



NZ TRANSPORT AGENCY  
WAKA KOTAHI

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5 September 2016

Ellen Blake

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Dear Ellen

**Request made under the Official Information Act 1982**

Thank you for your email of 6 August 2016 requesting the following information under the Official Information Act 1982:

"The NZTA role is to manage and regulate land transport in New Zealand (together with other agencies). So it is to be expected that your staff and contractors have a better than average knowledge of land transport rules and regulations, and are exemplars in supporting and promoting New Zealand land transport rules and regulations.

Can you please provide information on:

1. what approach the NZTA takes to staff compliance with New Zealand's land transport rules and regulations? Is training provided to staff?
2. is this considered part of following the State Service Code of Conduct?
3. what steps NZTA take when staff do not follow land transport rules and regulations either when convicted of an offence or through promoting non-compliance in their words or deeds?
4. how many times NZTA staff or contractors have been censured for non-compliance with land transport rules and regulation, what the nature of the non-compliance was, and what the nature of the censure was?"

I have responded to your four questions in the order presented.

***1. What approach the NZ Transport Agency takes to staff compliance with New Zealand's land transport rules and regulations? Is training provided to staff?***

The NZ Transport Agency's Code of Conduct defines what the Transport Agency expects of its operations and people. It applies to all our employees regardless of position, location, or level of responsibility, and includes our contractors and our board members. A copy of the Code of Conduct is available on our website [www.nzta.govt.nz/resources/code-of-conduct-the-way-we-work-here/](http://www.nzta.govt.nz/resources/code-of-conduct-the-way-we-work-here/).

There is an expectation that our staff will act lawfully, including complying with land transport rules and regulations. Additionally, we encourage staff to model the driving behaviour which we are asking other New Zealanders to adopt. The Transport Agency is committed to helping our staff make safer decisions when driving to ensure their own safety and the safety of other road users. This includes driving within safe speeds.

There are a number of training tools available for staff, including:

- A compulsory online learning module on safer driving
- An online driver risk assessment tool, which allows staff to assess their driving behaviour, attitude and job requirements
- AA Drivers Risk Assessment and Defensive Driving training offered to all staff
- Practical tips to assist with safe driving. Topics range from safer winter driving, to the Impact of alcohol and drugs and managing tailgaters.

Additional training is made available to staff depending on the level of risk associated with the type of driving routinely associated with their role, for example off road driving or winter driving.

In the work context, failing to work in a safe way or follow safety procedures and controls, or having impaired performance due to the consumption of alcohol or other drugs or substances, are examples of behaviour that may be considered to be misconduct. These are fully investigated with training and disciplinary action both being potential outcomes.

***2. Is this considered part of following the State Service Code of Conduct?***

The Transport Agency's Code of Conduct is consistent with the State Services Standards of Integrity and Conduct.

***3. What steps the NZ Transport Agency take when staff do not follow land transport rules and regulations either when convicted of an offence or through promoting non-compliance in their words or deeds?***

Committing a serious traffic offence may be considered as serious misconduct. Suspected serious misconduct is assessed on a case-by-case basis. As with any breach of our Code of Conduct, misconduct may result in disciplinary action. Serious misconduct may result in a final warning or termination of employment.

***4. How many NZ Transport Agency staff or contractors have been censured for non-compliance with land transport rules and regulations, what the nature of non-compliance was, and what the nature of the censure was?***

Issues of misconduct are assessed on a case-by-case basis with all relevant factors taken into consideration before a course of action is decided. The outcome of these processes, which vary depending on all relevant information considered during any disciplinary process, are recorded and retained by individual people leaders and on personnel files.

The information that you have requested is not held centrally within the Transport Agency, so we are unable to answer this question without undertaking significant work. For this reason this information has been withheld under section 18(f) of the Official Information Act 1982, which allows for the withholding of information as the information requested cannot be made available without substantial collation or research.

If you would like to discuss this reply with the Transport Agency, please contact Barbara Harrison, Group Manager People and Capability, by email to [Barbara.harrison@nzta.govt.nz](mailto:Barbara.harrison@nzta.govt.nz) or by phone on (09) 928 8863.

Yours sincerely



**Barbara Harrison**  
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For Chief Executive