for Inspectors and Auxiliary Officers. The audit also evaluated the RNZSPCA's national systems and procedures which document compliance with the mandated requirements. The audit also assessed the corrective actions implemented by the RNZSPCA in response to the 2020 MPI SAT audit.

The terms of reference for this audit were met. The RNZSPCA was found to be in substantial compliance with the Memorandum of Understanding, Performance and Technical Standards (PTS) and the Animal Welfare Act 1999.

Five centres and the Henderson head office were audited. No non-conformances were identified.

The introduction of updated documented policies and procedures by the Inspectorate and Animal Welfare Coordinator (AWC) has resulted in an increasingly consistent approach across the Centres.

The Performance and Technical Standards for Inspectors and Auxiliary Officers 2021 was only released to the RNZSPCA during the audit. Despite this, the RNZSPCA was found to be in substantial compliance with the standards.

RNZSPCA staff demonstrated a clear understanding of their roles and responsibility under the MOU, could speak confidently to their tasks and access procedures and records easily.

Two low rated MPI issues are raised to the National Manager Animal Welfare and NAIT Compliance as a result of this audit relating to the:

- review of the MOU and the six-month lifestyle block trial Appendix One; and
- inability to supply a copy of the 'Auditing of SPCA guidelines' as referenced in the PTS for Inspectors.

Two medium rated MPI issues relating to the Instrument of Appointment (IoA) are raised to the Team Manager Operations, Approvals for:

- Failing to consistently meet clause 46 of the PTS for Inspectors; and
- Removing the statement on the IoA that confirms compliance with clause 48 of the PTS for Inspectors.

One recommendation is raised to the National Manager Animal Welfare and NAIT Compliance to:

- define the period of time the RNZSPCA must store records for.

Four recommendations were raised to the RNZSPCA Henderson Head Office (Audit 5442 - Appendix A) for implementing processes and procedures relating to:

- confirming staff have read and understood updated policies, procedures and legislation;
- remote euthanasia panels and emergency euthanasia training;
- reviewing staff access to sensitive information; and
- the security of stored exhibits.

Important Note

This report may discuss Topics, i.e. subjects of particular interest. The discussion can include positive and negative elements. In some cases, the negative elements are such that Non-compliances result.

All deficiencies discussed as Non-compliances are expected to be resolved by auditee or the auditee's organisation, whether or not they are described as Serious Non-compliances. Serious Non-compliances constitute a system failure. They have a profile such that the effectiveness of the corrective actions will be measured in subsequent Systems Audit Team audits. Inadequate resolution can lead to failure of the subsequent audit.

Recommendations may appear in the report. These are non-binding, and do not affect subsequent audits. Their implementation may provide efficiencies for both the auditee and MPI. The presence of recommendations to change existing specifications does not excuse the absolute requirement to conform to the existing specifications. Changes to specifications that may result from these recommendations will be promulgated officially .

The Auditee is reminded that audit reports are subject to the *Official Information Act 1982*. The Auditee may highlight any information considered confidential during the course of the audit however the Auditor cannot provide any assurance to the Auditee that the information considered confidential will not be disclosed as a result of an enquiry under the *Official Information Act 1982*, other legislation, Court order, or Parliamentary obligation.

Terms of Reference

Goal(s)

To assess whether the Royal New Zealand Society for the Prevention of Cruelty to Animals Incorporated (SPCA) national procedures meet the obligations and requirements of the Animal Welfare Act 1999 (AWA) and are being implemented effectively at SPCA facilities.

To evaluate how and if the systems and procedures implemented by the SPCA meet the requirements outlined in the Memorandum of Understanding (MOU) including its associated Appendix One between the SPCA and the Ministry for Primary Industries (MPI).

This audit will assess:

- the effectiveness of the SPCA facilities in implementing the requirements of the AWA and MOU for the appointment, training, and monitoring of Inspectors and Auxiliary Officers;
- corrective actions undertaken by the SPCA in response to the previous MPI systems audit findings, and (where appropriate) to recommend improvements to ensure requirements of the AWA are met;
- how complaints are recorded, referred to MPI or actioned and tracked by the SPCA;
- how robust and transparent the recording system is and include an analysis of case numbers (eg distinction between animals taken into custody and welfare complaints).

To make recommendations to MPI for improvements to the MOU and AWA ancillary notices and any related specifications and guidance.

Scope

Shall include a review of the methods used by the SPCA in the assessment and recommendation -for-appointment to MPI of Inspectors and Auxiliary Officers.

Shall include an examination of reports submitted by the SPCA national office to MPI, and assessment against the MOU requirements.

Shall include an examination of the follow-up actions taken by the SPCA in response to the findings from previous MPI Systems Audit Team (SAT) audits.

This audit shall include (COVID-19 levels permitting), but may not be limited to:

- An audit of the National SPCA head-office;
- A review of processes, documentation and records of a selection of regional centre offices/facilities;
- Onsite and/or remote interviews with SPCA staff; and
- Onsite reality check audits of a selection of regional centre offices and facilities.

Standards / Legislation

Shall include but not limited to:

- *Animal Welfare Act 1999 and related regulations and codes;*
- *Memorandum of Understanding between the SPCA and MPI, 2019 and the associated Appendix One;*
- *Performance and Technical Standards for Inspectors of RNZSPCA, 2021 (PTS for Inspectors);*
- *Performance and Technical Standards for Auxiliary Officers of RNZSPCA, 2021 (PTS for AOs);*

Initiator

The Initiator of this audit is Gray Harrison, National Manager Animal Welfare and NAIT Compliance, Operations, MPI.

The Initiator or a nominated representative may be consulted during the audit on relevant technical matters.

Peter Hyde, Team Manager Animal Welfare and NAIT Compliance, Operations, MPI may also provide input into this audit as a coordinator or stakeholder.

Specialist / Observers

The Auditor may call upon the services of other parties as deemed appropriate to facilitate the audit. The Initiator or Auditor may determine if observers will attend any part of the audit.

Response to Critical Situation

If a critical situation is identified, the provisions of MPI Systems Audit Team procedure referenced as Procedure SAT-004 shall be implemented. The Initiator shall be contacted immediately.

A Critical Situation is defined as, any situation which, in the professional judgement of the SAT Auditor or Manager places market access, official assurances, or MPI's/MPI's Directors' credibility at risk. A critical situation may result from information received from a number of sources as well as SAT audit findings.

Other Terms of Reference

The audit will be conducted according to the procedure referenced as *SAT-002*. The Auditor will provide the Auditee (s) with a copy of these Terms of Reference prior to or at the outset of the audit.

Confidentiality

The Auditee is reminded that audit reports are subject to the *Official Information Act 1982*. The Auditee may highlight any information considered confidential during the course of the audit however the Auditor cannot provide any assurance to the Auditee that the information considered confidential will not be disclosed as a result of an enquiry under the *Official Information Act 1982*, other legislation, Court order, or Parliamentary obligation.

While the Systems Audit Team prefers that any audio/video recording does not occur during its audits, if any audio/video recording is necessary, SAT requests that this intention is disclosed to the audit team prior to commencing. If an electronic recording is taken SAT asks to be given the right to access the recording for copying purposes if necessary.

Travel and Charges

All travel and costs associated with this audit and undertaken by the allocated Auditor (s) are approved by the Manager, Systems Audit on approval of these Terms of Reference.

Reporting Considerations

The Auditee at each location will receive a Location Findings report. This report may discuss Topics, i.e. Subjects of particular interest. The discussion can include positive and negative elements. In some cases, the negative elements are such that Non-compliances result. Recommendations may appear in the report. These are non-binding, and do not affect subsequent audits. Their implementation may provide efficiencies for the SPCA and MPI.

Location Findings

Individual audit outcomes will not be provided for individual locations. Any issues identified in the individual Location

Findings are to be acted upon by the SPCA.

Individual Location Findings will be used to generate the final report, which will summarise findings from this systems audit.

Final Audit Report

The auditor will submit a draft of the final audit report to the Initiator and the Manager, Systems Audit for comment. The draft may be submitted to the SPCA for comment, at the Initiator's discretion.

Distribution of Reports

The final report will be distributed to:

- 9(2)(a) [redacted], National Manager Animal Welfare and NAIT Compliance, Ministry for Primary Industries;
 - 9(2)(a) [redacted], Team Manager Animal Welfare and NAIT Compliance, Ministry for Primary Industries;
 - 9(2)(a) [redacted], National Inspectorate Manager, Royal New Zealand Society for the Prevention of Cruelty to Animals Incorporated;
 - 9(2)(a) [redacted], Manager Animal Welfare, Ministry for Primary Industries;
 - 9(2)(a) [redacted], Manager Systems Audit, Ministry for Primary Industries;
 - Allan Kinsella, Director Assurance Directorate, Ministry for Primary Industries;
- And if required,
- MPI Issue Tracking, Systems Audit Technical Coordinator, Ministry for Primary Industries.

Non-compliance & Non-conformance Management

All deficiencies discussed as Non-compliances or Non-conformances are expected to be resolved by the Auditee or the Auditee's organisation. Serious Non-Compliances constitute a system failure. The effectiveness of the corrective actions implemented by an Auditee will be measured in subsequent Systems Audit Team audits. Inadequate resolution can lead to failure of the subsequent audit.

The mechanism for resolving any identified Serious Non-compliances will be recorded in the Corrective Action Requirements section of the final audit report.

Closure of any Non-compliances/Non-conformances raised will be as agreed with, and to the satisfaction of MPI. MPI may assign any required follow-up activity to the applicable Recognised Agency for confirmation of acceptable corrective action close-out.

MPI Issues

Issues identified and raised during the audit that require MPI attention will be specified in the final audit report.

The Initiator must identify the relevant accountable persons to manage any required follow-up.

The accountable person for this audit is the Initiator.

This does not preclude the Initiator later identifying any other more appropriate accountable person, depending on the issue raised.

Distribution/Reproduction Note

Information obtained from this report must not be reproduced for distribution, in whole or in part, by MPI unless permission is obtained from the Initiator and/or the Manager Systems Audit.

Audit Date (Last Day)

30 September 2021

Audit Number

5373

Audit Type

Systems Audit - Animal Welfare

Location(s)

RNZSPCA t/a: SPCA Mangere Centre, 50 Westney Road,, Auckland
RNZSPCA t/a: SPCA Christchurch Centre, 14 Wilmers Road,, Christchurch
RNZSPCA t/a: SPCA Nelson Centre, 379 Waimea Road, Nelson
RNZSPCA t/a: SPCA Rotorua Centre, 24 Old Taupo Road, Rotorua
RNZSPCA t/a: SPCA Whangārei Centre, 143 Kioreroa Road, Whangārei
RNZSPCA t/a: SPCA National Head Office, 199C Lincoln road, Auckland

Lead Auditor

Colman Burke, Ministry for Primary Industries, Systems Auditor

Auditor(s)

Júlia Pásztor, Ministry for Primary Industries, Systems Auditor

Auditee(s)

9(2)(a) [REDACTED], SPCA National Health Office Henderson Auckland, National Inspectorate Manager
9(2)(a) [REDACTED], SPCA National Head Office Henderson Auckland, Animal Welfare Coordinator
9(2)(a) [REDACTED], SPCA Mangere Centre, Centre Manager
9(2)(a) [REDACTED], SPCA Hobsonville Inspectorate, Team Leader Inspectorate
9(2)(a) [REDACTED], SPCA Mangere Centre, Inspectorate Coordinator
9(2)(a) [REDACTED], SPCA Nelson Centre, Centre Manager
9(2)(a) [REDACTED], SPCA Nelson Centre, Team Leader Inspectorate
9(2)(a) [REDACTED], SPCA Nelson Centre // SPCA Christchurch Centre, Auxiliary Officer // Shelterbuddy Coordinator
9(2)(a) [REDACTED], SPCA Christchurch Centre, Centre Manager // Auxiliary Officer
9(2)(a) [REDACTED], SPCA Christchurch Office, Team Leader Inspectorate
9(2)(a) [REDACTED], SPCA Rotorua Centre, Centre Manager // Auxiliary Officer
9(2)(a) [REDACTED], SPCA Rotorua Centre, Inspectorate Team Leader
9(2)(a) [REDACTED], SPCA Whangārei Centre, Acting Centre Manager
9(2)(a) [REDACTED], SPCA Whangārei Centre, Team Leader Inspectorate

Background

Abbreviations

AO: Auxiliary Officer

AWA: Animal Welfare Act 1999, also referred to "the Act"

AWC: SPCA Animal Welfare Coordinator

IoA: Instrument of Appointment

MOU: Memorandum of Understanding 2019 between MPI and the SPCA

MPI: Ministry for Primary Industries, Manatū Ahu Matua

NIM: National Inspectorate Manager

RNZSPCA: the Royal New Zealand Society for the Prevention of Cruelty to Animals, also known as the SPCA

SAT: Systems Audit Team

TLI: Team leader Inspectorate

PTS for Inspectors: The Performance and Technical Standards for Inspectors 2021

PTS for AOs: The Performance and Technical Standards for Auxiliary Officers 2021

Introduction

This approved organisation audit was initiated by the National Manager, Animal Welfare and NAIT Compliance, MPI, in order to verify the ongoing compliance of the RNZSPCA with Part 7 of the Act, the MOU, its associated Appendix One, and PTSs for Inspectors and AOs.

The National Office in Henderson has national management and administration functions, and the regional centres operate underneath this.

Six separate audits were completed in total. The Henderson Head Office and the below five centres were selected by the audit Initiator:

- Auckland (Mangere) SPCA Centre;
- Christchurch SPCA Centre;
- Nelson SPCA Centre;
- Whangārei SPCA Centre; and
- Rotorua SPCA Centre.

All six locations received location finding reports, which are appended to this report.

The audit was conducted by MPI Systems Auditors Colman U Burke and Júlia Pásztor. Field work for this audit was completed in August 2021 when the head office in Henderson and the Auckland Centre in Mangere were visited. The remaining centres were audited remotely over Microsoft Teams due to the COVID-19 travel restrictions that were in place for August and September 2021. In all centres, the Centre Manager and/or Team Leader Inspectorate were present for the audits. At each site audit (face-to-face and remote), both auditors presented their warrants of appointment as Inspectors under the Act.

The PTS for Inspectors and AOs was updated prior to the audit. The 2021 version was used for all audits but was unavailable to the SPCA at the time of the Head Office and Mangere audit. This was rectified for subsequent centre audits.

The goals of this audit were achieved. The SPCA continues to meet their obligations under the Animal Welfare Act, Memorandum of Understanding and Performance and Technical Standards. This audit included a review of the follow up to findings from the 2020 MPI SAT audit.

Topics

1.0 SPCA Structure

The SPCA has been restructured in recent years. This has resulted in clearer line management and associated responsibilities. Inspectors and AOs also have more flexibility to move to different regions for calibration and career development purposes.

The NIM is based in the Henderson Head Office. The NIM is a newly created role which:

- is more operationally focused, covering the compliance and enforcement workload;
- provides technical support to area managers;
- interacts with SPCA centres on AO appointments and training; and
- works closely with the Inspectorate Support Team, which includes the Investigations and Prosecutions Manager, Legal Counsel, Animal Welfare Coordinator, and Animal Welfare Administrator.

The NIM reports directly to the General Manager Operations. The NIM has line management over and provides support to the TLIs. TLIs have line management over nine geographical areas and the Inspectorate Support Office.

There are seven geographical areas in the North Island, and two in the South Island. The inspectorate areas geographically overlap with centre areas but they have different functions. Each inspectorate area has an Animal Welfare Inspectorate hub based out of a single centre. Each hub is overseen by a TLI. Inspectors in each area report to the TLI.

Inspectors are predominantly based at inspectorate hubs. Inspectors are based at Centres within their respective Inspectorate Area to ensure geographical cover and minimise response time. This is the case for Hamilton, Gisborne, New Plymouth, Whanganui, Nelson and Oamaru.

The NIM also manages the Inspectorate Support Office. The team is based at the National Office and led by a tenth TLI. The support functions of this team include, but are not limited to:

- oversight of the Approved Organisation requirements;
- managing prosecutions;
- in house Legal Counsel;
- Privacy Officer;
- Inspectorate and AO appointments;
- central data analysis/management and records; and
- development of policy and procedure.

There are 34 SPCA centres open to the public throughout New Zealand, and two transit centres. Each centre is overseen by a centre manager. Individual centre managers may be responsible for more than one centre. Centre managers report to an area manager, who reports to the General Manager Operations. The General Manager Operations reports to the SPCA Chief Executive Officer. The NIM may also assist area managers, where required.

There are inspectors based at nineteen of the 34 SPCA centres, with 63 inspectors employed in total. Each centre is required to employ at least one AO. The SPCA currently employs 100 AOs. AOs report to the centre manager. If the centre manager is an AO, they follow normal line management.

The Inspectors and AOs have significantly different functions. Inspectors investigate animal welfare complaints and have a compliance and enforcement role. AOs are appointed to carry out functions under Section 141 of the AWA. These functions include authorising animal disposal decisions (e.g. authorising transfer of ownership to the SPCA to rehome/adopt animals or making euthanasia decisions).

AOs do not perform any Inspector duties, irrespective of whether an Inspector is based at a centre.

2.0 Follow up to findings from the 2020 SAT Audit

SPCA and MPI responses to issues raised during the 2020 MPI SAT audit (Audit 5108, Annual Systems Audit of RNZSPCA) were reviewed.

MPI Issues from 2020 SAT Audit

A low rated MPI issue was raised to the Manager Animal Welfare & NAIT Compliance, MPI to consider the suitability of the large animal/agricultural/production animal case allocation requirements of clause 3.4 of the MoU. This issue was accepted by MPI and completed through the development of the six month Lifestyle Block Trial (Appendix One of the MOU) which was signed on 05 February 2021. This arrangement provided for MPI to investigate animal welfare complaints on production farms with more than 50 animals or where the SPCA might have regional resourcing issues. It was reported that the trial has gone well and that the arrangement suits both organisations' capacity to manage allocated complaints.

A low rated MPI issue was raised to the Manager Animal Welfare & NAIT Compliance, MPI to calendar the 2021 review of the PTSs for Inspectors and AOs.

This issue was accepted and the review of the PTSs for Inspectors and Auxiliary officers was completed and signed off on 06 August 2021. This issue is closed, both documents were used during the audit.

RNZSPCA Recommendations from 2020 SAT Audit

Recommendation - 1. To the RNZSPCA General Manager Inspectorate: ensure that the ongoing training for Auxiliary Officers is implemented before the next SAT audit.

The online refresher training module for AOs, which was produced but not released in 2020, due to COVID-19, was implemented in early 2021. AOs are completing the refresher training as their warrants come up for renewal. The training module and records confirming that such training was completed were reviewed during this audit. This recommendation has been adopted.

Recommendation - 2. To the RNZSPCA General Manager Inspectorate: at the next PTS review, give due consideration for the inclusion of a requirement that the SPCA must provide ongoing skills maintenance and refresher training opportunities at a defined frequency for inspectors.

The updated 2021 version of the PTS for Inspectors requires that Inspectors seeking reappointment must satisfactorily complete any required training as set by SPCA. The auditors are satisfied that the SPCA provides adequate training for inspectors. The SPCA has taken steps to improve the annual training model and the auditors are satisfied that this recommendation has been implemented.

Recommendation - 3. To the RNZSPCA General Manager Inspectorate and the RNZSPCA General Manager Operations: include Privacy Act training in initial and ongoing training for Auxiliary Officers.

This recommendation was made to reflect the fact that AOs are responsible for ensuring that personal information is not disclosed to members of the public. The SPCA has introduced Privacy Act 2020 training in staff onboarding processes for both Inspectors and AOs. It is also included in AO refresher training modules. The auditors consider this recommendation has been adopted.

Recommendation - 4. To the RNZSPCA General Manager Inspectorate and RNZSPCA CEO: train and recommend all centre managers for auxiliary officer appointment.

Every centre now has an AO. The SPCA has introduced a requirement for centre managers to hold and maintain an AO appointment. This will ensure that there is always a person of authority available to make animal disposal decisions. The auditors consider this recommendation adopted.

Recommendation - 5. To the RNZSPCA General Manager Inspectorate, the RNZSPCA Animal Welfare Coordinator, and the RNZSPCA General Manager Operations: ensure that the newly updated SPCA euthanasia policy and procedure is implemented across all centres before the next SAT audit.

This audit found that the updated SPCA national euthanasia policy has been developed by the Science team and is being implemented across all the centres nationally.

Recommendation - 6. To the RNZSPCA General Manager Inspectorate and RNZSPCA Animal Welfare Coordinator: develop a documented procedure for unique circumstances where a panel decision may need to be made remotely.

Following discussion with the NIM that there should be a national documented procedure detailing how remote panel decisions for euthanasia are made and recorded, this recommendation will be carried over from the 2020 MPI SAT audit. Refer to **Topic 8.1 Euthanasia** for details.

With the exception of recommendation six above, the recommendations for improvement from last year's audit

have been adopted by the SPCA.

3.0 Review of the Memorandum of Understanding and Appendix One

The MOU and the Lifestyle Block Trial (Appendix One) provide clear guidance on which organisation is responsible for animal welfare complaint management.

The MOU was last updated in 2019 and was due for review in July 2021. The review had not been completed. During the drafting of this report, the Initiator informed the auditors that the MOU review was in its final stages. A copy of the updated MOU was not available for the auditors to view. Thus, This MPI Issue 1 is raised.

The auditors noted that Section 7.2 of the MOU states: *“Formal discussion between the parties' nominated leads and other relevant staff shall be held on compliance issues of national importance as and when required, but at no less than two meetings per year. The parties will also liaise at an operational level through their regional leads for the Northern, Central and Southern regions”*. This statement uses incorrect SPCA structural terminology. It is the auditors' opinion that the review of the MOU should include an amendment to Section 7.2, such that it reflects the structure of the SPCA. Regular meetings between both organisations should also be encouraged as per this section (MPI Issue 1).

The formal supersession policy is followed when a complaint is received by a Centre and, if required, complaints are transferred to the appropriate enforcement agency in a timely fashion.

Appendix One, Section 2.1 states that MPI will investigate lifestyle block complaints relating to production animal species and where there are 50 or more animals on the property. SPCA inspectors will investigate complaints of companion animal species or where there are 50 animals or less on the lifestyle block.

A less formal transfer system ('soft transfer') is included in Appendix One. Trained operators receiving calls assess the complaint and direct them to the appropriate enforcement agency. The TLIs interviewed during the centre audits reported that the 'soft transfer' of complaints between the MPI and SPCA contact centres was effective and efficient.

The six-month Lifestyle Block Trial Appendix One was signed into effect in February 2021 and concluded in July 2021. It is now timely to review and amend the MOU regarding the 50 animal demarcation to better reflect the capabilities and structure of each organisation (MPI Issue 1).

MPI Issue - 1. To the National Manager Animal Welfare & NAIT Compliance, MPI: Review of the MOU.

Risk Rating: Low.

The MOU was last updated in 2019 and was due for review in July 2021. This has not been completed.

The MOU section 7.2 states that *“Formal discussion between the parties' nominated leads and other relevant staff shall be held on compliance issues of national importance as and when required, but at no less than two meetings per year. The parties will also liaise at an operational level through their regional leads for the Northern, Central and Southern regions”*. The review of the MOU should include an amendment to this section that reflects the structure of the SPCA. Regular meetings between both organisations should be encouraged.

The six-month Lifestyle Block Trial Appendix One was signed into effect in February 2021 and concluded in July 2021.

It is now timely to review and amend the MOU regarding the 50 animal demarcation to better reflect the capabilities and structure of each organisation.

The auditors have been informed by the Initiator that the MOU was being updated at the time of writing of this report.

4.0 Review of the Performance and Technical Standards for Inspectors and AOs 2021

The PTS for Inspectors and AOs was updated prior to the audit.

No instances of AOs carrying out functions of Inspectors were identified during the Centre audits. No Inspectors were found to use their appointment for any other form of employment outside of the SPCA.

Following the review of the 2021 versions of the PTSs for Inspectors and AOs, the following MPI issues were identified:

The PTS for Inspectors references the documented '*Auditing of SPCA guidelines*'. Neither organisation had access to, or knew of the origin of the reference to this document (MPI Issue 2).

The PTS for Inspectors requires MPI to issue the Instrument of Appointment within 10 working days, however this was not always complied with. In some instances, it took several weeks for MPI to process applications. Inspectors may need to be stood down for a short period of time as a result (MPI Issue 3).

The Jurisdiction of Appointment should be national as per clause 48 of the PTS for Inspectors. This was historically reflected in the Instrument of Appointment where a statement clearly indicated that the jurisdiction was national. This statement was not included in recently issued Instruments of Appointment (MPI Issue 4).

MPI Issue - 2: To the National Manager Animal Welfare & NAIT Compliance, MPI: Accessibility of '*Auditing of SPCA guidelines*'. Issue Rating: Low

The Performance Technical Standards for Inspectors, clause 110f, references the documented '*Auditing of SPCA guidelines*'. Neither organisation had access to, or knew of the origin of the reference to this document.

MPI SAT Auditors must have access to all related guidelines and procedures pertinent to this annual RNZSPCA audit.

MPI Issue - 3: To the Team Manager Operations, Approvals, MPI: Failure to comply with clause 46 of the Performance Technical Standards for Inspectors. Issue Rating: Medium.

The Performance Technical Standards for Inspectors clause 46 requires MPI to issue the Instrument of Appointment within 10 working days, however this was not always complied with. In some instances, it took several weeks for MPI to process applications.

Inspectors may need to be stood down for a short period of time as a result.

MPI Issue - 4: To the Team Manager Operations, Approvals, MPI: Removal of the clause on Inspectors Instruments of Appointment relating to the Jurisdiction of Appointment. Issue Rating: Medium

The Jurisdiction of Appointment of an Inspector is national as per clause 48 of the Performance Technical Standards for Inspectors.

This was historically reflected in the Instrument of Appointment where a statement clearly indicated that the jurisdiction was all New Zealand.

This statement has been removed from recently issued Instruments of Appointment.

This is a requirement as per section 124(3)(b)(ii) of the Animal Welfare Act 1999.

5.0 Selection, training and appointment

Inspector Selection

The SPCA demonstrated substantial compliance to the requirements of the PTS for Inspectors *General Criteria*.

Individuals are specifically recruited as Inspectors rather than progressing into the role. They begin their employment with the SPCA as Inspector Interns. MPI approval has been granted for the SPCA to run in-house training for Inspectors. Inspector candidates are shortlisted following a pre-internship "ride-along," a psychometric test, and an interview. The interview consists of practical exercises and a competency test. Inspectors begin training immediately following acceptance of the the internship.

Interns are allocated to inspectorate areas based on succession planning. The TLI for the area becomes the Interns' manager. Interns are paired with an experienced Inspector who acts as coach and mentor.

Inspectors keep a record of training as per the requirement of the PTS for Inspectors. New competencies are signed off by the coach in the training record as they are completed. The NIM carries out a robust review of each

interns' training, examination marks, and completed technical skills programme at the end of the internship. The NIM recommends candidates to MPI for appointment when the internship and review are completed. This system ensures only suitable candidates are appointed as Inspectors. While the most recent intake has provided high calibre candidates, Inspector interns who are deemed not suitable for the role of Inspector end their employment after the internship.

This initial appointment is for a 12 month period during which training continues and new skills are signed off in training handbooks. These records are used to demonstrate sufficient competency prior to submitting applications for Renewed Appointment as an Inspector (a 3 year term).

Auxiliary Officers Selection

The selection process for AOs is not as arduous as it is for Inspectors. This is because the scope of powers for AOs is narrower than that of Inspectors under the AWA.

All AOs are now paid employees of the SPCA. The selection and initial training process of AOs is documented in "SPCA 2. Inspectorate 2.1.4 Auxiliary Officer Training Application v2 (Mar 2020)".

The initial training consists of an online course that AO candidates must complete within two months. Upon successful completion of the course, an application for appointment is provided to the candidate for submission to MPI.

If a candidate does not successfully complete the course, they may resit it one month after the initial course end date. If the candidate fails a second time, they must stand down for 12 months before another attempt can be made. In 2020, one candidate was required to resit the course.

Criminal Convictions

The SPCA demonstrated substantial compliance with requirements of the PTS for Inspectors and AOs regarding criminal convictions. All Inspector and AO applicants are police checked, and the results of the police checks are provided to MPI with the appointment application. Auditors sighted examples of this.

Appointment Renewals

The AWC is responsible for monitoring IoA renewals. Microsoft Outlook calendar reminders to submit applications for Renewed Appointments are set for 3 months prior to the warrant expiry date. If renewal applications are not completed, on the morning of expiry, the AWC sends an email to the centre and the Inspector/AO notifying them that their IoA has expired, and they are no longer legally able to carry out functions under the AWA. Auditors sighted examples of these emails.

All information relating to the IoAs for both Inspectors and AOs are maintained in the Inspectorate Database, including upcoming renewals.

The PTS for Inspectors requires MPI to issue the Instrument of Appointment within 10 working days, however this was not always complied with. Refer to **Topic 4.0 Review of the Performance and Technical Standards for Inspectors and AOs 2021** and **MPI Issue 3** in this report.

Inspectors and AOs can operate nationally and are not confined to defined areas. This was reflected historically in the Instrument of Appointment where a statement clearly indicated that the jurisdiction was national. This statement is not included in recently issued Instruments of Appointment. Refer to **Topic 4.0 Review of the Performance and Technical Standards for Inspectors and AOs 2021** and **MPI Issue 4** in this report.

Auxillary Officer Training

The SPCA has implemented AO refresher training which is delivered as an online module on the SPCA intranet. Refresher training is completed by AOs within 12 months of their appointment renewal date.

The SPCA demonstrated substantial compliance with the requirements of the PTS for AOs *Ongoing Training and*

Evaluation

Inspector training

The PTS for Inspectors states that the Inspector must satisfactorily complete any required training as set by SPCA, in order to be eligible to receive a renewed appointment.

There continues to be training opportunities after their initial one-year appointment. Auditors reviewed records of training for Inspectors, including full regulation and infringement training, and mandatory Privacy Act 2020 training. Inspectors also receive leadership and resiliency training.

Weekly SPCA Hub leadership meetings provide opportunities for calibration nationally amongst TLIs. New policies or procedures coming from the Inspectorate Support Team are discussed amongst TLIs before they are shared with Inspectors.

TLIs hold monthly 'one-on-one' meetings with Inspectors to share new policies and procedures and review cases. These meetings also provide the opportunity for calibration.

TLIs hold individual development plan meetings twice a year. Training requirements for individual Inspectors may be carried out informally at a local level.

Legal refresher training is required for Inspectors who have left the SPCA and subsequently returned to the role.

The COVID-19 pandemic has led to the postponement of recent annual training workshops for Inspectors but the intention is to reinstate them in the future.

Much of the ongoing training is now delivered online. Auditees demonstrated access to procedures and recent updates. The Auditors recommend the SPCA develop a system to ensure that staff have read and understood the most recent versions of SPCA policies/procedures and relevant legislation (Audit 5442, Appendix A). This is required by the PTS for AOs section 87: *"These documents must be available for reference at all times and must be complied with by all staff/volunteers"*

7.0 Complaints against Inspectors and AOs

Complaints brought against Inspectors or AOs were found to be managed by all Centres according to the national documented procedure "2.2.15 – *Complaints against SPCA Inspectors and Auxiliary Officers*". This documented procedure was aligned with the PTS for Inspectors.

The majority of complaints are laid against Inspectors. All minor or unfounded complaints against Inspectors are managed by the TLI, whilst more serious complaints are allocated to the National Inspectorate Manager.

The Centre Manager manages complaints against AOs in the first instance and will escalate to the Area Manager and finally the General Manager Operations if necessary.

The complaints procedure includes provision for an Inspector or AO to appeal a decision made by the SPCA in response to a complaint. The Inspector or AO and their direct manager are notified of the complaint and are required to provide written statements.

There have been no serious complaints against Inspectors or AOs since the 2020 audit.

Serious complaints are notified to MPI in writing and referred to the SPCA Complaints Panel.

8.0 Animal Welfare Complaints and transfers to MPI

The MOU 2019 defines which cases are to be handled by MPI, and which should be handled by the SPCA. The MOU states that MPI will generally take livestock cases involving 100 or more animals. A lifestyle block trial allowing for MPI to manage livestock welfare cases of 50 animals or more was added as an Appendix to the MOU in February 2021.

The SPCA's Auckland Contact Centre receive complaints. These calls follow the *Animal Welfare Complaint Investigation Process Workflow* decision tree. A total of 14,276 animal welfare complaints were recorded in the last 12 months. A small number of complaints are received by the centres. These callers are referred to the contact centre so that the complaint can be registered.

All complaints are triaged by contact centre operators and are graded with respect to urgency. A new grading system was introduced in September of 2021. They are then assigned through 'ShelterBuddy' to the TLI of the area from which the complaint arose. ShelterBuddy is the SPCA's online database for animal intake and management of animal welfare cases.

The TLI reviews the grading of the complaint and allocates the job to an Inspector based on the urgency of the complaint and the availability and experience of the Inspectors. The SPCA *Inspectorate Operational decision-making process* was reviewed during this audit and Inspectors were found to be following this procedure.

Confidentiality of animal welfare cases and related personal information is maintained by password protected access to the 'Dispatch' function of ShelterBuddy. Dispatch is not designed to be accessible to AOs so that confidentiality is maintained. See **Topic 9.0 Records, Policies and Procedures** of this report for further detail.

Inspectors interviewed were aware of the *Limitations* as per the PTS for Inspectors clause 94 and MOU section 3.4. All staff could explain the process of transferring cases from the SPCA to MPI confidently. Cases are transferred to MPI as per the *MPI complaint transfer procedure*. Inspectors provide a written request to the AWC who liaises with MPI. The transfer of such cases to MPI is done in a timely and efficient manner.

All centres were aware of, and could speak confidently, to the *Supersession Policy* as per the MOU and PTS for Inspectors 2021. If a complaint is passed from one agency to the other, it is done in accordance with the SPCA Procedure *MPI Job Transfers*. In the unlikely situation that both agencies are dealing with the same complaint it is managed as per the PTS for Inspectors 2021. That is, the agency that originally received the complaint takes the lead. The centres indicated that when the SPCA take over a complaint initially allocated to MPI, the SPCA provide a full report on the outcome of the complaint to MPI.

The Lifestyle Block Trial was reported as being a flexible arrangement that takes resource and capacity into account. It is working very well at all centres and is due for review with the possibility of becoming permanent.

All centres reported having a collegial relationship with MPI Animal Welfare Inspectors in their region. Communication and information sharing flows well in both directions. TLIs confirmed that if NAIT issues are identified these are passed on to MPI.

8.1 Euthanasia

The PTS for Inspectors clause 92 states that the SPCA must have a policy, procedures and guidelines in place for Animal Euthanasia.

The SPCA Science team updated both its policy and procedure on euthanasia. The "SPCA Animal Welfare Procedure 01 Euthanasia v1 (Jun 2020)" has been distributed to all centres for implementation.

The SPCA would ideally like to move to a veterinarian-only euthanasia model. This would remove the need for Inspectors to maintain firearms.

Emergency euthanasia does not require a euthanasia panel. Non-emergency euthanasia must be supported by a euthanasia panel. The panel must come to a decision prior to employing a veterinarian to perform the task. The panel must include:

- at least one animal welfare inspector or auxiliary officer (this condition must always be met);
- additional members may include authorised staff members such as a veterinarian, the centre manager, a veterinary nurse, or an animal attendant. If this is not possible due to insufficient staff numbers, then at least two members of staff are to be appointed.

The panel considerations and decision are recorded in ShelterBuddy with the relevant case file.

Euthanasia panels can be formed remotely, however management of this is not documented in a procedure. The

recommendation from the 2020 audit to document procedures was carried over (Audit 5442, Appendix A).

In some inspectorate areas emergency euthanasia in the field may be performed by an attending inspector trained in the use of captive-bolt gun. In one area records of training/refresher training in the use of a captive-bolt gun for inspectors dated back three years. It is recommended that training/refresher training for Inspectors in the use of captive-bolt guns for euthanasia to maintain competency should be provided at an appropriate frequency (Audit 5442, Appendix A).

9.0 Records, Policies and Procedures

Electronic records including complaint and investigation details are maintained on the "ShelterBuddy" database. Individual access to ShelterBuddy, and entries associated with that individual are traceable to the username of the staff member that has logged in. There are no documented procedures which detail control of access to sensitive information, nor the review of which staff members have what type of security access. A recommendation was raised to the RNZSPCA Head Office (Audit 5442, Appendix A).

Access to all the data held in ShelterBuddy is limited depending on the role of the staff member. Paper records are used at some of the centres audited. Records are stored onsite and are held for prolonged periods, particularly if they relate to ongoing investigations. At other centres instructions, actions, observations, and interviews are all recorded in ShelterBuddy. A combination of storing both paper and electronic records is common.

Reporting via ShelterBuddy was found to be quick and effective. Centres were able to run reports during the audit on the number of animals currently in their care. Annual figures for the year 2020 were reviewed. These included a breakdown on the different species taken in by the centres and whether they were strays, inspector seized, inspector surrendered, or owner surrendered. Stray cats and kittens make up most of the animal numbers taken at all centres.

The SPCA Head Office maintains records, which include relevant information relating to employees. Auditors reviewed copies of documents associated with appointment applications, training, and performance of Inspectors. Pre-2015 hardcopies are archived off-site and scanned versions of post-2015 documents are maintained on the database.

Certified copies of all IoAs are held at the Head Office. Inspectors and AOs also receive copies of the Certificate of Appointments and their Instrument of Appointment.

All national SPCA documents are stored on the electronic Sharepoint database.

The auditors struggled to identify legislative requirements for the SPCA to store records for a set period of time. It is recommended a reasonable period of time be defined (Recommendation 1).

Policy and Procedure Document Suite

Auditees at all centres were able to demonstrate access to the National Policy and Procedure Document Suite through the SPCA intranet HUB, which is readily available to all staff.

Centre managers were all aware that best practice is to access procedures and documents electronically as these will be the most recent versions.

Prosecution Policy

Not all the Centres visited had sent any cases for prosecution in the last 12 months. All Centres were aware of, and had access to, the procedure "2.9.3.2 *Prosecution Procedure*". The centres confirmed that prosecutions are reviewed by SPCA Head Office prior to progressing, in line with this procedure.

Infringement Notice Procedure

The SPCA procedure "2.8.4.1 *Infringement Notice and Regulatory Prosecution Procedure*" is documented as per clause 92 of the PTS for Inspectors. This audit confirmed that the reality at centres aligned with the national procedure. TLIs review the file upon completion for quality, completeness and accuracy.

Search Warrant Procedure

The SPCA procedure "2.7.4.1 Search Warrant Procedure" outlines the grounds for applying for a search warrant, how to apply for a search warrant, and reference to applicable templates, forms and exemplars. The SPCA Head Office must be contacted prior to applying for a warrant. The procedure requires that search warrant applications are reviewed by the TLI or a senior Inspector, with provision for referral by the TLI to the SPCA Head Office for review prior to applying for a search warrant. This was the process described by TLIs interviewed during the centre audits.

Inspectors follow the documented national procedures for search warrants, prosecutions, infringement notices and the supersession policy. All TLIs interviewed could readily access policy and procedure documents for Infringement notices, Prosecutions, Search Warrants and Euthanasia. The auditors also reviewed a flow diagram of when MPI was to be involved and the timelines that had been set. TLIs interviewed regularly check progress against these timelines. Feedback is provided to Inspectors at monthly one on one meetings to ensure the timelines are met.

Exhibits Handling and Storage Procedure

As per clause 90 of the PTS for Inspectors, the SPCA have documented "2.7.5.1 Exhibits Handling and Storage Procedure".

When biological exhibits, which may later be used in evidence are stored, the freezers or rooms in which they are housed are not always secured. To prevent the opportunity for tampering with or disposing of exhibits it was recommended that the SPCA introduces a system to ensure the "2.7.5.1 Exhibits Handling and Storage Procedure" is complied with nationally (Audit 5442, Appendix A).

Recommendation - 1: To the National Manager Animal Welfare & NAIT Compliance, MPI: Defined period of time for storage of records.

Currently the SPCA store staff records for an indefinite period.

There is no legislative requirement for the SPCA to store records for a set period of time. It is recommended a reasonable period of time be defined.

12.0 Centre Facilities

The Auckland Centre in Mangere was well presented, fit for purpose, and suitable for the temporary housing of animals. The site on which it stands has recently been acquired by a developer meaning the centre will be relocating in the medium term. Commendable efforts were made to provide for the enrichment of animals - in particular the Canine Confidence Course. Due to COVID-19 restrictions, no other centres were audited onsite.

Rehabilitation facilities and adoption areas for feline, canine and small animals were viewed. All housing was fit for purpose, clean and tidy. Cleaning and disinfection of pens and cages was observed during the reality check of the facility.

The centre has developed a managed entry policy where vulnerable, high risk animals are prioritised for acceptance into a Centre.

Persons in charge of animals are given 24 hours to consider surrendering an animal and many elect to keep it. Trap and release and voucher schemes (for 'easy fixes' to be re-directed to private veterinary practice) have helped free up space to allow an 'animal pathway' traffic light project to be implemented. As a result, animals are handled and moved less frequently. This has resulted in less stress-related disease.

All species are housed separately, including a wing for rabbits and guinea pigs. Healthy strays are isolated and quarantined in their own cage. Healthy strays remain in quarantine until they become the property of the SPCA on day 8, and are then put up for adoption.

The hospital was well-equipped. The veterinarians and veterinary nurses interviewed were engaged and committed to the implementation of improvements. Pentobarbitone (and other controlled drugs) is stored in a double safe with access limited to the veterinarian on duty and animal service manager. A register of use of controlled drugs is maintained.

Released under the Official Information Act 1982

Conclusion

The RNZSPCA was found to be in substantial compliance with the Memorandum of Understanding, the SPCA Performance and Technical Standards, and the Animal Welfare Act 1999.

No non-conformances, non-compliances or critical situations were identified.

Two low rated MPI issues are raised to the National Manager Animal Welfare and NAIT Compliance as a result of this audit relating to the:

- review of the MOU and the six-month lifestyle block trial Appendix One; and
- inability to supply a copy of the 'Auditing of SPCA guidelines' as referenced in the PTS for Inspectors.

Two medium risk MPI issues relating to the Instrument of Appointment (IoA) are raised to the Team Manager Operations, Approvals for:

- Failing to consistently meet clause 46 of the PTS for Inspectors; and
- Removing the statement on the IoA that confirms compliance with clause 48 of the PTS for Inspectors.

One recommendation is raised to the National Manager Animal Welfare and NAIT Compliance to:

- define the period of time the RNZSPCA must store records for.

Four recommendations were raised to the RNZSPCA during the course of the audit (Audit 5442, Appendix A) for implementing processes and procedures relating to:

- confirming staff have read and understood updated policies, procedures and legislation;
- remote euthanasia panels and emergency euthanasia training;
- reviewing staff access to sensitive information; and
- the security of stored exhibits.

Summary Issues

MPI Issues

MPI Issue - 1: To the National Manager Animal Welfare & NAIT Compliance, MPI: Review of the MOU. Risk Rating: Low.

The MOU was last updated in 2019 and was due for review in July 2021. This has not been completed.

The MOU section 7.2 states that *“Formal discussion between the parties' nominated leads and other relevant staff shall be held on compliance issues of national importance as and when required, but at no less than two meetings per year. The parties will also liaise at an operational level through their regional leads for the Northern, Central and Southern regions”*. The review of the MOU should include an amendment to this section that reflects the structure of the SPCA. Regular meetings between both organisations should be encouraged.

The six-month Lifestyle Block Trial Appendix One was signed into effect in February 2021 and concluded in July 2021.

It is now timely to review and amend the MOU regarding the 50 animal demarcation to better reflect the capabilities and structure of each organisation.

The auditors have been informed by the Initiator that the MOU was being updated at the time of writing of this report.

MPI Issue - 2: To the National Manager Animal Welfare & NAIT Compliance, MPI: Accessibility of 'Auditing of SPCA guidelines'. Issue Rating: Low

The Performance Technical Standards for Inspectors, clause 110f, references the documented *Auditing of SPCA guidelines*'. Neither organisation had access to, or knew of the origin of the reference to this document.

MPI SAT Auditors must have access to all related guidelines and procedures pertinent to this annual RNZSPCA audit.

MPI Issue - 3: To the Team Manager Operations, Approvals, MPI: Failure to comply with clause 46 of the Performance Technical Standards for Inspectors. Issue Rating: Medium.

The Performance Technical Standards for Inspectors clause 46 requires MPI to issue the Instrument of Appointment within 10 working days, however this was not always complied with. In some instances, it took several weeks for MPI to process applications.

Inspectors may need to be stood down for a short period of time as a result.

MPI Issue - 4: To the Team Manager Operations, Approvals, MPI: Removal of the clause on Inspectors Instruments of Appointment relating to the Jurisdiction of Appointment. Issue Rating: Medium

The Jurisdiction of Appointment of an Inspector is national as per clause 48 of the Performance Technical Standards for Inspectors.

This was historically reflected in the Instrument of Appointment where a statement clearly indicated that the jurisdiction was all New Zealand.

This statement has been removed from recently issued Instruments of Appointment.

This is a requirement as per section 124(3)(b)(ii) of the Animal Welfare Act 1999.

Recommendations

Recommendation - 1: To the National Manager Animal Welfare & NAIT Compliance, MPI: Defined period of time for storage of records.

Currently the SPCA store staff records for an indefinite period.

There is no legislative requirement for the SPCA to store records for a set period of time. It is recommended a reasonable period of time be defined.

Appendices

Appendix A - Location Finding Reports for Individual Audits

Appendix B - Initiator comments

Appendix C - Audit Checklists

Distribution

9(2)(a) [redacted], National Manager Animal Welfare and NAIT Compliance, Ministry for Primary Industries

9(2)(a) [redacted], Team Manager Animal Welfare and NAIT Compliance, Ministry for Primary Industries

9(2)(a) [redacted], National Inspectorate Manager, Royal New Zealand Society for the Prevention of Cruelty to Animals Incorporated

9(2)(a) [redacted], Manager Animal Welfare, Ministry for Primary Industries

9(2)(a) [redacted], Manager Systems Audit, Ministry for Primary Industries

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9(2)(a) [redacted] (MPI Issue Tracking), Systems Audit Technical Coordinator, Ministry for Primary Industries

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Electronically Signed by Colman Burke Auditor on the 15 Nov 2021 4:32 pm