Impaired Driving Programme

IQA Report December 2022 – Final

GEMTECH

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s9(2)(a)

Contents

Background and Scope

New Zealand's **Road to Zero** road safety strategy targets a 40% reduction in road deaths and injuries by the year 2030. One step to achieving this goal is to enhance the drug-driving testing regime. The New Zealand Government has introduced the Land Transport (Drug Driving) Amendment Act , approved on 11 March 2022, which, when enacted, will introduce a compulsory random roadside Oral Fluid (saliva) Testing (OFT) regime administered by NZ Police.

NZ Police established the OFT project to enable compliance with the legislative requirement for an OFT regime as part of an Impaired Driving Programme (IDP/the Programme). The scope of the IDP was approved through a Business Case, version 2.1, on 15 March 2022. To ensure OFT and other legislative changes are achieved, a restructure of the IDP occurred, resulting in the current structure consisting of four internal workstreams (Equipment Procurement, Insights, Operational, Capability), and two external workstreams (Interagency Committee led by NZ Police and Evaluation led by Waka Kotahi/NZTA). A Technology stream has recently been added.

Gemtech has been engaged to perform a project Independent Quality Assurance (IQA) review of the OFT Project. Given the restructure noted above and that, OFT as a project, is now being delivered by the four IDP workstreams, the IQA focused on the IDP as it is currently being delivered by NZ Police. The review assessed the Programme's structures, processes, resources and overall health to provide an objective assessment of delivery confidence.

The objective of this IQA, conducted in November 2022, included providing assurance that:

- The governance structure and processes are appropriate and effective to direct, support and challenge the Programme.

- Appropriate structure, resourcing and plans exist to deliver all aspects of the Programme.

- Appropriate management processes, systems, and tools necessary for a Programme of this type, scale, and risk are in place.

Executive summary

Significant work has been undertaken to get to the current phase of the Impaired Driving Programme (IDP/the Programme), with more work required pre-deployment in March 2023. Strong governance and programme management leadership and disciplines are evident and operating effectively. Unfortunately, the market maturity of the Oral Fluid Testing (OFT) device is not at the level sought to meet legislative requirements. This is a significant threat to achieving the next milestone.

Governance

The existing governance arrangement overall is appropriate and operating effectively to ensure the ongoing success of the Programme. The Impaired Driving Governance Board (IDGB) is focused on helping to support the Programme deliver outcomes, and navigate through internal and external constraints, while holding it to account for delivery. Status reports provide a good overview of the health of the Programme and are reflective of its current state. The membership size of the IDGB is large (about 30), putting its effectiveness at risk.

Programme Management

The Programme structure is appropriate for a Programme of this nature. The resource model is tight; therefore, the continued availability of a larger pool of people throughout NZ Police will be critical to the successful delivery of the IDP. The Programme team and wider business are working well and collaboratively to achieve common goals. Good programme leadership and management disciplines and techniques are present, and on-going management of deliverables, stakeholders and risks is evident. The Programme would benefit from the finalisation and utilisation of an overarching programme and supporting workstream schedules.

Future Delivery Capability

The future of the IDP is at risk due to OFT device constraints facing NZ Police. Programme leadership under the oversight of the IDGB have been working to present options to the Minister. Timing of a decision, and the decision itself are potential showstoppers.

The next phase, implementation of legislative changes and deployment of OFT over coming years is dependent upon the outcomes of the Ministers decision. Should a decision be made that enables NZ Police to deploy OFT devices in March 2023, adjustments will likely be needed to the planned deployment and community engagement strategies, as well as the operationalisation of police processes. Planning for this in advance will enable the Programme to pivot quickly.

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Recommendations

To ensure ongoing success and effectiveness of the Impaired Driving Programme, the following improvement opportunities have been identified. We recommend:
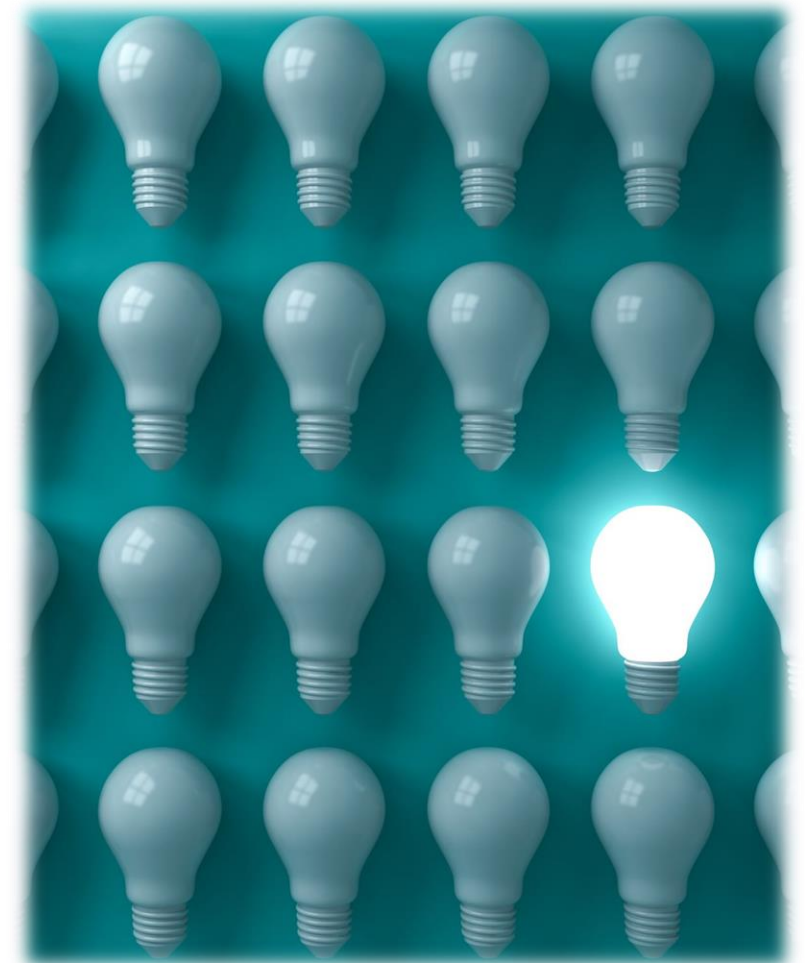
1. Governance

A. Reduce the IDGB voting membership to 6 key members (Priority: Low)

2. Programme Management

A. Plan for a Ministerial decision late January, resourcing the IDP to deliver within a constrained 6-week timeframe between February and 12 March 2023 (Priority: Medium)

B. Prioritise the completion and operationalisation of a programme level and supporting workstream level MS project schedules (Priority: Medium)

C. Develop a SME resource plan that details what, when and who the IDP needs to secure for the input into, or delivery/co-delivery of specific programme deliverables (Priority: Low)

D. Define the quality management processes around key deliverables, particularly the quality acceptance of business policy, process, forms and other change material. (Priority: Low)

E. Rebrand to the IDP vs OFT as the Programme name in future and living documents (Priority: Low)

3. Future Delivery Capability

A. Revisit the deployment strategy and plan for a modified approach based on reduced timeframes facing NZ Police (Priority: Medium)

Detailed Assessment

Governance

The existing governance arrangements are appropriate and operating effectively to ensure ongoing success of the Impaired Driving Programme.

The Impaired Driving Governance Board (IDGB) overseeing the IDP is accountable to the business owner for the success of the Programme and has the authority to direct the Programme within the remit set by the business owner, the Stewardship & Performance Governance Group (S&PGG). The IDGB ensures the effective and sustainable direction of the IDP and alignment to organisational and programme specific objectives.

The purpose, principles and membership of the IDGB is defined within the Board's Terms of Reference (ToR). The NZ Police Delivery Framework document "Roles and responsibilities guidance for programmes and projects" defines the various roles, responsibilities and organisational structures, including governance.

The IDGB consists of a wide range of stakeholders from across NZ Police, with at times over 30 attendees invited and half designated voting members. The Project Executive is the Chair of the IDGB. A quorum for decision-making is 50% of the members. Attendance is a challenge given the demands on individuals and the size of the group, with 50% attendance being the norm. The advantage of a large membership is its reach across the organisation and the opportunity for information sharing. However, a large voting membership puts decision-making at risk and increases the likelihood of members not critically reviewing governance papers beforehand.

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The IDGB artefacts, status reports and the Programme records, supported by conversations, confirm that governance overall is operating effectively. The monthly IDGB status reports provide a good overview of the Programme health, workstream progress and key status indicators. In addition, a monthly overview of the IDP is included in the Integrated National Road Policing Report.

The IDGB is across the major issues, most importantly the OFT device suitability to meet the intent of the legislation. Work is underway to present options to the Minister, but a decision before the Minister's office closes for Christmas may not be obtained. Timing of a decision, and the decision itself are potential showstoppers. In the interim, the Programme must maintain momentum.

Governance	Assessment
Governance structure and processes	Effective *
Governance roles and responsibilities	Effective
Decision making	Effective *
Objectives and success measures	Effective
Monitoring and reporting	Effective

Assessment Key

Effective: The control provides reasonable assurance that the project objectives will be achieved.

Partially Effective: Control gaps exist that put project objectives and benefits at risk of not being achieved.

Not Effective: Major weakness in the control has been identified. Project objectives are likely to be not achieved.

* Indicates a minor improvement or project hygiene factor exists.

Programme Management

Programme management structures, resourcing and disciplines expected for a programme of this nature and scale are sufficient.

NZ Police established the OFT project to enable compliance with the legislative requirement for an OFT regime as part of the IDP. To ensure OFT and other legislative changes are achieved, a restructure of the IDP occurred early 2022, resulting in the current structure consisting of four internal workstreams (Equipment Procurement, Insights, Operational, Capability), and two external workstreams (Interagency Committee led by Police led and Evaluation led by Waka Kotahi/NZTA). A Technology stream has recently been added. The term OFT project and the IDP are used interchangeably throughout the IDP artefacts and by stakeholders. In future, where possible, this should be avoided to prevent scope confusion.

Overall, the IDP is appropriately structured to deliver the programme deliverables, with good clarity around individual team roles and responsibilities. Programme leadership disciplines are in place, and the team appears to be working well and collaboratively to achieve common goals. Morale is high amongst the team. The only structural concern is the heavy reliance on resources that sit outside of the programme. Typically, this resource model should be avoided as resources outside the control of the programme are at risk of being redirected to non-programme tasks. However, with the inclusion of a "Super-Subject Matter Expert (SME)" within the Programme team, and ongoing engagement by the Programme and the business community, this risk is unlikely to be realised. What is not evident is an SME resource plan aligned to the Programme tasks.

The Programme team, currently seven members, working with the SME's, is meeting existing resource demands. However, loss of any member will significantly impact to the Programme between now and 12 March 2023. Resource utilisation has been affected by the outcome of the extended OFT device due diligence process and imminent Ministerial request for a decision on a range of options, not just devices. Should a decision not be made by the end of 2022, there will be a flow-on impact that might require additional resourcing support to enable the team to implement a decision by 12 March 2023.

A range of project management tools is in place to manage programme deliverables and team tasks. The governance reporting provides good insight into milestones, delivery and progress. Processes have been established for identifying and managing risks and issues, with evidence of appropriate ownership and oversight. The Programme has been operating with high-level plans (Refer Appendix C: Project on a Plan) and spreadsheets detailing workstream tasks. There has been limited use of detailed scheduling tools such as MS Project. Operational and Capability Workstream schedules were developed recently, but still require Workstream lead completion. Work is planned to develop an overarching programme MS Project schedule and identify workstream inter-dependencies, which we consider need addressing. s9(2)(g)(i) The absence of working schedules limits reporting traceability, the ability to plan and allocate resources at a task level, and better understand task dependencies and critical path insight. Going forward, complete and up-to-date schedules will assist in reducing over-reliance on key programme team members.

Programme management	Assessment
Programme structure	Effective*
Project roles and responsibilities	Effective
Team resourcing	Partially Effective
Task Planning	Partially Effective
Timeline management	Partially Effective
Risk & Issue management	Effective
Dependency management	Partially Effective

Programme Management continued

The IDP has experienced limited scope change and is tracking to deliver scope as approved in the Business Case, version 2.1 dated 15 March 2022. However, the reality is that the scope is at risk due to device constraints. These constraints are being managed by the Programme and the IDGB. The stated benefits that the IDP is tasked to deliver include:

1. Increased detection activity for the presence of drugs in drivers
2. Improved public perception of drug driving enforcement
3. Meeting legislative requirements under the Land Transport Act 1998

A Benefits Realisation Plan that includes set measures, data sources and clear ownership has been developed. Realising the benefits is at risk due to device constraints and uncertainty around when and what the Ministerial decision will be.

The IDP's initial funding comes out of the Change Initiatives Investment Portfolio, a suite of projects to deliver the 2021/2024 Road Safety Partnership Programme. The IDP has been working to deliver within the FY22/23 budget ($2,809,815) setout in the 2022 Indicative Lean Business Case. Status reporting is against a $1,163,452 budget (up to end of 2022 calendar year). The Programme is managing the budget and actual costs well, with an acceptable variance between status reports and the budget management tools. A final Implementation Business Case covering the remainder of the IDP to Go Live March 2023, deployment and device costs until December 2025 has been drafted, subject to the Ministerial decision outcome.

All stakeholders, and organisational change, are being managed as part of the Programme processes established and the Capability workstream. As stated in the IDGB reporting, community consultation as planned, is on hold, again due to the device constraints. Work continues in other areas to maintain momentum. There is a risk of some rework once a Ministerial decision is known, however, this cannot be avoided.

Quality management planning, assurance and control activities are occurring across the Programme. Key documents, such as the Project Assurance Plan, define the assurance approach for the current phase of the Programme. Key assurance activities are occurring, such as regular risk reviews and the IDGB reporting. In addition, the Procurement workstream included external laboratory testing and independent scientific assessment of laboratory results. However, a quality management plan that defines quality expectations and how quality is achieved does not exist. The assurance plan does not refer to the quality of deliverables, particularly the quality acceptance of business policy, process, forms and other change material.

As expected, artefacts appear to be in varying states, finalised or draft, with evidence of review and signoffs where needed. The Programme is maintaining various key artefacts e.g., risk and decision registers, and high-level plans as "living documents", but key artefacts such as working schedules are not present.

Programme management	Assessment
Scope management	Effective
Outcome realisation	Effective*
Financial management	Effective
Stakeholder engagement	Effective
Organisational Change management	Effective
Quality management	Partially Effective
Artefact maintenance	Partially Effective

Future Delivery Capability

The Programme's future delivery capability is at risk due to OFT device constraints to meet relevant standards and legislative requirements.

Significant work has been undertaken to get to the current phase of the IDP. However, the Equipment Procurement workstream has encountered several challenges, including the need to revisit and retest OFT devices put forward by suppliers as part of the competitive tender process. Only two of the eight tested devices passed the laboratory testing, conforming with AS/NZS 4760:2019. However, legislation requires a higher level of accuracy. As such, a paper is being presented to the Minister with options, seeking a decision which will determine the next phase.

The planned next phase, the implementation of legislative changes and deployment of OFT over coming years, is time dependent. The time available to obtain clarity around the devices and a confirmed Ministerial decision is a major threat to the Programme. Should a decision be made in late January 2023, this only leaves approximately 6 weeks to meet the 12 March 2023 deadline. While the deployment strategy is to deploy OFT devices initially to the Commercial Vehicle Safety Team (CVST) and the Impairment Prevention Team (IPT), this approach may need further refinement given the tight timeframes facing NZ Police. On-going delays also impact planned communication, engagement and training activities.

The ability of the IDP to deliver the scope and benefits sought is in doubt and the IDP may need to pivot significantly, pause or stop. While this is not the desired position to be in, the Programme leadership and the IDGB have been actively managing this risk. Unfortunately, the current OFT device market is not mature enough to provide devices designed for evidentiary-level proof with a 100% accuracy.

Future Delivery Capability	Assessment
Current Phase	Partially Effective
Next Phase	Partially Effective
Programme Completion	Partially Effective

Appendices

Appendix 1 : Interviews Conducted

Interviews with keys stakeholders and project members were conducted between 10-18 November 2022

Name	Designation/ Role on Project	Name	Designation/ Role on Project
Bruce O'Brien	Assistant Commissioner: Deployment & Road Policing / Executive (Senior Responsible Owner) and Chair of ID Governance Board	Roger Jordon	Programme Manager, Insights and Equipment Workstream Lead
Dan Mattison	Inspector, Manager Strategy and Relationships, NRPC / ID Governance Board Senior User	Karen McConnochie	Operational Workstream lead
Mike Brooklands	Manager: Commercial Vehicle Safety Team / ID Governance Board non-voting member	Rachel Niven	Capability Workstream lead
Simon Mooney	Senior sergeant / Programme SME	Sara Dean	Programme Coordinator

Appendix 2 : Artefacts Reviewed

The following artefacts provided were reviewed as part of this review

- Change Initiatives Investment Plan Signed Version 01 April 2021
- OFT Programme_Indicative_Lean_Business Case v2.1 Final OFTGB Endorsed_Signed AC O'Brien
- Benefit Realisation Plan_Oral Fluid Testing_V1.2_Approved
- Police High Performance Framework_High level guidance
- ToR_Impaired Driving Programme Governance Board V1.1_Qrtly review Oct 2022
- OFT Status Report_July 2022 period_V1.0
- OFT Status Report_August 2022 period_V1.1
- OFT Status Report_Sept 2022 period_V1.0
- ID GB Agenda 17 August 2022 v1.0
- ID GB Updated Agenda 29 Sept 2022 v1.2
- ID GB Agenda 25 Oct 2022 v1.0
- 17082022 ID Governance Board Minutes_Aug 2022_V1.0
- 29092022 ID Governance Board Minutes_Sept 2022_V1.0
- 25102022 ID Governance Board Minutes_Oct 2022_V1.0
- Integrated Road Policing Report August 2022
- Integrated Road Policing Report September 2022
- Integrated Road Policing Report October 2022
- OFT Assurance Plan V2.0 (July 2022)
- PPDF Risk and Issue Standards and Guidelines v1.0

- Interagency LL DD Bill Implementation Committee ToR V0.4_Qrtly review Oct 2022
- ID Interagency Meeting Agenda 18 August 2022
- ID Interagency Meeting Agenda 20 October 2022
- ID Interagency Committee Meeting Minutes 18 August 2022
- ID Interagency Committee Meeting Minutes 20 Oct 2022_V1.0
- Impaired Driving Pgm Decisions_Change reg 2022-11-03
- Impaired Driving Baseline Budget - FY2223 v4
- Project_Programme Roles and Responsibilities_1
- Project_Programme Roles and Responsibilities_2
- Dependencies V0.2_11 Oct Device confirm as driver
- Dependency Management Guide_Saras template to develop
- Schedule Management Guide_Saras template to develop
- OFT Roadmap_Plan on a Page (POAP) v2.4_20 Oct 2022
- IDP_OFT_Capability workstream schedule v0.3_WIP
- IDP_OFT_Equip Procurement workstream schedule v0.7_WIP
- IDP_OFT_Operational workstream schedule v0.5_WIP
- Impaired Driver Pgm (IDP)_Governance schedule_v0.1_WIP
- Requirements
- Procurement Decisions_Change reg 2022-11-03

- OFT Project - Implementation Business Case - V0.1_Draft WIP
- OFT - Project Brief_Updated - v1.8
- OFT_ Operations Workstream _ Plan on a Page - Draft v0.1 (refresh of Jason Eady's plan)
- Operations (and ICT) workstream_Decisions_Change reg 2022-11-03
- Operations Workstream - Key Deliverables Table 03112022 Final
- Operations Workstream Key Milestones and Deliverables - V.05 14102022
- Outstanding Policy and Legal Questions for Decision Register - draft 26082022
- 5. 220711 Communications Strategy drug-driving law changes FINAL
- Capability workstream_Decisions_Change reg 2022-11-03
- Drug driving_Police and WK engagement plan phase 2
- IDP_Capability workstream plan2
- Impaired Driving Programme Internal Engagement Plan
- NRPC IDP Capability workstream scope and plan
- NRPC OFT Impact analysis
- OFT Delivery and Change Impact Assessment 210323
- OFT High level impact analysis
- OFT Stakeholder Analysis v0.4 RN

Appendix 3 : Project on a Plan (Programme level)