

BUSINESSORTER

Introduction

The brief is to carry out a review of the governance and Constitution, and operations of the Aro Valley Community Centre, as requested by the Aro Valley Committee and paid for by Wellington City Council.

Background

The Aro Valley community has a long history of engagement and involvement in the Committee, Community Council and Community Centre. The centre and services are seen as playing an important and valued role in the community. The organisation operates under a constitution.

- The Constitution

The Constitution clearly documents its good and honourable intentions to bring a high level of collaboration and unity to the community. Be it the changing times and needs, or that people have failed to grasp the intent of the document and align with it for the benefit of all, but the Aro Valley community finds itself with many warring parties (individuals), unable to find common ground and work together in a constructive and respectful way.

- The Committee

Despite being a relatively new group of Committee members with the motivation and commitment to invest in the community, things have not been going well. At present the main (almost entire) focus is running the Community Centre in an attempt to meet the contractual commitment to Wellington City Council. However, there has been one difficulty after another with the Committee and running the Community Centre that has consumed a considerable amount of time and energy. Although some positive steps have been taken, things overall remain unresolved in a number of areas. This, along with delays to improvements to the Community Centre have frustrated progress and impacted negatively, with the end result being an inability to operate the Community Centre in a safe and efficient manner.

Attempts at producing policies and procedures, and a practical framework to support the smooth running of both the Committee and the Community Centre have not come to fruition, as there is no time left, or willing resource to help produce them, let alone implement them after all the other 'people' matters are dealt with. This has left the Co-Chairs and Committee members disillusioned and some members, whilst keen to remain contributing, do not wish to continue in their roles if things don't change.

- Committee and Council Meetings

The Committee have been managing repeated disruption and negative behaviour at Committee and Council meetings. There have been significant challenges at Committee meetings and members of the community have 'hijacked' the Council meetings. The behaviour is frequently rude and aggressive, creates disruption and moves the focus away from subjects needing attention.

This makes holding productive meetings and getting down to business difficult, if not impossible. The unpleasant nature of interactions makes it hard for those attending (in any capacity), to be engaged and contribute to a constructive event.

Attendance at Council meetings has been lower in recent times (COVID no doubt playing a role) and it is also believed the behaviour of a few puts' others off attending. Getting a quorum so business can be carried out has also been an issue in recent times.

- Community Centre

Community Centre employees and volunteers have struggled with a number of issues resulting in high employee and volunteer turnover. They have frequently had to deal with managing dysfunctional, disruptive and intimidating behaviour from members of the public, which is frightening and upsetting for them, and reduces the time they have to get day to day work completed.

Security concerns at the Community Centre have led to an independent review providing recommendations for the building and surrounding areas. The majority of the recommendations have been implemented, except renovations to the building and security cameras (which are to be purchased shortly).

There have also been issues with employees failing/refusing to carry out duties and instances where employees have attended Committee meetings, (despite not being members). Resource is now well below the level required to run the centre and recruitment is underway.

The Community Centre has a high level of risk with health and safety, resourcing and operational issues that need to be resolved.

Interview Summary

Interviews have been carried out with 15 people, including: past and present employees and volunteers, Committee and community members (including some who regularly cause disruption) and the manager of a Community Centre nearby.

There has been a high level of alignment on a number of topics:

1. The Community Centre is a valuable resource and plays a key role in the Aro Valley community. Despite the challenges, nearly everyone commented the Community Centre is needed and local control and flexibility is seen as a strength.
2. The community is rich with diversity and 'characters' which is part of why people choose to live in Aro Valley. However:
 - a) A small number of people (up to 10) constantly disrupt and upended Council meetings, and negatively impact the work the Committee are trying to do to run the Community Centre. The rudeness and disruption inevitably use valuable time and depletes people's energy, impacting wellbeing and making it hard to keep up morale. The end result is reduced productivity and disappointment with a lack of progress, ultimately resulting in a disillusioned Committee. Employees and volunteers are impacted by the lack of momentum and operational frustrations. The community is now being impacted by the departure of employees and low number of volunteers, resulting in the closure of the centre.
 - b) Community members with mental health and other challenges cause disruption, fear and damage in and around the Community Centre. Understandably this has a direct impact on Committee members working to support the employees and volunteers, and on the volunteers and employees trying to manage difficult and disruptive situations. There are health and safety risks and a number of gaps and challenges to resolve.

3. There are concerns the Constitution is not 'fit for purpose', making it more difficult than it should be to operate effectively. The openness of the Council meetings and involvement of many parties impacts in a number of ways:

- matters that need progressing may not be addressed, or even heard as the Committee can't get to them due to the disruption or focus on other topics.
 - the differences of opinion on day-to-day operational matters frustrate the decision making progress and result in a lack of decisions being made, or Committee decisions may be overturned by people not involved in the day to day running who may also not have the knowledge, or experience of running a Community Centre but who hold strong opinions.
 - It is difficult to have the necessary open discussion required to get to the bottom of matters, due to concerns about it being a public a forum and the conflicting need to maintain the privacy of individuals and suitable level of discretion.
4. There is a need for more structure and policies to be used to help combat what is going on. There needs to be more clarity around the purpose, responsibilities and reporting.
5. There is a growing division between those wanting to save the heritage of Aro Valley and people wanting to grow and develop the area. This needs work and a plan.
6. Too much is expected of employees and volunteers. They are not experienced or qualified enough to deal with many of the difficult problems they come across.
7. Behaviour needs to change, and people need to treat each other respectfully if anything is going to improve. People with unclear boundaries and agendas are ruining it for everyone else.
8. There is a lot of work to do in many areas and not the focus, time or sufficient resource to deal with it all in the current form.

External Review of the Constitution

The Aro Valley constitution emphasises preservation of the environment, natural features, streets, buildings and historic character. Health and safety, welfare, economic, cultural, social, community and community facilities all feature as areas to be supported.

Simon Blackwell, a senior Partner at Blackwells Law, Newmarket, Auckland reviewed the AVCC constitution and said it was "fit for purpose, in terms of the obvious intention of the community when it was set up and is a way of ensuring the community are able to contribute to issues and matters going on in their community". "In practice it will be impacted by the contribution of all those involved and if that is not generally constructive, that can make it very challenging for a committee to manage. That is the nature of community organisations".

"The only change might be to reduce the number of meetings for the Council, which is currently at 4 per year". "The Committee are required to attend a minimum of 10 meetings per year, the 4 which the Council attend and their own meetings, which are required to be a minimum of 6 per year". It is a lot of meetings, depending on what you use them for and the contribution of the community".

"It is a democratic constitution giving the Committee freedom to run the Community Centre and carry out other work, as they see fit". "There is a lot of freedom to do what they need and want to do". "It can be challenged by those attending the Council meetings and there are four meetings

where decisions can be opposed and overturned, if they don't get a majority". "With reasonable people attending, even if there are different views, in principle the Committee should be able to work within this framework". "If they are not able to then they need to use the freedom it allows to create ways to make it more productive and build support in the community to make sure they get the support they need to progress work for the majority (of course, that might be easier said than done), or look to remove the running of the Community Centre from the equation".

"The running of the Community Centre would not have to stay with Aro Valley. The contract could be awarded to an independent organisation. As a separate organisation it could then focus on delivering services for the community. That would be another option". "Some issues will remain whoever is involved, so it is best to work out how to reduce them and what model will work best based on the particular challenges and what is required". "It is certainly not an easy situation, particularly if there are divisions, or community members who disrupt proceedings, or act inappropriately and won't concede, or support the majority".

Options for Consideration

Option 1. Working with the existing framework

Committee Meetings - There is the freedom with the current constitution to create a new structure for the Committee and Community Centre (day to day operations), but it does not alter the reporting and meeting requirements, and as such it is likely there would similar ongoing engagement. Disruption may be reduced by a new structure, but it is impossible to know how effective it would be and the current issues are unlikely to be eliminated due to the democratic nature of the constitution and inclusive governance framework.

Community Centre - If the Committee were willing to remain on board, continuing with the current governance framework/constitution and resource was dedicated to creating a new structure of policies and procedures, mapping out all the functions, roles and responsibilities, operational requirements, and it was implemented properly with the right level of management in place, some things in relation to running the centre would become easier, issues would most likely be reduced and perhaps some would even go away.

Creating a clear and practical framework to assist to the Committee to do their job would go some way to help them navigate and manage the risk they are regularly faced with.

Creating an operating structure for the Community Centre would do the same and it is likely to be more effective if you were to create a clear division between governance and operational duties, keeping operations as separate as possible with sound reporting requirements, based on best practice.

The set-up of the two structures would require sufficient funds, capacity and capability to deliver. They would take funds and time to create and bed down, and based on past and current behaviours, may not be an easy road, or the fastest, or most practical solution.

We are also aware this would be a big ask of the current Committee and Co-Chairs who are struggling to find a path forward and have expressed the likelihood they will walk away if required to continue with the constitution. There is disillusionment and a lack of belief a new structure would make much difference when the constitutional requirements with regard to reporting,

meetings and decision making would remain the same, particularly after all they have experienced. That does not seem an unreasonable assumption under the circumstances.

We question the likelihood a new Committee would fare any better, as the knowledge and capability of the current Co-Chairs and Committee members is not insubstantial. It is an option, but finding the new Committee and having them navigate issues, while creating a structure may require dedicated and experienced external support, if it were to succeed. This could be quite a costly option, particularly in the short term set up phase.

Option 2. Wellington City Council

The running of the Community Centre could be taken over by Wellington City Council. This is an obvious option, but no doubt there are many matters including priorities and policy for the Council to review, should they choose to consider going down this path.

Option 3. Relinquish running the Community Centre

It is useful to look at standard operating models for service providers be they commercial, or Not For Profit. The Institute of Directors has clear guidelines on the split between governance and operational functions in organisations. This is a comprehensive and a useful reference for operational effectiveness and it is also practical.

Any service organisation, or business trying to operate effectively benefits from good governance, with the running remaining separate and without a board, or Committee getting involved in management matters, or having control over day to day decisions. This ensures the service provider has the autonomy and flexibility to meet the day to day needs and requirements to operate well. The board have a duty to ensure the service provider is meeting the required standards, but should only do that by ensuring the leadership is capable and competent and the governing body would have no authority to be involved, unless there was a formal performance management structure in place as a result of a failure to meet KPI's.

Putting the contract out to tender and awarding it to an independent organisation with a governance and operating structure would no longer require operational and 'business' decisions to be approved by a community organisation with many decision makers. This would provide a level of autonomy and simplify the running of what is in essence, a small service provider in a local community. Consultation with the community would be limited to surveys and research regarding the service offering and new services, which is appropriate.

It seems the wider purpose of the Aro Valley constitution has been lost due to the challenges of running the Community Centre. Without the frustration and weight of being unable to ensure best practice management of the Community Centre and more time to consider wider community matters, the Committee and Council would be able to focus and deliver on the full scope outlined in the constitution at a governance level. By stepping back and reviewing the purpose and goals, a new structure to support delivery could be agreed and implemented, using best practice guidelines, and in doing so creating a more functional and effective operating model. They could also set up policies and procedures and operational teams to deliver in all key areas, outlined in a strategic plan.

Recommendations for Aro Valley Community Committee and Council

Before making recommendations, we want to provide a broader context and acknowledge the impact COVID has had on people globally and locally. There is a body of research emerging showing greatly increased levels of frustration, burnout and disillusionment in the workplace. In New Zealand we have been truly fortunate with minimal lockdowns and deaths, however, it does not mean we are exempt. The world is in a greater state of uncertainty than most people alive today have experienced. It continues to impact with people experiencing shock, short and long term (insidious) trauma, and health and wellbeing issues, making everything that much harder and more challenging.

A recent report shows New Zealand is under resourced for facilities and support with regard to mental health issues, there are also well documented housing and low-income issues. As such, it is reasonable to assume many community problems and those affecting Aro Valley Community Centre will not change in the short term and will therefore require management and new solutions. To manage effectively, including managing risk with a focus on health and safety, practical and pragmatic decision making likely to be more important than it may have been in the past.

At all times, a contract, or constitution, should be the reference point and document we rely on to give clarity. The Constitution's purpose and intent are not currently being met. This should be a priority for the Committee who are tasked with working with the Constitution. Clearly, to do so there needs to be their capacity to manage the wider scope of work set down.

The contract to manage the Community Centre is all consuming and is taking up a disproportionate amount of time in relation to the areas set out in the constitution. Unless a new structure for the Committee and Community Centre are found, a budget with sufficient and readily available funds to implement a clear plan and adequate resource to support that and run the Community Centre can be found (in the short term), then giving up the contract to run the Community Centre seems the most logical and practical step to ensure the Committee can operate effectively. Without a step change and renewed focus on the 'job' they are tasked to carry out, the Committee will continue to be unable to deliver on its mandate.

To test the recommendation a tried and test framework could be used to support decision making. We recommend using a performance structure (on one page) to measure effectiveness for the last 12 months. This would provide a quick, inexpensive and effective way to ensure benchmarking is used to help provide clarity. Producing KPI's and measurement criteria based on the Constitution would be a useful document. This would include the Community Centre (but it should not be given a disproportionate weighting). We expect this to create clarity around priorities and also an awareness of gaps in the current operating model.

Necessary Operational Changes

Regardless of who ends up running the Community Centre there are some fundamental operational changes with regard to management and health and safety at the Community Centre that require planning, implementation and completion. This is a complex community with many needs and challenges.

Under health and safety legislation, the current level of operation of the Community Centre is a risk to the Committee, the Council and the employees and volunteers running it, also to the people who use the centre, and the landlord. No one is exempt from responsibility under the Health and Safety legislation. Based on previous and recent events it is a high risk when the centre is operating and needs immediate and thorough attention.

The renovation and upgrade will go some way to support operational effectiveness and health and safety requirements of the Community Centre, and commencement as soon as possible is recommended.

Running any service requires considerable focus and timely decision making if it is to run effectively. Day to day issues in and around the Community Centre involving community members, and the operating challenges create a high level of difficulty for anyone running, working or volunteering at the Community Centre. There are health and safety challenges that can be managed, but there will be ongoing risk to manage and respond to appropriately.

These factors combined with employee and volunteer resourcing, training requirements and management issues will require the skill and expertise of an experienced manager, with relevant experience and proven capability to:

1. Ensure the day to day running of the centre carried out by an experienced and capable manager, with a track record of leading teams and managing facilities with similar issues and challenges
2. Create a plan with clear priorities, implementing the plan to manage and reduce issues and risk. This will include managing health and safety, recruiting, training and developing a skilled and robust team of employees/volunteers and creating policies and procedures to support the consistent and effective management of the facility.
3. Manage and grow external relationships by developing strong partnerships to support the Community Centre and its users, including WCC, local business, police, social welfare, support services etc.
4. Ensure the facilities meet all legal and legislative standards, with comprehensive reporting at all levels
5. Deliver services that meet the current needs of the community.

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