

# **Review of the Ministry of Consumer Affairs Phase Two: Organisational Review Final Report**

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# **REVIEW OF THE MINISTRY OF CONSUMER AFFAIRS PHASE TWO: ORGANISATIONAL REVIEW FINAL REPORT**

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## Context

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1. The current Review of the Ministry of Consumer Affairs was initiated late in 2002 at the request of the then Minister of Consumer Affairs, Hon. Jim Anderton. A full review of the Ministry's role and functions had not been undertaken since its establishment in 1986, although there have been a number of changes to the Ministry's role and functions during that time.
2. The Review has been divided into two phases. A team made up of Ministry of Consumer Affairs and wider Ministry of Economic Development staff undertook the first phase. Their assessment of the Ministry's strategic direction – “what” the Ministry does and “why” and what is needed to deliver on this vision is contained in *Creating Confident Consumers* and its associated background papers<sup>1</sup>.

### *Phase One: Review Key Conclusions*

3. Perhaps the most critical question the Phase 1 Review team asked itself was “*What is the Ministry (on behalf of government) seeking to achieve?*” Put another way, what outcome should the Ministry be working towards? The Review Team has concluded that the Ministry should be seeking to create an environment in which **consumers transact with confidence**. *What does this mean?* Ultimately that, when consumers purchase a product or service, their reasonable expectations of that transaction will be met and, if not, consumers will have access to effective redress.
4. Consumers may have a variety of expectations, around issues such as safety, quality (relative to price), performance, quantity and price. So for example, when purchasing an appliance, consumers are likely to expect that it is safe and will function as expected. Similarly, parents are likely to expect that the toy or baby equipment they have purchased is fit for the purpose and safe. The regulatory framework for consumer safety is designed to ensure this expectation is met, and educational campaigns inform consumers of their responsibilities regarding safe use and proper maintenance of equipment and appliances.
5. *So what is the primary reason why consumers don't get what they expect from a transaction (or in other words get a bad deal)?* Having reviewed a number of different ways of thinking about consumer issues, the Review Team has concluded that information barriers are the major reason for the gap between what consumers expect and what they get from a transaction. This is referred to in the report as an “information-based” framework for thinking about consumer issues.

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<sup>1</sup> Copies of these papers are available on [www.consumeraffairs.govt.nz](http://www.consumeraffairs.govt.nz)

6. The causes of these information barriers are many and varied. For example, information might be costly to obtain and difficult to interpret. An imbalance of information between consumers and suppliers (about a car or a credit contract, for example) may provide scope for suppliers to take advantage of the consumer. Consumers may simply underestimate the value of information about a particular product or service. Their background and previous experiences shape their likes and dislikes, the way they interpret and use information and the way they make decisions.
7. *So is there a link between consumer policy and economic development, and if so, what is it?* The Review Team has concluded that creating an environment in which consumers can transact with confidence is critical to a thriving, innovative economy. Consumers have a vital part to play in the development of dynamic and competitive markets through their purchasing decisions. They satisfy their own needs as individuals. Their collective decisions also help ensure competition amongst suppliers. Consumers who use information to make sophisticated choices and demand high quality products and standards of service will stimulate providers of goods and services to innovate as a means of improving their quality and efficiency. In addition, through providing incentives for suppliers to focus on consumer expectations, consumer policy provides an additional stimulus for product and service improvements.
8. As consumers, products and services, and ways of doing business change so do the challenges facing consumer policy. The Review Team has identified a number of key challenges for consumer policy in the next 5-10 years. These include:
  - the changing *age and ethnic profile* of consumers
  - potential shifts in attitudes amongst consumers themselves
  - changing *market practices* resulting from new technology, but also simply from the ways suppliers adapt products, services and behaviour to attract and retain customers and in response to the way markets are designed
  - how best to approach *information “overload”* issues
  - globalisation – the implications of cross-border transactions for NZ consumers and overseas consumers of NZ goods and services. The interaction of consumer policy with trade policy generally will become an area for increased focus.
9. Given the wide range of issues that the Ministry of Consumer Affairs could become involved in, the Review Team has developed some *guidelines for involvement* to help determine where the Ministry should put its effort. Essentially the message behind the guidelines is the need to focus the Ministry’s effort on those consumer problems and issues that are likely to make the biggest difference for consumers as a whole.

10. *So what is the role of a Ministry of Consumer Affairs in a dynamic modern economy?* The Review team has concluded that the Ministry's primary role is **to create an environment that is conducive to good and accurate information flows between suppliers and consumers so that consumers can transact with confidence**. This is fundamentally about developing, or assisting in the development of, the rules (whether self-regulatory or regulatory) that govern the behaviour of consumers, suppliers, institutions (such as the Commerce Commission) and markets in general so that the gap between what consumers expect and what they get from a transaction is as small as possible. For example, the Fair Trading Act is designed to ensure that consumers are not misled about what to expect from a transaction. The Weights and Measures Act is designed to ensure that consumers get the quantity of goods that they expect. Good consumer policy should improve consumers' estimates of the value of information or reduce the cost of information to consumers (or both).
11. The Ministry also has an information delivery role with respect to consumer and supplier generic rights and responsibilities under consumer law, some consumer safety issues and for some targeted groups of consumers.
12. *So what does this all mean?* The Review Team concluded that 'nothing was broken' within the Ministry. However, there are a number of issues that the Ministry must address in order to ensure:
- effective results for consumers
  - businesses understand and meet their obligations under consumer law
  - the consumer/trader environment contributes to a sustainable increase in economic growth.
13. Particularly, in order to deliver on this role into the future the Review Team has concluded that the Ministry needs to:
- strengthen its policy capability
  - ensure that policies and programmes are informed by an in-depth understanding of consumer and trader experiences and behaviour and "what works for whom" by focusing on:
    - ⇒ fully exploiting the ability of the operational arms of the Ministry to gather "intelligence" about consumer issues
    - ⇒ strengthening the links between policy and operations, particularly those between the Policy Team and the Consumer Information Service
    - ⇒ better utilising and extending its networks and contacts with consumers and businesses
    - ⇒ improving access to and addressing gaps in consumer data
    - ⇒ further developing its capability to research or contract research on consumer issues
    - ⇒ enhancing its ability to monitor and evaluate the impacts of consumer policy (including enforcement, compliance and redress policies and their application in practice) on consumers and society in general.

- build better links with the rest of the Ministry of Economic Development in order to gain leverage from the wider organisation and ensure that a consumer perspective is taken account of in economic development policy
- examine the impact of changes in demographics, and evolving consumer/supplier characteristics and needs, on the ongoing effectiveness of the Ministry's current information-delivery strategies
- take a systematic approach to the identification, development and maintenance of key stakeholder relationships
- have greater input into the discussions between MED (led by Regulatory and Competition Policy Branch) and the Commerce Commission on accountability and monitoring issues
- move quickly to address succession planning issues, particularly those in the Trade Measurement area where potential loss of staff skills and expertise threatens the viability of the NZ trade measurement infrastructure.

#### *Phase Two: Organisational Implications*

- Phase Two of the Review, an assessment of the organisational implications of the Review for the Ministry of Consumer Affairs and the Energy Safety Service Branch has been undertaken by the General Manager. The findings of this assessment are contained in this report. The Terms of Reference for Phase Two drew heavily on the key conclusions of Creating Confident Consumers, particularly the list referred to in paragraph 13 above.
14. In addition to these items, the Terms of Reference indicated that Phase Two would also focus on:
- The way in which the consumer safety function is delivered and resources.
  - Ways of better integrating the functions of the Ministry of Consumer Affairs (taken to mean in this case the branch as a whole) to take better advantage of the synergies between them.<sup>2</sup>
15. The Phase Two draft Organisational Implications Report was presented to staff on 10 July 2003. The process used for feedback purposes is outlined on page 27. A summary of the main points made through the submission and feedback process, together with the response to the comments made and any action taken is contained in Appendix 5. This should be read in conjunction with the recommendations in this report.

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<sup>2</sup> See Appendix One for a full copy of the Phase Two Terms of Reference.

## **Current Situation**

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16. This section will focus on the way in which the Ministry of Consumer Affairs and Energy Safety Service Branch has been organised until 1 July 2003 rather than the arrangement put in place in the interim period between the Manager, Standards and Safety leaving and the implementation of Phase Two.
17. A copy of the branch organisation chart as at 1 July 2003 is attached as Appendix Four, together with a summary of the Ministry's existing core functions.

### ***Limitations of the Current Organisational Arrangements***

18. *Creating Confident Consumers* made the point that while “nothing was broken” within the Ministry of Consumer Affairs, there were a number of issues that the Ministry must address in order to achieve its objectives. Some of these issues pertained simply to strengthening capability. Others however, have at their core the “culture” of the Ministry, its focus, how it shared information, the way it viewed its networks and its links with its parent Ministry. For example, why is it that we do not better utilise our networks and contacts to tell us something about consumer issues. Why are the links between policy and operations not as strong as you would imagine in a Ministry, which is predominantly situated on one floor?
19. In considering the way in which the Ministry of Consumer Affairs operates, I consulted a number of previous reviews and management planning documents. The Leadership programme operated by the Ministry of Economic Development and the subsequent role clarity exercise also helped to shed light on some of the organisational issues which could limit the Ministry's ability to achieve the strategic direction set for it. They include:
- Lack of clarity around roles (including accountabilities and authorities), particularly with, but not restricted to, the management layers within the Standards and Safety Service. This has led to significant problems in recent times in terms of budget and risk management in the Energy Safety area. Other problematic areas include the authorities associated with the Communications Manager position and the roles and responsibilities of some administrative support staff.
  - Accountabilities and authorities that do not support a branch-wide focus (managers in particular are not held accountable for understanding the work of colleagues and making them more successful through their contributions).
  - Span of control, geographical or resourcing issues has resulted in managers not having enough time to put into personnel and strategic leadership in their teams.

- Systems (output set-up and planning, budgeting and prioritisation systems) and structures reinforce an inward-looking “silo”-approach.<sup>3</sup>
- Currently little to no research, evaluative or data analysis capability – we don’t know if what we are or others are doing is achieving its objectives.
- A consumer information service that is focussed predominantly on information to consumers and traders, rather than information about consumer and trader experiences and behaviours.
- Lack of engagement of operational staff early and on an on-going basis in policy projects or failure to consult with teams with overlapping interest or expertise can lead to potentially problematic outcomes.
- A “Silo-approach” which means that:
  - ⇒ support staff are undertaking the same general activities such as formatting, organising travel etc for small groups of staff across the Ministry, a centralised approach may be a more efficient way of organising this.
  - ⇒ conversely the silo approach means that no real consideration has been given to the types of administrative support required across the branch as a whole. For example, there is only one person in the whole branch who can format discussion documents or use the “on-line template” to transfer documents to HTML, if this person is away, this work cannot occur.
  - ⇒ resource production and management occurs regularly in at least three different parts of the branch (CIS, Consumer Safety, and Energy Safety Service) , with little or no consultation or collaboration and in many cases without a clear business case being developed to support resource use.
  - ⇒ Teams think of their budgets on a unit rather than branch-wide basis and are generally fairly reluctant to identify resources that could be used in this way. This is somewhat at odds with the view the branch tends to have of itself as having a culture of “supporting each other”.
  - ⇒ We have two communication advisor positions within one branch with no real connection between the two roles.

Some of these issues can be partially addressed by structural solutions (eg.superfluous management layers, resource production occurring across many different parts of the branch and administrative support coordination). Structural solutions are only ever part of the answer, however. Equally, if not more important, are the incentives that systems and processes can set up that work against effective cross-branch behaviours. The responsibility for putting in place and reviewing these systems rests with the General Manager, together with the management team.

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<sup>3</sup> These points were also made in the 1997 Ministry of Consumer Affairs Review of Policy Section/Work and Management Report (July 1997) and the Ministry of Consumer Affairs Review of Planning Processes (June 2002).

## **Key Changes from Draft Organisational Review Report**

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20. There are a few key changes from the proposals put forward in the Draft Organisational Review Report. These are:

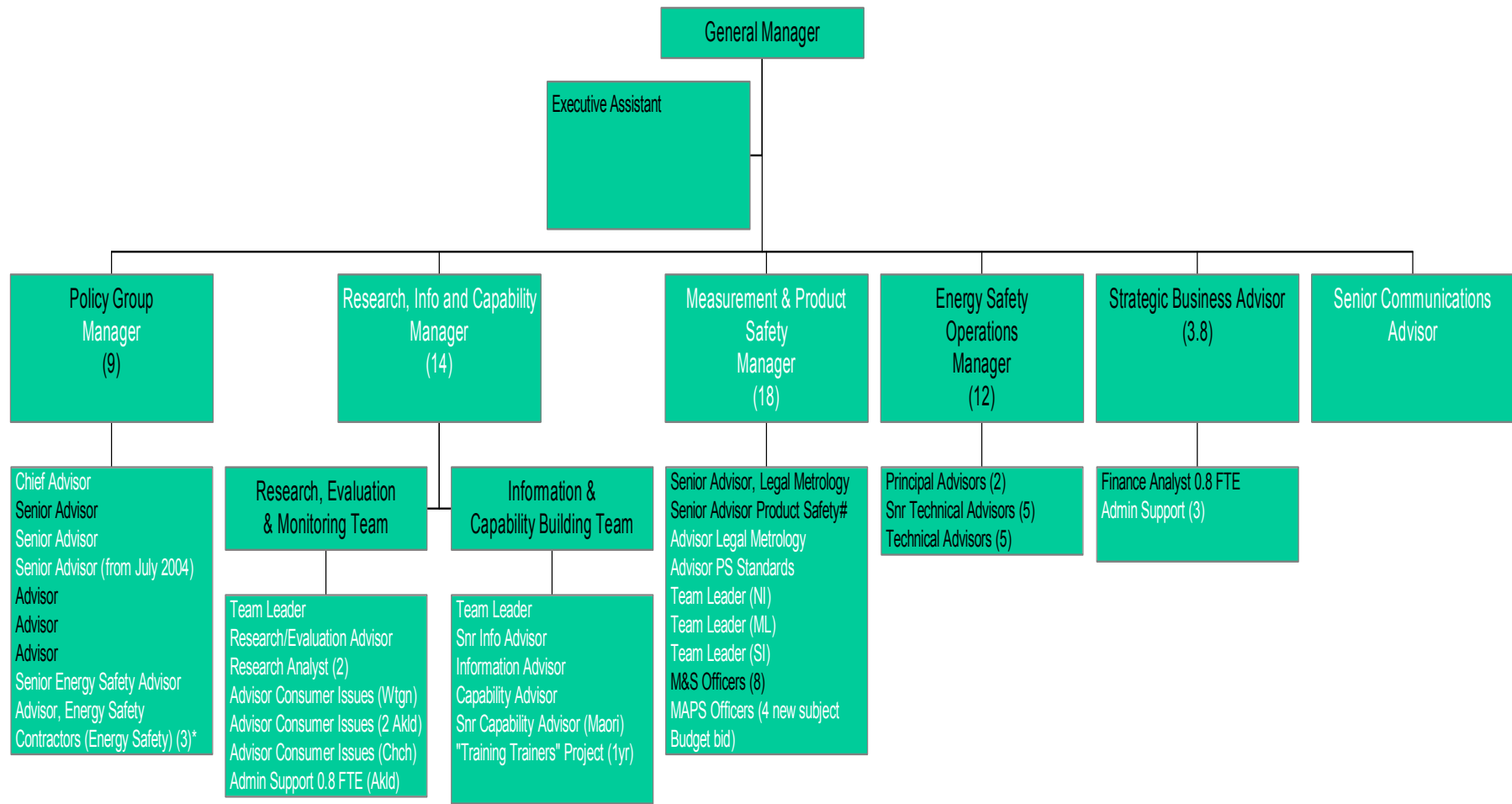
- The policy team now has responsibility for all strategic policy analysis including trade measurement policy (policy frameworks).
- The term advisor is now used consistently to describe the policy roles (as opposed to a combination of advisor and analyst).
- The Senior Advisor Product Safety position will remain within the MAPS team for a 10 month transition period to project manage the establishment of the product safety “network”. Should the budget bids for the new MAPS officer positions prove unsuccessful, the decision to transfer this position to the Policy team will be reviewed. When this position does transfer to the policy team it will be untagged.
- We will proceed with the admin support team proposals. Admin support team members will be coordinated by the Strategic Business Advisor. However they will be located in the teams for which they are key contacts. The Auckland admin support position will be reinstated at 0.8 FTE. The Christchurch staff will be supported through the Southern Business Centre support staff.
- The Capability Advisor (Maori) will be a senior position.
- One of the four Advisor Consumer Issues positions will be based in Christchurch. This is to facilitate the provision of on-site specialist assistance to the Contact Centre staff when required.
- The Market Intelligence Group will be renamed the Research, Information and Capability Group.
- The Market Practice Advisors will be renamed Advisors, Consumer Issues.

## **Recommended MCA/ESS Branch Structure**

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### ***Overview of Proposed Structure***

21. The following diagram represents the recommended branch structure for the Ministry of Consumer Affairs and the Energy Safety Service.



White text indicates that the position is either new or subject to change in location, scope or responsibility.

# Senior Advisor Product Safety retained in MAPS team for 10-month transition period after which if budget bid successful, position moves to policy team as an untagged Senior Advisor position.

\* Fixed term contracts to 12/03

In summary, the rationale for the proposed structure is:

- ⇒ Creation of a flatter management structure with clearer lines of accountability and greater clarity around roles, particularly across the former “standards and safety service”.
- ⇒ Structure clearly supports a managerial leadership approach where managers are expected and supported to “lead” rather than “do”.
- ⇒ Responsibility for all strategic and substantive policy is combined under a single policy manager with the aim of greater cross-fertilisation of ideas within and between teams. (Where strategic policy, operational policy and operations proper sit with the same team it can reinforce a silo approach because the business unit is largely self-sufficient).
- ⇒ Supports a refocusing of the Consumer Information Service on developing an in-depth understanding of consumer issues and the way consumers and traders interact, and on gathering and analysing information for the entire branch, not just certain aspects of consumer law.
- ⇒ Supports greater interaction between teams as no one team can be seen to be self-supporting. All teams require an interaction with the Research, Information and Capability Group for research and data analysis and information dissemination purposes. The Policy team needs the operational teams and the Research, Information and Capability team in order to test the workability of policies. Energy Safety and the Measurement and Product Safety teams have common areas of responsibility in terms of electrical and gas appliance safety and measurement issues with respect to fuels. The MAPS team will need to have a relationship with Policy in order to progress their scope of measurement project.
- ⇒ Promotes a more efficient use of administrative support and information and communications personnel and resources across the branch. Linking the admin support personnel to the Strategic Business Advisor position means that resources can be allocated to branch priorities rather than being focussed entirely on the work of a particular team.
- ⇒ Use of the contact centre should free up both advisor and admin support time. It also has the potential to deal effectively with the risk that the rapidly escalating email traffic via the website distracts advisors from higher priority work. It will also provide a means of logging calls/emails across MCA/ESS thus providing an additional source of data.

22. Details of each of the functional areas and position groupings are provided throughout the remainder of this section of the report.

## ***Energy Safety Service – Relationship to the Ministry of Consumer Affairs***

23. Before moving on to other areas of the Branch, I would like to focus on the relationship between the Energy Safety Service and the Ministry of Consumer Affairs. The conclusion I have reached is that while the Energy Safety Service is part of the same branch as MCA and shares the same General Manager, it is not part of MCA. The Ministry of Consumer Affairs is a semi-autonomous body with a particular focus on consumers. The Energy Safety Service has a much broader focus on energy safety outcomes for the public as a whole. As noted in *Creating Confident Consumers*, there are definite areas of mutual interest, particularly around appliance safety and some measurement issues. As parts of the same branch it is important that these parts of the two entities exploit the opportunities for joint work in the areas of mutual overlap to the benefit of consumers and the broader public.
24. The Building Review may have implications for the Energy Safety Service. Depending on where responsibility for Building policy ends up, the ESS could find itself either part of a Ministry of Housing and Building Construction or part of a branch of MED focusing on Building, along with other things. However, should Government decide on a Ministry of Housing and Building Construction, it now seems unlikely that ESS would move to this new entity until 2005, if at all.
25. It is my view that considerable effort needs to be put into improving the operational systems within ESS, and that this should be the first priority of the Manager Operations. For this reason I have determined not to place the ES policy team under the Manager, Operations responsibility at this time. I have also considered continuing with the current arrangements where the ES policy team effectively reports to me. I have concluded that there is a significant risk that this will result in my focus being drawn away from strategic branch-wide issues. I have instead determined to place the ES policy function within the branch Policy Team. I see that this arrangement has considerable benefits in terms of alignment of policy effort where there are overlaps between areas of interest, such as with occupational licensing. It also means that the Energy Safety policy advisors have the benefit of working within a group which is very familiar with policy disciplines.
26. However, I want to stress that while the energy safety policy advisors are based in the policy team, it is essential that they continue to have a close working relationship with ESS operations, including the usual business planning processes.
27. Over the next few months I would also like to see the Manager ESS Operations and the Manager, Measurement and Product Safety identify and implement ways in which the product safety personnel from each service can support each other.

## ***Policy Team***

### ***Background***

28. The policy team was reviewed in 29 July 1997. As a result of this review, and the earlier decision to move the Consumer Safety function (largely operational policy) from Policy into Trade Measurement, the Policy Team was refocused to become a considerably smaller, policy project team with a focus on undertaking strategic and substantive projects. The Manager's position was changed to that of Chief Advisor, Policy Projects. A key point made in the review was that the "leadership role will change in emphasis from *manager* to *leading practitioner*". It is my view that the change in approach was right for the time. The projects approach has resulted in the achievement of some significant policy wins, most recently the Motor Vehicle Sales Act, the Fair Trading Amendment Bill, the Consumer Guarantee Act amendment and soon, it is hoped, the Consumer Credit Act (or whatever it ends up being called).

29. The time, has come, however, to build on these successes and take the team to the next level.

- Chief Advisor is constrained in his ability to "manage". The small size of team coupled with the expectations of the role as "lead practitioner" mean that the role is often "pulled down" into output production rather than output management. The position of Chief Advisor Policy projects is also inconsistent with the MED wide approach to leadership and role clarity, which sees the primary role of managers as managerial leadership as opposed to being a "lead practitioner".
- Focus on policy projects coupled with small size of team means that the team does not have the resource to both undertake projects and monitor the policy area as a whole.
- It is very vulnerable to the loss of key staff (one staff member can make a significant difference) as the ability to "understudy" in roles is limited.
- Policy team does not maintain an overarching interest in all consumer-related policy. Consumer Safety and Trade Measurement strategic policy advice (albeit on few occasions) are delivered from the Trading Standards Service. Operational demands on these services mean that strategic policy projects, such as the scope of measurement activity and work on the framework for thinking about product safety are generally squeezed out.

### ***Recommendation***

30. Under the recommended structure, the Policy Projects team expanded into a larger Policy Team. Its focus remains on strategic and substantive policy, but it is expected to take a broader interest in projects outside pure consumer

policy that nonetheless may have a significant impact on consumers, particularly in the area of economic development. It will be critical that, in expanding, the team does not lose its focus on undertaking significant pieces of work with the potential to make a major difference for consumers as a whole. This will require excellent strategic prioritisation.

31. Under the recommended new structure, the current position of Chief Advisor<sup>4</sup>, Policy Projects will be disestablished and two new positions, Manager, Policy and Chief Advisor will be established. The position of Senior Advisor, Consumer Safety will also be moved into the Policy Team after a 10 month transition period as an untagged Senior Advisor.

32. As part of the Building Review work, the Ministry of Consumer Affairs will be a key part of a project looking at developing a framework for occupational regulation in the Building industry. Additional resource has been provided to allow the recruitment of a new Senior Analyst to help assist with this work.

<b>Policy Team (key new positions)</b>	
Manager, Policy	Purpose is to lead an innovative, cohesive, highly motivated policy team that delivers high quality policy advice.
Chief Advisor	Provides intellectual leadership. Able to quickly add value to a complex policy problem outside his/her field of expertise. Leadership of complex, cross-MED and whole of government processes.

### ***Research, Information and Capability Group***

33. *Creating Confident Consumers* has indicated the need to refocus the Consumer Information Service on gathering information to enable the wider Ministry of Consumer Affairs to develop robust policy advice that works for consumers, suppliers and industry in general. The Group will continue to have a dual purpose. The first is to ensure that consumers and traders have access to an objective, accurate source of information and advice about their rights and obligations, including any changes in these resulting from new regulation. The second is to ensure that policies impacting on consumers either directly or indirectly are informed by an in-depth understanding of consumer and supplier behaviour and experience, emerging consumer issues and market practices. In particular, the “new CIS” will be focused on developing impact assessment measures to allow evaluation of the extent to which policies and programmes are achieving their objectives.

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<sup>4</sup> For an explanation of the difference between a Chief Analyst and a senior advisor, and the rationale for having a Chief Analyst, see Appendix 5.

*Recommendation*

34. It is recommended that the Consumer Information Service be renamed Research, Information and Capability Group.
35. The group would be sub-divided into two teams, a Research Evaluation and Monitoring Team, and an Information and Capability Building Team. The Manager’s role could be either a generalist manager or someone with expertise in either research or evaluation or information and capability building. What is critical to the Manager’s job is the vision to see what might be possible and to plan to get there. Technical expertise can be provided through the Research/Evaluation Advisor and the information personnel.

<b>Research Evaluation and Monitoring Team</b>	
Purpose: to understand the reality of how consumer and suppliers interact in the NZ marketplace, and the impact of consumer policy and outputs on consumers transacting with confidence.	
Team Leader	Focus on effective task allocation to ensure that priorities in the REM area are delivered on to the appropriate quality. Monitors work and recommends corrective action where necessary. Undertakes coaching and mentoring of staff as appropriate.
Research/Evaluation Advisor	This position is essential to the performance of this team. Its purpose is primarily to advise on and help design research and evaluative methodology in order assess the impact of policies, develop models to identify how consumers and traders might behave given different incentives etc.
Research Analysts (2) (incl. Safety Analyst)	Purpose is to undertake research and monitoring activity including detailed data analysis and modelling work.
Advisors Consumer Issues (4)	These are essentially the current Consumer Law Advisor positions refocused. Their role is primarily to identify emerging consumer issues and market practices that have the potential to have a significant detrimental impact on consumer outcomes. Issues maybe identified through a variety of different mechanisms including effective networks with communities, businesses and community groups, through undertaking case-work on complex or significant hotline cases or through proactive monitoring of particular issues or markets with “risky characteristics”. While their primary focus is on the identification of potentially significant consumer issues, Advisors can also play an important role in reducing the incidence of such cases through the provision of

	<p>immediate information and advice. Two positions would be in Auckland and one in Christchurch (to provide support to the Contact Centre).</p>
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36. Issues have been raised about the size of the Advisor, Consumer Issues roles. It is not the intention that individuals undertake every aspect of their role at once. Each year in the context of team planning and individual performance expectation setting, priorities will be accorded to particular issues or communities. This mechanism will be used to manage workload issues. In addition the funds set aside for the Training Trainers project in the first year of operation will be retained as a “special projects” fund. Where particular issues like home buy-backs emerge, this fund can be used to absorb the additional work. The “training trainers approach” is also at least partially aimed at reducing the workload of the Advisors, Consumer Issues as the bulk of this work falls to them currently. It is also hoped that the Contact Centre will reduce some of the work load for this group.

37. Initial priorities for the new research component of this team would be to develop impact assessment methodology and exploit the data available from MCA/ESS and other consumer-related agencies. The team will also need to focus on developing methodology for the evaluation of the Motor Vehicle Sales Act and sometime later, the Consumer Credit Act.

***The Information and Capability Team***

<b>Information and Capability Building Team</b>	
<p>Purpose: to ensure that consumers, industry and the general public where appropriate have access to information and advice on their rights and responsibilities. This purpose encompasses the direct provision of information and building the capability of third party groups and organisations and communities to provide information and advice to their communities and constituents. It also has a strong focus on using the consumer representation network as a “radar” re consumer and market issues as well as a mechanism for sourcing high quality consumer representatives.</p>	
<p>Team Leader</p>	<p>Focus on effective task allocation to ensure that priorities in the Information and Capability Building area are delivered to the appropriate quality. Monitors work and recommends corrective action where necessary. Undertakes coaching and mentoring of staff as appropriate.</p>
<p>Senior Information Projects Advisor</p>	<p>Responsible for the development of information resources for consumers and industry and where necessary the general public. Together with the Information Advisor, this position incorporates the</p>

	information/resource development functions of the current CIS, Consumer Safety Advisor, and the ESS Communications Advisor.
Information Advisor	Assists the Senior Information Projects Advisor with the developing or administering contracts for the development of information resources.
Capability Advisor	Works with community organisations to improve their capability to provide high quality consumer advice to their communities or constituents. Also has a strong focus on exploiting the potential of the consumer representation network to act as a radar for emerging consumer issues as well as a mechanism for sourcing consumer representatives.
Senior Capability Advisor (Maori)	The existing Kaiwhakarite Maori and Katakawaenga Maori positions are combined into one position in this job. The position works with Iwi and Maori organisations and communities to develop their capability to provide high quality consumer and energy safety advice and information to their communities. Currently the Kawhakarite Maori is constrained in the projects it can undertake because of a lack of funds. Under this arrangement one of the salaries is converted into projects money so that the level of funding going into Maori capability building remains the same. As there is one position it is expected that this position will need to be pitched at a senior level in order to interface with Maori and private and public sector agencies at a senior level.
“Training Trainers” Project Leader (12 month contract)	12 month project position with designing and implementing a “training trainers” approach to capability development. The project would require the development of an agreed approach with the Citizen’s Advice Bureaux, including the development of training modules for delivery at a “block course” based in Head office. The resource would be retained as a “special projects fund” once this project is completed.

38. The capability of the business community to understand and deal appropriately with consumer issues is an important issue. It is expected that the Team Leader and Manager will work with the Business Services Branch of MED to identify ways in which they can work together to ensure that businesses are more aware of their rights and responsibilities regarding consumers.

39. Responsibility for more “administrative functions” such as resource stock maintenance, ordering reprints or photocopies or gathering quotes would

either be undertaken by the administrative support team or the Contact Centre (see below).

**Measurement and Product Safety Service**

40. Creating Confident Consumers recommended that the General Manager “move quickly to address capability issues within the Trade Measurement team that threaten the integrity of the national measurement infrastructure”. The changes proposed are designed to address the following issues:

- Lack of clarity over the role of the Manager, Trading Standards Service in relation to that of the Manager, Standards and Safety.
- Perceived need for greater people and team leadership coupled with issues of span of control and regional isolation. Manager needs to be able to focus more on staff, directional management and leadership than project or technical work.
- Manager undertaking policy analysis work with respect to consumer information standards (labelling) resulting in a crowding out of appropriate work of role.
- Very low turnover combined with low levels of training has given rise to a significant capability risk.
- Low levels of surveillance reduce incentives on industry to put in place or maintain appropriate measurement processes leading to inaccuracy and wastage. Reduced incentives to adhere to good practice also threatens the accredited person’s infrastructure as industry is reluctant to pay for services as risk of “being caught” is minimal.
- Further it is proposed to take to the next level the relationship that has been developing between the trade measurement function and consumer safety. There is a need to address resourcing issues with respect to the consumer safety infrastructure. At the same time it is important to address issues of succession planning that arise from having almost all the knowledge of consumer safety issues contained within the person of the Senior Advisor Product Safety. The proposal put forward is designed to address capability issues in the consumer safety operations and strategic policy areas, and provide for career development options.

<b>Measurement and Product Safety Service</b>	
Purpose: to ensure that consumer’s get what they expect from a transaction in terms of accurate weight or measure and a product or service that is safe if used as intended.	
Senior Advisor, Legal Metrology	Responsible for strategic operational advice on issues relating to legal metrology.
Advisor, Legal Metrology	Responsible for coordinating NZ input into OIML processes. Also responsible for provision of technical advice to industry and regional staff.

Advisor Product Safety	Responsible for the development and maintenance of consumer safety standards. Facilitating voluntary action on part of industry in response to real or potential safety issues <sup>5</sup> . Complaint investigation where too complex or wide-ranging for regional staff to deal with. Networking with relevant industry groups. Information and education functions of current advisor position would be undertaken by the Information Advisors.
Team Leaders (3) Northern Central Southern	Responsible for: ⇒ Assigning and monitoring work ⇒ Input into accountability and performance management discussions ⇒ Coaching and mentoring Is <u>not</u> responsible for performance management.
MAPS Officers (15) [includes 4 new positions subject to Budget bid]	As per existing positions. Four new positions will sought as part of the Budget 2004/05 bidding round. These positions will facilitate higher levels of surveillance resulting in real incentives for industry to play fair.

41. In the draft OIR report it was proposed that the Senior Advisor Product Safety (SAPS) move into the Policy team in order to focus (at least initially) on strategic product safety policy. During the feedback period and before, I had considerable discussions with the incumbent SAPS and members of the trade measurement team.

42. Decisions in this area have been difficult for two reasons. First, it is plain that the Senior Advisor, Product Safety is, due to her skill and experience, able to efficiently deal with issues that may require more resourcing if others were to take on the responsibilities. What is not entirely clear is how much more and at what level. Second, under the proposed approach, the MAPS Team Leaders would pick up the responsibility for negotiating voluntary action and/or intervention with traders, importers or manufacturers of problematic products. It is anticipated that these Team Leaders will have had significant experience negotiating weights and measures issues with senior executives and would be well-placed to do this work.

43. It is also expected that MAPS officers would progressively take over responsibility for developing or reviewing some product safety standards, particularly those resulting from specific investigations carried out by them. They would also undertake networking activities in the regions. However, the

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<sup>5</sup> Where negotiations with firms are at a particularly senior level or are particularly contentious, these would be dealt with by either a Team Leader or, in exceptional circumstances, by the Manager.

ability of the regional MAPS network to take on additional “head office” product safety functions is to a large extent dependent the proposed budget bid for 4 additional staff. The proposal is also very dependent on the transfer of knowledge from the current Senior Advisor to new and existing MAPS personnel.

44. For these reasons I intend to proceed with the proposal but use a 10 month transition period. During this time the Senior Advisor Product Safety would be based in the MAPS team and would:

- Assist the Manager, MAPS with the recruitment and selection of the Advisor, Product Safety and fine-tune the consumer safety accountabilities of the MAPS network.
- Contribute to the development of the business case supporting the bid for 4 new MAPS personnel including any adjustments necessary to take account of new information.
- Work with key product safety personnel within the Energy Safety Service to ensure possible task sharing strategies.
- Provide in-depth training to the new Advisor, Product Safety, the Team Leaders and MAPS officers on consumer safety issues.
- Complete the Consumer Safety Compliance manual, including any additional material necessary to support work of the regionally-based officers.
- Progressively hand-over responsibility for consumer safety operational functions to the Advisor, Product Safety and other designated members of the MAPS.

45. Should the Budget bid be successful, the Senior Advisor will move into an untagged Senior Advisor (Policy) position in the policy team. Initially it is likely that due to their previous experience the new Senior Advisor would undertake strategic work on consumer safety issues. Over time this would cease to be the case.

46. Should the Budget bid be unsuccessful, the decision to move the Senior Advisor would need to be reviewed. The activities undertaken over the transition period would, however, be largely necessary regardless of what arrangements are put in place.

### ***Branch Support***

47. As noted on a number of occasions, one of the characteristics of the Ministry of Consumer Affairs/Energy Safety Branch is the way in which it is organised into “silos”. This extends to support people. Each team has either its own support people or makes use of support team members in an adhoc way. Accountabilities are confusing. It is my view that there is the potential for considerable efficiency gains through creating a centralised team of

administrative support staff. I have given some thought to a structure that balances the need for greater flexibility with the desire of the admin support team to be part of the “work group” that they are supporting.

48. It is proposed that the Branch Support activities be reorganised in the following way to improve efficiencies and coordination while maintaining clear accountabilities.

### *Contact Centres*

49. In 1997, a decision was taken to move away from the provision of a free telephone consumer advice service. Much of the resources of the then Operations Section were taken up with the Consumer Advice Service, which received around 50,000 calls annually. There is a risk emerging that email traffic, through the MCA website, could build up to similar proportions. The last year has seen email traffic to CIS alone almost triple from 521 in 2001/02 to 1,421 in 2002/03. This does not include Scamwatch traffic. Currently we have at least one administrative support person sending back standard responses.
50. In the draft OIR I proposed that the entire MCA/ESS Branch move to using the Contact Centre in Christchurch for all practicable forms of correspondence/communication that can be dealt with through the provision of standard responses or in situations where a messaging centre is currently used. The Contact Centre staff will be trained in providing responses to basic enquiries, including standard responses to email correspondence. They will also handle all requests for pamphlets/brochures etc. After investigating the feasibility of this approach further with the assistance of the Contact Centre Manager, I am now comfortable with proceeding to use the Contact Centre to filter specific inbound MCA and ESS calls and emails commencing 1 November 2003. The approach would be phased in beginning with the Research, Information and Capability Group.

### *Communications*

51. There are currently two Communications positions within the branch. One is focussed on the Ministry of Consumer Affairs, the other on the Energy Safety Service. Both positions are responsible for developing a communications strategy for their respective areas. Both manage significant contracts and are the first port of call for media inquiries. The ESS position probably undertakes more content development than that in MCA.
52. I am now recommending that these two positions be collapsed into one. The Communications Manager position will be re-titled Senior Communications Advisor (MED policy is to reserve the term “manager” for people with line management responsibilities). The position will be responsible for

communications issues across the whole branch. Position of Communications Advisor, ESS would be dis-established. As noted earlier, the information and resource production functions of this position will be undertaken largely through the Information and Capability Building Team in the Research, Information and Capability Group. The Senior Communications Advisor will be responsible for:

- Developing and reviewing a Communications Strategy for MCA/ESS consistent with the branch strategic direction and the strategic direction of MED, including strategies to improve information flows to consumers and traders through leveraging off the media.
- Developing processes and procedures to ensure that all information and communications material produced by the Branch meets quality standards.
- Developing and reviewing a Relationship Management Strategy for the branch.
- First contact for all media enquiries, and sourcing “experts” to deal with calls.
- Responsibility for developing and maintaining effective working relationships with the media, communications personnel based in Parliament or in relevant industries or government agencies, and MED Corporate Communications. The Senior Communications Advisor would attend the MED communications team meeting convened by the Director, Communications. The Director, Communications has been given leadership responsibility for the formation and oversight of the MED communications strategy. As such, it will be essential that the Senior Communications Advisor works closely with the Corporate Communications staff.
- Contract Management where this pertains to strategic projects.

#### *Administrative Support Team*

53. In the draft report it was proposed that the Strategic Business Advisor assume responsibility for managing a centralised administration team in addition to her current responsibilities with respect to the Finance Analyst. Under the proposed process, each branch work unit will have an allocated administrative support person. Each Monday or Friday, that person will meet with the relevant manager to discuss his/her team’s needs for that week. These needs will be brought back to the administrative team, prioritised and allocated to particular staff members. Conflicts over priorities will be managed between the Strategic Business Advisor and the relevant manager/s.

54. I have given careful consideration to the submissions on the proposal. In particular I have focussed on the health and safety concerns that it was

suggested would result from having fewer staff to deal with the branch workload.

55. I remain convinced that the concept should be pursued. For this reason I am recommending that we adopt the following approach which varies in some respects from that in the draft report.

#### *Head Office*

- Admin support staff in Head Office will reduce to three positions as proposed in the draft report. The Admin Support Team will report to the Strategic Business Advisor who will essentially coordinate their work.
- Each admin support person will be assigned as a contact person for a team on the following basis:
  - 1 person for the Policy team and the MAPS team
  - 1 person for the Research, Information and Capability team and
  - 1 person for ESS Operations.
- Support people would be located with the teams that they are the contact person for. They would attend team meetings and meet regularly with team managers to ascertain the level of work required.
- Staff wanting support could go directly to their contact person to request assistance or to the Strategic Business Advisor. The request would be serviced from the team resource rather than necessarily from the team contact person. The onus would be on staff to be very clear in their request to facilitate an appropriate response. The Admin Support Team would then meet the support need as flexibly and efficiently as possible.
- Managers would be able to negotiate for PA services with the Strategic Business Advisor.

The Strategic Business Advisor would monitor team workloads and provide feedback to the General Manager on any changes necessary to address workload or other concerns.

#### *Regional offices*

It became very apparent during the feedback sessions in the Manukau office that the support person provides a critical service in terms of managing incoming Pacific Island hotline calls including dealing with many of the less complex inquiries directly. With the Auckland Advisors, Consumer Issues reducing from three to two it will be important to have someone dealing with the incoming calls and requests for assistance. As a result I propose that the support staff quotient in the Manukau office be adjusted back to the original 0.8 FTE. The admin support person would report to the most senior Advisor, Consumer Issues.

With respect to the Southern Business Centre, I have arranged with the Group Manager, Business Registries, that the MCA and ESS staff will be supported through the Centre support staff.

## **Branch Systems and Processes**

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56. Structural changes will not, in and of themselves result in a change in behaviour if the systems and processes in place work against the change. It is important to identify the systems and processes (or lack of them) that drives behaviour within the branch. I have been particularly concerned to identify ways of improving the way in which operational and policy teams work together on projects. A number of systems or processes work against this goal:

- The lack of clear, agreed protocols around when the operational arms or other branches get involved in a policy project. The general principle should be to consult early and give the other team or branch the “right of refusal”.
- Unclear authorities. This is perhaps one of the most critical issues in the branch. It is essential for positions that are out of the line (project managers, Senior Communications Advisor and the Strategic Business Advisor – with respect to managers). Clear authorities (lateral and vertical) will need to be specified for these positions. It is also important within teams. Each team member has a responsibility to his/her colleagues to understand their work and make them more successful through contribution. This can be achieved through peer reviewing work, presenting team seminars or simply discussing work over coffee. It need not be a burdensome responsibility but it does require proactivity.
- Management team meetings are more about housekeeping than contributing to a whole of organisation perspective and testing ideas.
- The way in which the outputs are currently clustered provides a disincentive to budget and plan on a branch-wide (and perhaps an MED-wide manner).

### *Recommendations*

57. Where appropriate, policy project teams must comprise both policy and “operations” staff (including the evaluation advisor), from the beginning of the project. Appropriateness will be established through consultation with colleagues. Terms of reference and project responsibilities can be allocated at that time, including clear hand-over process when projects move from a policy to an implementation phase. Accountability for ensuring good process, including involving other branch and external stakeholders early rests with the assigned project manager.

58. Where a particular problem emerges within a “market” or where potential risks warrant further investigation, a “Market Investigation Project Team” will be configured from members of the policy team, market investigation group, other branch operations teams, other MED branches or external agencies as appropriate. Accountability and authority for project management will be clearly assigned.
59. It is recommended that the General Manager, through OD&S Finance, seek to have the Vote:Consumer Affairs outputs reduced to two – one for Policy, Research and Information, and the other for Measurement and Product Safety.
60. Role descriptions for Managers and staff, particularly those who do not have line responsibilities, need attention to ensure that they refer to lateral as well as team or line-based outcomes.
61. Considerable effort needs to go into devising a planning process for the branch that supports a branch-wide approach at the beginning of the process, rather than starting off in “silos”.

## **Implementation Plan**

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62. The key question here is how should the Branch transition from the current set of structures and accountabilities to the new ones?

### ***Management Responsibility***

63. The responsibility for the management of the transition will rest with the General Manager, Ministry of Consumer Affairs. The General Manager will:
- Guide the process overall.
  - Manage staff through the transition under current arrangements.
  - Ensure that the transition conforms to the MED change management principles; and
  - Manage any emerging risks arising out of the transition.

### ***Human Resources Aspects***

64. A designated Organisational Development and Strategy HR Advisor will be responsible, through the General Manager and the HR Director for the management of the HR aspects of the transition. This will include:
- The development of role descriptions for signoff by the General Manager.
  - Liaison with unions as appropriate.
  - Regular progress and issues updates to affected staff.

- Coordination of the process for the assessment of opportunities for reconfirmation, or reassignment or appointment.
- Coordination of the process for recommendations with respect to reconfirmation, reassignment or appointment to the General Manager.
- Advertising of positions where reconfirmations are not to be made.
- Management of the recruitment processes; and
- Management of any redundancies that arise out of the transition.

## Key Tasks

### MCA Review Timeline

#	Tasks	Date Due
1	Final report signed off by Chief Executive	Thurs 21 Aug
2	Final Report presented to all staff	Fri 22 Aug
3	Reconfirmations/Reassignments finalised	Wed 27 Aug
4	Staff informed of reconfirmations/reassignments and other positions available	By Fri 29 Aug
5	Role descriptions for changed positions emailed to all staff	Fri 29 Aug
6	Conduct sessions on preparing CVs	W/C 1 Sept
7	Conduct session on interview techniques	W/C 8 Sept
8	Applications close	Fri 19 Sept
9	Interviews conducted for all positions	By Fri 10 Oct
10	Reassignment/appointment decisions made	Wed 15 Oct
11	Staff informed of reassignment/appointment decisions	Fri 17 Oct
12	Management of Change provisions commence for those staff not reassigned or appointed	Fri 17 Oct

## APPENDIX ONE

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### *Terms of Reference for MCA Review Phase Two*

The Ministry of Consumer Affairs is being reviewed to ensure that it remains relevant, effective and efficient in the services it provides to key stakeholders into the future.

The key objective of the review has been to answer the question “What is the role of a Ministry of Consumer Affairs in a modern, dynamic economy”. Phase One of the Review– an assessment of the Ministry’s strategic direction – “what” it should do and “why” has now been completed. The Review Team, comprising staff from the Ministry of Consumer Affairs and the wider Ministry of Economic Development, has presented their report “*Creating Confident Consumers: the role of the Ministry of Consumer Affairs in modern dynamic economy*”.

The Review has concluded that our primary role is to create an environment that is conducive to good and accurate information flows between suppliers and consumers so that consumers can transact with confidence. This is primarily about developing, or helping develop appropriate rules governing the behaviour of consumers, suppliers, markets and institutions so that the gap between what consumers expect and what they get from a transaction is as small as possible.

### *Scope of Phase Two*

Phase Two of the MCA Review will focus on the implications of Phase One for the Ministry of Consumer Affairs’ functions and the way it is organised and resourced (“how” the Ministry does its work). It will consider the MCA specific structure, systems, staff, skills, style, and shared values necessary to support the strategic direction and role of the Ministry of Consumer Affairs arising from Phase One. Care will be taken to ensure that any options developed are compatible with the approaches taken across MED as a whole.

### *Particular areas of focus*

While considering the recommendations made in *Creating Confident Consumers* in general, Phase Two will focus in particular on the areas highlighted in the key conclusions section of the Phase One report (see Appendix One). Phase Two will also look at:

- ⇒ the way in which the consumer safety function is delivered and resourced;
- ⇒ ways of better integrating the functions of the Ministry of Consumer Affairs so as to take advantage of the synergies between them.

Where Phase One recommends that an existing function be strengthened or new capability added, consideration will be given to how to resource this capability enhancement. All avenues will be explored including efficiency improvements, reprioritisation and new funding.

### *Building Review*

Consideration will be also given to the potential implications of the Building Review for the Ministry of Consumer Affairs and/or the Energy Safety Service. As a member of the Building Policy Transition Group, the General Manager Consumer Affairs is ideally situated to take account of developments in this area as they arise.

### **Change Management**

Phase Two is explicitly designed to focus on the way in which is the Ministry of Consumer Affairs is delivered in order to give effect to the direction emerging from Phase One of the Review of the Ministry of Consumer Affairs. As such it may result in changes that will impact on staff. Should this be the case, the change process will be managed in accordance with any contractual obligations with respect to consultation and change. The final decision with respect to any change management rests with the Chief Executive.

### *Phase Two Project Governance*

As General Manager, I have determined to undertake Phase Two myself. I will contract in external assistance with report drafting and feedback summarisation. As with all organisational reviews undertaken within the Ministry of Economic Development, I will update the Chief Executive regularly on progress.

### *Phase 2: Key Activities and Timeline*

<b>Activity</b>	<b>Date</b>
Final Report of Review Team and covering note seeking Ministerial sign-off on strategic direction discussed with Minister.	11 June 2003
Terms of Reference for Phase 2 distributed to staff	9 June 2003
GM considers organisational implications of Phase 1. This will include: ⇒ discussions with Managers and staff (including regional staff), internal and external stakeholders including previous GM, Consumer Affairs. ⇒ reviewing key documentation held by MED/MCA including business plans, previous reviews, business processes and statistical reports.	9 June – 9 July

<b>Activity</b>	<b>Date</b>
Draft Organisational Implications Report presented to all MCA staff in Wellington (wiring diagrams, role descriptions accountabilities and implementation timeline as required).	10 July
Staff invited to provide feedback: <ul style="list-style-type: none"> <li>• Written feedback/submissions</li> <li>• Focus group feedback sessions (at least 3 – Auckland, Wellington, Christchurch)</li> <li>• All feedback will be summarised and appended to final report along with an outline of how issues raised were dealt with.</li> </ul>	10 – 24/31 July
GM considers feedback	25 July – 14 August or 31 July – 21 August
Final report presented to staff in Wellington.	15 or 22 August
Potential budget bids into 2004/05 process (could include Cabinet paper)	By end September

Elizabeth MacPherson  
General Manager  
Ministry of Consumer Affairs

9 June 2003

## **Appendix One – Key Areas of Focus from *Creating Confident Consumers***

The review team concluded that 'nothing was broken' within the Ministry. However, there are a number of issues that the Ministry must address in order to ensure:

- effective results for consumers
- businesses understand and meet their obligations under consumer law
- the consumer/trader environment contributes to a sustainable increase in economic growth.

Particularly, in order to deliver on this role into the future the Review Team has concluded that the Ministry needs to:

- strengthen its policy capability
- ensure that policies and programmes are informed by an in-depth understanding of consumer and trader experiences and behaviour and “what works for whom” by focusing on:
  - ⇒ fully exploiting the ability of the operational arms of the Ministry to gather “intelligence” about consumer issues
  - ⇒ strengthening the links between policy and operations, particularly those between the Policy Team and the Consumer Information Service
  - ⇒ better utilising and extending its networks and contacts with consumers and businesses
  - ⇒ improving access to and addressing gaps in consumer data
  - ⇒ further developing its capability to research or contract research on consumer issues
  - ⇒ enhancing its ability to monitor and evaluate the impacts of consumer policy (including enforcement, compliance and redress policies and their application in practice) on consumers and society in general.
- build better links with the rest of the Ministry of Economic Development in order to gain leverage from the wider organisation and ensure that a consumer perspective is taken account of in economic development policy
- examine the impact of changes in demographics, and evolving consumer/supplier characteristics and needs, on the ongoing effectiveness of the Ministry's current information-delivery strategies
- take a systematic approach to the identification, development and maintenance of key stakeholder relationships
- have greater input into the discussions between MED (led by Regulatory and Competition Policy Branch) and the Commerce Commission on accountability and monitoring issues
- move quickly to address succession planning issues, particularly those in the Trade Measurement area where potential loss of staff skills and expertise threatens the viability of the NZ trade measurement infrastructure.

## APPENDIX TWO

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### *Individuals interviewed/from whom information was sought as part of Phase Two*

Rob Bowie	Chief Advisor, Policy Projects, MCA
Liz Stretton	Manager, Consumer Information Service
Pamela Rogers	Senior Advisor, Strategic Projects (CIS)
Jeanette Harris	Senior Advisor (Consumer Law) (CIS)
Graham Boxall	Manager, Operations (Energy Safety Service)
Jim Green	Senior Advisor (Operational Policy) (Energy Safety Service)
Julie Allan	Communications Manager, MCA
Karen Howarth	Communications Advisor (Energy Safety Service)
John Barker	Manager, Trade Measurement Service (Acting Manager TSS)
John Carter	Trading Standards Officer
Barrie Morgan	Trading Standards Officer
Iain Corbridge	Trading Standards Officer
Terry Collins	Senior Policy Advisor (Trade Measurement)
Brian Waltham	Trading Standards Officer
Julian Crane	Trading Standards Officer
Bob Jones	Trading Standards Officer
Stephen O'Brien	Trainee Trading Standards Officer
Richard Lamb	Trainee Trading Standards Officer
Chris Mullinder	Senior Advisor, Consumer Safety
Denise Te Karu	Maori Liaison Projects Advisor
Doris Kaua	Maori Liaison Projects Advisor
Saida Wilson	Admin Support Officer (Policy)
Tania Cowie	Temporary Worker (Admin Support, CIS)
Sue Wilson-Adam	Admin Support Officer (CIS, Christchurch)
Sandra Murdoch	PA (Tony Leverton, Graham Boxall)
Dorothy Thompson	Strategic Business Advisor
Lefki Marsh	Finance Analyst
Robin Elvy	Executive Assistant to GM
Elaine Duff	Community Liaison Projects Officer (CIS)
Keith Manch	Former GM, Ministry of Consumer Affairs and Energy Safety Service
Kevin Jenkins	Martin, Jenkins and Associates. (led 1997 Review of Policy Section)
Katrina Bach	Former Deputy Secretary, Corporate Services, MED
Paul Carpinter	Former CEO, MED

## **APPENDIX THREE**

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### ***Documents Reviewed during Phase Two***

MCA Corporate and Management Plans from inception (1986) until 2002.

Strategic Review of the Consumer Safety Team, 14 May 1997.

Notes from General Manager, MCA to Manager, Policy and Consumer Safety Team and Manager Trade Measurement Unit on the Strategic Review of the Consumer Safety Team dated 15 and 28 May 1997.

Interim and Final Reports on the Provision of Consumer Education and Advice, 9 June and 22 July 1997.

Ministry of Consumer Affairs Review of Policy Section/Work and Management Report, 29 July 1997.

Ministry of Consumer Affairs, Review of Planning Processes, June 2002.

MED Leadership Training Programme material.

MCA and ESS job descriptions

## **APPENDIX FOUR**

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### ***The Ministry's existing core functions***

The Ministry currently operates in four sections covering the five functions (Trade Measurement and Consumer Safety are combined in the Trading Standards Service) described below.

#### ***Policy Unit***

The Policy Unit carries out a range of policy functions and administers a body of consumer law, including:

- Consumer Guarantees Act 1993
- Credit (Repossession) Act 1987
- Fair Trading Act 1986
- Hire Purchase Act 1981
- Lay-by Sales Act 1971
- Unsolicited Goods and Services Act 1975
- Auctioneers Act 1928.

It also monitors industry self-regulatory schemes (the Insurance and Savings Ombudsman scheme, the Banking Ombudsman scheme, the Electricity Complaints Commissioner) and direct-selling codes of practice.

The Policy Unit is involved with a number of initiatives both domestically and internationally to reduce consumer detriment, and boost consumer confidence, in cross-border transactions. It also advises government on matters that affect consumer transactions in the marketplace including:

- examining how laws and practices affect consumers
- promoting good business practice for consumer transactions
- providing a consumer-policy perspective on policy proposals developed in other government agencies
- developing consumer information standards under the Fair Trading Act and
- recommending legislative changes in response to market failures that impact on consumer transactions.

#### ***Consumer Information Service (CIS)***

The Ministry produces information on consumers' and suppliers' rights and responsibilities under the consumer law administered and enforced by the Ministry.

There is also direct contact with community agencies and the Ministry's target consumers. CIS functions include:

- providing written information on consumer law for consumers and suppliers
- providing information directly to low-income, Maori, and Pacific consumers
- providing support in the form of training in consumer law and/or information resources for community agencies
- informing policy development processes and interventions through its understanding of consumer behaviour, the problems consumers face in the

marketplace, and the communication preferences of the Ministry's target groups

- facilitating the appointment of appropriate people to represent consumer perspectives and interests on statutory boards, advisory bodies, departmental working parties and committees.

### ***Trade Measurement***

The Ministry administers and enforces the Weights and Measures Act 1987 and the Weights and Measures Regulations 1999. It does this by:

- ensuring that the instruments used for weighing and measuring are accurate
- informing consumers and suppliers about the requirements of the legislation
- achieving compliance with the legislation through investigation, education, and enforcement as appropriate
- providing advice to government on national and international legal metrology issues
- networking with interested national and international organisations.

### ***Consumer Safety***

The Ministry carries out a number of product safety functions, including:

- developing consumer information standards and product safety standards under the Fair Trading Act 1986
- advising the Minister of Consumer Affairs on the Minister's powers under the Fair Trading Act 1986 to recall or ban unsafe products
- Ensuring harmonisation / consistency between Australia and New Zealand in respect of CER and the TTMRA in relation to consumer products
- investigating unsafe products, and working with companies to improve product safety
- helping companies to recall unsafe products
- supporting the development of self-regulatory measures such as voluntary standards
- educating consumers and suppliers in identifying safe products and using them safely.

### ***Energy Safety***

(Noted here but not included in the Review)

The ESS administers parts of the Electricity Act 1992, the Gas Act 1992, the Plumbers, Gasfitters and Drainlayers Act 1976 and the Ministry of Energy (Abolition) Act 1989. The ESS works to ensure:

- electricity and gas are produced, distributed and used safely
- electrical and gas equipment, installations and appliances are safe for consumers and the public
- energy measurement is accurate and fair
- petroleum fuels, electricity and gas are fit for their purpose

It does this by promoting effective practices, and ensuring compliance and conformity with those practices.

## ***APPENDIX FIVE: Summary of main themes emerging from submissions/ feedback sessions and responses given***

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This material summarises the main points/themes that emerged from the consultation exercise. With the exception of the first point, they have been summarised under the main headings used in the Final Report, for ease of reference.

### ***There is nothing broken....***

Some of the submissions expressed some surprise at the changes recommended in the draft report because the Phase 1 report concluded that “nothing was broken”. My interpretation of the Review teams comments was that there was nothing fundamentally wrong with the Ministry. There was no function missing, for example. However, that does not mean that there are no improvements that can be made to improve the performance of the organisation.

### ***Limitations of the Current Organisational Arrangements***

Feedback on the limitations section of the draft proposals was generally supportive of the points made. In particular people appeared to relate to the need for a flatter management structure “the previous management role sitting between the GM and the ESS and TM line managers was largely superfluous” and clarity around accountabilities and authorities. Submissions also supported the need for additional focus on research and on “information in rather than out”. Most submissions focussed on the “silos” issue in some way, many acknowledging that this issue has been around for some time and it does “hamper MCA’s ability to achieve”. Many submissions cautioned that a new structure could bring with it the risk of new “silos”. Several submissions made the point that good management, clear role descriptions, accountabilities, authorities and personal performance expectations could be used to reduce or remove this potential risk.

Some took exception to some of the comments made, however. One staff member made the point that the “road-show” approach to third-party training referred to on page 5 could be seen as an example of “cross-branch” work rather than a “silo approach”. This comment has been removed from the final paper. The NUPE submission challenged much of comments made about “silos” on page 5 of the draft report. I have removed the reference to having a separate Maori projects officer for MCA and ESS having the potential to create silos in response to part of this comment. In response to remainder of this point I can only comment that most of the points made were either supported by submissions/feedback or comments in previous reviews, such as the *Review of Planning Processes* conducted by Tom Roache in June 2002.

### *Comment*

The critical point I took from the submissions and feedback on the limitations section was that while structural changes may have an impact, they will not of themselves address problems of, for example, lack of communication or knowledge transfer. This essentially comes down to culture within the branch which is itself dependent on the incentives that the various systems and processes set up. Constantly reviewing and enhancing these systems is a key accountability of the General Manager in conjunction with the branch management team.

### ***Proposed Branch structure***

This issue is dealt with at the end of this section.

### ***Strengthen Policy Capability***

Of those submissions that commented on the policy proposal, the majority supported the proposed increase in the capacity of the team. The following points were also made:

- (1) Some staff were concerned that separating policy from operations would result in policy/operations silos. Others were of the view that the policy team should maintain an overview of all branch policy at the strategic level. A number of those who commented on the silo issue indicated that this issue could be dealt with through clear accountabilities and performance expectations that stressed working together. With respect to Energy Safety policy those who commented indicated that they believed that the proposed arrangement could work as long as good processes were put in place to ensure that ES policy and operations continued to work closely together.
- (2) It was suggested that the introduction of a Chief Analyst would result in role confusion with the Manager, Policy (particularly if the Chief Analyst managed staff). It was also suggested that it could also make the role of senior advisor less attractive as the more exciting and challenging projects would fall to the Chief Advisor. Some submissions also questioned whether MCA attracted the type of work and was disparate enough in its functions to support a Chief Analyst.
- (3) A staff member suggested that new policy positions, with the exception of the ES policy positions, should be “untagged” to promote flexibility and reduce “silos” within teams. Likewise steps should be taken within the policy team to ensure that subject specialisation does not result in succession problems.

- (4) Staff also recommended that the policy team role descriptions incorporate an accountability that mirrors the knowledge transfer component in the “Market Intelligence” Group accountabilities.

*Comment*

Having considered the feedback on the Policy Capability proposals I reached following conclusions.

First, I agree with the feedback that the Policy team have responsibility for strategic (“big P”) policy frameworks for the entire branch, this includes strategic weights and measures policy as well as consumer safety and strategic policy on consumer information standards (ie. Labelling). The policy team should undertake policy projects in conjunction with appropriate operations staff (both operational policy and operations). Where a strategic weights and measures or product safety issue arises, for example, a project team would be assembled comprising policy and operations staff. The lead role for these policy projects could be either with the policy or operations teams. In the case, for example, of the current fiscal year project on the scope of national measurement activity, the lead role would be with the Senior Advisor, Legal Metrology (part of MAPS team).

There are a number of reasons for my conclusions in this area:

- Combining all strategic policy advice into one team provides greater potential for coherency and alignment of policy advice across the branch. As *Creating Confident Consumers* indicated, each component of the consumer outcomes framework needs to be working in a consistent direction in order for the desired high level outcome to be achieved. To achieve this it is important that the underlying policy frameworks are aligned. Having responsibility for all high level policy frameworks in one team will also facilitate consideration of alignment/linkages between consumer and energy safety policy and economic development.
- Under the past and current transitional arrangements<sup>6</sup>, each of the “business units” within the branch was relatively self-sufficient and the incentives to work across the branch not particularly strong. The combination of the strengthened focus on understanding what works for whom, with the structural, accountability and process proposals should create greater interdependencies across the branch. Knowledge transfer will be a core accountability in all role descriptions and should be reinforced through performance expectations. Taken together these factors should provide

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<sup>6</sup> Since the resignation of the Manager, Standards and Safety at the end of July 2003, and pending the conclusion of the review a transitional arrangement was put in place which has the Energy Safety policy team reporting directly to the General Manager and the Consumer Safety personnel reporting to the Manager, Trade Measurement.

greater incentives for working together across the branch with resulting benefits in terms of better informed policy and service delivery.

- With respect to Energy Safety policy, I believe that the incorporation of energy safety policy staff within the policy team will have positive spin-offs in terms of the synergies between the two policy areas and the application of policy disciplines. However, I remain open to the idea that amalgamation of this function with energy safety operations could be a medium term objective once operational systems have been enhanced and bedded in. This could be timed to coincide with the completion of the bulk of the *Energy-safe* regulatory work programme.

The proposed transfer of the Senior Product Safety Advisor to the policy team below as part of the Measurement and Product Safety proposal.

### *Chief Advisor*

Careful consideration has been given to the comments made in submissions regarding the Chief Advisor. The key capability the Chief Advisor would bring to the team, the branch and MED as a whole is intellectual leadership. They would be recruited for ability to engage across any discipline and to add significant value in terms of intellectual/analytical leadership regardless of whether they have detailed knowledge of the subject at hand or not. They would be expected to be working predominantly on cross-MED and cross-departmental projects. The “Chief Advisor” skill is one that is frequently contracted in by departments in recent times to deal with complex, often systemic policy problems, where a robust way forward needs to be found in a relatively short space of time.

The difference between a senior advisor and a chief advisor is one of degree. A minimum expectation of a chief advisor is that they can provide intellectual/analytical leadership across a wide range of disciplines and are able to quickly apply policy frameworks to new issues or complex problems and identify a path forward. A senior advisor is not expected to sustain the level of cross-disciplinary intellectual leadership or work on complex policy problems expected of a chief advisor. They would more frequently be providing intellectual leadership within an area related to their field of expertise.

The Chief Advisor will not have staff management or day-to-day team leadership responsibilities, though they will be expected to provide significant intellectual leadership to the team. In this way I do not think that there will be any scope for confusion between the Chief Advisor and the Manager, Policy. Likewise, I do not accept the argument that the Chief Advisor will diminish the attractiveness of the senior advisor positions within the policy team. On the contrary, I believe that the existence of the Chief Advisor will give us entrée into more challenging policy projects that will extend the experiences, skills and capabilities of the other members of the policy team (The rising tide lifts all boats).

### *Titles in general*

The PSA asked a question on behalf of members about the difference between an advisor and an analyst. The answer is that the terms tend to be used interchangeably across MED and the public sector. I have decided that I will use the term advisor and apply it consistently.

### **Market Intelligence Group**

There was considerable support for the idea of refocusing the current Consumer Information Service on information in, as opposed to largely information out and on building a research and evaluative capacity. I have also received considerable endorsement of the idea of combining information dissemination responsibilities in one place in order to gain efficiencies and greater consistency in “look and feel” of information products.

Concern was expressed:

- (1) about the title of the Group and the Market Practice Officers.
- (2) about the potential workload of the Market Practice Officers (can 4 advisors deal with this workload?)
- (3) by NUPE that research expertise is being funded through reprioritisation and efficiency savings. NUPE proposes that the current organisational structure be maintained with research functions added to certain roles within each business unit. NUPE also propose that MCA apply for funding for a certain number of full-time research positions per business unit and provide each identified role with a portion of that funding.
- (4) About potential overlaps between Market Practice Officers and Capability Advisors in terms of relationship building.
- (5) As to whether the Team Leader (REM) was justified. However, this concern was dropped during the development of draft role descriptions when it became more obvious that there was a clear Team Leader role.
  - About whether the full potential of the Capability Advisor position (Community) was being exploited (the ability to use networks to gain information on consumer issues) and whether initially it is a part-time position.
  - Regarding whether the Information Advisor Position was sufficiently “interesting” to provide job satisfaction.
  - About the possible impacts of reducing the number of specific Maori positions across the branch; and that the
  - Research/Evaluation Advisor position should be required to develop relationships with community agencies, as some of the key sources of qualitative information and case studies.

## *Comment*

### *Name of Market Intelligence Group*

There appears to be virtually unanimous agreement that the name Market Intelligence (or any name that includes the term “intelligence”) will either be incomprehensible or misunderstood by target audiences. The title “Research, Information and Capability Group” appears to have general acceptance. I have also decided to retitle the proposed Market Practice Advisors, Advisor, Consumer Issues. This would replace the existing title of Advisor, Consumer Law. Individuals in these positions would not be required to have a law degree though those with law degrees would be free to have LLB on their business cards. It is my view that this approach is less likely to result in consumers mistaking our advice as a legal opinion. It is also consistent with the current person specification for this position, which states that a law degree or legal training is desirable but not essential.

### *Workload issues for Market Practice Advisors*

As noted above, concern was expressed at the size of the Market Practice Advisor positions. NUPE have indicated that they have significant health and safety concerns as a result. The intention of the proposals in the OIR was essentially to make minimal changes to the existing Consumer Law Advisors’ core tasks. Instead the proposal was to shift the primary focus from the provision of information advice and guidance to the identification of consumer issues that may result in significant consumer detriment to facilitate policy or operational responses as necessary. The provision of information and advice remains an objective, just not the primary objective.

I have given considerable thought to this issue. Feedback from staff in these positions suggests that essentially all of the “tasks” identified in the role descriptors are appropriate to the role. Individual Consumer Law Advisors (CLA) appear to have concluded that they will need to be undertaking all aspects of the role description at all times. In fact, as is stated in the current CLA job description, “the exact duties of the appointee will be detailed in their performance agreement”, that is, in any given year an advisor will be given certain key tasks or expectations to focus on. This may apply to a focus on a particular community. It may that a particular issue has been targeted for consideration.

In addition, the proposed structure includes a “special projects” fund (in the first year it is proposed that this would be used for a fixed term project to develop the training trainers approach with the CABx). This fund will provide some flexibility to deal with work pressures arising from particular “market events”. If successful, the training trainers approach also has the capacity to reduce the workload of the

Advisors, Consumer Issues. It is anticipated that the Contact Centre will also reduce some of the existing workload for this group.

In conclusion, we will proceed with the proposed reduction in Consumer Law Advisors (Advisors, Consumer Issues) and manage the workloads appropriately.

### *Specialist Research Expertise*

With a few exceptions, very strong support has been expressed for the development of a specialist research and evaluation capability within the branch.

With respect to the NUPE proposals, it is my view that there are efficiencies that can be achieved in the admin support and CIS area. In terms of prioritising the use of this resource, given our strategic direction it makes sense to reprioritise these funds to purchasing research and evaluative capability. It is my view that having this capability will make the Advisor, Consumer Issues roles more rewarding because the information they are collecting and the research they are undertaking will be being put to good use. My understanding is that the lack of a “receptacle” for this information was at least part of the reason why previous attempts to improve consumer issues monitoring was not particularly successful.

With respect to the NUPE alternative proposal, it is my view that this is not workable. To a certain extent, all staff will be undertaking research whether it is a policy analyst undertaking secondary research or a staff member using his or her networks to obtain information about consumer issues. However, experience across a number of different government agencies has shown that if you do not “cordon-off” your specialist research function, it is inevitably overtaken by more pressing “urgent” issues. The day to day “urgent” tasks crowd out the strategic activity. It is for this reason that I am determined to create a separate research function. I have not ruled out seeking additional funding to support this research.

Questions have been asked whether it is necessary to maintain a specialist Research/Evaluation Advisor within the branch on a permanent basis. My view is that in order to secure this expertise at a price we are able to pay, we will need to offer a permanent position. The wider MED is currently considering whether to establish a research and evaluation “centre of excellence”. Should this occur, it may be that this position (not the funding) could transfer to the centre of excellence at sometime in the future thus freeing up the resource to be utilised in other ways.

### *Potential overlap between Market Practice Advisors and Capability Advisors regarding relationship management with certain stakeholder groups*

It was not the intention to say that only one position could maintain a relationship with particular stakeholders. It is expected that we will as an agency have multiple points of entrée into certain stakeholder organisations at different levels. However it will be necessary to establish who has the lead responsibility for

developing and maintaining certain relationships. This will be dealt with through the development of a relationship management strategy. This is one of the tasks of the Senior Communications Advisor.

***Moving from two to one Maori Projects Officer in order to free up resource to spend on Maori projects***

Opinion and feedback varied considerably on this proposal from those who were very supportive of the idea (as long as existing projects such as that in Taitokerau continue) through to those who were very concerned about the loss of Maori capability within the branch. There seems to be some confusion over what is being proposed and I will seek to clarify this now. Currently there are two Maori Projects Officer positions. The accountabilities for both positions are the same. The difference is that one focuses on energy safety issues and the other on consumer issues. Both salaries are funded out of Vote: Consumer Affairs.

Projects money for the ESS-based position is funded out of third party levies. There is very little projects money available for the CIS-based position. This has the potential to significantly impact on its effectiveness. The proposal is to disestablish one of the positions and use the salary from the other position to fund additional projects. There would, therefore, be no decline in the amount of total resource spent on improving the capability of Maori communities to recognise consumer and energy safety issues and risks and take appropriate action.

The NUPE submission also makes the point that from the perspective of the MCA Kaiwhakarite Maori, that the conclusion of the Phase 1 Review team that “nothing was broken” within MCA and that “it remains on the right track” was not true with respect to Maori issues. The submission makes the point that MCA is yet to develop a framework that focuses on outcomes for Maori and Maori development and is yet to develop a systematic approach to the way it establishes relationships with Maori.

I have some sympathy for the position articulated by the NUPE submission. As part of the wider Ministry of Economic Development, the Ministry of Consumer Affairs and Energy Safety branch is participating in a whole of Ministry project aimed at developing a strategy to support its outcome “Maori realise their economic potential”. The MCA Kaitakawaenga Maori is part of the core working group for this project. This project will be focusing on, amongst other things, a framework for thinking about MED’s contribution to Maori economic development and a systematic approach to the way it establishes relationships with Maori. The Ministry of Consumer Affairs will continue to participate in this project, and will look to use the framework developed through this process.

After giving this issue considerable thought I have concluded that the best strategy at this time is to retain the original proposal in order to gain access to the

projects money with one change. As there will be one position, it is my view that it needs to be at a sufficiently senior level to be able to establish and maintain effective relationships with Maori at senior levels and personnel at a senior level in the public service. This position will therefore be described as Senior Capability Advisor (Maori).

### ***Measurement and Product Safety Service***

Significant support has been expressed for the new Team Leader roles in the MAPS team (after some initial debate around the concept) and for the proposed budget bid to fund 4 additional MAPS officers. The primary discussion point during the feedback regarding the MAPS team was the location of the Senior Advisor, Product Safety and the name of the service. With respect to the name, it is my view that having a name that conveys clearly the role of the service is important. After weighing the pros and cons of name changes, I have decided to proceed with a change to Measurement and Product Safety.

#### *Senior Advisor, Product Safety*

Under the proposal in the OIR, the Senior Advisor, Product Safety position would be transferred to the Policy Team. Concerns have been expressed that the head office function is under-resourced and that the Advisor, Product Safety, would not be able to deal with sensitive negotiations with senior executives around voluntary action or intervention.

Decisions in this area have been difficult for two reasons. First, it is plain that the Senior Advisor, Product Safety is, due to her skill and experience, able to efficiently deal with issues that may require more resourcing if others were to take on the responsibilities. What is not entirely clear is how much more and at what level. Second, under the proposed approach, the MAPS Team Leaders would pick up the responsibility for negotiating voluntary action and/or intervention with traders, importers or manufacturers of problematic products. It is anticipated that these Team Leaders will have had significant experience negotiating weights and measures issues with senior executives and would be well placed to do this work.

It is also expected that MAPS officers would progressively take over responsibility for developing or reviewing some product safety standards, particularly those resulting from specific investigations carried out by them. They would also undertake networking activities in the regions (attending field days etc). However, the ability of the regional MAPS network to take on additional "head office" product safety functions is to a large extent dependent the proposed budget bid for 4 additional staff. The proposal is also very dependent on the transfer of knowledge from the current Senior Advisor to new and existing MAPS personnel.

For these reasons I intend to proceed with the proposal but use a 10-month transition period. During this time the Senior Advisor Product Safety would remain in the MAPS team and would:

- Assist the Manager, MAPS with the recruitment and selection of the Advisor, Product Safety and fine-tune the consumer safety accountabilities of the MAPS network;
- Contribute to the development of the business case supporting the bid for 4 new MAPS personnel including any adjustments necessary to take account of new information;
- Work with key product safety personnel within the Energy Safety Service to explore possible task sharing and information sharing strategies;
- Provide in-depth training to the new Advisor, Product Safety, the Team Leaders and MAPS officers on consumer safety issues;
- Complete the Consumer Safety Compliance manual, including any additional material necessary to support work of the regionally-based officers;
- Progressively hand-over responsibility for consumer safety operational functions to the Advisor, Product Safety and other designated members of the MAPS team.

Should the Budget bid be successful, the Senior Advisor will move into an untagged Senior Advisor (Policy) position in the policy team. Initially it is likely that due to their previous experience, the new Senior Advisor would undertake strategic work on consumer safety issues. Over time this would cease to be the case.

Should the Budget bid be unsuccessful, the decision to move the Senior Advisor would need to be reviewed. The activities undertaken over the transition period would, however, be largely necessary regardless of what arrangements are put in place.

### ***Senior Communications Advisor position***

Opinions on this topic were polarised. The majority of feedback received on this topic was strongly supportive of the move to reduce the number of branch communications positions to one in order to gain efficiencies. However some very strong concerns were expressed. In summary the key points made are that:

- Communications are an intrinsic part of ESS's functions. It is part of the way in which ESS achieves its core business.
- ESS communications should parallel the approach to policy, that is retain the position but amalgamate the communications positions together in one unit.
- If the current ESS Communications Advisor is not successful in her application for the position, the network of contacts and energy industry technical and legislative knowledge will be lost.

The proposed position is a Senior Communications Advisor (SCA) with a focus on both energy safety and consumer issues. It is not the intention to lose the energy safety focus. This will be part of the accountabilities listed in the role description. It remains my view that only one Communications resource is necessary in a branch the size of the Ministry of Consumer Affairs and Energy Safety Branch, particularly with the newly focussed information advisor positions also looking across the whole branch.

With respect to the Senior Communications Advisor role, the role description will make it plain that this role is part of a Ministry of Economic Development-wide communications team convened by the Director, Communications who has a leadership authority for communications across the Ministry of Economic Development as a whole. The SCA will attend the communication team meetings. This arrangement will facilitate MCA/ESS input into the Ministry-wide communications strategy and ensure that the communications strategy developed for the MCA/ESS branch is aligned that of the parent ministry, while retaining a specific focus on consumer and energy safety outcomes.

### ***Reduce Admin Support positions and centralise head office positions***

The proposal to centralise the head office Admin Support Officers into a Branch Support Team, combined with removing the 0.2 FTE admin support in the Christchurch office and reducing the admin support in the Auckland office from 0.8 FTE to 0.5 FTE resulted in strongly polarised opinions. Feedback was either strongly supportive of the proposal or strongly negative.

On the positive side it was felt that centralising the head office support staff and placing expectations on them to cross-train would result in better quality, more flexible service delivery. Support staff could cover for each other when necessary. The provision of a consistent service would require good systems and multi-skilling. Multi-skilling was seen largely as a positive as it could lead to greater job satisfaction.

On the negative side, staff currently in administrative support roles warned that a centralised approach would result in a loss of service. Admin support people would not longer feel any connection to a team and as a result would lose touch with the team's issues. They would also be less inclined to "go the extra mile" for someone who was not a team member. While multi-tasking was seen as a positive, the potential for specialisation based on a particular support person's skills or aptitudes could result in boredom and loss of job satisfaction. Staff who currently have a personal assistant role feel that the move to a centralised approach will not only have a detrimental effect on the Manager they work to, is a retrograde career step from their perspective.

NUPE indicated the combination of centralising the admin support team and reducing the numbers of staff could provide a health and safety risk and that they would oppose such a move.

Support staff provided some useful points on what would need to happen to make a centralised system work. These points included:

- Each team should have a key contact support person who will know the team's business and be kept informed of their needs and plans;
- Locating support staff with teams could assist with this (but associated downside re sharing experiences across the support team);
- Support people should be able to fulfil a PA role if managers require it;
- Regional support people should be managed by someone on-site; and
- The need for assurance that staff workload would be monitored and if it appeared that an additional support person was required, this could be dealt with.

#### *Comment*

As noted above, centralising support staff under a common manager can have some significant benefits. There are also some risks that need to be managed, particularly the requirement to monitor staff to ensure that workload pressures are not too great and being prepared to take rapid action if this is in fact the case.

I am proposing that we adopt the following approach, which varies in some respects from that in the draft report.

#### *Head Office*

- Admin support staff in Head Office will reduce from five to three positions as proposed in the draft report. The Admin Support Team will report to the Strategic Business Advisor who will essentially coordinate their work.
- Each admin support person will be assigned as a contact person for a team on the following basis:
  - 1 person for the Policy team and the MAPS team;
  - 1 person for the Research, Information and Capability team; and
  - 1 person for ESS Operations.
- Support people would be located with the teams that they are servicing. They would attend team meetings and meet regularly with team Managers to ascertain the level of work required.
- Staff wanting support could go directly to their contact person to request assistance or to the Strategic Business Advisor. The onus would be on staff to be very clear in their request to facilitate and appropriate response. The Admin Support Team would then meet the support need as flexibly and efficiently as possible.

- Managers would be able to negotiate for PA services with the Strategic Business Advisor.

The Strategic Business Advisor would monitor team workloads and provide feedback to the General Manager on any changes necessary to address workload or other concerns.

### *Regional offices*

It became very apparent during the feedback sessions in the Manukau office that the support person provides an critical service in terms of managing incoming Pacific Island hotline calls including deal with many of the less complex inquiries directly. With the Auckland Advisors, Consumer Issues reducing from three to two it will be important to have someone dealing with the incoming calls and requests for assistance. As a result I propose that the support staff quotient in the Manukau office be adjusted back to the original 0.8 FTE. The admin support person would report to the most senior Advisor, Consumer Issues.

With respect to the Southern Business Centre, I have arranged with the Group Manager, Business Registries, that the MCA and ESS staff will be supported through the Centre support staff.

### **Contact Centre**

The draft report proposed that the entire MCA/ESS branch move to using the Southern Business Centre, Contact Centre for all non-complex email and telephone traffic with the exception of the hotlines. The rationale is to free-up staff as much as possible to focus on higher priority tasks. It would also provide an excellent source of information about calls taken. The proposal was to start with the Research, Information and Capability Team and then phase in the remainder of the business.

Reaction from staff through the feedback and submission process was generally positive, though some expressed some doubts at the level of calls and emails that would be able to be dealt with without referring them on to Advisors, Consumer Issues.

Since 10 July 2003, the Contact Centre Manager has undertaken some work to ascertain what would be required to action the proposal to facilitate a final decision in this area. The proposed action plan has been informed by discussions with CIS staff.

### *Comment*

It is recommended that filtering of specific inbound emails and phone calls to the Ministry of Consumer Affairs and the Energy Safety Service by the Contact Centre commence from 1 November. The General Manager, MCA and the Group Manager, Business Registries will sign off the action plan and service level agreement for the first phase of this process by 29 August 2003.

### ***Branch Systems and Processes***

Where submissions focussed on the comments and proposals made in this part of the report they were generally positive. One submission, which was very supportive of the proposals put forward, asked that the comment in paragraph 35 be amended to say that “policy project teams should comprise policy and operations staff and the evaluation advisor **where appropriate**”. This is a good point and the text has been amended to reflect it. Not all policy projects will require operational input nor will all operational projects require evaluative or policy input. The important thing is to consult early with colleagues to ascertain whether they are interested in being involved.

The point was also made that while the idea in paragraph 34 that each team member has a responsibility to understand their colleagues’ work was good, it was unclear how to make this a reality. The text of the report has been amended to suggest a number of ways including peer reviewing colleague’s work, presenting team seminars or simply discussing work-related issues over coffee. It need not be a burdensome responsibility, but it does require some proactivity.

### ***Proposed Branch Structure***

The majority of submissions were supportive of the new structure, though as mentioned above, some suggested that care would need to be taken to ensure that silos did not develop between policy and operational areas and between the sub-teams within the Research, Information and Capability team. Some submissions suggested that the intention behind the establishment of the research and evaluation capability in the Research, Information and Capability team could have been achieved through simply adding research functions to existing jobs. As noted earlier, it is my view that we need to both make the most of the information that we can glean through our various networks, but we also need to “ring-fence” some resource to undertake more detailed qualitative and quantitative work.

Having considered the feedback and submissions provided, I am proposing to go forward with the structure largely as presented in the draft report. The only changes in the organisation chart listed below from that in the draft report are that:

- (1) All policy staff are referred to by the generic title of advisor rather than analyst.
- (2) With the exception of the Energy Safety policy staff, none of the policy positions will be tagged as this tends to place limitations on the type of work the individual can undertake.
- (3) There will be a 10 month transition period between the implementation date and the transfer of the Senior Product Safety Advisor resource to the Policy Team to allow for building up the competency of the MAPS team in the product safety area. If the Budget bid is not successful, the decision to transfer this resource will be reviewed.
- (4) The Capability Advisor (Maori) will be a senior position.
- (5) The admin support person in the Manukau office will report to the Manager, Research, Information and Capability Building rather than the Strategic Business Advisor.
- (6) The Market Intelligence Group has been renamed the Research, Information and Capability Group and the Market Practice Officers title changed to Advisor, Consumer Issues.
- (7) One of the Advisor, Consumer Issues positions will be based in Christchurch.

### ***Energy Safety Service***

Concerns were expressed by the PSA on behalf of its ESS members that the fact-finding stage during Phase Two did not extend beyond the Operations Manager. In fact discussions were had with the Senior Advisor, Energy Policy, and the Communications Advisor (as part of a branch wide group focusing on information issues). ESS support staff also contributed to fact-finding around administrative support functions. It is accepted that further discussions could have been undertaken with other ESS staff.

With respect to the comment that the transfer of the ESS policy team into the wider branch policy team contradicts the statement that ESS is not part of the Ministry of Consumer Affairs, I disagree. ESS and MCA are part of the same branch. They share the same General Manager. The Chief Executive has a clear expectation of me that I will organise the branch in the most efficient and effective manner I can to support the branch and MED-wide objectives. In determining not to replace the position of Manager, Standards and Safety, I was faced a decision on the location of the energy safety policy function which used to report to that position. I have decided that it is not desirable for the ESS policy team to work to myself. At this time I do not believe it is feasible for the policy team to report to the current operations Manager. However, in the medium term (and depending on what happens with the Building Policy Review) it may be feasible to look at this option again.

With respect to the Senior Capability Advisor (Maori), the Senior Communications Advisor, and the Information Advisor positions, these are branch positions, not MCA or ESS positions. The Senior Capability Advisor

(Maori) will be focussing on both energy safety and consumer issues. With respect to the Communications and Information Advisor positions, it is my hope that a service level agreement is not necessary to gain access to these resources.

## APPENDIX SIX: MCA/ESS Branch Review: expansion of material on proposed new or changed roles <sup>7</sup>

Position Title	Role Outline
Chief Analyst	<p><b>Purpose</b></p> <ul style="list-style-type: none"> <li>To enhance the quality of consumer and energy safety policy advice through the application of public policy experience and expert analytical skills and to assist in building and developing MCA/ESS branch analytical and practical policy development capability.</li> </ul> <p><b>Main Accountabilities</b></p> <ul style="list-style-type: none"> <li>Enhance the quality of inter and intra-branch policy advice through the provision of analytical leadership, particularly in the area of framework development.</li> <li>Providing an acknowledged point of reference for all matters within his/her range of expertise (technical and analytical)</li> <li>Improving the innovative capability of the policy team through actively seeking out and contributing new perspectives on analytical issues.</li> <li>Undertake and/or manage key strategic projects.</li> <li>Development and maintenance of key internal and external stakeholder relationships with individuals undertaking work of similar complexity.</li> <li>Build the analytical and policy capability of the team and branch through the provision of mentoring, coaching, expert peer review and advice.</li> <li>Develop and maintain an effective working relationship with relevant Ministers, such that the credibility and reputation of the branch and MED is enhanced.</li> <li>Contribute to the development of the broader economic development policy framework and wider understanding of the role of consumer policy within this framework.</li> </ul> <p><b>Minimum Capabilities</b></p> <ul style="list-style-type: none"> <li>Good honours degree or equivalent or higher in economics, public policy, social sciences or a related disciplines is preferred. Candidates with qualifications in other disciplines will be considered if they have the requisite experience.</li> <li>Extensive experience in the provision of analysis on complex policy issues in either the public or private sectors, experience in consumer policy issues is desirable but not essential.</li> <li>Capacity to develop workable solutions to complex issues where there may be little precedence and where a wide range of analytical skills and good judgement must be brought to bear in arriving at the solution.</li> <li>Capacity to apply theoretical knowledge, together with acquired and applied knowledge to the creative and constructive solving of complex public policy issues.</li> <li>Excellent communication, interpersonal and relationship management skills.</li> <li>Demonstrated successful project management skills.</li> <li>Ability to assist manager in motivating, leading and supporting work teams.</li> </ul>

<sup>7</sup> As distributed for feedback 21/07/03

	<ul style="list-style-type: none"> <li>• Demonstrated and enthusiastic willingness and ability to share skills and knowledge with other staff and to build their capability.</li> </ul>
Senior Advisor/Advisor (Product Safety)	<p><b>Purpose</b></p> <ul style="list-style-type: none"> <li>• To provide high quality, innovative strategic and substantive policy advice on product safety issues.</li> </ul> <p><b>Main Accountabilities</b></p> <ul style="list-style-type: none"> <li>• Development , testing and maintenance of strategic frameworks for thinking about product safety policy issues, including ensuring that NZ’s product safety framework is consistent with international best-practice.</li> <li>• Analysis and development of policy responses to sector-wide product safety issues and those product safety issues that lie at the interface between health, food safety, accident compensation and rehabilitation, trade, environment and sustainable development policies.</li> <li>• Maintaining an effective working knowledge of TTMRA/MRA issues and their implications for trans-Tasman and more global product safety issues.</li> <li>• Membership of CPAC.</li> <li>• Development and maintenance of effective information sharing and working relationships with the Manager, Measurement and Product Safety, the Advisor (Product Safety Standards), the key Measurement and Product Safety officers, and the key Energy Safety personnel associated with appliance safety.</li> <li>• Strategic oversight of FTA product safety regulations.</li> <li>• Provision of advice to Minister regarding use of Ministerial powers (Product Safety Standards, bans, mandatory recalls) and drafting responses to Ministerials where the correspondence is focussed on strategic as opposed to operational policy. Largely peer review of Advisor, (Product Safety) advice.</li> <li>• Development and maintenance of key internal and external stakeholder relationships with individuals undertaking work of similar complexity. The external focus of this role is primarily on effective relationships with key national and international government agencies.</li> <li>• Handling consumer and industry enquiries only where these relate to strategic, substantive or sector-wide policy issues.</li> </ul> <p><b>Minimum Capabilities</b></p> <ul style="list-style-type: none"> <li>• Demonstrated ability to undertake policy analysis (problem identification and problem resolution skills), particularly the ability to develop frameworks for thinking about complex policy issues.</li> <li>• Demonstrated well-developed strategic thinking skills.</li> <li>• Well-developed understanding of consumer safety policy and the operation of NZ markets is desirable.</li> <li>• Excellent oral and written communication skills.</li> <li>• Excellent relationship management, interpersonal and team-work skills.</li> <li>• Excellent negotiation and conflict resolution skills.</li> <li>• Excellent judgement.</li> </ul>

Team Leader, Research, Evaluation and Monitoring	<p><b>Purpose</b></p> <ul style="list-style-type: none"> <li>• To coordinate the activities of REM team, so that MCA/ESS policy and service delivery decisions are evidence-based and their impact on consumer and energy safety outcomes assessed.</li> <li>• To lead significant market investigation projects from an information gathering, analysis and consumer liaison perspective.</li> </ul> <p><b>Main Accountabilities</b></p> <ul style="list-style-type: none"> <li>• Coordinate the day-to-day work of the REM team, particularly the <i>Market Practice Advisors (Consumer Law advisors)</i>.</li> <li>• Work with the Manager, Market Intelligence and the Research Advisor to prioritise the work of the REM team consistent with strategic objectives and priorities and to ensure that these priorities are carried through to day-to-day work.</li> <li>• Lead significant market investigation projects from an information gathering, analysis and consumer liaison perspective.</li> <li>• Take part in and/or lead cross-branch market investigation or policy project teams to develop solutions to identified problems where no current policy or operational solution exists.</li> <li>• To provide coaching, mentoring and professional development to <i>Market Practice Advisors (Consumer Law Advisors)</i>, in particular to provide analytical leadership to those involved in market practice investigations.</li> <li>• Assist manager to develop and then manage the implementation of plans to use networks as a “radar” for emerging consumer issues, including ways of capturing and disseminating this information.</li> <li>• Develop mechanisms to transfer “market intelligence” effectively to appropriate personnel within MCA/ESS, across MED branches and associated with external stakeholders.</li> <li>• Effective relationship management with key internal and external stakeholders, particularly the branch policy team.</li> </ul> <p><b>Minimum Capabilities</b></p> <ul style="list-style-type: none"> <li>• Law degree preferably specialising in contract law, knowledge of both contract and commercial law would be an advantage.</li> <li>• Significant demonstrated applied knowledge and understanding of consumer law as it affects consumers and traders.</li> <li>• A “can-do” attitude.</li> <li>• Excellent problem-identification and resolution skills.</li> <li>• Good project management skills.</li> <li>• Good oral and written communication skills.</li> <li>• Good interpersonal and relationship management skills.</li> </ul>

Research/Evaluation Advisor	<p><b>Purpose</b></p> <ul style="list-style-type: none"> <li>To develop a research and evaluation strategy and programme that supports the strategic direction of the Ministry of Consumer Affairs/ESS and the wider MED and contributes to more robust, workable policies and service delivery.</li> </ul> <p><b>Main Accountabilities</b></p> <ul style="list-style-type: none"> <li>Develop impact assessment measures to assess success in achieving consumer and energy safety outcomes.</li> <li>Develop a medium-long-term research and evaluation strategy and work programme in conjunction with key internal and external stakeholders that supports the strategic direction of the branch and wider MED.</li> <li>To develop and manage relationships with researchers in universities and research institutes and other government agencies in order to build on, influence and leverage off their work.</li> <li>Undertake or contract out modelling work to better understand consumer and trader behaviour and the way in which consumers and the public in general receive and interpret information and make decisions.</li> <li>Provide advice to and work with MCA/ESS teams on research and evaluation design.</li> <li>Provide coaching and mentoring to research analysts on research and evaluation methodologies in order to build their capability.</li> <li>Provide a quality assurance check of all research and evaluation projects .Administer significant research and/or evaluation contracts.</li> <li>Develop and maintain effective working and knowledge sharing relationships with key internal and external stakeholders.</li> </ul> <p><b>Minimum Capabilities</b></p> <ul style="list-style-type: none"> <li>Postgraduate qualification in science or social science research, economics, statistics or a related discipline.</li> <li>Significant demonstrated knowledge and experience in quantitative and qualitative research and evaluation methodologies.</li> <li>Successful demonstrated experience in undertaking or administering large-scale research projects.</li> <li>Excellent oral and written communication skills which enable complex arguments or methods to be understood by a wide variety of audiences.</li> <li>Excellent interpersonal skills.</li> <li>Demonstrated and enthusiastic willingness to share skills and knowledge with other staff and to assist in developing them.</li> </ul>

<p>Research Analyst (this role description is focussed on consumer issues given that the existing position is focussed on (energy) safety).</p>	<p><b>Purpose</b></p> <ul style="list-style-type: none"> <li>To undertake and administer quantitative and qualitative research and monitoring to improve our knowledge and understanding of consumer issues and the impact of policies on outcomes.</li> </ul> <p><b>Main Accountabilities</b></p> <ul style="list-style-type: none"> <li>Work with Research Advisor to establish baseline data and databases on consumers and consumer issues.</li> <li>Undertake and/or administer quantitative and qualitative research/evaluative work on key policy questions, including the assessing the impact of policies and service delivery approaches.</li> <li>Undertake detailed research and data analysis resulting in reports on key trends/issues/policy questions and areas for future work arising from the data.</li> <li>Develop a good general understanding of consumer policies and the key policy and operational questions in this area and maintain and upgrade this knowledge through establishing effective working and knowledge sharing relationships with key internal and external stakeholders.</li> </ul> <p><b>Minimum Capabilities</b></p> <ul style="list-style-type: none"> <li>Good tertiary qualification in social research/science, economics, statistics, or a related discipline.</li> <li>Demonstrated experience in research and data analysis, (experience in statistical modelling and econometrics is desirable but not essential).</li> <li>Ability to proactively develop sound working relationships with internal and external clients/stakeholders.</li> <li>Excellent oral and written communication skills.</li> <li>Good interpersonal and relationship management skills.</li> </ul>
<p>Market Practice Advisors (Consumer Law Advisors)</p>	<p><b>Purpose</b></p> <ul style="list-style-type: none"> <li>To identify market practices that have the potential to have a significant impact on consumer outcomes, through, in particular, working with demographic groups disproportionately associated with “bad deals”, in order to facilitate proactive policy and operational solutions.</li> </ul> <p><b>Main Accountabilities</b></p> <ul style="list-style-type: none"> <li>Undertake case-work as a means of monitoring consumer and trader issues, particularly in “risky” markets and demographic groups that tend to be disproportionately associated with “bad deals”.</li> <li>Research and investigate market practices that have the potential to have a significant impact on consumer confidence (significant and/or widespread consumer detriment). This research should result in a report to the Manager, Market Intelligence recommending action required.</li> <li>Transfer knowledge and understanding of market practices and emerging or critical consumer issues to the appropriate personnel within, and outside of the branch, particularly the policy, research and capability advisor positions.</li> <li>Take part in cross-branch market investigation or policy project teams to develop solutions to identified problems where no current policy or operational solution exists.</li> <li>Research, develop and implement trader compliance programmes as appropriate.</li> </ul>

	<ul style="list-style-type: none"> <li>• Establish and maintain effective relationships and networks with relevant community, trader and government agencies in order to: <ul style="list-style-type: none"> <li>⇒ gain an in-depth, practical understanding of issues that are impacting, or are likely to impact, on consumers; and</li> <li>⇒ build the capability of groups disproportionately affected by “bad deals” to identify and avoid such deals.</li> </ul> </li> <li>• Contribute to the implementation of new policies as appropriate.</li> <li>• Draft replies to more complex ministerial and direct correspondence.</li> <li>• Act as a subject expert for hotline and contact centre complex calls.</li> <li>• Act as subject expert for the development of publications content.</li> <li>• Contribute to third party training exercises as required.</li> <li>• Contribute to the development of the Market Intelligence Group’s work programme.</li> </ul> <p><b>Minimum Capabilities</b></p> <ul style="list-style-type: none"> <li>• Tertiary qualification, preferably in law.</li> <li>• Demonstrated experience in legal research and analysis.</li> <li>• Commitment to “making a difference” to consumer outcomes.</li> <li>• Problem identification and resolution skills, particularly working directly with the public.</li> <li>• Broad understanding the way in which markets operate, and the laws that govern them.</li> <li>• Excellent oral and written communication skills.</li> <li>• Demonstrated interpersonal and relationship management skills.</li> <li>• Ability to relate effectively with people from a wide variety of cultural and social backgrounds (an ability to speak the language of groups disproportionately affected by “bad deals” would be desirable in some positions).</li> </ul>
Team Leader, Information and Capability Building	<p><b>Purpose</b></p> <ul style="list-style-type: none"> <li>• to co-ordinate the day-to-day activities of the information and capability team.</li> <li>• to drive forward through effective project management, significant and complex information projects.</li> </ul> <p><b>Main Accountabilities</b></p> <ul style="list-style-type: none"> <li>• Effective and clear task allocation to team members as appropriate to their experience and capability (purpose, context, goal - quality and quantity, timing and resources available).</li> <li>• Input into performance management system.</li> <li>• Work with Manager, Market Intelligence, and the Senior Communications Advisor to develop a means of assessing information requirements across the branch and facilitating decisions by the Management Team on the prioritisation of those needs.</li> <li>• Work with the Manager, Market Intelligence, and the Senior Consumer Advisor to develop strategies to fund information and education approaches, including the development of budget bids where appropriate.</li> <li>• Work with the Team Leader REM and Research Advisor to devise methods of assessing the impact of information and information delivery approaches in raising awareness and changing target group behaviour.</li> <li>• Provide a strategic perspective on the delivery of advice and information to key information focus groups.</li> <li>• Lead key strategic information projects where appropriate.</li> <li>• Work with capability advisors to ensure that the capability building projects being developed are effective and efficient</li> </ul>

	<p>and designed to empower rather than foster over reliance on government intervention.</p> <ul style="list-style-type: none"> <li>• Work closely with the Senior Communications Advisor to inform communications strategy development and ensure that information projects are implemented in a way that is consistent with the strategy developed.</li> <li>• Monitor the standard of branch information “products”.</li> <li>• Develop and maintain effective internal and external relationships and networks, including internationally.</li> <li>• Work with key government and private sector agencies to leverage off their information and education efforts, particularly in the product safety area.</li> </ul> <p><b>Minimum Capabilities</b></p> <ul style="list-style-type: none"> <li>• Relevant tertiary qualification in law, communications, information management, or journalism is desirable but not essential (relevant experience is more important).</li> <li>• Excellent written and oral communication skills;</li> <li>• Demonstrated effective relationship management skills.</li> <li>• Ability to “make things happen” and to think innovatively.</li> <li>• Significant and successful experience in managing large-scale information/education projects.</li> <li>• Demonstrated successful ability to lead personnel in a project management situation.</li> </ul>
Senior Information Advisor	<p><b>Purpose</b></p> <ul style="list-style-type: none"> <li>• Effective and efficient development of information products for consumers and industry, and in the case of energy safety, the public in general to achieve the branch and MED outcomes.</li> </ul> <p><b>Main Accountabilities</b></p> <ul style="list-style-type: none"> <li>• Develop or contract out the development of significant new information or education resources.</li> <li>• Develop or administer significant contracts to develop informational/promotional campaigns to publicise changes to consumer or energy safety legislation.</li> <li>• Develop information resources to address specific issues of non-compliance with consumer and energy safety law.</li> <li>• Administer contracts, including design contracts for branch publications.</li> <li>• Develop and maintains networks with individuals in key organisations and groups undertaking work of similar complexity in order to learn from, build on and leverage off the work of these agencies.</li> <li>• Work with Information Advisor to ensure that Branch websites are up-to-date and accurate.</li> </ul> <p><b>Minimum Capabilities</b></p> <ul style="list-style-type: none"> <li>• A tertiary qualification in a relevant discipline (such as communications or journalism) would be desirable. However, what is more important is a demonstrated track record in the development or administration of information products.</li> <li>• Significant demonstrated experience in developing concepts/ideas to meet identified information or education needs.</li> <li>• Significant successful experience in delivering or administering information/education projects.</li> <li>• Significant successful project management experience.</li> <li>• Excellent written and oral communication skills.</li> <li>• Demonstrated effective relationship management skills.</li> <li>• Knowledge and understanding of consumer and energy safety information and education issues would be desirable.</li> </ul>

Information Advisor	<p><b>Purpose</b></p> <ul style="list-style-type: none"> <li>• Effective and efficient development of information products o consumers and industry, and in the case of energy safety, the public in general to achieve the branch and MED outcomes.</li> </ul> <p><b>Main Accountabilities</b></p> <ul style="list-style-type: none"> <li>• Assists Senior Information Advisor with developing or contracting out the development of new information or education resources.</li> <li>• Responsible for development of less complex information projects and updating of existing information resources.</li> <li>• Supports effective contracting of information projects through arranging and collating quotations for work on information products.</li> <li>• Administration of all branch websites, including regular reviews to ensure content is current and accurate.</li> <li>• Maintain consumer and public information databases (Scamwatch, product safety database etc) as appropriate.</li> <li>• Develops and maintains networks with individual in key organisations and groups undertaking work of similar complexity to disseminate information and gain feedback on appropriateness and usefulness of information.</li> <li>• Drafts speeches on generic consumer and energy safety issues in association with subject expert.</li> </ul> <p><b>Minimum Capabilities</b></p> <ul style="list-style-type: none"> <li>• Tertiary qualification a relevant discipline desirable but not essential.</li> <li>• Excellent oral and written communication skills.</li> <li>• Experience in assisting with the development of information products.</li> <li>• Experience in website and database administration.</li> <li>• Ability and commitment to deliver.</li> </ul>
Capability Advisor (Community)	<p><b>Purpose</b></p> <ul style="list-style-type: none"> <li>• To work with third party community providers of consumer advice and information to enhance their capability to provide effective service delivery to consumers and traders.</li> <li>• To source high quality consumer representative nominations for decision-making bodies through maintaining a network of knowledgeable, influential consumers with strong links into their communities.</li> </ul> <p><b>Main Accountabilities</b></p> <ul style="list-style-type: none"> <li>• Work with communities and community organisations to build up their capability to provide advice on or raise awareness of consumer issues. This includes the development of projects designed to foster self-sufficiency amongst these organisations in terms of their abilities to deal with consumer issues.</li> <li>• Maintain effective links with the Market Practice (Consumer Law) Advisors in order to understand the issues that may be affecting particular communities either geographically or demographically.</li> <li>• Organise logistics of training the trainer programme when established.</li> <li>• First point of contact for community agencies.</li> </ul>

	<ul style="list-style-type: none"> <li>• Support the Manager, Market Intelligence and the Team Leader (I&amp;C) to develop and maintain effective relationships with third party providers and community organisations and the development and administration of any contracts with these agencies.</li> <li>• Maintain the consumer representation network so that it remains an effective tool for sourcing consumer representatives.</li> </ul> <p><b>Minimum Capabilities</b></p> <ul style="list-style-type: none"> <li>• Significant track record of effective project management of projects with community and third sector organisations designed to strengthen capability.</li> <li>• Earned credibility with community and third sector organisations.</li> <li>• Excellent consumer and community networks.</li> <li>• Excellent relationship management skills.</li> <li>• Excellent negotiation and conflict management skills.</li> <li>• Commitment to continuous improvement and creative problem solution.</li> </ul>
Capability Advisor (Maori)	<p><b>Purpose</b></p> <ul style="list-style-type: none"> <li>• To improve awareness by Maori of their consumer rights and responsibilities and energy safety issues leading to fewer preventable “bad deals” and energy-related accidents amongst this group, through building the capability of Maori organisations to understand and promote consumer and energy safety information to their own people.</li> </ul> <p><b>Main Accountabilities</b></p> <ul style="list-style-type: none"> <li>• Earn and maintain credibility with key stakeholders in Maoridom in respect of consumer and energy safety issues.</li> <li>• Development and management of effective relationships: <ul style="list-style-type: none"> <li>⇒ with Maori, particularly at senior levels.</li> <li>⇒ with policy and operational personnel (consumer and energy safety) across the branch.</li> <li>⇒ with other government agencies in order to facilitate a whole of government approach to capability development.</li> <li>⇒ with key staff across MED to support the wider department’s focus on assisting Maori to realise their economic potential.</li> </ul> </li> <li>• Work with the Manager, Market Intelligence, to develop strategies both improve the capability of the Maori community and to enhance the responsiveness of the branch to Maori consumer and energy safety issues.</li> <li>• Development of innovative capability building strategies and projects.</li> <li>• Effective administration of projects/contracts, including effective monitoring of outputs and establishment of risk management strategies.</li> <li>• Work with Research Advisor and Team Leader, (I&amp;C) to develop impact assessment measures in order to determine whether the approaches used are making a difference.</li> <li>• Transfer knowledge of specific Maori consumer and energy safety issues to relevant staff across the branch.</li> </ul> <p><b>Minimum Capabilities</b></p> <ul style="list-style-type: none"> <li>• Extensive experience working with Maori communities either in the public or private sectors.</li> <li>• Demonstrated excellent interpersonal and relationship management skills including team-work skills.</li> </ul>

	<ul style="list-style-type: none"> <li>• Excellent and broad-ranging networks within Maoridom.</li> <li>• Excellent negotiation skills, including the ability to exert influence in situations where you do not have formal authority.</li> <li>• Demonstrated excellent project management skills, including the ability to “make things happen”.</li> <li>• Well-developed understanding of public sector processes and accountabilities and the ability to manage any conflict (real or perceived) between these and responsibilities to the Maori community.</li> <li>• Demonstrated excellent judgement skills.</li> <li>• Good understanding of te reo me nga tikanga Maori.</li> </ul>
Advisor Product Safety Standards	<p><b>Purpose</b></p> <ul style="list-style-type: none"> <li>• To help ensure that consumer expectation regarding product safety are realised through the development and review of policies relating to specific products (and services ?) with an emphasis on negotiating voluntary action where possible and appropriate.</li> </ul> <p><b>Main Accountabilities</b></p> <ul style="list-style-type: none"> <li>• Primary responsibility for product specific policy development.</li> <li>• Revisions of product safety standards arising through standards reviews or issues identified through operations.</li> <li>• Development of new product safety standards.</li> <li>• Development of national standards.</li> <li>• Negotiating voluntary action and/or need for intervention.</li> <li>• Development of NZ position on specific product issues coming through CPAC.</li> <li>• Proactive identification of potential trouble areas.</li> <li>• Subject specialist input re content of information/education resources.</li> <li>• Networking with key stakeholders.</li> <li>• Handling enquiries that are too complex for the contact centre or operations staff.</li> </ul> <p><b>Minimum Capabilities:</b></p> <ul style="list-style-type: none"> <li>• Tertiary qualifications are desirable.</li> <li>• Good interpersonal and communications skills.</li> <li>• Ability to negotiate with industry and other key stakeholders.</li> <li>• Ability to motivate oneself and to work effectively in teams.</li> <li>• A broad understanding of the operation markets in New Zealand, and the role of standards in product safety.</li> </ul>
Advisor, Legal Metrology	<p><b>Purpose</b></p> <ul style="list-style-type: none"> <li>• Ensuring NZ’s effective involvement in the OIML through providing information to relevant NZ stakeholders and liaising with them and the OIML and technical committees so as to facilitate the development of a NZ position on draft OML recommendations and documents.</li> <li>• Provision of advice to industry and MAPS regional officers on a range of legal metrology issues.</li> </ul> <p><b>Main Accountabilities</b></p> <ul style="list-style-type: none"> <li>• Coordinating NZ input into and liaising with the OIML.</li> </ul>

	<ul style="list-style-type: none"> <li>• Informing industry of proposed OIML recommendations and documents.</li> <li>• Provision of advice on legal metrology issues to Manager, MAPS, Senior Advisor, Legal Metrology, MAPS Officers, MCA/MED staff, consumers and industry.</li> <li>• Coordinating the reporting of measurement outcomes in the regional offices, to inform future outcomes planning.</li> <li>• Maintaining effective relationships with key internal and external stakeholders, particular personnel within the OIML.</li> <li>• Provide efficient, timely and high quality service in relation to Ministerials, briefings, reports and speeches.</li> </ul> <p><b>Minimum Capabilities</b></p> <ul style="list-style-type: none"> <li>• Tertiary qualifications and/or qualifications or experience in legal metrology desirable but not essential.</li> <li>• Proven ability to interpret technical documents and complex technical reports in the legal metrology area and a keenness to keep up-to-date with literature and developments in relation to weights and measures.</li> <li>• Well developed analytical skills.</li> <li>• Ability to liaise, negotiate and gain agreement and commitment from senior private and public sector personnel, nationally and internationally.</li> <li>• Good oral and written communication skills.</li> <li>• Excellent interpersonal skills.</li> <li>• Self-motivated.</li> </ul>
Team Leaders, Measurement and Product Safety	<p><b>Purpose</b></p> <ul style="list-style-type: none"> <li>• To support the Manager, MAPS, given the regionally dispersed nature of the Measurement and Product Safety Service through: <ul style="list-style-type: none"> <li>⇒ Coordinating the day-to-day activities of their team.</li> <li>⇒ Providing an acknowledged point of reference (nationally) for all matters relating to a particular area of specialisation either in the weights and measures or product safety arenas, for example, accreditation or credential development.</li> </ul> </li> </ul> <p><b>Main Accountabilities</b></p> <ul style="list-style-type: none"> <li>• Effective and clear task allocation regarding both measurement and product safety responsibilities, to team members as appropriate to their experience and capability (Purpose, context, goal — quality and quantity - , timing and resources available).</li> <li>• Monitoring and review of team outputs.</li> <li>• Coaching and mentoring, particularly trainees.</li> <li>• Input into performance management system.</li> <li>• Development and maintenance of a field of technical or analytical expertise so as to become an acknowledge point of reference in this field.</li> <li>• Contribution to maintaining the NZ weights and measures infrastructure (ie continuing to undertake a proportion of the standard work of a MAPS officer as appropriate).</li> </ul> <p><b>Minimum Capabilities</b></p> <ul style="list-style-type: none"> <li>• Relevant tertiary qualification or the potential to gain a qualification in legal metrology through recognition of prior learning and experience.</li> </ul>

	<ul style="list-style-type: none"> <li>• Significant experience in and understanding of legal metrology.</li> <li>• Strong understanding of product safety issues.</li> <li>• Ability to exercise initiative coupled with excellent judgement.</li> <li>• Excellent interpersonal and relationship management skills.</li> <li>• Excellent organisational skills (previous experience of coordinating or supervising staff would be desirable).</li> <li>• Ability to develop into an expert in a particular area of legal metrology or product safety.</li> </ul>
Senior Communications Advisor	<p><b>Purpose</b></p> <ul style="list-style-type: none"> <li>• To support the GM, MCA/ESS branch through the development and maintenance of communications and relationship management strategies and systems consistent with the branch and wider MED strategic direction.</li> </ul> <p><b>Main Accountabilities</b></p> <ul style="list-style-type: none"> <li>• Developing and reviewing a communications strategy for MCA/ESS consistent with the branch and MED strategic direction.</li> <li>• Developing communication strategies for specific projects or issues (implementation of new policy, significant topical consumer or ESS issues etc) in conjunction with the Team Leader, I&amp;C.</li> <li>• Developing processes and procedures for ensuring that all information and communications material produced by the branch meets quality standards that are consistent with MED communications frameworks.</li> <li>• Developing and reviewing a relationship management strategy for the branch that identifies key relationships, their status, the outcome sought and the steps that need to be taken to get there.</li> <li>• First contact for all media enquiries and responsibility for sourcing “experts” to deal with inquiries.</li> <li>• Responsibility for coaching and mentoring branch “media talent” and recommending training where necessary.</li> <li>• Lead responsibility for developing and maintaining effective working relationships with the media, communications personnel in the public and private sector.</li> <li>• Responsibility for assessing the impact of changes in demographics and evolving market practices on the ongoing effectiveness of the branch communication and information strategies.</li> <li>• Developing and maintaining effective working relationships: <ul style="list-style-type: none"> <li>• With other communications personnel in MED, particularly those in the OD&amp;S communications directorate.</li> <li>• With key stakeholders and colleagues both nationally and internationally to exchange strategies on improving consumer, industry and where appropriate, general public awareness of consumer and energy safety issues.</li> <li>• Communications colleagues in parliament, particularly in the Minister of Consumer Affairs or Associate Minister of Energy’s office.</li> </ul> </li> <li>• Leading significant communications projects/administering contracts as appropriate.</li> <li>• Work with Manager, Market Intelligence, and the Team Leader I&amp;C to develop a means of assessing information requirements across the branch and facilitating decisions by the Management Team on the prioritisation of those needs.</li> <li>• Work with the Manager, Market Intelligence, and the Team Leader I&amp;C to develop strategies to fund information and education approaches, including the development of budget bids where appropriate.</li> </ul> <p><b>Minimum Capabilities</b></p>

	<ul style="list-style-type: none"> <li>• Tertiary qualification in a relevant discipline.</li> <li>• Significant successful experience in the field of communications, either in the public or private sectors.</li> <li>• Excellent oral and written communication skills.</li> <li>• Excellent relationship management and interpersonal skills. The ability to relate to staff at all levels of the organisation and in particular, the ability to achieve influence through the use of effective relationship management skills.</li> <li>• Ability to work closely with other staff to achieve a joint outcome.</li> <li>• Demonstrated successful experience in managing large scale communications exercises.</li> <li>• Demonstrated ability to think strategically and take a “whole of organisation” (MED) view.</li> <li>• Demonstrated capability to “make things happen”.</li> </ul>
Strategic Business Advisor (this focuses primarily on the additional admin support management functions proposed)	<p><b>Purpose</b></p> <ul style="list-style-type: none"> <li>• To facilitate branch-wide approach to strategic and business planning, priority setting and budgeting to ensure consistency, cost effectiveness and alignment with the MCA/ESS roles and objectives and those of the Ministry of Economic Development as a whole.</li> <li>• To manage the team of administrative support services in order to improve the flexibility and efficiency with which these services are supplied.</li> </ul> <p><b>Main Accountabilities</b> (NB this focuses only on the new responsibilities associated with the admin pool.)</p> <ul style="list-style-type: none"> <li>• Manage, coach and mentor and provide feedback to the admin pool.</li> <li>• Where necessary, provide effective task allocation to admin support staff based on feedback from individual teams through their nominated contact person on work priorities.</li> <li>• Negotiate with Managers where there is a conflict over the priority of tasks.</li> </ul> <p><b>Minimum Capabilities (again associated with managing the admin support pool)</b></p> <ul style="list-style-type: none"> <li>• Effective team leadership skills.</li> <li>• Good organisational abilities.</li> <li>• Excellent relationship management and interpersonal skills.</li> <li>• A sound understanding of the work of the branch and its strategic direction.</li> </ul>
Administrative Support Officers	<p><b>Purpose</b></p> <ul style="list-style-type: none"> <li>• To provide high quality, proactive administrative support services to the branch.</li> </ul> <p><b>Main Accountabilities</b> To provide support services in the areas of:</p> <ul style="list-style-type: none"> <li>• Correspondence – log where appropriate, distribute, monitor due dates, format and print ministerials, provide responses to Ministerials clerk, format and send mail merge correspondence, organise bulk mail-outs where appropriate.</li> <li>• Document handling - discussion papers (formatting, arranging printing, distribution, mail outs. Prepare in PDF format for emailing or posting on web.</li> </ul>

- Equipment maintenance.
- Arranging meetings (attendance, venue, catering, agendas, admin assistance if required).
- Publications – fill orders, update order forms, keep inventory, order publication base stock as requested by Team Leader I&C or Senior Communications Advisor, order photocopies of resources, keep resource room tidy, manage distribution of new resources to CABx, ESS stakeholders etc.
- Travel – book for staff, arrange travel allowances.
- Finance – APO1s etc.
- Leave applications – provide to HR, maintain register of applications.
- Management support – support services to Managers as negotiated.
- Database entry.

**Minimum Capabilities**

- Demonstrated commitment to excellence in client service
- Ability to apply the full range of Microsoft office software such as word processing, PowerPoint and excel to develop branch documents and presentations
- Excellent word processing and data-entry skills.
- Good relationship and interpersonal skills and a commitment to working as a team.
- Ability to adjust flexibility to changes in priorities.
- Ability to deal with confidential information with discretion.