

Impaired Driving Programme (90461)

Project Status Report - Detail

Date Generated 15/Jul/2022

Last Updated By Maureen Carty on 13/Jul/2022 11:27 AM

Project Details

Portfolio	Road Policing	Sub-Portfolio	National Road Policing Centre
Project reports up to	National Road Policing Centre (Sub-Portfolio) managed Bruce O'Brien		
Business Owner	Bruce O'Brien	Current Phase	Deliver & Implement
Senior Responsible Owner	Steve Grealley	Delivery Status	In Progress
Project Manager	Roger Jordan	Benefit Planning Status	Approved
% Project Complete	30%	% Phase Complete	10%

Management Control Status Reporting

	Last Period	Current	Comments
Overall Status	Amber	Amber	The programme remains at Amber.
Benefits	Green	Green	No Change
Change Management	Green	Green	No Change.
Finances	Green	Green	Funding for FY 21/22 agreed with Portfolio and Projects team. Funding requirements for FY22/23 are inline with CIIP funding expectations
Resources	Amber	Amber	Path to green activities are underway with the recruitment of a Change Manager and the Operational Project Manager. NRPC have recently onboarded a Policy Writer whose remit will include the supporting of policy development for the Programme.
Risks	Green	Amber	Risks and Issues are being monitored and worked through to ensure appropriate mitigating activities have been identified.
Schedule	Amber	Amber	A high-level delivery plan has been created. Path to Green activities will commence with refinement of the detailed schedule following impact assessment once the Change and Project Manager are in role.
Scope	Green	Green	Ownership of the broader Act within Police has been identified as the Stewardship & Performance Governance Group (S&PGG), whilst financial authority remains with the DFA NRPC Projects & Portfolios. The S&PGG have been advised of the broader scope and new structure of the Impaired Driving Programme.

Key: **Green**: Performing to plan **Amber**: Project impacted, project team actioning **Red**: Off plan, management action required

Investment Objectives

1. Compliance with regulatory requirements.

Police currently detect drug driving after carrying out an impairment test using CiT processes and requesting a blood sample. Under Police are required to implement the Land Transport (Drug Driving) Amendment Act and initiate OFT in line with government directions.

2. Safer roads through improved detection and general deterrence of drug drivers on NZ roads.

Drug driver apprehension is currently limited to detection by officers when a driver is suspected to be impaired by drugs. This is achieved via a CiT test. It is anticipated that a random and compulsory OFT regime like that employed for drink driving, will significantly improve detection of drug drivers and will aid in general deterrence principles.

Executive Summary

Overall the project is progressing to the high-level delivery plan.

The OFT short-listed device/s are being assessed by an independent expert to ensure that the devices meet stated levels of concentration detection in alignment with the NZ:4760 Standard and a legal review of the device to ensure that the device would meet any required evidentiary standard. This information will be used to inform any OFT device recommendation that is presented to the Minister of Police.

The Programme is planning a Community Consultation on the general deterrence deployment approach for August and September, to engage with a broad range of internal and external stakeholders to request input into the proposed deployment approach.

Progress this period

As at 30 June 2022:

- Work to transition to the new Impaired Driving structure continued.
- Funding for Change and Project Managers have been approved for FY22/23 and interviews have been held. A Change Manager has been appointed and will start 11 July. An offer to a Project Manager has been made and accepted with vetting to now take place.
- The deployment approach to General Deterrence through a community consultation is in the planning stages, planning for August and September.
- The communication and engagement strategy and work to develop the intranet site and communication channels has been progressed. The Strategy will be presented to the governance board next month.
- Detailed requirements were submitted for technology assessment of digital solution and system updates. Recognised that a paper-based approach will be required for initial pilot.
- Workgroups have been preparing for a walk-through workshop in early August of the OFT and Impaired Driving processes.
- Development of a Ministerial update on progress of device procurement
- The Procurement work stream short-listed devices have been sent for independent expert analysis to ensure information supplied on capability of the devices is correct and that the devices are fit for purpose. A legal review will follow once completed.
- The Insights work stream is being established and will manage data for deployment, collections and distributions and data preparation for the 3-year independent review.

Governance:

- The Oral Fluid Testing Governance Board met on 14 June 2022.
- The new GB ToR's including the expanded scope for the Impaired Driving programme were presented and approved.
- Key risks were reviewed for further insight and mitigation factors.
- The updated Deployment Strategy was endorsed.
- An update relating to Medical Defenses was discussed.

Next Steps

As at 30 June 2022:

- Progress the preferred OFT device/s to gaining independent expert analysis and legal reviews of the device/s.
- Submission of Ministerial update on device procurement.
- Progress development of the reporting requirements to support operational, evaluation and reporting needs.
- ICT/Mobility to advise timeframes for delivery of a suitable digital solution and for completing necessary changes to existing ICT systems.
- Further onboarding to fully establish the impaired driving programme team; onboarding of the Project Manager and selection of the Programme Lead to be confirmed.
- Confirm the Project's engagement strategy and progress intranet uploads for staff reference and external engagements.
- Establish the broader engagement approach with a wider stakeholder group through Community Consultation.
- Assess and finalise the new policy updates for impaired driving chapters in the Police Instruction; prepare recommendations for approval from Dir. RP. Finalise Police's response to medical defense's. Commence development of the back-office processes
- Develop framework for Implementation Business Case
- ESR testing processes to be confirmed.
- The Interagency Committee will meet on 21 July 2022.

Governance:

- The Impaired Driving/OFT GB will next meet 19 July 2022.
- Update the GB on options given regarding ICT and Mobility requirements.
- Seek endorsement for the Communications Strategy.

Finances across FY21/22

	Capex	Opex	Totals
Budget	\$ 0	\$438,537	\$438,537
Actual to Date	\$ 0	\$344,170	\$344,170
Forecast to Completion	\$ 0	\$ 0	\$ 0
Estimate at Completion - EAC	\$ 0	\$344,170	\$344,170
Variance (Budget – EAC)	\$ 0	\$94,367	\$94,367
Contingency	\$ 0	\$ 0	\$ 0

At the end of the FY, an underspend of \$94k has been realised due to an underspend in several work-streams. The underspend is due to the delay in gaining Royal Assent and the lower cost of tasks against estimates.

Workstreams

Name (#)	Business Owner	Phase	Delivery Status	Overall RAG	Previous Overall RAG	Status Report as at
Equipment Procurement(#128220)		Delivery	In Progress	Green	Green	13 Jul 2022
<p>Executive Summary: The purpose of this workstream is to procure OFT equipment that meet legislative requirements related to the Land Transport Amendment bill. Since the tender closed 27 April 2022, responses and devices have been evaluated with three now shortlisted. Due diligence is now being carried out on all three to support any recommendation of a preferred device for approval. This includes an independent scientific review on the device's ability to meet the AUS/NZ 4760 Standards, followed by a legal review for assurance on whether the devices meet the evidentiary standards.</p> <p>Overall Status Comments:</p>						
Operational includes Police Prosecutions, Mobility, ICT/NIA/CM, PIB, Legal and ESR(#128244)		Delivery	In Progress	Green	Green	04 Jul 2022
<p>Executive Summary: All work streams are starting to progress with the bulk of the work on policy and procedures to be completed by the end of August. In parallel, the back-end process will commence development. Once that work has been completed it will allow for work on training and development to commence within Police Prosecution Service (PPS), Police Infringement Bureau (PIB) and Mobility. A workshop has been scheduled for 8 August with all work group leads to perform and end to end walk through of OFT looking to identify the current state of play by that date.</p> <p>Overall Status Comments: The Operations Working Group and sub-groups have been able to progress development and are currently working through all identified policy issues.</p>						
Insights(#128247)		Delivery	In Progress	Green	Green	07 Jul 2022
<p>Executive Summary: The Insights work stream is being established. This work stream is responsible for the design and development of the reporting needs. Identifying the needs of operational, tactical and strategic reporting and that the capture of the information is timely, appropriate and necessary.</p> <p>Overall Status Comments: Early stage of establishment progressing .</p>						

Capability includes Change Management, Training, Strategic Comms, Stakeholders and Deployment(#128248)	Delivery	In Progress	Green	Green	04 Jul 2022
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Executive Summary:

The deployment strategy has been endorsed by the board with work now commencing on a community consultation process seeking community feedback.

Stakeholder engagement is continuing to be progressed through various working groups with good connections now established between police and the Waka Kotahi project team.

The communications and training work streams are still in the initial development stages with work to be progressed within their work streams over the next month.

Overall Status Comments:

Risk Heatmap

		Impact					Total
		Negligible	Minor	Moderate	Major	Severe	
Likelihood	Almost Certain				1		1
	Likely						
	Possible			5			5
	Unlikely			1			1
	Rare		1				1
Total			1	6	1		8 (8)

Key Risks

ID	Risk Name	Description	Last Review Date	Risk Owner	Target Risk Level	Controlled Risk Level	Escalation Level	Response Type
11066	Project delivery time constraints	IF Police are unable to deliver OFT testing within the proposed 12-month implementation period (for example – procurement delays could impact on time frames for operational policy development and training) THEN Legislation as enacted for the OFT requirement would not be delivered upon WHICH could damage the reputation of the Police and confidence in it's ability to deliver legislative change.	07/Jul/2022	Roger Jordan	Medium	High	Project	Reduce

Status Report Comment: 07/07/22: An minimum viable (MVP) solution based upon legislative demand is planned for March 2023. The broader Impaired Driving Programme will outline further developments to enhance the MVP once delivered.

Mitigation: - Development of a integrated project plan based upon workstream plans identifying dependencies and milestones

- Other areas of the Drug Driving legislation will be enacted outside of the OFT project
- Implementation Business Case to identify an future risk to delivery timelines
- Establish a reporting cadence to external stakeholders as part of existing reporting structures to ensure visibility of Programme and risk
- Develop an MVP for March 2023.

11372	Absence or Abstraction - Resources	<p>IF resource to support the change is constrained THEN the programme implementation may be delayed WHICH impacts on Police ability to meet it's legislative obligations as defined in the Act</p> <p>The impact of Covid on staff and their families or Police priorities take attention of the project members THEN the programme may be delayed RESULTING in delays to the delivery of the programme.</p> <p>Availability of NRPC resource to support the change due to resource constraint, BAU needs and also implementing the broader Drug Driving legislation changes</p>	11/Jul/2022	Roger Jordan	Low	Medium		Accept
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Status Report Comment: 11/07/22:Management of all resourcing needs continues to be monitored and managed. FY22/23 financial forecast is in place and recruitment of personnel to support either completed or underway. Operational priorities have the potential to disrupt along with ongoing constraints due to the COVID pandemic.

Mitigation: Ongoing activities to monitor:

- Engagement with SLT on any prioritisation changes
- Progress to plan,
- Resourcing,
- Budgetary management

RAG Status Key: **Green**- Performing to plan **Amber** – Project impacted, project team actioning **Red** – Off plan, management action required , "Key Risks" defined as those with the "SR" flag set

Escalated Risks

ID	Risk Name	Escalated from (#)	Last Review Date	Risk Owner	Target Risk Level	Controlled Risk Level	Escalation Level	Response Type
11153	Unable to source equipment that meet the legislation	Equipment Procurement (#128220)	04/Jul/2022	Roger Jordan	High	High	Programme	Accept
<p>Status Report Comment: 04/07/22 - If a suitable OFT device cannot be sourced for delivery in March 2023, a memo to the Minister outlining the reasons why will be presented. The procurement workstream are to seek direction from the Programme if unable to source a suitable device (e.g. whether to retender or negotiate potential customisations with suppliers.)</p> <p>Description: IF Police are unable to source technology that meets the legislative requirements outlined in the Act, THEN the Minister of Police cannot approve a device and Police cannot carry out an OFT regime.</p> <p>This risk covers complexity of device, i.e. that it's simple to use, and Health and Safety aspects of taking an oral fluid sample are assessed.</p> <p>Mitigation: • Clearly and explicitly communicate the legislative requirements in the Request for Proposal (RFP).</p> <ul style="list-style-type: none"> • Ensure the Tender evaluation Team only shortlist responses that meet the legislative requirements. • Directly negotiate with responders that are almost compliant. • Engage with other agencies and inform stakeholder of outcome of RFP if no device currently available. • Identify options, i.e. increase use of CIT, in the short term until a fit for purpose device is available • Incorporate the outcome of not having a device into the communications plan as a back-up <p>04/07/22 - The procurement workstream are to seek direction from the Programme if unable to source a suitable device (e.g. whether to re-tender or negotiate potential customisation with suppliers.)</p>								
12100	Oral Fluid Test device is not fit for purpose for roadside volume based testing	Equipment Procurement (#128220)	04/Jul/2022	Alisha Rayns	High	High	Programme	Avoid
<p>Status Report Comment: 11/07/22: Evidence says the deterrence will only be effective when a significantly more number of tests are undertaken, likely to be in the millions per year. If the initial device that is procured doesn't meet this purpose, a future procurement activity or engagement with a supplier may be required to identify a device which meets the need.</p> <p>Description: IF the Oral Fluid Test device is not fit for purpose for roadside volume based testing THEN the benefit of an improved public perception of drug driving enforcement may not be achieve WHICH would reduce the impact of the legislation and the contribution to the Safer Roads programme.</p> <p>Mitigation: • Ensure that requirements are clearly articulated within the RFP</p> <ul style="list-style-type: none"> • Review supplier responses to the RFP • Ensure that in the Minister briefing this, if realised, is noted • Ensure in the handover to operations at the end of the implementation programme that, if realised, is called out as an activity required in the future. 								

12096	Gender and Ethnicity data capture	Insights (#128247)	10/Jul/2022	Roger Jordan	Low	Low	Programme	Accept
<p>Status Report Comment: 11/07/22: The capture of gender and ethnicity data at point of interaction is a historically difficult requirement and can lead to assumptions and incorrect data being captured. NZ Police has implementing a project on gender and ethnicity which is looking to capture the relevant data in alignment with NZ standards which, once having built the back end standards will look to update frontend data capture.</p> <p>It is proposed that until the organisational standards have been built and standards around capture put in place that this dataset, though included in the dataset collected at the roadside is optional and not used for the purposes of gender or ethnicity based reporting.</p> <p>Description: IF gender and ethnicity data is not able to be capture during the testing process THEN this data will not be available for insights analysis WHICH may be perceived as a failing to capture the necessary data and evaluate any disproportionate outcomes</p> <p>Mitigation: • Alignment of dataset with the broader organisational programme for capture of gender and ethnicity data</p> <ul style="list-style-type: none"> • Incorporate basic capture in the manual forms though this optional and not for the purposes of gender of ethnicity reporting. • Using a dataset to identify disproportionate outcomes which is incomplete and inaccurate should be avoided. 								

12093	Disproportionate impact on Maori and Pacifica groups	Capability includes Change Management, Training, Strategic Comms, Stakeholders and Deployment (#128248)	10/Jul/2022	Steve Greally	Medium	High	Programme	Reduce
<p>Status Report Comment: 11/07/22: In addition to the proposed use of the deployment dashboard, community consultation to be held in August and September to receive feedback on the deployment model.</p> <p>Description: IF the deployment strategy doesn't eliminate the effect of bias when identifying drivers to stop for testing THEN minority groups could be disproportionately stopped WHICH could lead to significant over-representation of those Maori and Pacifica groups at all stages of the criminal justice system and impact negatively on Police and Government reputation.</p> <p>Mitigation: - Deployment Strategy to consider strategic vs deterrence principles, incorporating lessons learnt from wider Police programme on mitigating bias and engaging with representative stakeholders to input into the approach</p> <ul style="list-style-type: none"> - Critical Command Information to provide insight - Engagement with internal and external representatives of minority groups / Community Consultation - Training of frontline staff - Engagement with other stakeholder groups to engage on the Act's implementation; Understanding Policing Delivery (UPD), NZTA; Waka Kotahi and Community Consultation engagement. - Deployment based on crash statistics 								

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Escalated Issues

ID	Issue Name	Escalated from (#)	Owner	Severity	Status	RAG Status
12118	Milestones and Funds impacted	Equipment Procurement (#128220)	Alisha Rayns	Major	Open	Amber
<p>Status Report Comment:</p> <p>Description: IF the change request to approve the updated milestones and funds are not approved, THEN the tasks required to recommend a preferred device cannot be achieved, which will impact the programme.</p> <p>Issue Update: Change request is being reviewed by finance, with the aim to submit to RP Sub Portfolio for approval at the meeting now scheduled early August.</p>						