

MINO-1047 Driving Instructors and Driver Testing Officers

29 April 2024

Advice on conflict of interest management for driving instructors and driver testing officer endorsements.

NZ Transport Agency Waka Kotahi (NZTA) response:

- Recently, particularly following COVID and the subsequent impacts to services, NZ Transport Agency Waka Kotahi (NZTA) has seen an emergence of more individuals certified with both the driving instructor (I) and testing officer (O) endorsements capabilities. For members of the public, this dual capability would only affect the Vehicle Testing New Zealand (VTNZ) testing officers and the newly established community driver testing officers (CDTOs).
- With respect to VTNZ, NZTA have regular contact on a range of matters, including best practice guidance and standards for the driver testing officer role. VTNZ have in place strict controls to manage driver testing, including comprehensive Conflict of Interest and Code of Conduct policies and procedures. Testing is monitored electronically and VTNZ have dedicated personnel responsible for audit, monitoring, and training.
- One such control is through the test booking system, whereby an applicant is assigned to an available testing officer at random, and the testing officer is unable to influence who they test. Should an applicant be randomly assigned a testing officer who was also their instructor, it is up to VTNZ to administer the appropriate business procedures i.e. (assigning a different testing officer) in order to avoid a conflict of interest. Under the Conflict-of-Interest policy, testing officers are required to notify their direct manager of any conflict of interest and the test is then either rescheduled or assigned to another testing officer. This process is controlled, managed, and monitored centrally by VTNZ.
- As part of the contracts NZTA has with Community Testing Agents who employ/engage CDTOs, CDTOs are also prohibited from testing any person they may have trained.
- NZTA, as the Regulator, monitors practical driver testing, including the monitoring of test outcomes and regular meetings to discuss test procedures, wait times and test results. Aspects of the driving test, such as test routes, assessment criteria, and testing officer performance, are monitored and discussed and where necessary, corrective actions are taken. The regulation of testing officers includes "fitness and propriety" with all testing officers required to obtain and maintain strict levels of fitness and propriety which includes ongoing complaint investigation and monitoring through the NZTA Transport Operator Register Online (TORO) system.

Noted by Minister ☐