

Claimant Reference Group Minutes – Day 1

Date: Thursday 25th June 2020

Time: 9am – 4pm

Location: MBIE, 161 Cashel Street

Attendees:

CRG:

Ali Jones (Chair)

Tom McBrearty (TM)

Phillipa Moore (PM)

David Townsend (DT)

Dean Lester (DL)

Jo Petrie (JP) via Zoom

Linda Ngata (LN) via Zoom

EQC:

Jane Bryden, Senior Comms Advisor (JB)

Martin Connell Lead Engineer (MC)

Sid Miller Chief Executive (SM)

Referred to: Renee Walker (RW)

Minute Taker:

Rebecca Moreno

Agenda Items:

1.	Welcome and Housekeeping	
1.1	Confirm today's agenda and review and confirm minutes from May	9:00am
1.2	<p>General Business</p> <p>Discuss proposed meetings: JUNE: Thurs 25 June and Mon 29 June JULY: Thurs 30 July and Mon 3 Aug AUG: Thurs 27 Aug and Mon 31 Aug SEPT: Thurs 24 Sept and Mon 28 Sept</p> <p>Confirm or change.</p> <p>Review questions asked of Sid/Martin re: engineering matters. Update any responses from Sid, the Minister (request to meet made on 20 May), CRG's response to Benesia Smith re: top 5 recommendations from inquiry.</p> <p>Agree next steps.</p>	9:15am

1.3	Jane Bryden – EQC Senior Communications Advisor. Meet group for an open discussion.	10:00am
	Morning Break	10:45am
1.4	Martin Connell – Manager Engineering. <ul style="list-style-type: none"> • ENZ instruction EQC is using • ██████████ being referenced by EQC/Fitzgerald case • Update CRG on trends, issues etc. • Foundation update/issues 	11:00am
1.5	CRG review discussions and agree next steps.	12:00pm
	Lunch	1:00pm
1.6	Discuss issues to be raised with Sid Miller (documents in google drive include notes sent to Sid, Schedule 5 being used by EQC and originally agreed ENZ letter of engagement (LOE). Include info from discussions from EQC team earlier. Action list – discuss and progress.	1:30pm
1.7	Sid Miller – EQC CEO: <ul style="list-style-type: none"> • Address issues raised in recent correspondence – RMcV, Manuals and Privacy Breach • Discuss national group ideas • Discuss On Solds with reference to CRG’s recent meeting with Treasury • Media Release 	2:30pm
1.8	Initial discussion with Jane Bryden regarding National Advisory Group.	3:30pm
	Meeting closure	4pm

Minutes:

1.1 Confirmation of Previous Minutes and Agenda

- The Chair welcomed everyone and confirmed the agenda.
- The Previous minutes were approved by the group.

1.2 General Business

- Meeting dates confirmed:
 - Thursday 30th July and Monday 3rd August
 - Thursday 27 August and Monday 31st August
 - Thursday 24th September and Monday 28^h September
- Monday meetings will now start at 9:30am.
- The group discussed what they wanted to raise with Martin Connell when he joined the CRG meeting:
 - What is EQC's preferred supplier selection criteria?
 - Are the engineers adhering to the report?
 - Does EQC do audits to check all suppliers are using ENZ instruction and does EQC do audits to check the suppliers are meeting standards?
 - Where has Schedule 5 come from?

Action: The Chair will chase up Sid Miller, Chief Executive, and the Minister regarding CRG's request (made on 20th May) to meet with the Minister.

1.3 Jane Bryden – EQC Senior Communications Advisor

- CRG members introduced themselves to JB and JB gave the group a summary of her background and involvement with the earthquake response.
- JB thanked and commended the CRG for the work they had done and acknowledged the work hadn't been easy.
- JB told the group that the EQC Board met yesterday and it was agreed they would like to have CRG input into the National Advisory Group. JB noted that this would have implications for the end date of CRG and also said she'd like to make sure CRG meeting dates were timed to get the best out of the EQC Board meetings.

Action: JB and Chair to liaise re: EQC Board and CRG meeting dates.

- The Chair stated that CRG haven't liaised with a Senior Comms Advisor before, and confirmed with JB that any comms and media releases that had previously gone to RW will now go to JB.
- The Chair also asked JB that when EQC media releases go out they need to go to CRG for a heads up and, if appropriate, CRG should be involved in the media release as it would be beneficial for both EQC and CRG.
- DT agreed and stated that involving claimants as early as possible was important.

- TM noted that EQC's language in media releases may be appropriate nationally but didn't necessarily work locally.
- The Chair stated that there needs to be a discussion with the Minister's office – whoever is managing the comms should keep CRG in the loop with media releases.

Action: JB to discuss with the Minister's Office, keeping CRG in the loop with media releases.

- PM said even if it is too late for CRG to provide input into a media release, CRG should still be sent a copy.

Action: JB will ensure all media releases are sent to CRG.

- The Chair stated that virtually every single element of what EQC does is linked to the claimants, so therefore, CRG needs to have oversight.
- JB noted that in her reading since starting she had noted that EQC had a broader role than direct claimant activity, such as its Resilience work and Research programme, Risk Financing, etc, but agreed that all activity indirectly affected potential EQC claimants
- PM stated that CRG want to help current claimants but CRG also want to fix the problems for future claimants.
- DT stated that CRG's discussions with EQC have been good, CRG's frustrations have been that EQC hasn't been able to get changes to the coalface.

1.4 Martin Connell – Manager Engineering

- DL asked MC if EQC staff have refresher courses around tone of voice. MC responded that there wasn't formal training, but it was an issue discussed at monthly catchups at a management level, and that there was a guide in place.
- The Chair told MC that she had recently received an email from a claim settlement guy that was passive aggressive and had a very legal tone. MC responded that obviously repetition lead to learning so he would need to look at the tone of voice training.
- The Chair asked MC what FRESH' was? (seen on a wall at RQC recently - posters). MC said it was the guide, an acronym which included things like Friendly, Responsive and Empathetic.
- PM asked MC what additional things the Public Inquiry report had prompted him and his team to do. MC said while much of the content was known and being addressed,

the quantum emphasized for him the need to take the learnings from the Canterbury event forward for the next big event.

- The Chair asked MC if he was a key part of Josh Lindsay's programme of work. MC said he wasn't but he provided support.
- DL suggested to MC that lessons learnt were lost in BAU claims. MC said it was potentially an issue of knowledge transfer and continuous focus on that and improvement.
- The Chair stated that it sounds like a training issue rather than a learnings issue.
- DL stated that CRG have consistently asked EQC: 'What are you doing with training your staff? Why isn't the training happening?'. DL asked MC what other motivation can CRG give EQC? MC said that managers have regular team leaders meetings about Canterbury claims, in which consistency was always considered.
- The Chair asked how CRG could feed into the quality consistency group? MC responded that if there are themes and trends developing, the CRG should continue to raise these to be addressed by the appropriate team within EQC.
- The Chair stated there seems to be two issues: firstly, a lack of training and secondly, a disconnect between the Canterbury and BAU work streams.

Action: JB will follow up with MC and clarify current training and a refresher on tone of voice training.

ENZ Instruction EQC Is Using:

- DL asked MC why ENZ wasn't adding Schedule 5, if it was good, to their Letter of Engagement (LoE) so everyone is using the same document.
- MC said that when he, Baden Ewart (BE), and the CRG last met, they had discussed changes to the ENZ LoE. MC then spoke with ENZ about needing to change some elements of the LoE and asked ENZ's opinion on the changes. ENZ advised EQC that changes to the document should be discussed and agreed with ENZ.
- He noted that the document is dynamic, subject to change as necessary, but that care is always taken when changing documents with another organisation's logo on it and done in consultation with that organization.
- MC stated that Schedule 5 was to make it easier for EQC to accept any claim for earthquake damage rather than having a back and forth with an expert – the hope was it would make the expectation very clear.
- DL stated the document should be best practice because the Tribunal is relying on it. DL asked MC how he saw being claimant centric and if it was getting back to one document?

- MC stated there will be some context in the ENZ brief, it does touch on the same themes. MC stated that the additional information is regularly requested to support a claim. The standard of repair or delimitations of damage definitions have not been altered.
- The Chair stated she was a little disappointed CRG wasn't included in the discussion. MC responded that they presented it to the CRG last year.
- DT told MC that CRG came back saying it wasn't comfortable with either the CRG or EQC reviewing it, and that in the CRG's view it was the responsibility of ENZ.
- DL asked MC if EQC was saying that they were moving away from working with ENZ or was EQC committed to working with ENZ to create a document. MC confirmed that EQC works closely with ENZ and that there was no intention to do otherwise
- The Chair stated that when CRG last met with MC and BE, CRG originally said it should be an appendix, not prescriptive as the new Schedule 5 is.
- PM stated that the problem in the past has been EQC engineers and the claimants' engineers had different briefs. This is happening again when a claimants engineer uses the ENZ LOE and EQC uses the "new" LOE with the detailed Schedule 5.

Action: MC and JB will respond in writing to CRG regarding the review and the status of Schedule 5.1

Being Referenced By EQC:

- DT told MC that what is happening at the coalface is not what CRG discussed and agreed with EQC.
- DL stated that EQC confirmed that the [REDACTED] is not being used yet last week Southern Response, acting as an agent for EQC, was using it.
- The Chair stated that she has examples of the [REDACTED] being used in progressing a claim.
- MC responded that EQC does not use the [REDACTED] as a claim settlement basis, and that he would remind staff of this.

Action: The Chair to provide examples of [REDACTED] being reference, to JB.

Fitzgerald Case:

- DT gave a background of the Fitzgerald case: it's a new IAG case that went through the courts and he believes it is being misapplied.

- DL added that it is viewed by some that epoxy is suitable to be used as a structural repair, but if you have structural damage, then you must repair in a structural way. For some period, EQC and insurers thought that they could achieve that by using epoxy.
- MC noted that it is a High Court ruling and EQC does not accept it as a general basis for assessment but also noted that it may be relevant for specific cases.
- DT asked if EQC has a precedent write up that cites it for claim managers to use. MC noted that it could be on the Intranet among a range of legal information, which would all be qualified appropriately.

Action: JB and MC to clarify where the Fitzgerald case is available and ensure its references are tidied up.

Action: The Chair is to follow up with JB and MC.

Foundation Update/Issues:

- The Chair asked MC for an update on EQC's repair methodologies.
- MC stated he was working with engineers for a joint agreement, including engineers who have worked with claimants in the past.
- MC also said that he has had constructive conversations with companies around Christchurch.
- The Chair asked what mechanisms MC has been using to do that and the Chair asked if there might be value in ENZ bringing the groups together.
- MC responded that they have quarterly forums already in place and he also regularly meets informally with engineers.
- PM asked how often EQC does quality checks on external providers to see if they are adhering to the LoE. DT added that in his view EQC needs a quality system.
- PM suggested claims managers/specialists may not be the best quality audit, but MC's team have the knowledge to review external expert reports.

Action: The Chair to follow up with JB and MC on consideration of EQC's quality review processes.

- The Chair stated that the CRG would be keen to hear more about review processes and asked if CRG could have some confidential reporting on how it was going.
- DT stated the audit should be independent.

- TM stated that research about land was done right throughout New Zealand and asked MC if he was the person CRG should be talking to with regards to getting this point through to EQC and local government.
- MC responded that the NZ Geotech database has a lot of information but that he is probably not the best person but there is a research department in EQC.
- JB noted that she wanted to talk with Jo Horrocks (JH) in EQC about the work underway in her team and will bring that back to a future CRG meeting.

Action: JB to look at how EQC can make the land research information clear to CRG, and future briefings to CRG.

Further Questions

- The Chair asked MC who the CRG should approach if there are issues e.g. someone quoting the [REDACTED].
- MC responded that while he could give a technical opinion, that person would have a team leader, so that person would be the best person to contact.
- JP asked if EQC could give a statement to CRG about the [REDACTED] that CRG could pass onto claimants.

Action: CRG requests a statement from EQC about the [REDACTED] not being used by EQC - JB to clarify with EQC staff.

- The Chair said RW told CRG that EQC wasn't going to be using [REDACTED] anymore, however, the Chair was told yesterday [REDACTED] was being used in a claim.
- DT added that this comes back to the list of EQC's preferred experts. DT stated CRG have fed back to EQC when there have been issues with an expert, but EQC needs to quality control experts and test the quality of the preferred supplier's output.
- DT asked if EQC has a process around preferred experts where they review them, and he questioned how EQC can use experts again if there is a failure to deliver and there hasn't been training. eg. DT asked if EQC looked into every project [REDACTED] [REDACTED] was involved with.

Action: JB and MC to investigate EQC's quality control of preferred experts.

1.5 Media Release Re: On-Solds

- The Chair stated that in CRG's terms of reference, when CRG writes a media release they need to give EQC the heads up.

- JB said she didn't have information about the letter drop.
- CRG drafted a media release: *Claimants Reference Group Pleased On-Sold Extension Approval Encourages Homeowners to Register "To Be Safe"*.
- CRG's media release included a second page with a guide for homeowners to help identify possible earthquake damage.
- TM asked the Chair if she would send the media release to the media team at the Christchurch City Council too. The Chair said she would and would also copy in all of the Christchurch City Councilors.

1.6 Sid Miller – EQC CEO

Discuss On-Solds with reference to CRG's recent meeting with Treasury:

- AJ noted that the CRG had met with Treasury officials regarding the On Solds policy
- DT noted that what he recalled from the meeting was that they were talking about claims that were considered high value but still economic to repair by EQC, yet homeowners would like to use that money to replace that house. It appeared that the CRG was on the same page as Treasury but EQC pushed back.
- She said she understood for some of the bigger claims, SM is able to sign off?
- DL stated it was a very positive discussion with Treasury around objective one: the homeowner moves forward, and objective two: it doesn't go to court.
- DT interpreted Treasury's summation as they have written the governing document and they don't need to do any more unless EQC identifies issues not able to be managed within the current policy framework. And in that case EQC needs to go to Treasury.
- SM said the EQC Board met yesterday and considered an On-Sold paper, and the Board is now writing to the Minister with advice.
- SM stated a big issue is where there is a cash settlement and the house isn't repaired or rebuilt.
- SM noted that there are issues still under discussion, such as co-funding where a claimant is able to input funds, and the policy in relation to properties which are uneconomic to repair
- If it is around interpreting the guidelines, there has to be absolute clarity and it has to be applied consistently.
- SM told CRG EQC now have an On Sold Board.

- DL said he had observed that some companies working on behalf of claimants and negotiating cash deals, favoured cash deals so they can take their percentage as a fee. This means there is little (if any) incentive to “do the repair work”..
- SM stated the EQC Board discussed payments yesterday and are trying to ensure the policy is consistent and fair.
- SM stated EQC are working on a communications piece for customers to give better guidelines for people to make things clearer and easier. SM said the communications piece is currently focused only on On-Solds.
- **Action:** JB to arrange for communications piece to be shared with the CRG as and when appropriate for CRG input
- DL stated a project manager is a repair cost which is normally recognised, but ECQ does push back. SM responded that if there is an inconsistency, he would like to know about it so let JB know and she will investigate it.

Action: DL to raise with JB any instances of EQC pushing back on the cost of a project manager.

- PM stated that many people don't know that they can use a project manager separate to their building company so it should be offered up front. SM responded that it is a communication piece
- JB advised the CRG to include this when they have opportunity to review the communications.

Action: JB to ensure it is clear in the communications that homeowners can hire a project manager separate from their building company,

- The Chair asked what claimant input there had been on the reworked On-Solds policy. SM responded that all the feedback CRG provided is what is being used to rework the policy.
- DT asked if CRG could be mentioned so the coalface see that CRG has raised the issues and the reworked policy is the outcome. SM responded yes, but this would need to be discussed with Treasury.
- The Chair asked if there was a claimant on the On-Solds Board. SM responded that there wasn't because it is an internal management mechanism. SM stated the On-Solds Board is new and it demonstrates the increased focus the EQC Board are putting on to On-Solds.
- SM said the objective of the On-Solds Board was to improve the settlement of On-Sold claims. SM stated CRG can see what is and isn't working and then feedback to the On-Solds Board.
- JP asked if CRG could see EQC's advice to Treasury and the Minister. SM said he was happy to share EQC's advice when that was possible.

- DT asked if CRG could get EQC and Treasury in the same room with CRG.
- SM responded that this was potentially difficult but EQC had JB on board to make communication between the CRG and EPC more efficient which would inform the EQC delivery of the Treasury On Solds policy.
- DT stated CRG would like to be included at the start of the quality feedback loop. SM responded that EQC do research on a monthly basis around people's claims experience. The Chair suggested CRG be involved in the questions asked.

Action: JB to forward claims experience questions to The Chair.

- The Chair asked to see the changes in On-Solds. SM agreed that he will share it when that was possible.

Action: SM to share changes in On-Solds with CRG.

Russell McVeagh (RMcV) Report:

Action: SM to respond to CRG's letter regarding the RMcV Report and forward CRG's letter to JB.

- The Chair stated CRG weren't sure why Linda Clark was at the presentation. SM responded that she was part of Kensington Swan, EQC legal advisors.
- DT stated that there appears to be some fundamental things missing from the RMcV Report and until CRG understood the brief RMcV were given, CRG can't comment on the report.
- SM stated he requested the independent report because he wanted to ensure all issues were being addressed.
- The Chair asked if and when EQC will be releasing the RMcV Report publicly. SM responded that it will be released as part of the documents that formed the basis of the Dame Silvia Inquiry response.

Action: SM to let CRG know when the RMcV Report will be released.

Privacy Breach:

- The Chair noted that the CRG had emailed SM to ask to meet with SM and EQC's privacy officer to discuss the breach. SM responded that the breach was a result of human error and the best system checks cannot provide guarantees against all genuine human error. SM stated the full review is still going and it will address how the breach happened and EQC's response.

- SM stated the breach was contained and EQC made the decision to go public, but conceded that EQC may have been too slow communicating with customers.
- PM asked how people ended up in the file. SM responded it was an apportionment spreadsheet and it had names and addresses. SM stated it was at the lowest level of breach, but it was still someone's information.
- SM stated the review report was due to go to the EQC Board in July and agreed to go through the finding with CRG after the Board meeting.
- SM stated approximately 500 (6.5%) people were involved, 30% wanted a copy of the information, the next biggest group thanked EQC for being open about the breach and 40 out of 8,000 people complained.
- The Chair told SM that the CRG is still seeing things of concern happening at the coalface e.g. discredited reports being used, legal cases being used, and a poor tone of voice in some communications. The Chair told SM that CRG don't want to be the filter instead there need to be systems in place to stop this happening.
- DT asked SM what quality system is in place for those claims that have had an engineering report.
- SM stated there are systems in place – we need to go back and check what is going on.

Action: SM to review EQC's quality systems and report back to CRG.

- The Chair stated CRG are concerned there are two streams of work, BAU nationwide and Canterbury Claims, and the BAU process is not taking note of the learnings in Canterbury.
- SM responded that that surprised him because they have a whole team ensuring consistency.

Action: SM to look at how the BAU group is taking note of the learnings from the Canterbury group.

- SM noted his appreciation for the time and input from the CRG and confirmed he wanted to seek the group's ongoing input as the EQC considers the Public Inquiry recommendation 2.3.1 and the possible establishment of a national advisory/reference group

Action: JB to continue to progress the CRG input into the considerations in relation to 2.3.1

Further Questions / Actions

Action: JB to ask Pip Andrews (PA) and Kate Tod (KT) to attend every CRG meeting.

- The Chair stated that CRG really do value their time with the CEO of EQC and would like more time next time.
- DL commended the On-Sold programme is the best thing he has seen come from EQC – there are inconsistencies, but they are just needing a bit of tweaking, noting that other claims need a better pathway.

1.7 Initial discussion with Jane Bryden regarding National Claimants Advisory Group

- JB stated the EQC Board is keen to see some work around a national reference group and want staff to engage with CRG for their input.
- JB said the EQC Chief Executive wants to extend the CRG until the end of November for that purpose.

Action: SM to discuss extending CRG with The Chair.

- JB invited Benesia Smith (BS) to attend the CRG meeting on Monday

Actions:

CRG ID Number	Outstanding Action	Status
	The Chair will chase up Sid Miller and the Minister regarding CRG's request (made on 20 th May) to meet with the Minister.	
	JB and Chair to liaise re: EQC Board and CRG meeting dates.	
	JB to discuss with the Minister's Office: keeping CRG in the loop with media releases.	
	JB will ensure all media releases are sent to CRG.	
	JB will follow up with MC and clarify current training and a refresher on tone of voice training.	
	MC and JB will respond in writing to CRG with what EQC intend to do about Schedule 5.	
	Action: The Chair to provide examples of [REDACTED] being reference, to JB.	

	JB and MC to clarify where the Fitzgerald case is available and ensure its references are tidied up. The Chair is to follow up with JB and MC.	
	The Chair to follow up with MC on EQC's quality review process.	
	JB to look at how EQC can make the land research information clear to CRG.	
	CRG requests a statement from EQC about the [REDACTED] not being used by EQC - JB to clarify with EQC staff.	
	JB and MC to investigate EQC's quality control of preferred experts.	
	DL to raise with JB any instances of EQC pushing back on the cost of a project manager.	
	JB to ensure it is clear homeowners can hire a project manager separate from their building company.	
	JB to ask PA and KT to attend every CRG meeting.	
	JB to forward claims experience questions to The Chair.	
	SM to share changes in On-Solds with CRG.	
	SM to respond to CRG's letter regarding the RMcV Report and forward CRG's letter to JB.	
	SM to let CRG know when the RMcV Report will be released.	
	SM to review EQC's quality systems and report back to CRG.	
	SM to look at how the BAU group is taking note of the learnings from the Canterbury group.	

	JB to continue to progress the CRG input into the considerations in relation to 2.3.1	
	SM to discuss extending CRG with The Chair.	

Claimant Reference Group Minutes – Day 2

Date: Monday 29th June 2020

Time: 9am – 4pm

Location: MBIE, 161 Cashel Street

Attendees:

Ali Jones (Chair)

Tom McBrearty (TM)

Phillipa Moore (PM)

David Townsend (DT)

Dean Lester (DL)

Linda Ngata (LN)

Jane Bryden (JB)

Kate Tod (KT)

Pip Andrews (PA)

Benesia Smith (BS)

Minute Taker:

Rebecca Moreno

Apologies:

Jo Petrie

Agenda Items:

1.	Welcome and Housekeeping	
1.1	Confirm today's agenda General Business Review any matters from the 25 th June (to be included on the agenda after Day 1). Discuss Linda Ngata's (LN) National Claimant Advisory Group paper – as emailed to the CRG on Thursday 25 th June.	9:00am
1.2	Kate Tod (KT) introduction - Kate is the newly appointed Head of Canterbury Claims Jane Bryden (JB) will attend	9:45am
	Morning Break	10:30am
1.3	Pip Andrews (PA) – On-Sold operational update	11:00am

	JB will attend	
1.4	JB – Discussion around National Advisory Group/Extension Letter Benesia Smith (BS)	11:45am
	Lunch	1:00pm
1.6	Action Plan Facebook Page – look at draft page/not LIVE. Discuss next meeting – guest, issues	1:30pm
	TBC	3:30pm
	Meeting closure	4:00pm

Minutes:

<p>1.1 What CRG wants to cover with Kate Tod and Pip Andrews</p> <ul style="list-style-type: none"> ● PM stated staff training needs to be discussed with both KT and PA. ● Discussion around questions to ask KT: <ul style="list-style-type: none"> ○ The Chair said the training issue is extremely valid with KT along with the manual and who to escalate cases to within EQC if it isn't KT – we want to know who her team is. ○ PM stated the claims handlers are dealing with people's biggest asset, so we want to know what training they are having. ○ DL stated KT will know what that training looks like as she will have just had the induction process. ○ DL said he had been told the manual is just a guide. DT responded that it says it is an operations manual, it is basically a policy document but there are specific directions within that.

- The Chair asked DL to ask KT if the manual contains clear procedures for staff to follow.
- LN said if KT agrees it is the manual, we need to ask how KT plans to ensure her staff follow it.
- TM said to ask KT for the specifics on the numbers. The Chair responded that KT is expecting to brief the CRG, but if she doesn't CRG should ask.
- DT said that CRG are now starting to enquire to Sid: what measures are being put in place to test the quality of what EQC are doing? When systemic issues arise how do EQC feed that back in and fix them? Are EQC assessing quality and looking for problems?
- DL stated Action List 148 asks in what circumstances can EQC use full and final, and how does that relate to the Fair Trading Act? The Chair responded that she would ask KT that question.
- Discussion around questions to ask PA:
 - DL stated that tranche isn't as onerous as EQC thinks it is.
 - CRG discussed Full and Final.

1.2 What CRG wants to cover in conversation with Benesia Smith regarding a national focused reference Group

An in-confidence conversation was held regarding the development of national reference group.

1.3 Kate Tod Introduction

- Each CRG member introduced themselves to KT.
- KT gave a summary of her background:
 - worked at IAG for over 20 years, wholly in claims
 - significant experience in managing claims teams, staff training and roll out of procedures following Canterbury sequence of earthquakes
 - left IAG end of 2018 to manage project management company Mode (part of Crawford)
- KT stated she was excited to be at EQC and bringing her claims experience to the table.
- KT said she had noted a couple of key issues already:
 - the inflow of claims is a challenge for EQC as they were getting in more than they can currently process each month\

- the consistency of how claims are handled is important.
- KT said her objective is fair but enduring settlements, EQC's obligation to homeowners is to get it right i.e. getting good engineering where required, taking the claimant on the journey, getting scope right and getting costing right and a mutually acceptable settlement.
- KT said EQC is focused on moving the aged/stuck claims forward and that she is committed to getting the scope right because that is crucial to moving forward, and that comes down to good engineering.
- KT stated currently in Canterbury EQC have 1,500 open claims (excluding On-sold claims) and they will settle around 400 this month, however, they will get slightly more in the door.
- KT said they are getting inquiries / approaches from people who don't qualify or aren't clear on the On Sold programme and there needs to be increased awareness about where claims sit. It is also about making it right for outstanding issues, and educating people that 10 years on there has to be proof that their concerns / damage is earthquake related.
- KT stated there are 236 Southern Response (SR) claims with 130 settled so far this year. KT said they've had 90 new claims become over cap this year – so progress isn't what EQC would like.
- The Chair asked KT to explain where she sits within the organisation, with Renee's departure and the changes in the structure. KT responded that she reports directly into Sid and that Canterbury claims falls under her.
- KT detailed her team, those within EQC and those working on SR claims.
- DT stated an organisation chart would be handy.

Action: JB to forward EQC's organisation chart to the Chair to circulate amongst CRG.

- DL asked how many under cap are with SR? KT responded about 600 are with EQC and EQC believe about 25% will be over cap.
- DL asked how many do SR act as agents for? KT responded they're all under EQC except SR are handling the claims under litigation of which there are very few.

- DT stated there still seems to be some understanding that staff are working and answerable to SR who make the decisions. KT responded if they're over cap then SR do have liability, and are required to sign off on the settlement.
- DT said that it appears EQC view ex-SR team as still SR. KT confirmed that they are EQC employees.
- TM asked if some of what CRG had identified as "bad habits" that they had at SR are still carrying on? KT responded that she was taking on board what CRG were saying and that she will be in claims clinics this week so is keen to be on the ground and to be involved. KT said her job is to get in and understand what is happening and influence issues with new direction and review of current processes.

Action: KT to put in writing to CRG, EQC's position of MOU.

- The Chair asked KT to expand on what she meant when she said 'good engineering' earlier. KT responded engineering where there has been clear instruction.
- The Chair told KT there is an engineering instruction on the ENZ website that ENZ, IAG, SR and members of CRG were involved in, however, a detailed Schedule 5.1 has been added by EQC when issuing instruction itself.
- The Chair told KT that CRG have raised this with Martin Connell, but she thought it would be helpful for KT to be aware as well because Schedule 5.1 is causing some issues by creating inconsistency in the instructions being used - the ENZ instruction is not the same and yet is being promoted as the instruction to use.
- DT said that it wasn't to say Schedule 5.1 was a poor thing, there just needs to be consistency.
- PM said Schedule 5.1 needed to be added to the ENZ website so claimants can also use it.

Action: KT to liaise with MC about Schedule 5.1 and to come back to CRG.

- The Chair said training is an issue that CRG has been raising consistently in the last 10-12 months. The Chair said CRG sees the lack of training is contributing to inconsistency and it relates back to the manuals, which DL has been told is just a guide.

- DL stated CRG have raised inconsistency since day one.
- DT said since the manuals were generated in July last year, it has been surprising that the feedback from EQC seems to be that staff are fearful / intimidated by the manuals as though they haven't been trained on them, they don't know they exist, they say they're only a guide - but if they're only a guide, then what are the instructions EQC use so we can have a discussion?
- DL stated the manuals provide a good way forward. DL said his commitment is working for homeowners to get to the end of the journey and it's a frustration to try and discuss what is in the manuals but there is push back from EQC.
- KT agreed there need to be processes and manuals, so people know how to handle a claim, that there are always some exceptions, but she was taking on board that CRG don't think the manuals are well enough known, used and used inconsistently by staff.
- The Chair said it is important that there is a regular review and CRG haven't seen EQC doing that. The Chair stated CRG give feedback but CRG are not / shouldn't be the quality control system.
- JB asked if perhaps there is a misplaced viewpoint that the manuals are not a national document and relevant only to Canterbury? DL responded that his observations was that yes, the initial push back was just that – "it doesn't apply to us". DL said his question is then, if these aren't their (EQC-wide) manuals, what are / what do they follow?
- DT said CRG generally like the manual and can't disagree with the resource and effort EQC have put in. DT said the manual covers the recent law changes so it does cover everything, and it has a clear scope and purpose at the front – it isn't just guidance. It is EQC's version of what the EQC act is and we fully support it.
- DT asked KT if she was shown the manuals when she was inducted at EQC. KT responded yes.
- DT stated the manual should be the starting point of an induction. KT responded that she would review training.
- JB said her observations was that there has been a dedicated commitment around the Canterbury claims but she wonders if people have lost sight of the manual having national application.

- PM stated that CRG believe new staff members may be being trained by “long serving” staff members with outdated habits, and the training they’re providing is outdated.
- PM asked KT when someone is trained, what do you do to check that they have properly understood and absorbed the information, and that they apply it correctly? KT responded there is a claims quality audit that has been introduced for Canterbury Claims. KT said she would look at what they’re looking at in terms of their audit and make sure they’re looking at the right things.
- The Chair raised with KT the relationship between SR and EQC and how claims are handled such as SR advocating epoxy is acceptable and yet EQC seems more accepting of alternative, well supported engineering advice re: rubble and epoxy. KT responded that there have been different approaches, complicated further by the process of SR having to approve claims over \$50K over cap.
- KT said she wants those claims in the SR/EQC liaison space because that team is engaging with SR early - it is more effective when there is early engagement / discussion with SR.
- The Chair stated it appears SR is still saying “no” when they get to that point.
- DT said SR appears to be influencing engineers, so the engineers give a different response from when they were working for EQC.
- KT acknowledged the CRG concerns and noted EQC are engaging with SR early to agree the engineering assessment approach early.
- The Chair stated that in her view that won’t ever change because SR will not move from their position on epoxy and unreinforced rubble foundations. The Chair said agreed engineering is a pipe dream, indications are that SR won’t budge.
- JB asked CRG to give her and KT a couple of examples to demonstrate the issue.
- DT stated that in his view one party uses an engineer they know is going to respond in a certain way.
- The Chair said her frustration is having given examples four years ago and nothing changed. The Chair told JB and KT they need to believe and trust CRG that this a system flaw.
- The Chair and DL gave some epoxy examples to KT and JB.

- The Chair stated that some claims handlers are trying to be helpful and it is causing issues eg. suggesting a builder, but that the result is that this is removing claimant choice. KT noted that from time to time customers ask for suggestions for a builder and this needs to be managed.
- DL said the claims handlers aren't following the manual and the correct way to do it, they're not thinking "we're paying the homeowner to repair, we're not deciding on who is doing the work" when they should be.
- The Chair said CRG have also raised with MC that there is a perception that the Canterbury and BAU work streams are parallel streams of work, rather than feeding into one another. The Chair said CRG believes key learnings in Canterbury need to inform the BAU model moving forward to make sure the same mistakes won't be repeated.
- KT said there are people who have been involved with Canterbury on the BAU team, and she agrees there need to be more touchpoints.
- DT stated the manual is the touchpoint.
- The Chair asked KT if CRG could meet with her regularly to receive an update and share information and feedback from CRG. KT agreed and committed to attending each meeting.
- PM asked KT when EQC enter into a full and final agreement with a claimant, what document is provided to the claimant, is it explained that they need to enact the repairs to be covered by insurance?

Action: KT to investigate under what circumstances can EQC use full and final and what documentation is provided.

- DL stated the letter IAG wrote to claimants was good, and if EQC was writing that, it would be helpful.
- KT agreed and said it was important that homeowners appreciate there are implications to their insurance once they have been settled.
- The Chair asked KT if CRG have examples of issues which need addressing or EQC needs to be aware of, do they go to KT initially? KT responded yes, that she would want to be kept in the loop and she would pass it on to the relevant manager. JB asked to be cc'ed so she knew it was being acted on.

- **Action:** CRG to forward claims settlement issues requiring EQC attention to KT

1.4 Pip Andrews – On-Sold Update

- PA stated there are 1,045 On-Sold applications.
- The Chair asked if EQC asks applicants where they learned about the On-Sold programme. PA responded no, but she is going to change the lodgement form and will add a drop-down box to get a clearer picture.
- DL said PA needed to be aware that there is some misinformation in the community stating that there needs to be a full structural engineering report just to register.
- The Chair asked if Covid impacted on the numbers? PA responded there was an initial drop with Covid and then in level 3 applications moved up steeply with numbers averaging 50-60 a week when they were 30-40 previously.
- The Chair asked if it was manageable in terms of EQC resource. PA responded there was a plan to recruit additional people, including a claims trainer who starts this week. PA stated she is comfortable that resources can be brought on board quickly.
- JB stated these are important programmes and Programme Heads know they can recruit if needed.
- PA stated of the 1,045, EQC have resolved 274:
 - 81 require Crown funds – 52 have been physically paid (complete or in tranche) and 27 settlement agreements waiting for homeowner signatures.
 - 35 don't require Crown funds.
 - 143 are ineligible – 67 because they were over cap at time of purchase. The next biggest reason is they have access to private insurance.
 - 15 have been withdrawn (these are separate from ineligible).

Action: PA to get an update on the number that look likely to be rebuilds.

- DL asked if PA was seeing statute of limitations being considered/used? PA responded no, she hasn't seen that in the On-Solds space.
- The Chair asked PA the number of On-Solds that were currently underway. PA responded, of the 52, 32 are complete, and the remaining 20 are in progress, and an additional number are yet to sign.
- The Chair stated she heard that EQC intended to get a group builder to pitch for a chunk of the work. PA responded that she had no knowledge of this and that currently EQC does not consider its role includes choosing the builder.
- PA stated EQC's plan is to put out advice for what people should look for – an education piece rather than control piece.
- The Chair asked PA to consider having CRG contribute or review that education piece and then help disseminate. PA said she wanted to have the draft done soon and would welcome CRG input.
- DL stated renovate.org was helpful with advice for homeowners undertaking a renovation.

Action: PA to give draft EQC education piece to CRG group for review (Chair to give meeting dates to JB so PA can have draft ready).

- The Chair asked PA how many people are still working through a previous property claim and an On-Sold claim? PA responded EQC look at property information rather than individual's information.
- The Chair asked if EQC could look into it, perhaps on the On-Sold registration form. DT added it could be asked in terms of well-being. PA agreed and said she would look at asking questions where applicants can tick several boxes to answer.
- The Chair told PA that CRG had a useful discussion with Treasury last week. The Chair said CRG felt there was a disconnect between EQC and Treasury (at the decision-making level) with EQC saying they can't progress until it goes to Treasury, then Treasury said no we're policy, it's an EQC issue.
- The Chair and DL thanked PA for being transparent, helpful and being there for the homeowner. PA responded that both she and KT are both wanting to make improvements in EQC.

1.5 Benesia Smith

- An in-confidence conversation was held with BS and JB regarding the development of national reference group.

1.6 Action Plan

- CRG updated the Action Plan from the previous minutes to include the following:

Canterbury Earthquakes Insurance Tribunal (CEIT) Discussion

Action: DT to email group email from Chris Somerville regarding how Tribunal has changed its position.

Action: Minister replying this week. AJ to let CRG know when it comes in.

EQC Claims Manual – Residential (ref 7.0 in May 21 minutes)

Raised with Sid Miller and JB. Response requested before July meeting.

On Solds

Action: Minister's recommendations to come to CRG after Minister has approved. Sid's / EQC's recommendations to be sent to CRG (date TBC).

Costs and Claims Handling Expenses

Additional work carried out by Kensington Swan Dunstan to inform EQC re: external advice on what repair costs (including project management) are defined as.

Action: CRG to request this information once complete – for next discussion with KT / SM.

Russell McVeagh Report

Action: Response requested again in June meeting.

Cartwright Report

Continue discussion with BS.

Action: The Chair to update Action Plan and send to the group.

1.7 National Group Discussion

- An in-confidence conversation was held with Benesia Smith and Jane Bryden regarding the development of national reference group.

Action: The Chair to organise another meeting and draft a briefing document which captures everything CRG discussed as a foundation for CRG's presentation to BS regarding the national advisory group.

1.8 CRG Facebook Page

- CRG created a Facebook page: Claimants Reference Group.
- DL stated it would seem helpful to tie it into EQC for the purpose of claimants having a clear and correct path for repairing their homes.

Action: The Chair will make the CRG Facebook page live and will send the link to JB.

1.9 CRG Meeting Dates

- Monday meetings will not start at 9:30am (Thursday meetings will continue to start at 9am).

Action: The Chair to talk to JB about next CRG meeting dates: Thursday 30th July and Monday 3rd August.

- DL and DT can't attend meeting on Thursday 27^h August, so it has been rescheduled for Wednesday 26th August.

Action: The Chair to email JP to let her know CRG meeting on 27th August now 26th August. **DONE**

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Actions:

CRG ID Number	Outstanding Action	Status
	JB to forward EQC's organisation chart to the Chair to circulate amongst CRG.	DONE
	KT to put in writing to CRG, EQC's position of MOU.	
	KT to liaise with Martin about Schedule 5 and to come back to CRG.	
	KT to investigate under what circumstances can EQC use full and final and what documentation is provided	
	CRG to forward claims settlement issues requiring EQC attention to KT	
	PA to get an update on the number that look likely to be rebuilds.	
	PA to give draft EQC education piece to CRG group for review (Chair to give meeting dates to JB so PA can have draft ready).	
	The Chair to update Action Plan and send to the group.	DONE
	The Chair to organise another meeting and draft a briefing document which captures everything CRG discussed as a foundation for	DONE

	CRG's presentation to BS regarding the national advisory group.	
	The Chair will make the CRG Facebook page live and will send the link to JB.	DONE
	The Chair to talk to JB about next CRG meeting dates: Thursday 30 th July and Monday 3 rd August.	DONE - via email Waiting to hear from JB
	The Chair to email JP to let her know CRG meeting on 27 th August now 26 th August.	DONE