

# Proposal for Consultation

## Regulatory Performance & Insights

8 April 2020

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# Foreword to the proposal

Tēnā koutou katoa,

I have had the privilege of being in the National Manager, Regulatory Performance and Insights role at *New Zealand Transport Agency - Waka Kotahi (NZTA, we, us, our)* for 12 months now. During this time, I have been truly impressed by the progress Regulatory - Te Rōpū Waeture has made, and our shared vision for its future.

The Regulatory Performance and Insights (**RPI**) function plays a vital role in the success of both Te Rōpū Waeture and the Director of Land Transport role. This is recognised in our new regulatory strategy - Tū ake, Tū māia - and the still forming regulatory intervention framework.

Our current environment and the changing transport system present us with challenging and exciting opportunities to deliver real value for Te Rōpū Waeture, and the wider land transport system for all of Aotearoa. Over the past month or so we have worked together to clarify the purpose of the RPI group. We agreed that this is providing hindsight, insight, foresight and oversight to enable the improvement of the effectiveness, efficiency, resilience and fairness of the whole of the land transport regulatory system.

To achieve this purpose, we need:

- teams within RPI that work effectively together in collaborative, interdependent, and highly connected ways;
- to have breadth in terms of our capabilities - including the right balance of roles to reflect the needs of the organisation and the flexibility to adapt as those needs change;
- to embrace the complexities of supporting regulatory functions that sit outside of Te Rōpū Waeture and/ or that are external to the regulatory land transport system; and
- to maximise the value we add to the regulatory land transport system - ensuring we are connected to and reflective of the world in which we operate.

Following our early engagement sessions with you, we have identified three key changes needed:

- A review of our structure and the establishment of an operating model that will see us support and bring to life the Tū ake, Tū māia strategy and the regulatory intervention framework;
- Building a strong, collaborative leadership team focused on: aligning our culture with the values and behaviours of NZTA; and building capability and accountability across our regulatory functions; and
- Clearly defining the purpose of each team - including how they will bring value and how they work with regulatory functions across NZTA to support the realisation of Te Kāpehu.

**This document sets out our proposal for a new RPI organisational structure, and the teams and roles that exist within it. This proposal has the potential to affect your current position.**

I encourage you to take the time to read and consider this proposal and provide us with your feedback and suggestions. Your input into this process is critical to ensuring that we have considered all relevant information and that we arrive at the best possible outcome. **All feedback must be provided by 5pm on Thursday 18 April 2024.**

The prospect of change can be unsettling so please contact myself, or Megan Bramwell (our Senior HR Advisor) if there is any support you need as we work through this process. If you are a union member, your union will also be able to provide advice; and all employees can access free confidential personal or career counselling through EAP services.

I look forward to hearing your thoughts and receiving your feedback.

Ngā mihi maioha,

Jodi

# Context and business case for change

## (Why we believe we need to change)

Significant changes have occurred in our operating environment since the establishment of the Planning & Performance, Risk & Assurance and Intelligence teams in (what was) Systems Integrity. The changes included:

- The Te Kāpehu changes, formalising the Regulatory Performance & Insights (**RPI**) function;
- The refresh of our regulatory strategy (**Tū ake, Tū māia**);
- The establishment of the Director of Land Transport role; and
- A continued need to grow the maturity of our function including design of our Regulatory Intervention Framework.

Since 2019, expectations of the RPI function from Te Rōpū Wāture and the Director of Land Transport have evolved to a point where we no longer have the capabilities and/or capacity in the right places to meet expectations. We have had to be reactive and adapt by making decisions on where to temporarily focus the limited headcount available, resulting in a number of fixed-term positions. While this approach has enabled us to deliver in the short term, it is not an efficient or sustainable approach long term. We now need to carefully consider how we balance and prioritise resources.

### Te Kāpehu

Te kāpehu (our compass) sets out our place and aspirations within the land transport system. It sets our direction for what we want to achieve as an organisation, how we will go about this, and why we are here. Any change should aim to further align us with Te kāpehu and Kāhui whetū, our four strategic priorities: Pou herenga tangata (Culture and leadership), Eke panuku (Delivery excellence), Pae tawhiti (Future focus), Auahatanga (Accelerating digital).

In late 2022, NZTA released a “Moving forward with Te kāpehu” decision document that outlined the decisions made regarding the structure of NZTA to better enable Te kāpehu. This confirmed that our regulatory function would retain core accountability for ensuring Tū ake, Tū māia was delivered effectively and that all parts of the regulatory system play their role effectively. Critically, it was noted that there was the requirement to evolve our intelligence, reporting and assurance functions to support this.

That [decision document](#) and more directly, the National Manager, Regulatory Performance and Insights [position description](#), set out clear intentions for the RPI function.

### Tū ake, Tū māia

Tū ake, Tū māia is our regulatory strategy and sets out how NZTA and our partners will regulate the land transport system to keep it safe. It is guided by Te kāpehu (our compass). The Land Transport Management Act requires that we have a strategy that sets out how NZTA and the Director of Land Transport will perform their regulatory functions.

[Tū ake, Tū māia](#) and the corresponding [Action Plan](#) sets out a number of expectations that align with the intention, purpose and expectations of RPI, some of which include:

- Supporting Te Kaiurungi, the Director of Land Transport, in undertaking more comprehensive monitoring of the land transport regulatory system,



- Being risk-based and focused on the reduction and prevention of harm, using robust risk frameworks to target our risks objectively and fairly, supported by evidence,
- Being responsive and forward thinking, providing the insights and foresight to understand the factors that influence behaviour and the emergence of harm, and
- Providing the evidence, intelligence, and insights and enabling this to be integrated and embedded into decision-making (including for the Director's leadership).

It also outlines the capability shifts that are important to improve and grow our maturity as a regulator. This includes embedding te ao Māori values into our mahi so we can better meet our obligations to Māori as a partner to Te Tiriti o Waitangi.

### The Director of Land Transport Legislation

The position of Director of Land Transport was established via the Land Transport (NZTA) Legislation Amendment Act 2020. The Act provides the Director with certain functions, powers and duties in relation to regulatory matters, which include monitoring how the land transport system complies with various legislative requirements. Further work has now been undertaken identifying the key result areas for the Director, developed from the empowering legislation.

To date it has been identified that RPI will be a key contributor to the Director Land Transport Monitoring Programme. RPI involvement will include:

- Providing an alternative line of sight around effective delivery of delegated regulatory activity
- Gathering data, intelligence and research to stay on top of trends and issues
- Supporting the Director's monitoring plan over the coming years
- Maintaining and building capability to support the Crown in its Te Tiriti obligations
- Shaping regulatory system design, regulatory strategy, & broader NZTA strategies

### Our Regulatory Intervention Framework

In 2020 Te Rōpū Waeture made a commitment to becoming risk-based, intelligence-led and responsive in our regulatory approach. This was intended to enable better planning and the identification of where change is needed and ensure we, as a regulator, are able make best use of all interventions available to target behaviours and conduct that pose the highest risk. Our Regulatory Intervention Framework will be continuously reviewed and improved and is intended to be a clear guide for how we operate as a Regulator.

A visual overview of the Regulatory Intervention Framework is included [later in this document](#).

# Scope

## (Positions within the scope of this change proposal)

### Summary of positions in scope

All positions within the [baseline structure](#) of the Regulatory Performance and Insights group are within scope of this change proposal. This includes all positions reporting through to the National Manager Performance and Insights at the beginning of FY24.

The scope of the proposal for consultation includes:

- Positions that directly report to the National Manager Performance and Insights
- All positions within the current Risk and Assurance team;
- All positions within the current Planning and Performance team;
- All positions within the current Intelligence (Atamai) team; and
- The temporary (Fixed Term) Senior Intelligence Analyst position (reporting line change only).

*All temporary (fixed term) positions that end prior to the proposed “go live” date of 1 July 2024 for any proposed changes, are outside the scope of this change. These temporary positions will end in accordance with the specific terms and conditions of the relevant secondment or employment agreement.*

### Position impact definitions

An impact assessment has been completed as part of this proposal, which involved comparing all positions within the current structure with those in the proposed new structure. This helped to determine whether the impact on current positions in RPI is:

- Not-significant (e.g. there will be no change to the position, or the change is minor – this includes things such as a change in reporting line, title, or minor change to duties);
- Significant (e.g. the number of positions carried out by several employees is reducing (i.e., reducing 3 of the same position to 1 of that position); there is a significant change to the position; or the position has been disestablished).

### Employees potentially affected by the proposed changes

Permanent employees who are employed in positions within the baseline RPI structure (i.e. positions within scope) are those that could be potentially ‘affected’ by this proposal. These employees, including those on leave or secondments (internally or externally), will be consulted with about the proposed changes.

We will also seek input and feedback through the consultation process with employees who hold temporary roles within the team, as well as from key stakeholders who interact with RPI regularly.

If the proposed changes (or a modified version) are adopted following consultation, all potentially affected employees will be notified of the final decision; and advised as to whether or not they are deemed ‘affected’ by the change and of any specific impacts on their employment.

An employee will be ‘affected’ by the change if the impact to their substantive position is significant (as set out above). An employee will be ‘not affected’ by the change if the impact to their substantive position is not significantly impacted (as set out above).

For more information refer to the NZTA [Change Protocol at Appendix 2](#).

# Approach to change

(How we will navigate this change)

## Our values and behaviours

Our values and behaviours shape our culture and guide the way. We will be guided by these in our work on changes to our organisational structure.



### Ngākau aroha – have heart

Putting our people at the centre of what we are doing and providing support to those affected by this change.



### Kotahitanga – better together

Being upfront about what we want to achieve and genuinely listening to the feedback.



### Kia māia – be brave

Approaching the situation with understanding of different perspectives and seeking the right outcome.



### Mahia – nail it

Successfully implementing a change that achieves our objectives and recognises our current environment.

## Design principles

(How we've designed the proposed structure)

To meet the expectations of the Government, NZTA, and Te Rōpū Waeture, a set of design principles were developed to shape our thinking:

- Continue to recognise the need for a dedicated RPI function and resource that pays a unique role.<sup>1</sup>
- Ensure the ability of RPI to deliver to the expectations of regulatory good practice.
- Align our organisational structure to an operating model<sup>2</sup> that will support regulatory good practice.
- Create clear areas of focus, accountabilities, responsibilities and deliverables for teams and positions.
- Align closely connected capabilities and skillsets to help manage wider sharing of work.
- Ensure there is no overlap or repetition of accountability with centralised services within Waka Kotahi.
- Design for appropriate spans of control for management capacity and reduce tiers, where possible.
- Establish ourselves for success in meeting government effectiveness and efficiency expectations.

<sup>1</sup> Refer to the Martin Jenkins Reviews of 2019 and 2021

<sup>2</sup> We have selected the Regulatory Intervention Framework and "HIFO model" for Intelligence-Led Regulation as our anchors for our operating model.

# Change proposal overview

(What we are proposing to change to)

## Summary of the proposed changes

We are seeking your feedback on the proposed RPI structure changes outlined below.

We are proposing to:

- Establish clear, dedicated positions reporting directly to the National Manager, Regulatory Performance and Insights with a focus on our role as kaitiaki of our regulatory strategy.
- Redesign and realign the teams within Regulatory Performance and Insights. This would see the current team structure disestablished and the following teams established:
  1. Regulatory Evidence & Insights
  2. Regulatory Intelligence & Risk
  3. Regulatory Monitoring & Evaluation
- Design any 'Lead' and 'Principal' level positions so the stated purpose and accountabilities of those positions are focused on specialised areas of expertise, recognising the deep technical knowledge expected of those working at this level.
- Design any Senior and Analyst level roles to support a range of activities and capabilities required across each team, ensuring we retain the ability to be flexible and adapt and pivot our people resources in line with business needs.
- Build stronger career pathways for Analyst, Senior and Principal roles in all teams.

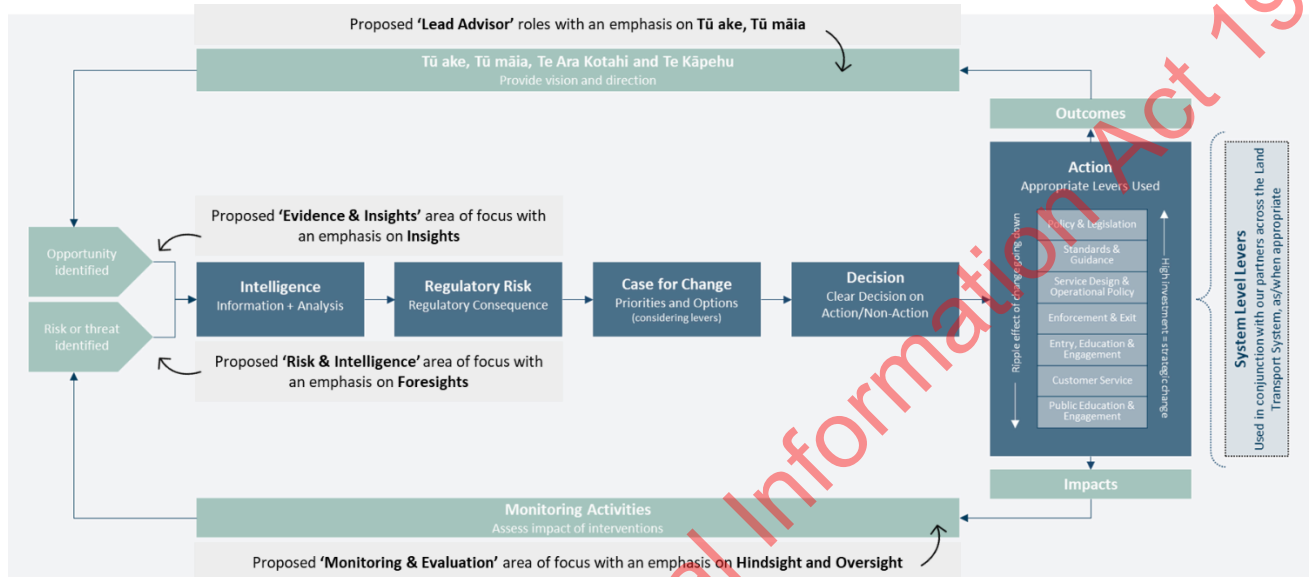
The proposed structure changes are outlined in detail in the sections **below**, broken down by team.



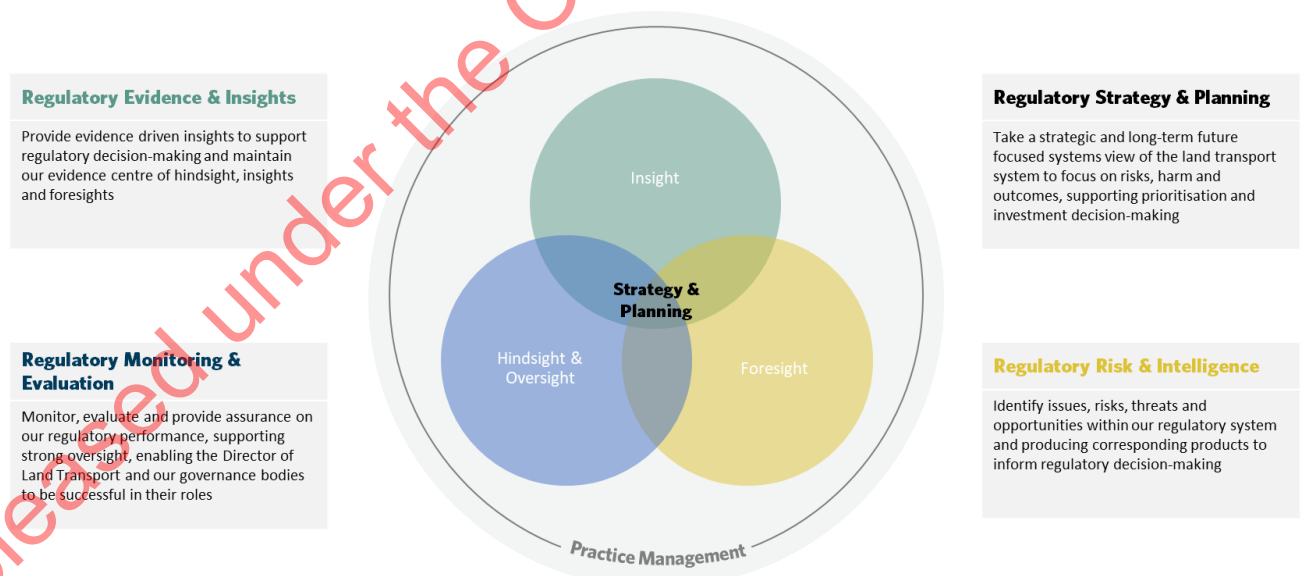
## The purpose of Regulatory Performance and Insights

The purpose of the Regulatory Performance and Insights function is to provide hindsight, insight, foresight and oversight to enable the improvement of the effectiveness, efficiency, resilience and fairness of the whole of the land transport regulatory system. To enable this, teams within the Regulatory Performance and Insights function need to have a symbiotic relationship, recognising the interdependent and connected nature of their work.

## Proposed RPI teams and areas of focus aligned to our Regulatory Intervention Framework

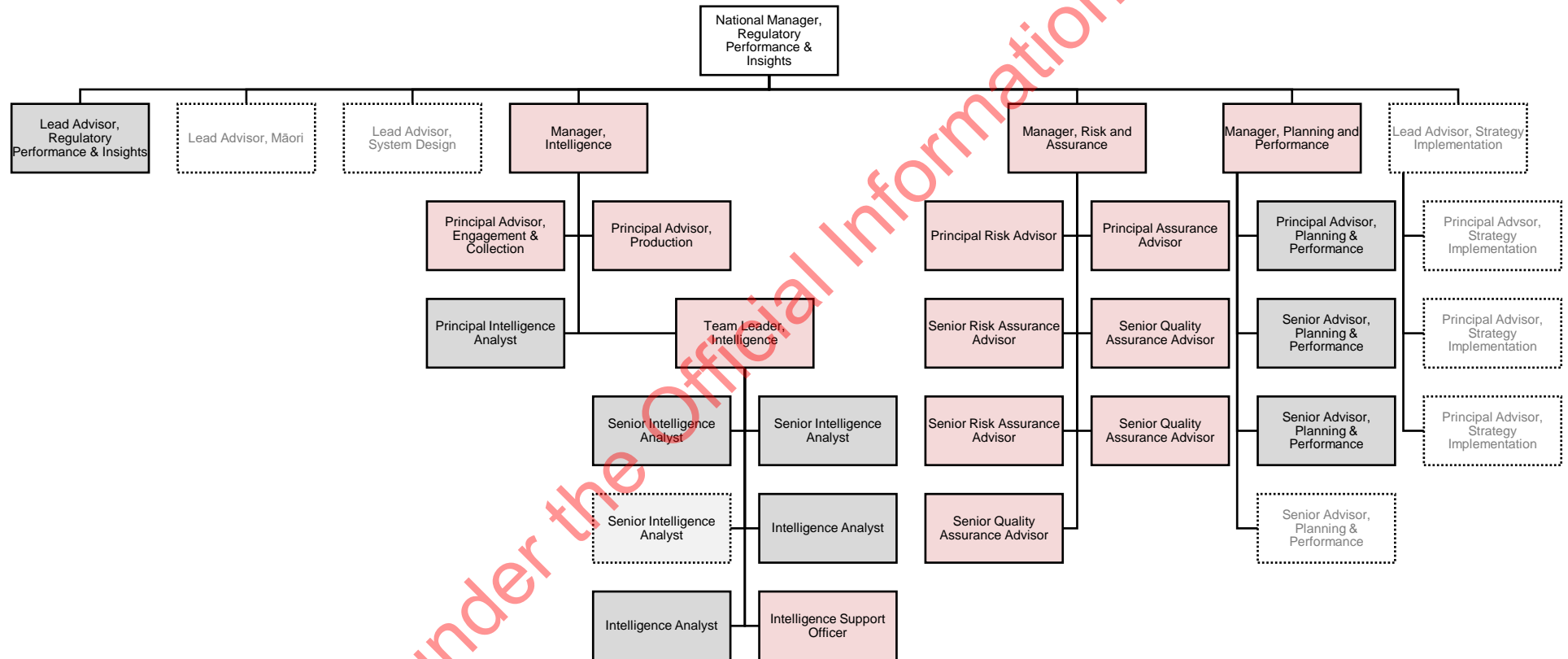


## RPI - Working together in a symbiotic way to realise the power and value of our collective expertise



## Current Baseline Structure

The baseline structure for Regulatory Performance and Insights against which the proposed change is being assessed, is as follows. This includes roles transferred from the Deputy Director of Land Transport. Please refer to the key beneath the diagram for the impact of the proposed change on each position.

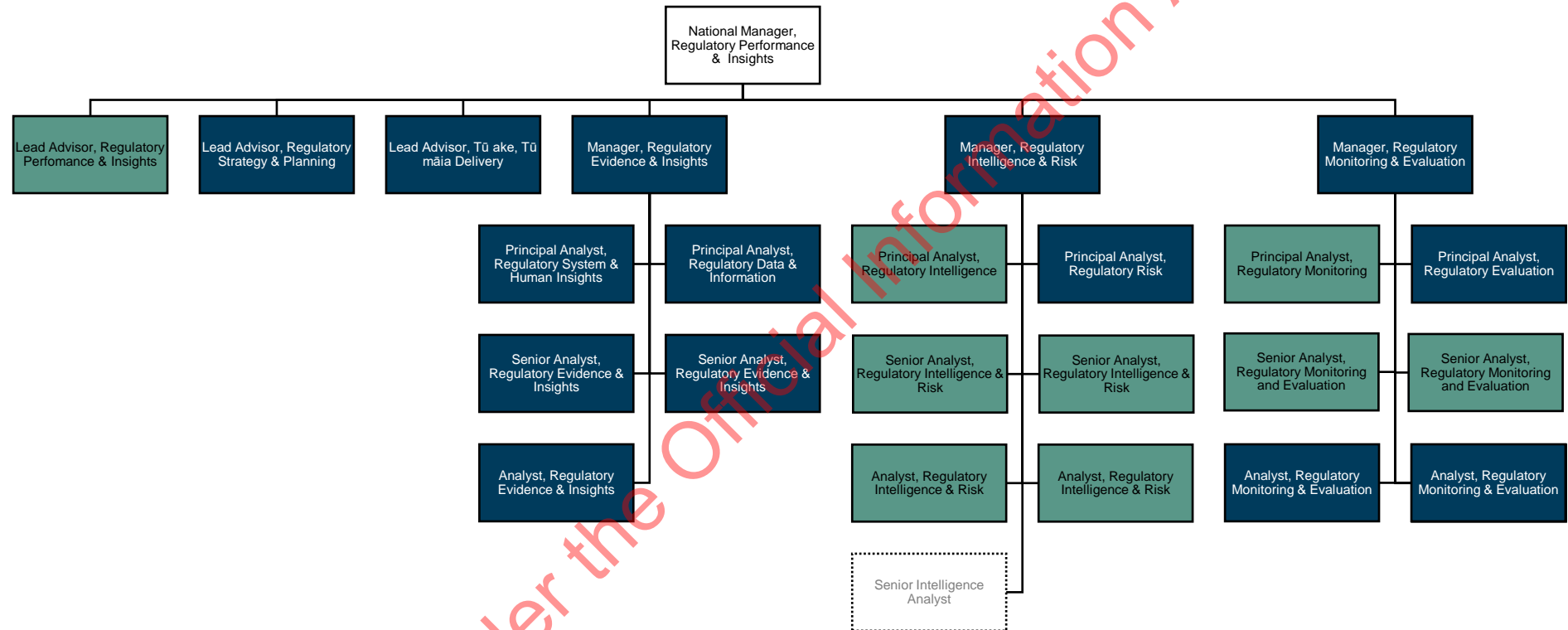


Key:



## Proposed New Structure

The proposed new structure is as follows. There is further detail on this on the following pages.



Key (Role type and position impact):

Temporary position

Proposed minor change to position

Proposed new position

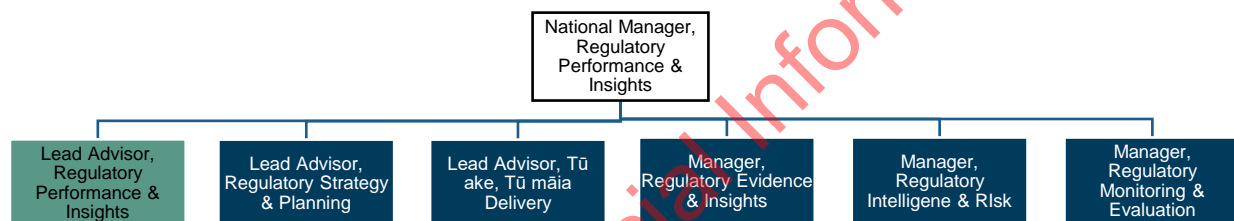
# Regulatory Performance & Insights Leadership Team

The Regulatory Performance & Insights Leadership Team is responsible for setting the team direction, agreeing the workplan for RPI, and ensuring that the teams within RPI deliver to the plan in a way that meets the needs of the organisation, including embedding a culture that aligns to the organisation's values, drives high engagement within the team and supports high engagement across the organisation.

It is expected that the Regulatory Performance & Insights Leadership Team will take a strategic and future focused systems view of the land transport system to focus on risks, harm and outcomes and incorporates good regulatory decision making, supporting both the requirements of the organisation, the role of the Director of Land Transport and the needs of the Crown, including supporting our Te Tiriti o Waitangi commitments.

We are proposing that, in addition to the establishment of three new team Managers, two additional Lead Advisor roles will be created. The Leader Advisor roles will be focused on the kaitiaki role of Tū ake, Tū māia. The direct reporting line to the National Manager reflects both the importance of these roles, and the Lead Advisors' status as deep technical specialists critical to ensuring a continued focus on the success of our regulatory strategy in the future.

## Proposed structure



Key:



## Proposed roles

Proposed Role	Overview of Role
Lead Advisor, Regulatory Performance & Insights (Band 19) <a href="#">Proposed position description</a>	Provides high quality, trusted advice and support to the National Manager in all aspects of leading and managing the work of RPI. This includes leading the development of the workplans for RPI, preparing briefings and reports across the work of RPI, leading a change and culture plan for RPI, and ensuring we have exceptional practice management in place
Lead Advisor, Regulatory Strategy & Planning (Band 19) <a href="#">Proposed position description</a>	Leads the facilitation, planning and coordination activities relating to Tū ake, Tū māia - our regulatory strategy. This includes leading the development and reviews of Tū ake, Tū māia, the associated Action Plan and Integrated Delivery Plan, leading the development of the Waeture Annual Business Plan, providing assurance of delivery against these plans, and developing robust business cases and proposals for investment in regulatory inventions.
Lead Advisor, Tū ake, Tū māia Delivery	Is responsible for providing the strategic thinking and guidance required to realise the commitments we have made to Te Tiriti o Waitangi in Tū ake, Tū māia - our regulatory

Proposed Role	Overview of Role
(Band 19)  <a href="#">Proposed position description</a>	strategy. This includes working closely with the Director and Deputy Director of Land Transport on the delivery of priority Tū ake, Tū māia Action Plan initiatives, leading on the direction of performance objectives and measures relating to addressing disparities in the regulatory system, leading engagement with Māori and Iwi when undertaking our activities, and providing strategic advice on kaupapa Māori matters in the work we do.
Manager, Regulatory Evidence & Insights (Band 19)  <a href="#">Proposed position description</a>	Is responsible for leading the Regulatory Evidence & Insights team, who are accountable for maintaining and updating our Regulatory Evidence Centre, providing valuable guidance on prioritisation of investment and resources, and providing evidence driven insights to support regulatory decision-making. They have accountability for ensuring that the team delivers on these expectations, in a way that meets the needs of the organisation, including embedding a culture that aligns to the organisation's values, drives high engagement within the team and supports high engagement across the organisation
Manager, Regulatory Intelligence & Risk (Band 19)  <a href="#">Proposed position description</a>	Is responsible for leading the Regulatory Intelligence & Risk team, who are accountable for maintaining oversight of our risk of regulatory failure and identifying where we are at risk of exceeding risk tolerance levels. This will involve scanning the environment and undertaking intelligence analysis to assess and identify risks, issues, threats and opportunities in our system and leading issue/incident management on system wide responses, as well as the management of critical and urgent risks, issues and incidents. They have accountability for ensuring that the team delivers on these expectations in a way that meets the needs of the organisation, including embedding a culture that aligns to the organisation's values, drives high engagement within the team and supports high engagement across the organisation
Manager, Regulatory Monitoring & Evaluation (Band 19)  <a href="#">Proposed position description</a>	Is responsible for leading the Regulatory Monitoring & Evaluation team, who are accountable for monitoring and reporting on our regulatory performance, ensuring we have best practice governance (oversight) in place, undertake objective quality and performance reviews/evaluations of our regulatory systems and teams, and being a critical supporter of the ongoing Directors Monitoring Programme, therefore having a high level of interface with the Deputy Director of Land Transport. They have accountability for ensuring that the team delivers on these expectations in a way that meets the needs of the organisation, including embedding a culture that aligns to the organisation's values, drives high engagement within the team and supports high engagement across the organisation



# Proposed Team 1: Regulatory Evidence & Insights

Tū ake, Tū māia reinforces our intention to be an intelligence-led and risk-based regulator.

Under our current structure we have been constrained in our ability to bring together cohesive evidence and insights that clearly identify and articulate risk and drive prioritisation of resources and investment in an intelligence-led and risk-based way across the system. We have also struggled to be able to turn current intelligence, evidence and insights into action. We believe one of the root causes of this is that analysis is often one-dimensional and difficult to action when there is alternative analysis looking at the system from a different angle, which appears initially conflicting.

To resolve these issues, we believe we need the ability to:

- (i) look at the totality of evidence for any given sub-system within the Regulatory Land Transport System; and
- (ii) consider the full breadth/ depth of evidence and risk across the entire system, to better prioritise limited regulatory resources.

In addition to this, demand for business analysis and intelligence has been increasing and this is expected to continue to be an expectation of Regulatory Performance and Insights in the foreseeable future. We believe these requests require a tailored approach. Recent examples of these have seen us applying design thinking methodologies, backed and evidenced in both human insights and data analysis, noting that we have had to either bring in temporary resource, or work with other temporary teams to achieve this – which risks losing valuable intellectual property.

We are proposing to establish a new Regulatory Evidence and Insights team with the specific intent to continue to grow and develop our Regulatory Evidence Centre and Evidence Profiles (of the sub-systems as well as the picture of the Regulatory Land Transport System as a whole). In addition, this team will lead analysis where we need to apply system and service mapping, human insights, data analysis and other business intelligence techniques, focusing on the 'insights' component of the HIFO model. By bringing together the full picture of the regulation of the Land Transport System we intend to be able to better understand how we are performing against the four dimensions of Regulatory Stewardship across the system and provide a base for comparing the severity of risks, issues, threats and opportunities to inform prioritisation and increase our maturity as an intelligence-led, risk-based regulator.

The proposed Regulatory Evidence & Insights team will be expected to:

- Maintain an evidence centre and evidence profiles, including the larger picture of the Regulatory Land Transport System, ensuring that all hindsight, insights and foresights produced (by RPI and others) are used to inform regulatory risk assessments and support regulatory decision-making.
- Produce insights that are evidence driven (with a focus on system/service mapping, human insights and data analysis) to support regulatory decision-making, interpreting and analysing information from trusted sources to assess what is happening in our regulatory system. Further, we need to be able to produce clear reports that provide us with a strong understanding of strengths, weaknesses, opportunities and threats and where and how best to target interventions that will result in the changes in human behaviour required.

## Proposed Structure



## Proposed roles

Proposed Role	Overview of Role
Principal Analyst, Regulatory System & Human Insights (Band 18) <a href="#">Proposed position description</a>	The Principal Analyst, Regulatory System & Human Insights will be our thought leader in human centred systems thinking and service / journey mapping, ethnological techniques, and behavioural insights and change analysis models and how to apply these to the best effect to obtain insights that will inform improvements in line with our regulatory stewardship role. This will include leading the development of our ways of working and solutions, taking responsibility for delivery of high-quality insights, and taking an active lead on all work in this area of expertise that is required to deliver to the Director of Land Transport Monitoring Programme and annual priorities.
Principal Analyst, Regulatory Data & Information (Band 18) <a href="#">Proposed position description</a>	The Principal Analyst, Regulatory Data & Information will be our thought leader in the collection, analysis and synthesis of both quantitative data and qualitative information sources, the application of business intelligence techniques that bring deeper insights beyond the numbers and turning insights from data and information into compelling visualisations and reports that will inform improvements in line with our regulatory stewardship role. This will include leading the development of our ways of working and solutions, taking responsibility for delivery of high-quality insights, and taking an active lead on all work in this area of expertise that is required to deliver to the Director of Land Transport Monitoring Programme and annual priorities.
Senior Analyst, Regulatory Evidence & Insights (Band 17) <a href="#">Proposed position description</a>	Our Senior Analysts, Regulatory Evidence and Insights will lead work across an allocated portfolio as well as working collaboratively with others to ensure success of the team as a whole. Key accountabilities include: <ul style="list-style-type: none"> <li>The development and maintenance of the evidence centre and evidence profiles,</li> <li>Workshop design and facilitation, using human centred design methodologies,</li> <li>The development and production of systems and/or service design maps (including experience/journey mapping)</li> <li>The application ethnographical techniques to gather, analysis and synthesis human insights,</li> <li>The collection, analysis and synthesis of quantitative data and qualitative information,</li> <li>The production of both summary (visual) and detailed (written) Business Intelligence Reports</li> </ul>

Proposed Role	Overview of Role
<p>Analyst, Regulatory Evidence &amp; Insights (Band 16)</p> <p><a href="#">Proposed position description</a></p>	<p>Our Analyst, Regulatory Evidence and Insights will be expected to support and work with the Manager, Principals and Seniors in the team to ensure success of the team as a whole. They may be allocated a lower risk or smaller portfolio than the Senior Analysts, if appropriate. This will include being able to apply themselves across:</p> <ul style="list-style-type: none"> <li>• The development and maintenance of the evidence centre and evidence profiles,</li> <li>• Workshop design and facilitation, using human centred design methodologies,</li> <li>• The development and production of systems and/or service design maps (including experience/journey mapping)</li> <li>• The application ethnographical techniques to gather, analysis and synthesis human insights,</li> <li>• The collection, analysis and synthesis of quantitative data and qualitative information,</li> <li>• The production of both summary (visual) and detailed (written) Business Intelligence Reports</li> </ul>

Released under the Official Information Act 1982



## Proposed Team 2: Regulatory Intelligence & Risk

Under our current structure we have an Intelligence team (often referred to as Atamai) that have produced some high-quality intelligence products and have put into place intelligence capabilities that were most recently assessed between basic and managed. However, feedback from the team has been that commissioning of their work and the objectives for the products requested of them has been unclear, and that we have seen very limited changes made or tangible action taken as a result of this work. We recognise that the lack of clarity around commissioning and objectives will be a part of this, as well as the lack of structure and process to support the decision-making and design of appropriate interventions in response to Intelligence Products.

We are confident that there is value in the skillsets, processes and products that come with the Intelligence team, which we expect to continue to need in the foreseeable future. However, the baseline capacity that had been dedicated to the Intelligence team outweighed demand, and we need to ensure that we balance resourcing to cover all the expectations of Regulatory Performance and Insights. We also believe that some of the unclear commissioning has been the result of the misunderstanding of the function of the Intelligence team and that it must cover all aspects and types of 'business intelligence'.

Our risk work programme, which to date has fallen within the responsibilities of the current Risk and Assurance team, has focused predominantly on driving first line risk practices (i.e. establishing, maintaining and enhancing central risk, issues and lessons learnt registers for regulatory teams, ongoing risk management training for regulatory staff, monthly meetings with the regulatory business units, doing a level of quality assurance across the first line risk and issue identification, and providing reporting from out of the risk and issue registers).

In future we are seeing a higher level of accountability for the first line activities to sit with our first line regulatory teams. We must continue to provide a second line of assurance, but we are also able to lean into our Enterprise Risk function to support this and do not need to replicate that function's service offering. What we have recognised is the specific need for Te Rōpū Wāture to have capacity dedicated to identifying, and being able to strongly evidence, and then prioritise efforts across the Regulatory Land Transport System in line with the dimensions of good regulatory stewardship. This will mean having a stronger role in providing tools, templates and guidance on the identification and regulatory response to risks across the regulatory compliance monitoring activities NZTA has the accountability for and providing higher levels of evidence on where we should be focusing our regulatory resources based on risk to the regulation of the land transport system.

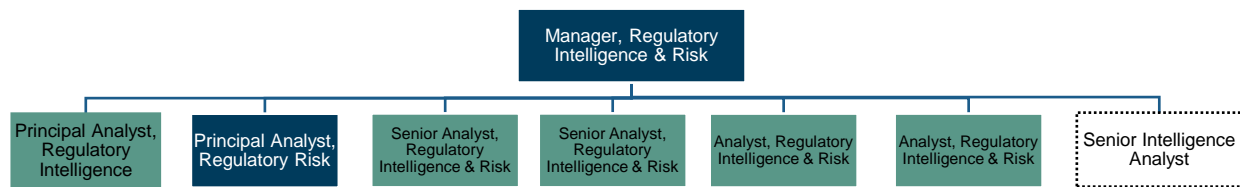
We are proposing to establish a new Regulatory Intelligence & Risk team which will have a strong focus on the 'foresights' of the HIFO model, resulting in us having a team that are dedicated to looking to the future and producing foresights to guide us on where we might need to be making longer term strategic changes. We also need to consider issue management, which has always been closely aligned with risk management and incident management, which has been closely aligned with Intelligence previously. I would like to ensure that we are intentional about the positions that have responsibility for these.

By bringing our 'foresight' driven functions together, over time we are likely to be able to further mature our application of futures thinking and other techniques which will better inform further iterations of Tū ake, Tū māia, our regulatory strategy, and where we should be prioritising investment through the Action Plan.

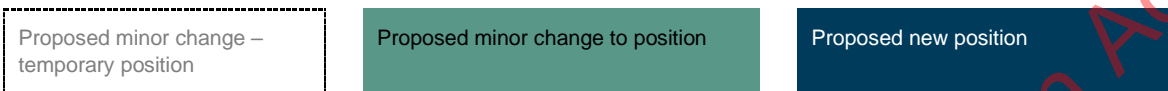
The proposed Regulatory Intelligence & Risk team will be expected to:

- Maintain oversight of our risk of regulatory failure, assessing where we are at risk of exceeding risk tolerance levels for regulatory non-compliance, guiding non-compliance interventions taken to be reflective of risk, and undertaking complex, evidence-based risk assessments
- Scan the external operating environment for both qualitative and quantitative information to assess and identify issues, risks, threats and opportunities within our regulatory system and producing intelligence products to inform decision making
- Provide central coordination of system wide (cross organisation and cross sector) responses to the management of critical and urgent risks, issues and incidents, providing assurance these are being effectively managed and appropriately escalated and reported on.

## Proposed structure



Key:



The current temporary (fixed term) Senior Intelligence Analyst position remains as a temporary position to support the first tranche of priorities of the new Director. This work will continue beyond the planned stand-up date of this change proposal and therefore we propose a change in the reporting line for this position to the proposed Manager Regulatory Intelligence & Risk until the end of the fixed term.

## Proposed roles

Proposed Role	Overview of Role
Principal Analyst, Regulatory Intelligence (Band 18) <a href="#">Proposed position description</a>	The Principal Analyst, Regulatory Intelligence will be our thought leader in the planning, collection, processing, analysis, dissemination and evaluation of intelligence and how to apply intelligence practices to the best effect to obtain foresights that will inform improvements in line with our regulatory stewardship role. This will include leading the development of our ways of working and solutions, taking responsibility for delivery of high-quality intelligence, and taking an active lead on all work in this area of expertise that is required to deliver to the Director of Land Transport Monitoring Programme and annual priorities.
Principal Analyst, Regulatory Risk (Band 18) <a href="#">Proposed position description</a>	The Principal Analyst, Regulatory Risk will be our thought leader in risk based regulatory practices and processes, risk identification and assessment, incident/issue response management and how to apply regulatory risk practices to the best effect to obtain foresight that will inform improvements in line with our regulatory stewardship role. This will include leading the development of our ways of working and solutions, taking responsibility for delivery of high-quality risk assessments and issue/incident management, and taking an active lead on all work in this area of expertise that is required to deliver to the Director of Land Transport Monitoring Programme and annual priorities.
Senior Analyst, Regulatory Intelligence & Risk (Band 17) <a href="#">Proposed position description</a>	Our Senior Analysts, Regulatory Intelligence & Risk will lead work across an allocated portfolio as well as working collaboratively with others to ensure success of the team as a whole. Key accountabilities include: <ul style="list-style-type: none"> <li>The work required to improve our risk-based regulatory processes and risk culture</li> <li>The engagement and collection of information as well undertaking proactive environmental scanning for risks, threats and issues</li> <li>The analysis required across all information collected. applying best-practice analytical and assessment techniques</li> </ul>



Proposed Role	Overview of Role
	<ul style="list-style-type: none"> <li>• The assessment of the level of likelihood and consequence of risk, threat and issue to the Regulatory Land Transport System</li> <li>• The development and delivery of risk assessments, assessing risk against the dimensions of regulatory stewardship</li> <li>• The production of both summary and detailed Intelligence Products and Risk Reports</li> <li>• The management of complex issues and incidents</li> </ul>
<p>Analyst, Regulatory Intelligence &amp; Risk (Band 16)</p> <p><a href="#">Proposed position description</a></p>	<p>Our Analysts, Regulatory Intelligence &amp; Risk will be expected to support and work with the Manager, Principals and Seniors in the team to ensure success of the team as a whole. They may be allocated a lower risk or smaller portfolio than the Senior Analysts, if appropriate. This will include being able to apply themselves across:</p> <ul style="list-style-type: none"> <li>• The work required to improve our risk-based regulatory processes and risk culture</li> <li>• The engagement and collection of information as well undertaking proactive environmental scanning for risks, threats and issues</li> <li>• The analysis required across all information collected, applying best-practice analytical and assessment techniques</li> <li>• The assessment of the level of likelihood and consequence of risk, threat and issue to the Regulatory Land Transport System</li> <li>• The development and delivery of risk assessments, assessing risk against the dimensions of regulatory stewardship</li> <li>• The production of both summary and detailed Intelligence Products and Risk Reports</li> <li>• The management of complex issues and incidents</li> </ul>

Released under the Official Information Act 1982



## Proposed Team 3: Regulatory Monitoring & Evaluation

We currently have a Planning and Performance team that have taken a strong leadership role in monitoring and reporting on our regulatory performance (i.e. the development of the Regulatory Report), including leading the development of our new Regulatory Performance Framework. They have also led the work to develop robust processes around our management and oversight of review recommendations and the actions being undertaken to support these across NZTA. We will need this work to continue in the future to see the new Regulatory Performance Framework come to life and bring with it the benefits of better understanding how our regulatory activities are impacting on the Land Transport System. We are also foreseeing the need to establish operational governance, such as the proposed Regulatory Performance, Risk and Assurance Committee and we will need the ability to flex and adapt to changes in our governance bodies and their needs over time.

To date, the more strategy and planning based activities that have been within the responsibilities of the Planning and Performance team have been largely deprioritised, in part due to capacity constraints and in part due to project teams having a role due to the recent refresh of Tū ake, Tū māia. It should be noted that the kaitiaki responsibilities for Tū ake Tū māia have been proposed to be lifted up into positions within the Regulatory Performance and Insights Leadership Team.

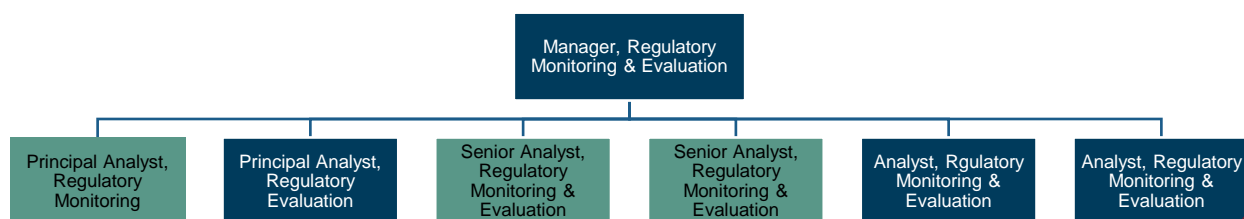
We also currently have a Quality Assurance function sitting within the Risk & Assurance team which has focused predominantly on getting frontline quality assurance practices into place, including ensuring a level of documentation controls compliance across our frontline Regulatory teams. While this work is important, we believe it is time to ensure that the accountability for documentation control checking sit more squarely on those frontline teams. We are however seeing a need for a team independent of the frontline teams to undertake objective quality and performance evaluations. The utilisation of a framework aligned to [Australian government guidance for regulators](#) is currently being tested within our Evidence Programme to enable this. We will also need to lean in and support the Directors Monitoring Programme.

We are proposing to establish a new team, Regulatory Monitoring & Evaluation, which would focus largely on the 'hindsight' and 'oversight' components of the HIFO model. This would allow us to reflect on what is and has already occurred and allow us to gain from that valuable insights on how to move forward, any course corrections needed to continue on our journey, as well as ensuring that our governance bodies are being provided with the right information to be effective in their decision making.

The proposed Regulatory Monitoring & Evaluation team will be expected to:

- Monitor and report on our regulatory performance, supporting strong oversight and assurance over the activities in our regulatory system, enabling the Director of Land Transport and our governance bodies to be successful in their roles.
- Undertake objective reviews of the sub-systems within our regulatory system, providing evidence of strengths of regulatory good practice and quality management, identifying root causes of any areas requiring improvements and providing recommendations to leaders on how to improve.
- Provide internal support for any 3rd line assurance, independent quality assurance reviews and/or monitoring and/or evaluations and provide central coordination for recording regulatory recommendations and track the progress of actions, alongside providing a level of checking that the actioned recommendations have met the intended outcomes.

## Proposed structure



Key:

Proposed minor change to position

Proposed new position

## Proposed roles

Proposed Role	Overview of Role
Principal Analyst, Regulatory Monitoring (Band 18) <a href="#">Proposed position description</a>	The Principal Analyst, Regulatory Monitoring will be our thought leader in governance, strategic and operational reporting, performance frameworks and objective assessment against these, and how to apply performance and reporting practices to the best effect to obtain hindsight that will inform improvements in line with our regulatory stewardship role. This will include leading the development of our ways of working and solutions, taking responsibility for delivery of high-quality monitoring, and taking an active lead on all work in this area of expertise that is required to deliver to the Director of Land Transport Monitoring Programme and annual priorities.
Principal Analyst, Regulatory Evaluation (Band 18) <a href="#">Proposed position description</a>	The Principal Analyst, Regulatory Evaluation will be our thought leader in government and regulatory performance and quality evaluation practices, and how to apply assurance and evaluation frameworks and practices to the best effect to obtain hindsight that will inform improvements in line with our regulatory stewardship role. This will include leading the development of our ways of working and solutions, taking responsibility for delivery of high-quality evaluations, and taking an active lead on all work in this area of expertise that is required to deliver to the Director of Land Transport Monitoring Programme and annual priorities.
Senior Analyst, Regulatory Monitoring & Evaluation (Band 17) <a href="#">Proposed position description</a>	Our Senior Analysts, Regulatory Monitoring & Evaluation will lead work across an allocated portfolio as well as working collaboratively with others to ensure success of the team as a whole. Key accountabilities include: <ul style="list-style-type: none"> <li>• The design, build and maintenance of the Regulatory Performance Framework and supporting the improvement of operational reporting processes</li> <li>• The analysis across all information collected for the purposes of reporting and the production of governance level performance reporting</li> <li>• The designing, planning and undertaking of quality evaluations of regulatory systems as well as performance evaluations of regulatory teams</li> <li>• The procurement/engagement coordination services to support internal auditors and independent quality assurance reviewers and assurance activities associated with review recommendations</li> </ul>
Analyst, Regulatory Monitoring & Evaluation (Band 16)	Our Analysts, Regulatory Monitoring & Evaluation will be expected to support and work with the Manager, Principals and Seniors in the team to ensure success of the team as a whole. They may be allocated a lower risk or smaller portfolio than the Senior Analysts, if appropriate. This will include being able to apply themselves across:

Proposed Role	Overview of Role
<a href="#">Proposed position description</a>	<ul style="list-style-type: none"> <li>• The design, build and maintenance of the Regulatory Performance Framework and supporting the improvement of operational reporting processes</li> <li>• The analysis across all information collected for the purposes of reporting and the production of governance level performance reporting</li> <li>• The designing, planning and undertaking of quality evaluations of regulatory systems as well as performance evaluations of regulatory teams</li> <li>• The procurement/engagement coordination services to support internal auditors and independent quality assurance reviewers and assurance activities associated with review recommendations</li> </ul>

Released under the Official Information Act 1982



## Summary of proposed impacts on positions

The following impact table identifies all current positions falling within the scope of this change. If the changes are adopted as proposed, employees employed in the identified positions may be affected as NZTA transitions to the new structure.

For each position we note if the potential impact on the position is Significant or Not Significant.

- If the potential impact on the position is Significant (e.g., the number of positions carried out by several employees is reducing (i.e., reducing 3 of the same position to 1 of that position); there is a significant change to the position; or the position has been disestablished). If the position an employee is employed in is disestablished, NZTA will seek redeployment opportunities for those employees.
- If the potential impact on the position is Not Significant this means there will be no proposed change to the position, or the proposed change is minor e.g., a change in job title, change in reporting line, business group or a minor change in your position description (PD), and the incumbent would be automatically reconfirmed in the position by way of non-contestable reconfirmation.

Position in scope	FTE	Current Team	Proposed change	Potential impact
Lead Advisor Regulatory Performance & Insights	1	Regulatory Performance & Insights Leadership Team	Minor PD changes	Not-Significant. (Non-contestable reconfirmation)
Manager, Intelligence	1	Intelligence (Atamai)	Disestablishment	Significant (Vacant)
Principal Intelligence Advisor: Collection and Engagement	1	Intelligence (Atamai)	Disestablishment	Significant (Redeployment or possible termination of employment by way of redundancy)
Principal Intelligence Advisor (Production)	1	Intelligence (Atamai)	Disestablishment	Significant (Vacant)
Principal Intelligence Analyst	1	Intelligence (Atamai)	Reporting line change to Manager Regulatory Intelligence & Risk, position title change to Principal Analyst, Intelligence and minor PD changes	Not-Significant (Non-contestable reconfirmation)
Intelligence Team Lead	1	Intelligence (Atamai)	Disestablishment	Significant (Vacant)
Senior Intelligence Analyst	2	Intelligence (Atamai)	Reporting line change to Manager Regulatory Intelligence & Risk, position title change to Senior Analyst, Regulatory Intelligence & Risk and minor PD changes	Not-Significant (Vacant)
Senior Intelligence Analyst (Fixed Term)	1	Intelligence (Atamai)	Reporting line change to Manager Regulatory Intelligence & Risk	Not-Significant (Non-contestable reconfirmation)



Position in scope	FTE	Current Team	Proposed change	Potential impact
Intelligence Analyst	2	Intelligence (Atamai)	Reporting line change to Manager Regulatory Intelligence & Risk, position title change to Analyst, Regulatory Intelligence & Risk and minor PD changes	Not-Significant (Vacant)
Intelligence Analyst	1	Intelligence (Atamai)	Disestablished – reducing from 3 to 2 positions.	Significant (Vacant)
Intelligence Support Officer	1	Intelligence (Atamai)	Disestablishment	Significant (Vacant)
Manager, Risk and Assurance	1	Regulatory Performance & Insights Leadership Team	Disestablishment	Significant (Redeployment or possible termination of employment by way of redundancy)
Principal Risk Advisor	1	Risk & Assurance	Disestablishment	Significant (Vacant)
Quality Assurance Principal Advisor	1	Risk & Assurance	Disestablishment	Significant (Vacant)
Quality Assurance Senior Advisor	1	Risk & Assurance	Disestablishment	Significant (Redeployment or possible termination of employment by way of redundancy)
Quality Assurance Senior Advisor	2	Risk & Assurance	Disestablishment	Significant (Vacant)
Senior Risk Assurance Advisor	2	Risk & Assurance	Disestablishment	Significant (Redeployment or possible termination of employment by way of redundancy)
Manager, Planning & Performance	1	Regulatory Performance & Insights Leadership Team	Disestablishment	Significant (Redeployment or possible termination of employment by way of redundancy)
Principal Advisor Planning and Performance	1	Planning & Performance	Reporting line change to Manager Regulatory Monitoring & Evaluation, position title change to Principal Analyst, Monitoring and minor PD changes	Not-Significant (Non-contestable reconfirmation)
Senior Advisor Planning and Performance	1	Planning & Performance	Reporting line change to Manager Regulatory Monitoring & Evaluation, position title change to	Not-Significant (Non-contestable reconfirmation)

Position in scope	FTE	Current Team	Proposed change	Potential impact
			Senior Analyst, Regulatory Monitoring & Evaluation and minor PD changes	
Senior Advisor Planning and Performance	1	Planning & Performance	Reporting line change to Manager Regulatory Monitoring & Evaluation, position title change to Senior Analyst, Regulatory Monitoring & Evaluation and minor PD changes	Not-Significant (Vacant)

### Summary of impacts on current fixed term or secondment positions

Only permanent positions, and fixed term positions that have an end date beyond 30 June 2024, are in scope and potentially impacted by this change proposal.

If you are employed on a fixed term, or you are seconded to RPI, with an end date on or prior to 30 June 2024 you will not be affected by the proposed change. These fixed term and secondment arrangements will continue through to their planned end dates, with any proposed changes only coming into effect from 1 July 2024 (i.e. *after* the temporary positions have ended).

If your substantive position is within RPI, and you have been seconded elsewhere within NZTA, then you may be affected (depending on whether your substantive position falls within scope of the proposed changes, as set out above).

## Proposed new positions (permanent and temporary)

Overviews for each proposed position are summarised under each proposed team in the change proposal.

Proposed new position	FTE	Proposed team	Status	Band	Proposed Status
Lead Advisor, Regulatory Strategy & Planning	1	Regulatory Performance & Insights Leadership Team	Permanent	19	Open – not considered substantially similar to impacted positions
Lead Advisor, Tū ake, Tū māia Delivery	1	Regulatory Performance & Insights Leadership Team	Permanent	19	Open – not considered substantially similar to impacted positions
Manager, Regulatory Evidence & Insights	1	Regulatory Performance & Insights Leadership Team	Permanent	19	Open – not considered substantially similar to impacted positions
Manager, Regulatory	1	Regulatory Performance & Insights	Permanent	19	Open – not considered substantially similar to impacted positions

Proposed new position	FTE	Proposed team	Status	Band	Proposed Status
Intelligence & Risk		Leadership Team			
Manager, Regulatory Monitoring & Evaluation	1	Regulatory Performance & Insights Leadership Team	Permanent	19	Open – not considered substantially similar to impacted positions
Principal Analyst, Regulatory System & Human Insights	1	Regulatory Evidence & Insights	Permanent	18	Open – not considered substantially similar to impacted positions
Principal Analyst, Regulatory Data & Information	1	Regulatory Evidence & Insights	Permanent	18	Open – not considered substantially similar to impacted positions
Senior Analyst, Regulatory Evidence & Insights	2	Regulatory Evidence & Insights	Permanent	17	Open – not considered substantially similar to impacted positions
Analyst, Regulatory Evidence & Insights	1	Regulatory Evidence & Insights	Permanent	16	Open – not considered substantially similar to impacted positions
Principal Analyst, Regulatory Risk	1	Regulatory Intelligence & Risk	Permanent	18	Open – not considered substantially similar to impacted positions
Principal Analyst, Regulatory Monitoring & Evaluation	1	Regulatory Monitoring & Evaluation	Permanent	18	Open – not considered substantially similar to impacted positions
Analyst, Regulatory Monitoring & Evaluation	2	Regulatory Monitoring & Evaluation	Permanent	16	Open – not considered substantially similar to impacted positions

# Selection and redeployment process

## (Proposed process for filling new roles)

The Selection Process and Redeployment Processes for this proposed change is documented below.

If the proposed changes are adopted (or a modified version of it, following consideration of our people's feedback), there will be a number of new positions. Appointment to these positions will occur in several ways; non-contestable reconfirmation, redeployment and open recruitment for both affected employees and others to apply for.

Your feedback on this process is important so please read through the **below** carefully and include any thoughts you may have in your feedback.

### Non-contestable reconfirmation

Employees will be automatically confirmed into positions if:

- the position is the same or substantially similar to their current position; and
- the number of staff eligible for confirmation is the same or less than the positions available (i.e., **non-contestable reconfirmation**).

If an employee is offered non-contestable reconfirmation, and they do not wish to take up the offered position in the new structure, the employee's employment will end by reason of resignation and there will be no entitlement to redundancy compensation (in accordance with the applicable employment agreement).

### Redeployment

Where there are no substantially similar positions in the new structure that an employee can be reconfirmed into (or where an employee is unsuccessful in being confirmed into a role after a contestable process), the employee will be considered for **redeployment to suitable alternative positions** across the organisation generally.

A **suitable alternative position** is one that involves duties and responsibilities that are not unreasonable for the employee to fulfil, taking into account the employee's skills, knowledge, qualifications and experience, and where the employee could reasonably be expected to carry out the duties and responsibilities of the position with a reasonable amount of training and development.

NZTA may identify possible **suitable alternative positions** that an employee could be redeployed to. Employees are also welcome to identify roles within the new structure that they consider to be a **suitable alternative position**.

In most cases, if an employee is offered a **suitable alternative position** but does not accept that offer, the employee's employment will end by reason of resignation and there will be no entitlement to redundancy compensation.

### Wider redeployment

Where an employee cannot be reconfirmed, and no suitable alternative positions are identified (i.e., they remain an **affected employee**), NZTA and the affected employee can consider other vacant roles within the new structure, or across the organisation generally. Our goal is to retain our people, wherever possible.

Vacancies (in the new structure, or elsewhere in the organisation) will generally be advertised internally in the first instance and preference will be given to affected employees. A merit-based selection process will be carried out, in line with NZTA's normal selection procedures.

## Open recruitment and selection for vacant positions

Where there are no suitable alternative positions for affected employees in the new structure, any remaining roles will be made available for open recruitment.

For all roles where open recruitment applies, we will initially run a short internal recruitment process. This will be open for any internal NZTA employees to apply, including any affected employees from Regulatory Performance & Insights, current fixed term and seconded employees. Where there are no suitable internal candidates found for new/vacant positions, we will then advertise externally. Please note that a staggered approach may be taken for any positions that remain vacant following the initial round of internal recruitment. This would allow for any required recruitment or appointment to manager positions in the first instance, and subsequent appointment to positions in teams to be led by those managers where practical.

## Proposed open recruitment and selection process

Proposed recruitment steps	Details of process
Step 1: Internal Advertisement	All vacant positions, following the decision being communicated, that are ready for recruitment will be advertised internally for NZTA employees.
Step 2: Application	All employees wanting to apply for a vacant position will need to submit their curriculum vitae and a cover letter outlining their reasons for applying for the position and their relevant skills and experience.
Step 3: Short-Listing Matrix	A short listing matrix will be completed for all applicants. The intention of this is to enable screening of candidates against the required skills, and experience.
Step 4: Pre-Interview Exercise	Those that meet the requirements of the screening questionnaire will be invited to either prepare a presentation, or undertake an analysis exercise, dependent on and relevant to the role. These will be shared as part of the interview process.
Step 5: Interview	The interview process will include both presenting and/or sharing findings of the analysis exercise, as well as behavioural interview questions that will be tailored to the specific role. The interview panel will score candidates (out of 5) on each component of the presentation/analysis and interview. Scoring will be based on a role specific rubric developed in advance to limit bias.
Step 6: References	Candidate/s with the highest average score (above 3.5/5) from the interview panel will be considered a 'preferred candidate' and progress to reference checks.
Step 7: Checking	Following normal NZTA processes, standard Ministry of Justice checking and drivers licence demerit checking will be undertaken. These are both expected to be clear of any offences over the past 7-year period. This includes HR check.
Step 8: Offer	Pending reference checks, and standard checks being clear, an offer will be made to the preferred candidate for the position.

NB. Where no candidates meet the required criteria, further recruitment processes may follow.



## Selection criteria and weightings

	Criteria	Measure/Source	Weighting
1	Knowledge, experience, qualifications, and skills	<ul style="list-style-type: none"> <li>Relevant experience/time in similar role</li> <li>Relevant qualification, or equivalent experience</li> <li>Relevant knowledge and skills</li> </ul>	70%
2	Demonstrated behaviours	<ul style="list-style-type: none"> <li><a href="#">Values and behaviours</a></li> <li><a href="#">Expectations of our people leaders</a></li> </ul>	20%
3	Potential, growth & development into new role	<ul style="list-style-type: none"> <li>Interest, enthusiasm and commitment to development/upskilling</li> <li>Commitment to a new way of working</li> <li>Skill gaps identified &amp; what growth opportunities are required (noting potential for retraining – generally not exceeding a timeframe of three months on new or unfamiliar aspects of the role)</li> </ul>	10%
			100%

## Redundancy

Where all options for an employee have been exhausted, the employee will be given notice of redundancy (in accordance with the terms of their employment agreement).

If there is a redundancy as a result of organisational change, it will not become effective until NZTA transitions to the new structure. The date currently proposed for transition to the new structure is **1 July 2024**, but a date will be confirmed with you once a final decision has been made on this proposal.

Any redundancy entitlements will be in accordance with the affected employee's employment agreement and subject to [statutory restrictions under section 88 of the Public Service Act 2020](#).

## Voluntary redundancy

Affected employees may express an interest in **voluntary redundancy**, and consideration of such requests by NZTA will be on a case-by-case basis. If this is something you wish to discuss, please touch base with Megan Bramwell in the first instance.

# What happens next

(Feedback, questions, support and next steps)

## Feedback

This proposal describes and explains the organisation structure changes being proposed and provides you with an opportunity to share your feedback with us and ask questions before any final decisions are made.

Your input on this proposal is important, so please take the time to read through the consultation document and provide your feedback. When providing feedback, it is important to let me know why you like or dislike a proposed change, and if you dislike it, what you would propose instead. I will consider everyone's views and make decisions on the best way to move forward.

You can provide feedback through the following channels:

- Individual feedback should be submitted via the feedback form, accessible [here](#)
- Group feedback submissions: one person can submit feedback on behalf of the group via the feedback form, accessible [here](#)

You can provide feedback up until **5pm on Thursday 18 April 2024**.

Consultation on the proposal is important. It is okay to adjust your work priorities to make time to read and understand the proposal and have your say. If you need to, talk to your manager about finding time to balance this alongside your work responsibilities.

## Questions

If you have any questions about the proposed structure, you can ask them by:

- Attending one of our drop-in sessions:
  - In person with Jodi Mitchell and Megan Bramwell at Room 3.14 Bowen Street, Friday 5 April, 2-3pm
  - Online with Jodi Mitchell and Megan Bramwell via [teams](#), Friday 5 April, 3-4pm
  - In person with Jodi Mitchell and Megan Bramwell at Room 3.14 Bowen Street, Friday 12 April, 2-3pm
  - Online with Jodi Mitchell and Megan Bramwell via [teams](#), Friday 12 April, 3-4pm
- Posting questions in our 'RPI Change Consultation Feedback' teams' channel
- Talking to Jodi Mitchell or our Pūmanawa Tangata Team partners, Megan Bramwell and Ben Foote

We aim to respond to your questions within two working days of receiving them. We recommend asking questions as early as possible, especially if the answers play a role in informing your feedback submission.

We will proactively update a [Questions and Answers](#) document throughout the consultation. Questions asked will be shared in this document anonymously.

If you require any further information or clarification on the process, you should raise this with our main Pūmanawa Tangata Team contact, Megan Bramwell, in the first instance. Or, you can raise questions with Jodi Mitchell or with your union delegate, who has been provided with these materials.

## Support

The prospect of change can be unsettling, and this may impact how you are feeling generally. If there is anything that is worrying you about the proposal, please raise this with me, your People Leader, or Megan Bramwell, Senior HR Advisor. You can also seek advice and support from your union if you are a member.

You can seek further support by using the resources that are available on OnRamp – '[Working Through Change](#)' and [LinkedIn Learning courses](#), and/or by requesting a 1:1 coaching session to support with CV writing and interview preparation.

Ongoing support is also available through the Employee Assistance Programme. This service provides access to free confidential counselling and support at any time. I would encourage you to take advantage of this if it might be helpful for you. EAP can be accessed by calling 0800 327 669.

You can seek independent advice as you consider and provide feedback on this proposal; or if you have a general question about your employment, you can also contact Megan Bramwell (Senior HR Advisor) or Ben Foote (HR Business Partner).

You are welcome and encouraged to talk to your whānau and other support people, and to seek independent employment advice. You are also welcome to involve a support person or representative at any time in the process. If you have concerns or queries throughout the consultation process, please talk with your people leader or Megan Bramwell ([megan.bramwell@nzta.govt.nz](mailto:megan.bramwell@nzta.govt.nz)) in the first instance.

## Next steps and indicative timeline

Proposed Process	Proposed Timing
Change Proposal released	Thursday 4 April 2024
Consultation period starts (for feedback and discussion)	Thursday 4 April 2024
Feedback period ends	5pm Thursday 18 April 2024
Feedback collated and analysed	From Friday 19 April 2024
Decision announced, all people advised on any individual impacts	Wednesday 8 May 2024

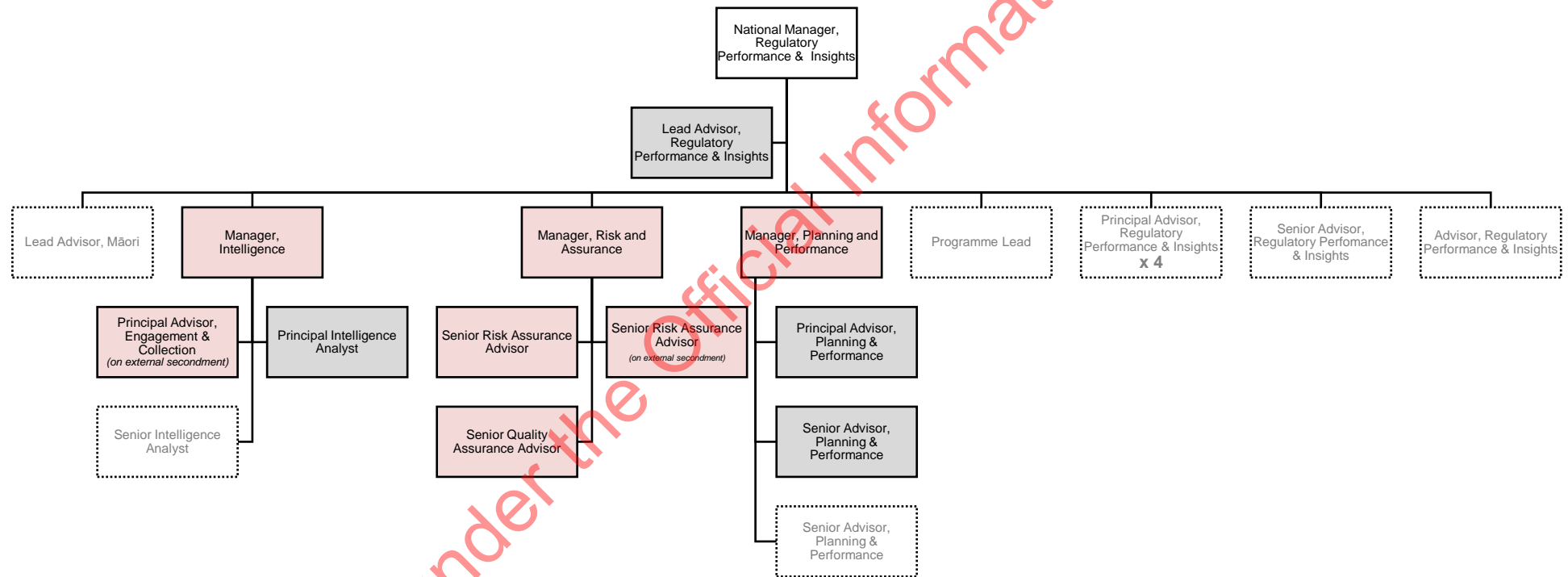
Further steps if proposed change is implemented:

Step	Indicative Date
Redeployment opportunities are explored	From 8 May 2024
Internal recruitment process begins	From 8 May 2024
Notice of redundancy is provided to those who have not received an offer of redeployment <i>Four weeks' notice is provided, and during this period we will continue to explore redeployment opportunities with you.</i>	Monday 10 June 2024
The new structure goes live	Monday 1 July 2024
Any further offers of redeployment have been made and those who have been unable to find suitable alternative positions or offers reach the end of their notice of redundancy	Monday 8 July 2024

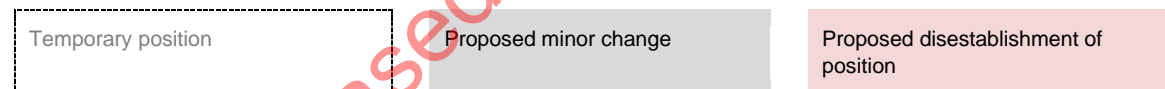
## Appendix 1

### Regulatory Performance & Insights temporary operating structure

The baseline structure is not reflective of the current in-place structure due to the number of interim decisions that have been made on how to temporarily resource the team while we have undertaken the future state design process. For reference the temporary operating structure and filled roles is shown below:



Key:



## Appendix 2

### Relevant frameworks and models

#### HIFO: Hindsight, insights, foresights and oversight

As Regulatory Performance & Insights, through our workshops we have discussed grounding ourselves in and being guided by the HIFO model. More information is available on this here: [Navigating Regulatory Landscapes: Four Sights to advance regulatory practice and governance | ANZSOG](#)

HIFO	Questions	Involves
Hindsight	What was?	Reflecting and learning from <b>past</b> experiences
Insight	What is?	Interpreting and responding to the <b>present</b>
Foresight	What if?	Assessing and preparing for the <b>future</b>
Oversight	What now?	Stewarding and managing a <b>system</b>

#### Dimensions of regulatory stewardship

Regulatory Performance and Insights has also been discussed, and started to align our work to the assessment guidance for regulatory best practice. These are summarised in the table below, and more information is available here: [MBIE regulatory stewardship fit-for-purpose assessment and ratings](#) and within the Treasury regulatory stewardship guidance.

Dimension	Asking the Question
Effectiveness	Is the system delivering the intended outcomes and impacts?
Efficiency	Is the system minimising unintended consequences and undue cost and burden?
Durability and Resilience	What variation, change and pressures are ahead for the system?
Fairness and Accountability	Is the system showing respect for rights and delivering good process?



## The lines of defence model

Regulatory Performance and Insights has also started to do some work on clarifying the lines of defence, including recognition of the Director of Land Transport role, and the role of RPI in alignment with this model. This concept and model will require further refinement, socialisation and agreement over time, however the draft is included below:

1 <sup>st</sup> Line - "Frontline"	2 <sup>nd</sup> Line - RPI	3 <sup>rd</sup> Line - "Corporate"	4 <sup>th</sup> Line - "External"
Hindsight, insights, foresights and oversight (to a degree) comes directly from those responsible for delivering specific objectives or processes. It lacks independence but often goes deeper.	Hindsight, insights, foresights and oversight come from a function separate from those responsible for delivery, but not independent of the management chain. This provides a degree of objectivity, alongside the provision of strategic advice across the 1 <sup>st</sup> line. Focus is on 'systems' and how they are performing rather than discreet 'services'	Hindsight, insights, foresights and oversight comes from other internal, but external to the group teams. It often looks wider rather than deeper and focuses on the effectiveness of the 2 <sup>nd</sup> line.	Hindsight, insights, foresights from external independent bodies such as the external auditors and independent reviewers. They often look at a specific aspect or issue and are used where independence will bring value.
Building the frameworks, tools, and guidance, to support best practice		Acting as a central point of co-ordination	
Supporting others to build their capability through conversation, coaching and communities		Being the experts in our respective fields, undertaking complex analysis, and providing strategic advice	

## Appendix 3

# Organisational Change Protocol

### Purpose

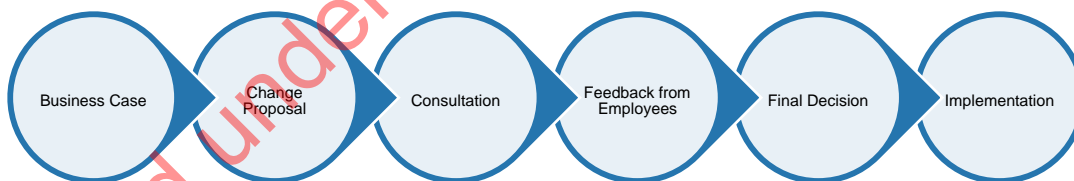
This protocol sets out New Zealand Transport Agency – Waka Kotahi's (**NZTA**) approach to organisational change where it has the potential to impact our people.

NZTA is focused on ensuring that any impact on our people and disruption to our work is minimised during change.

### Guiding principles

1. NZTA recognises that workplace change can be a challenging time for an organisation and its people. During times of change it will endeavour to balance the needs and goals of its business, with the needs of its people.
2. As a Public Service Agency, change at NZTA will often be driven by the objectives of the Government of the day.
3. NZTA will observe its legislative and contractual obligations to people affected by change.
4. People affected by a proposed change will be provided with information relevant to any proposal. Those affected will also be afforded sufficient time to consider the proposal and provide feedback.
5. NZTA will carefully consider all suggestions and feedback before any decisions are made; however, not all suggestions and feedback will result in modification to the change proposal.
6. Our people will be appropriately supported through change, provided with certainty of outcome as soon as possible, and regularly updated through the process.
7. NZTA will explore all reasonable options for people who are deemed affected by change, and termination of employment will be a last resort.

### Our approach to change



### Business case for change

NZTA is entitled to make changes to its business structure to improve the viability or efficiency of its business. Business cases for changes are assessed on a case-by-case basis, and there must be a clear business rationale for any proposed organisational change.

### Change Proposal

Once a business case for proposed change has been prepared, NZTA will complete an **impact assessment** and consult with all **potentially affected employees** on the proposed change.

An **impact assessment** will involve a **job matching exercise**, where positions in the current structure are compared with positions in the proposed new structure.

Full explanations of the reasons for the proposed change will be set out in an Employee Consultation Pack, which will be given to all potentially affected employees. Our people will be given an opportunity to provide feedback on the proposed change, and that feedback will be genuinely considered before deciding whether to proceed with the proposed change.

Where the proposed changes may affect employees who are union members, the relevant unions will be engaged and will remain involved throughout the change process.

### Employee Consultation Pack

The Employee Consultation Pack will set out:

- The purpose of the process and business case for the proposed change(s)
- What the proposed structural change(s) are, and the **impact assessment**
- How the duties of any roles that are proposed to be disestablished will be distributed within the proposed new structure
- Draft position descriptions for any proposed roles or changes to roles
- The steps in the consultation process and an indicative timeline, including the proposed implementation date
- An employee's right to obtain legal advice and/or bring a legal representative to any consultation meeting, and be assisted and/or represented by their union
- Information regarding reconfirmation (non-contestable and contestable) and redeployment opportunities
- If applicable, the proposed selection criteria for deciding which employees will be reconfirmed into roles from amongst a pool of affected staff performing the same role (**contestable** reconfirmation)
- Information on what will occur while NZTA works through the change process, including time off to obtain advice and expectations regarding continuing work
- Key contacts and support people within NZTA for answering any queries
- Information about access to NZTA's Employee Assistance Program.

### Decision to adopt the proposal (or not)

All feedback received during consultation (on the business rationale, proposed changes, and potential impact of the proposed change on positions) will be reviewed and considered before a final decision is made on the proposed changes. Consultation regarding the impact on our people's positions will continue if a decision is made to proceed with the proposed change.

### What happens next?

If the proposal is adopted (or a modified version of it, following consideration of our people's feedback), all potentially affected employees will be notified of the decision and the new structure. NZTA will also let employees know if they are a **non-affected** or **affected employee** and explain what will happen next.

### Affected Employee

An employee is an **affected employee** if their position:

- remains the same, but NZTA intends to reduce the number of roles carried out by several employees (i.e., reducing from 3 of the same position to 1 of that position); or
- has been disestablished; or
- there will be a substantial change to their position.

## Non-affected Employee

An employee will be a **non-affected employee** if there will be no change to their position or if the change to their position is considered minor.

Fixed-term employees are not usually included as affected employees in a workplace change; however, there may be some circumstances in which they are consulted. If a change will mean that their fixed-term contract is ended prior to the end of the agreed term, then they are entitled to the notice stated in their fixed-term contract.

## Affected employees

### Non-contestable reconfirmation

Employees will be automatically confirmed into positions if:

- the position is the same or substantially similar to their current position; and
- the number of staff eligible for confirmation is the same or less than the positions available (i.e., **non-contestable reconfirmation**).

If an employee is offered non-contestable reconfirmation, and they do not wish to take up the offered position in the new structure, the employee's employment will end by reason of resignation and there will be no entitlement to redundancy compensation (in accordance with the applicable employment agreement).

### Contestable reconfirmation

If, in the new structure, there are a number of positions that are the same or substantially similar to those in the existing structure, but the number of positions is being reduced or combined to a lesser number of (same or substantially similar) positions, a **selection process** will follow.

During consultation on the proposed changes, relevant potentially affected employees will have an opportunity to comment on the proposed selection criteria for potential contestable processes. Selection criteria will be objectively measurable (for example, criteria could include skills-sets, experience, education, and previous performance) and will be clearly communicated to relevant affected employees at this stage.

### Redeployment

Where there are no positions in the new structure that an employee can be reconfirmed into (or where an employee is unsuccessful in being confirmed into a role after a contestable process), the employee will be considered for **redeployment** to **suitable alternative positions** within the new structure.

A **suitable alternative position** is one that involves duties and responsibilities that are not unreasonable for the employee to fulfil, taking into account the employee's skills, knowledge, qualifications and experience, and where the employee could reasonably be expected to carry out the duties and responsibilities of the position with a reasonable amount of training and development.

NZTA may identify possible **suitable alternative positions** that an employee could be redeployed to. Employees are also welcome to identify roles within the new structure that they consider to be a **suitable alternative position**.

In most cases, if an employee is offered a **suitable alternative position** but does not accept that offer, the employee's employment will end by reason of resignation and there will be no entitlement to redundancy compensation.

### Wider redeployment

Where an employee cannot be reconfirmed, and no suitable alternative positions are identified (i.e., they remain an **affected employee**), NZTA and the affected employee can consider other vacant roles

within the new structure, or across the organisation generally. Our goal is to retain our people, wherever possible.

Vacancies (in the new structure, or elsewhere in the organisation) will generally be advertised internally in the first instance and preference will be given to affected employees. A merit based selection process will be carried out, in line with NZTA's normal selection procedures.

### Redundancy

Where all options for an employee have been exhausted, the employee will be given notice of redundancy (in accordance with the terms of the employee's employment agreement).

If there is a redundancy as a result of organisational change, it will not become effective until NZTA transitions to the new structure.

Any redundancy entitlements will be in accordance with the affected employee's employment agreement and [statutory restrictions under s.88 of the Public Service Act 2020](#).

Consideration will be given to **voluntary redundancy**, on a case-by-case basis.

### Other information

NZTA acknowledges that change is unsettling. Confidential counselling and support is available to all our people through [EAP Services](#) – 0800 327 669. You can also speak to your People Leader, union organiser or a representative if you need additional support.

Where appropriate, CV writing and interview skills workshops/ coaching, will be provided to affected employees.

If you have any questions or concerns about change, please direct these to your People Leader, HR Business Partner, or our Employment Relations team.