

Impaired Driving Programme (90461)

Project Status Report – October 2022 period

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Project Details

Portfolio	Road Policing	Sub-Portfolio	National Road Policing Centre
Project reports up to	National Road Policing Centre (Sub-Portfolio) managed Bruce Obrien		
Business Owner	Bruce Obrien	Current Phase	Deliver & Implement
Senior Responsible Owner	Steve Greally	Delivery Status	In Progress
Project Manager	Roger Jordan	Benefit Planning Status	Approved
% Project Complete	50%	% Phase Complete	40%

Management Control Status Reporting

	Last Period	Current	Comments
Overall Status	Amber	Red	The programme has moved to overall RED status as a result of outcomes of the procurement process and the escalation as NZ Police have not been able to identify a device that it can recommend to the Minsiter for approval that meets both the policy intent and requirements of the Legislation. Options are being considered in collaboration with partner agencies (MoT, Waka Kotahi) with a preferred option then requiring Minister approval to proceed forward.
Benefits	Green	Green	No Change
Change Management	Green	Green	No Change
Finances	Green	Green	No Change
Resources	Amber	Amber	AMBER due to the need to replace the OFT Project Manager
Risks	Amber	Red	Risks and Issues has moved to RED. Risks and Issues are being regularly monitored and worked through to ensure appropriate mitigating activities are identified and occurring. Highlighting Key Issues: Issue 12265 regarding Minimum Viable Product (MVP) meeting the intent of the legislation Risk 11066 regarding Project delivery time constraints. This risk has now become an Issue 12824.
Schedule	Amber	Red	Schedule has moved to RED. Delays in due diligence completion and no preferred option agreed have now resulted in a knock on timeline effect which will be further exacerbated with upcoming Parliamentary Christmas break. With any agreed option at this point, it will not be possible to complete the Ministerial approval process in time to achieve Go Live date of March 2023.
Scope	Green	Red	Scope has moved to RED. Due to the lack of a device, delivery of Roadside testing for the presence of drugs based is not possible. Governance body to provide direction around project resource reprioritisation whilst awaiting the outcome of the options development and ministerial discussions.

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

Programme moved to overall RED. Device testing and evaluation are now complete. Due to a lack of devices initially meeting minimum performance criteria, re-testing was required which increased due diligence timeframe. Re-testing identified two devices that partially comply with the evaluation criteria. Full summary of outcomes is covered in the completed Tender Evaluation Report.

Due diligence also identified current market OFT device technology constraints. These include identification of a specific qualifying drug being limited to THC and Cocaine, with additional challenges around THC recent use results and medicinal availability. Cross-reactivity across other drug families means the most prevalent drugs cannot be accurately tested for, which has the ability to undermine the intent of the Act in reducing the number of deaths on the road.

Current market devices are designed for presence testing, rather than evidentiary purposes. s.9(2)(h) OIA

While roadside testing can be undertaken, the lack of device capability in the current market limits Police ability to implement the full intent and requirements of the legislation and has the ability to undermine the level of trust and confidence in NZP.

Police are preparing an ELT paper of current device constraints considerations with feedback expected end Oct. ELT direction will allow scheduled partner agency meetings and Minister Briefing to occur as a result.

Delay impacts of additional device due diligence are being mitigated through schedule refinement and removal of slack. Full delay impact can be identified once a preferred option is confirmed, which allows detailed scheduling, with all device selection dependencies incorporated, to occur.

Re-planning of OFT project will be necessary once preferred option is approved by Minister.

While awaiting preferred option direction, work continues on the other components to support the Impaired Driving legislation.

Operational workstream is progressing precedent codes work, including required ICT changes, ESR schedule and fees is in review/approval cycle and Medical Defence Policy is working through final development points.

Capability/Change workstream continues to develop and progress all items not impacted by preferred option delays.

Governance workstream has paused Business Case development, dependent on preferred option.

Progress this period

As at 31 Oct 2022:

- Inter-agency engagement – Requirements were received from two agencies for consideration in reporting requirements. Requirements are now complete. The Inter-agency Committee meets each month.
- Due Diligence re-testing and trial of two identified devices completed.
- Tender Evaluation Report (TER) completed and in review/approval cycle.
- The Evaluation Team (TET) considered device testing outcomes with resulting recommendation. Procurement results outcomes were escalated to ELT for early visibility and briefing to be provided to the Minister.
- ESR testing fee schedule is in review/approval cycle.
- Operating Model and Business Process refinement continues to support the MVP implementation in March 2023.
- ICT workstream completed impact analysis and is focusing specifically on systems development to incorporate Precedent Codes required data.
- 6 week Community Consultation commencement paused dependent on preferred option. Following initial community consultation, wider consultation will continue throughout 2023.
- Training scope and package agreed.
- Work continues on assessing and finalising the policy updates for impaired driving chapters in the Police Instruction. At 90% complete end Oct.
- NZP development of medical defence process continues.
- Independent Tender Quality Assessment (TQA) is underway on the initial Independent Testing and Evaluation provider and their process. Due to complete in Nov.
- Final Draft Forms agreed.
- Completion of reporting requirements to support operational, evaluation and reporting needs.

Next Steps

As at 31 Oct 2022:

- Approval of preferred option received from Minister.
- Stage 1 Implementation Business Case development to resume once preferred option is known.
- Agree Stage 2 Implementation Business Case framework and approach with IPO once preferred option is known.
- Replan of OFT project to commence once preferred option approved.
- Final approval of OFT device Tender Evaluation Report (TER) which includes recommended device selection.
- Device Vendor Negotiations and Contract development to commence (if preferred option includes device).
- DC/DCE approval of SoW to engage DXE to complete required additional ICT changes.
- Finalise Device Procurement workstream assurance evaluation.

Next Steps

- Finalise IQA meeting schedule with Gemtech and provide pre-reading artefacts.
- IQA meetings to occur in week 14-18 Nov.
- Finalise development and refining of detailed work-stream level schedules with ownership handover to Leads.
- Develop Logistics Plan - dependent on preferred option.
- Approval of ESR testing fee schedule.
- Progress ESR Contract renewal and test fees variation – dependent on testing fee schedule approval.
- TQA report received.
- Continue to develop/progress the Police Instruction updates and appropriately prioritise with owners.
- Continue to work with ICT workstream on the required ICT changes underway for Precedent Codes.
- Final approval of New and Amended offence changes to begin LRT loading.
- Final approval for Forms changes prior to printing.
- Continue to refine and finalise the March 2023 MVP Operating Model and business processes.
- Commence Community Consultation - dependent on preferred option.
- Deployment Plan updates - dependent on preferred option.
- Core Training and Specialist Business Training packages development.
- Continue development of the Change Plan.

Finances across all Financial Years

	Capex	Opex	Totals
Budget	\$ 0	\$1,163,452	\$1,163,452
Actual to Date	\$ 0	\$538,969	\$538,969
Forecast to Completion	\$ 0	\$ 0	\$ 0
–Left to Spend (Budget)	\$ 0	\$624,483	\$624,483
Variance (Budget – EAC)	\$ 0	\$ 0	\$ 0
Contingency	\$ 0	\$ 0	\$ 0

Benefits

Benefit Name (#)	Benefit Owner	Phase	Status	Overall RAG	Comments
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Workstreams/Cost Distributions

Name (#)	Business Owner	Phase	Delivery Status	Overall RAG	Previous Overall RAG	Status Report as at
Equipment Procurement(#128220)		Delivery	In Progress	Red	Red	01 Nov 2022
<p>Executive Summary:</p> <p>The purpose of this workstream is to procure OFT equipment that meets legislative requirements related to the Land Transport Amendment bill. Since the tender closed 27 April 2022, responses and devices have been evaluated with independent lab testing being carried out to verify whether a selection of potential devices meet the AS/NZ Standards. So far, two out of eight conform so will be trialled on 13 October 2022. The project status is still RED due to outcomes of the devices testing, resource capacity, and impacted timeframes.</p> <p>Overall Status Comments:</p> <p>The project status is now RED due to awaiting direction from governance escalation on availability of a device to meet police intent and requirements of the legislations.</p> <p>Assurance activities have identified that current commercially available devices do not meet the policy intent and requirements, the outcome of which has been escalated to ELT, Waka Kotahi and Ministry of Transport.</p> <p>A technical quality assurance activity to have the Independent Expert Report peers reviewed has been scheduled due for completion in mid November.</p>						
Operational includes Police Prosecutions, Mobility, ICT/NIA/CM, PIB, Legal and ESR(#128244)		Delivery	In Progress	Green	Amber	01 Nov 2022
<p>Executive Summary:</p> <p>This month the key focus for the Operations workstream is as follows:</p> <ul style="list-style-type: none"> - Police Instructions - completion and sign off of 90% version by Business Lead and Business owner for development of the training package. - Precedent Codes - finalisation of memo for recommendations for new and amended charges - ESR the development of a Police Options Analysis memo with recommendations for fees and schedules for blood sampling - Business Design - Medical Defence Process and the Manual Process - Logistics - The first District Liaison Group meetings were held on the 06 and 11 October 2022 <p>Overall Status Comments:</p> <p>Work currently on track, however the ICT Impact assessment and timeline for delivery for Precedent Codes is yet to be received and will potentially impact timelines for delivery</p> <p>Due to level of granularity required in the business design work, there is a risk to the delivery timeline, workstream currently evaluating options. Signalling Amber overall.</p>						

Insights(#128247)		Delivery	In Progress	Green	Green	05 Oct 2022
<p>Executive Summary:</p> <p>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:</p> <p>Early stage of establishment progressing. Inter-agency partners provided any information requirements for consideration by 30 Sept. Requirements have now been completed.</p>						
Capability includes Change, Community Consultation, Comms, Stakeholders, Training and Deployment(#128248)		Delivery	In Progress	Amber	Amber	03 Nov 2022
<p>Executive Summary:</p> <p>The Capability workstream has made good progress in some areas as planned and delayed some deliverables until the roadside device and direction for implementation is confirmed (noted in this report). The key pieces of work that have been delivered this month include the interagency stakeholder view where all stakeholders across agencies have been identified and lead/s agencies assigned. We have categorised the engagement category each stakeholder belongs (which directly relates to the type of communication they will receive). We are working on an interagency approach to the development of collateral, with Police and Waka Kotahi leading this work. The development of the collateral will start in November. The initial training scope and core training packages have been confirmed, and the Impaired Driving chapter from the Police Instructions signed off. A training briefing session with the Organisational Learning has been booked. A review of the impact analysis completed at the start of the project has been undertaken throughout October, and the review has been completed. The next step is to undertake a gap analysis and input additional information. A business check-in will also be undertaken, but this is planned post the device decision, so that any changes to the scope can be made prior to this piece of work. This work should be completed by the end of November. The supporting forms and documentation for deployment are well underway.</p> <p>Overall Status Comments:</p> <p>There is an impact to the workstream as noted with communication, engagement, and community consultation. There is potential for this to be widened across the other sub streams depending on the device decision. Some of the work expected to be delivered in October has been moved to November, which has a knock-on impact to resourcing.</p>						
Technology/ICT Drug Driving Legislation Changes / Precedent Codes(#158507)		Delivery	In Progress	Green	Green	02 Nov 2022
<p>Executive Summary:</p> <p>The Land Transport (Drug Driving) Amendment Act 2022 will come into effect on 11 March 2023; which includes the need for the applicable levels and limits of any 'listed' qualifying drug to be specified in the wording of any infringement or charging document. This will require ICT changes across OnDuty, NIA, Smart Reports, PIPs (vender DXC), Business Intelligence and PDSI. Development remains on track. The SOW for DXC (developer of PIPs) has taken longer than expected - further delays may impact timeline if DXC unwilling to accept risk. Risk ID 12660 PIPS Development and Testing - has become more likely due to ICT test resourcing challenges which is being managed. A Business/ICT workshop planned on Monday 31/10 to work through a business BCP if the risk was to eventuate. The ICT \$10k funding for the Discovery Phase has now been exhausted. ICT are awaiting \$537k funds to be transferred for the remainder of the work.</p> <p>Overall Status Comments:</p> <p>Discovery phase underway to inform next steps</p>						

Key Milestones – See attached PoaP

Milestone Name	Baseline	Forecast	Actual	Variance	Status	Comments
<p>Status Key: Green – On schedule Amber – 0 to 8 days overdue Red – More than 8 days overdue Blue – Completed Grey – No Forecast, "Key Milestones" defined as those with the "SR" flag set</p>						

Dependencies on Key Milestones

Dependent On (#)	Milestone Name	Forecast Date	Dependency Type	Milestone in this Programme	Forecast Date	Status
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Risk Heatmap

Likelihood	Impact						Total
		Negligible	Minor	Moderate	Major	Severe	
Almost Certain				1	1		2
Likely							
Possible				5			5
Unlikely				1			1
Rare			1				1
	Total		1	7	1		9 (11)

Key Risks

ID	Risk Name	Description	Last Review Date	Risk Owner	Target Risk Level	Controlled Risk Level	Escalation Level	Response Type
11372	Absence or Abstraction - Resources	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	01/Sep/2022	Roger Jordan	Low	High		Reduce
<p>Status Report Comment: 01/09/22: Continually assessing resource needs. Recruitment of replacement BA and EP PM underway</p> <p>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 is either completed or underway. Operational priorities have the potential to disrupt along with ongoing constraints due to the COVID pandemic.</p> <p>Mitigation: Ongoing activities to monitor:</p> <ul style="list-style-type: none"> • Engagement with SLT on any prioritisation changes • Progress to plan, • Resourcing, • Budgetary management 								
12264	Financial impact on Road Policing of Impaired Driving amendment outside of OFT	IF during the development of the business case costs to other processes outside of OFT are identified THEN Road Policing will be required to mitigate this WHICH could impact on existing funding or Polices ability to meet the changes for the legislation	06/Oct/2022	Roger Jordan	High	High	Programme	Transfer

Status Report Comment: 6/10: Going to SCARG for discussion and agreement of next steps in Oct 22

Mitigation: Business case will identify if any other Police processes outside of OFT are impacted and the cost of this and the project to work with funding sources to identify potential funding
Police make conscious police decision not to deliver certain parts of the legislation due to operational constraints

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
12100	RECOMMEND TO CLOSE: Oral Fluid Test device is not fit for purpose for roadside volume-based testing	Equipment Procurement (#128220)	06/Oct/2022	Roger Jordan	High	High	Programme	Avoid
<p>Status Report Comment: 01/11/22: Recommended to the governance board to close RISK as two devices have been identified that could meet the volume-based testing requirement</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. To be closed. Have two devices that can be used for volumns. Take to ID GB for approval to close.</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 								
12658	ICT Business Requirements	Operational includes Police Prosecutions, Mobility, ICT/NIA/CM, PIB, Legal and ESR (#128244)	14/Oct/2022	Kristen Burne			Project	Reduce
<p>Status Report Comment: 6/10/22: ICT PM is developing timeline to help form view of ICT completion so Precedent change work can progress</p> <p>Description: If the Business Requirements change significantly, then the amount of ICT effort could increase and risk the 11 March delivery time frame. Any increase/change in time would potentially have financial implications.</p> <p>Mitigation: To work closely with the business ensuring any impacts are visible when they happen - 3 x meetings a week have been set up to monitor and identify any barriers to progression of this work To identify and seek critical priority decisions to ensure the MVP for legislation can be completed on time.</p>								
12433	Training dependent on Policy and Police Standards	Capability includes Change, Community Consultation, Comms, Stakeholders, Training and Deployment (#128248)	14/Oct/2022	Rachel Niven	Medium	High	Project	Reduce

Status Report Comment: 31/10 - the Impaired Driving chapter update for the Police Instructions has been delivered. This is a 90% version, as agreed, that can be delivered to training.
6/10 - On track for delivery (as agreed) mid-October. This is a risk to a potential change of scope following the decision of device and direction.
25/8 - Discussion has been had on how to proceed as training packages will need to start prior to the final documentation being available.

Description: IF the Policy and Police Standards document is not available in a near completion stage by mid to end of October, THEN this has the potential to impact the delivery of training packages, WHICH would cause a delay in the delivery of the final training packages to trainers and staff.

Mitigation: 1. Proposed starting with staff training package
2. Use a near completion document to start with (due mid Oct)
3. Highlight areas that may change
4. Have a planning session with all contributing parties mid to end Oct (date tbc)
5. Confirm approach

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

Key Issues

ID	Issue Name	Description	Issue Update	Owner	Severity	Status	RAG Status	Comments
12824	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.		Roger Jordan		Open		01/09/22: Planning activity underway. 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.

Key: **Green**- Performing to plan **Amber** - Project impacted, project team actioning

Red - Off plan, management action required

Escalated Issues

ID	Issue Name	Escalated from (#)	Owner	Severity	Status	RAG Status
12265	Minimum Viable Product (MVP) doesn't meet the intent of the legislation	Impaired Driving Programme (#90461)	Roger Jordan	Moderate	Open	Green

	<p>Status Report Comment: Though the MVP is designed to meet the working as of the legislation, it doesn't necessarily meet the intent or the strategic direction of NZ Police, for example, providing health outcomes or alternative resolution for identified drivers. The use of an OFT device also doesn't identify impaired drivers, it identifies drivers with a presence of a qualifying drug within their saliva.</p> <p>Description: The MVP, though it delivers upon the written word of the legislation amendment, doesn't necessarily deliver on the strategic goals of NZ Police and the intent of the amendment</p> <p>Issue Update: Creation of an Impaired Driver Programme to, once the MVP is developed, look at how through enhancements in process and technology, NZ Police can look to deliver upon the intent of the legislation and also the strategic direction of NZ Police.</p>					
12847	Changes to Infringement Notice and Infringement Reminder Notice may not comply with the Land Transport Regulations	Technology/ICT Drug Driving Legislation Changes / Precedent Codes (#158507)	Karen McConnochie		Open	Red
	<p>Status Report Comment: s.9(2)(g) OIA [REDACTED] ICT development in this area will need to go on hold and will likely impact timeline depending on how long this takes.</p> <p>Description: The Land Transport Regulations 2012 (Regulations) specifies the format and information required on an Infringement Notice and an Infringement Reminder Notice. It is unknown whether the form changes being made under this project will comply. Police are making a recommendation to the Minister to change the Regulations to cater for the new Medical Defence wording. The Business have advised ICT to continue development on the assumption that all the form changes (front and back) will comply. ICT require confirmation from the Business that if the changes to the Regulations are not approved, then ICT and NZPost rework will be required increasing the costs and extending the timeline beyond 11 March.</p> <p>Issue Update:</p>					
12435	Resourcing for Operating Model and Refinement of Business Processes	Operational includes Police Prosecutions, Mobility, ICT/NIA/CM, PIB, Legal and ESR (#128244)	Roger Jordan	Major	Open	Amber
	<p>Status Report Comment: 31/10 - escalating issue to overall OFT project level within Impaired Driving Programme will require resolution if deliverables are to be progressed adequately. 31/10 - Business Analyst currently undertaking a stocktake of all business processes required which will be completed by end of play 04/11. Additionally the consolidated view of the Operating Model has now been completed for discussion and next steps agreed with PM. Both of these activities will provide evidence for the resource requirements.</p> <p>Description: As we move through the detailed design and understand the scope and detail required for both the Operating Model and Business Processes it is apparent that additional resource is required to complete these deliverables</p> <p>Issue Update:</p>					

Actions

ID	Action Name	Description	Type	Assigned to	Priority	Due Date	Completion Date	Status	Comments
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