

CESIG – Regional Sector Strategic Compliance Framework

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Resource Consents

Overview

- The role of CESIG
- The Regional Sector Strategic Compliance Framework
- Implementation examples from Auckland
- How can you get involved?

CESIG who?

- **C**ompliance and **E**nforcement **S**pecial **I**nterest **G**roup
- Regional Sector (regional & unitary councils)
- Compliance and enforcement managers
- One of 20 special interest groups in sector

Role of CESIG

Purpose

- Maintain and improve high professional standards
- Compliance monitoring
- Enforcement
- Pollution response

Objective

- Share information nationally
- Promote consistency
- Develop best practice across our sector nation-wide

Why do we need a SCF?

- We all approach compliance **strategically**
- ...BUT, we lack an **overarching framework** to help us develop Strategic Compliance programmes
- Need **risk-based methodologies** as a basis for comprehensive compliance programmes

CESIG 'fact finding' on Strategic Compliance!!



CESIG

Compliance and Enforcement Special Interest Group



What was happening out there...

Internationally

- Regulatory agencies embracing risk-based approaches
- Development of broad strategies

NZ

- G-REG and the Common Compliance Capability Programme (CCCP)
- Embryonic strategies
- Councils taking on board aspects of strategic compliance

What is Strategic Compliance?

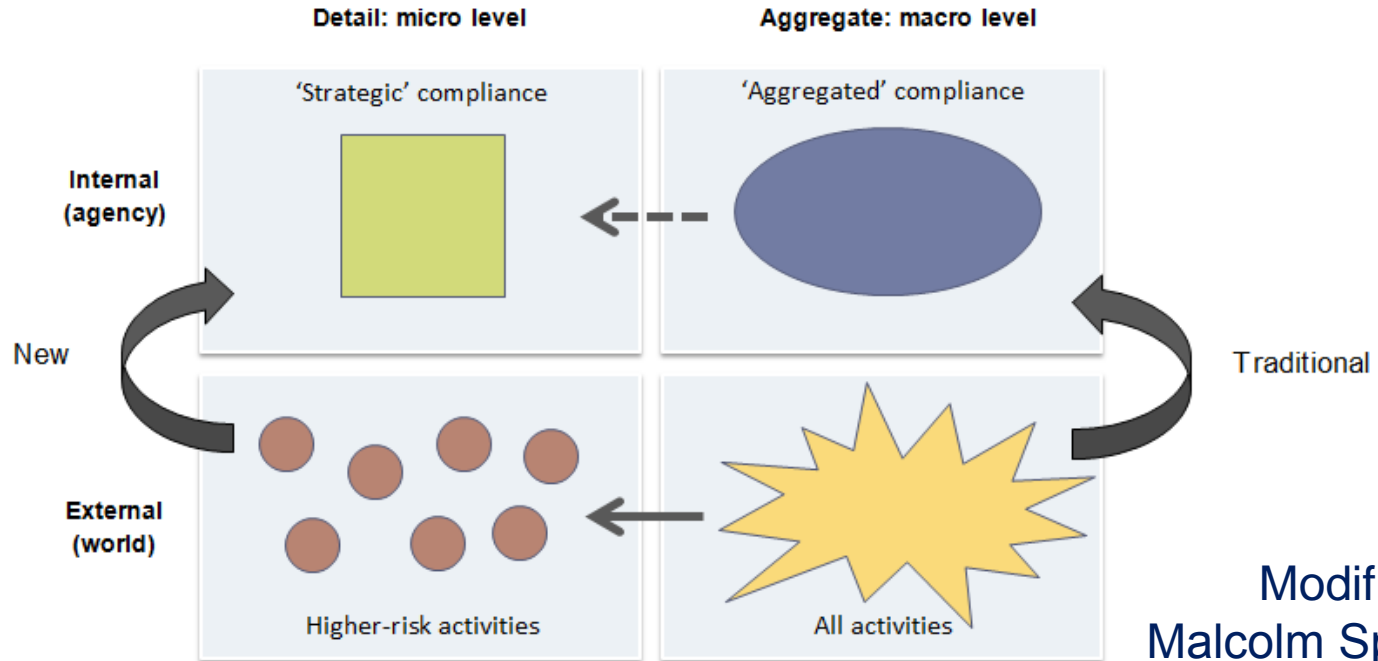
- Focus on important problems based on risk
- International practice and groundswell of adoption across many jurisdictions
- Transforming approach to compliance

..find important problems, fix them, and tell everyone about it..

- Malcolm Sparrow, JFK School of Govt, Harvard University



Theory of compliance operation



Define and analyse the risk.

Modified from
Malcolm Sparrow's
Character of Harms

Project timeline



The Strategic Compliance Framework

- Provide **framework** for respective Councils to develop **Council-tailored** Strategic Compliance Programmes
- Implementation → **consistency**
- Provide community and stakeholder **transparency/** confidence

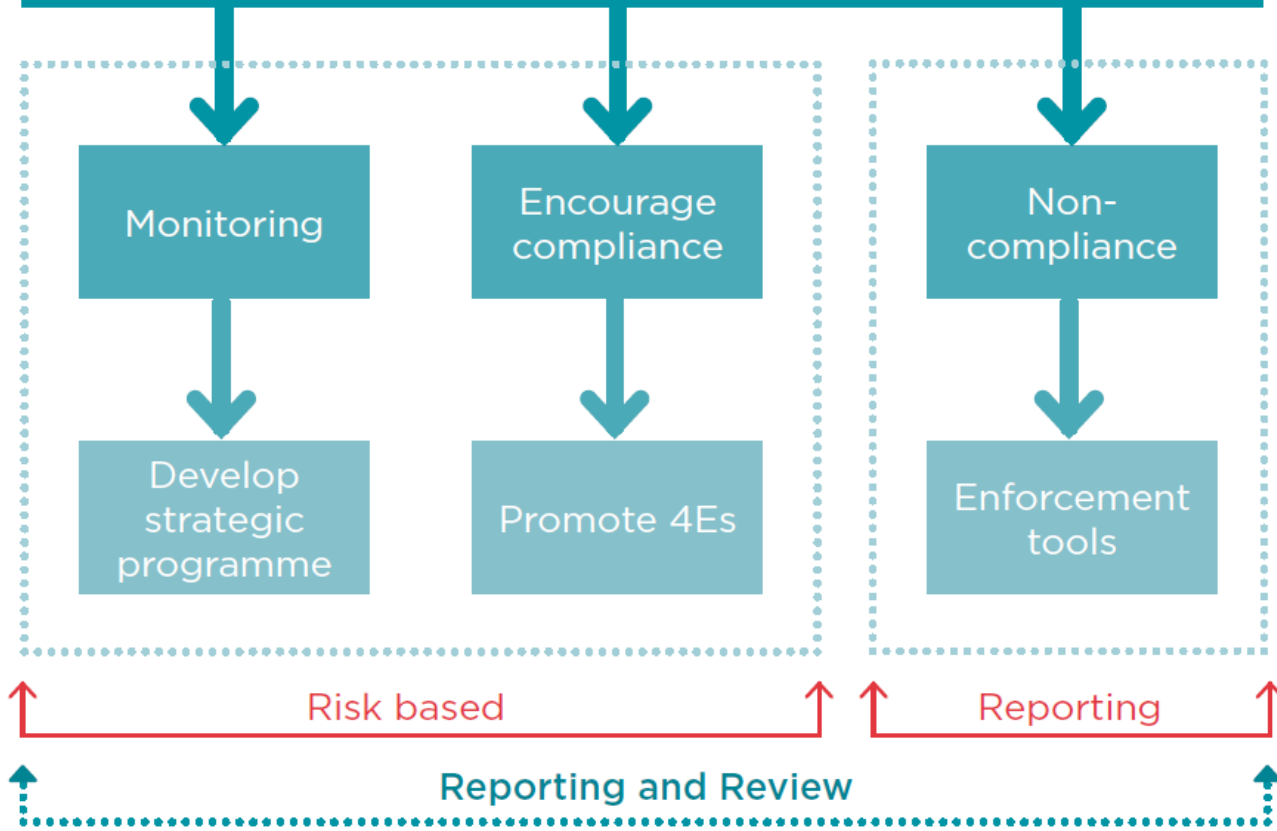


Objective of Strategic Compliance Framework

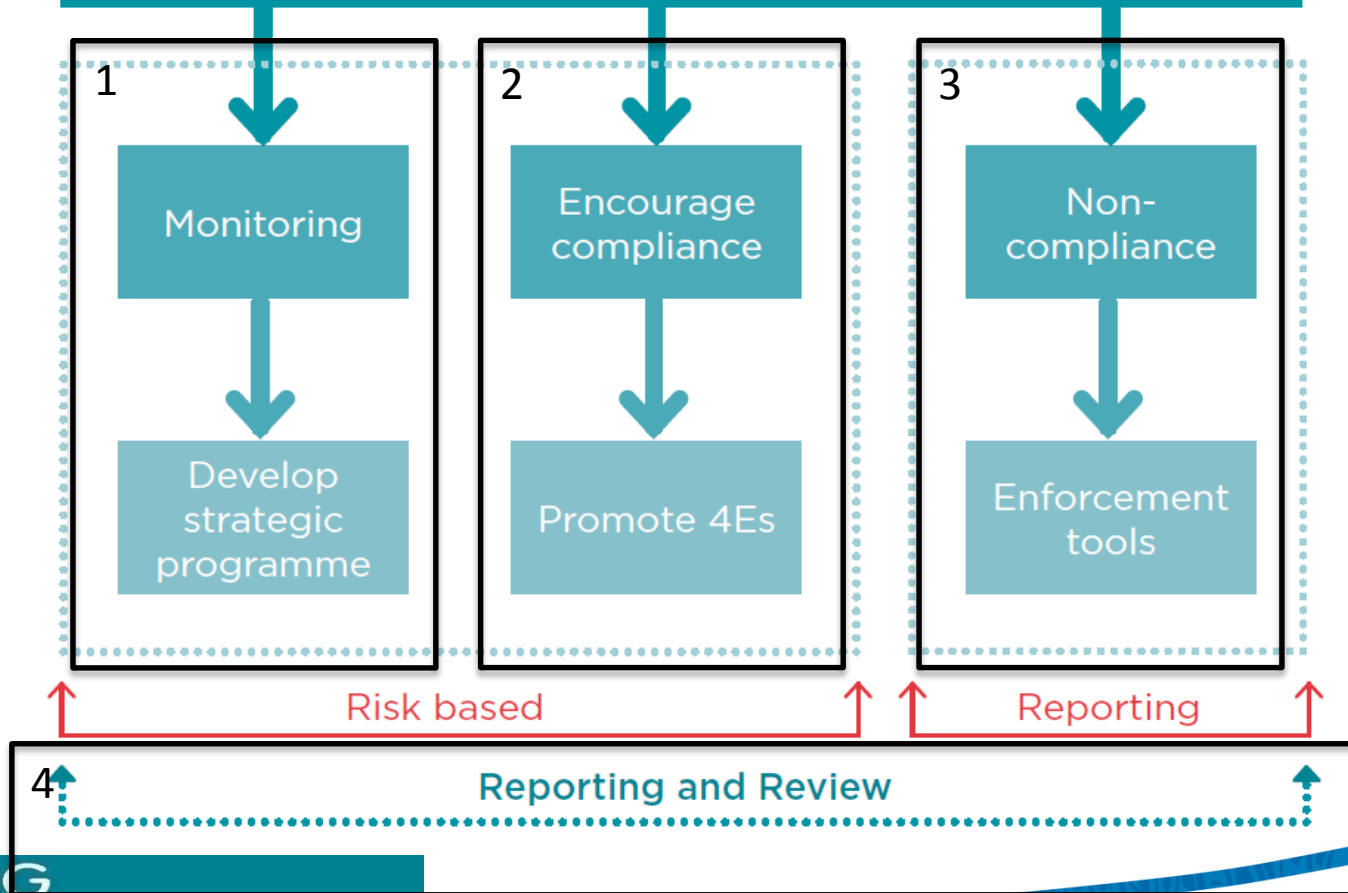
“To assist councils in using a consistent approach to developing strategic compliance programmes and a range of interventions to fix important problems.”

CESIG March 2014

Strategic Compliance Framework (SCF)



Strategic Compliance Framework (SCF)



Implementation

- Each Council adopting key components
 - Review existing practices/policies – are they in line with the SCF?
 - Ensure new procedures are in line with the SCF?
 - Reporting our progress back to CESIG
- CESIG peer review progress
 - Are best practice elements in place?
 - Are we consistent?

Auckland Council Context

Resource Consents Compliance Unit

- 8 Teams, 95 people, across 5 offices

Stuff we do

- 30,000 consents to monitor
- 55,000 noise complaints
- 10,000 other RMA complaints
- 700 abatement notices
- 500 infringement notices

Auckland -1.5million people, 4900km² and not enough houses...

Auckland's Compliance Monitoring

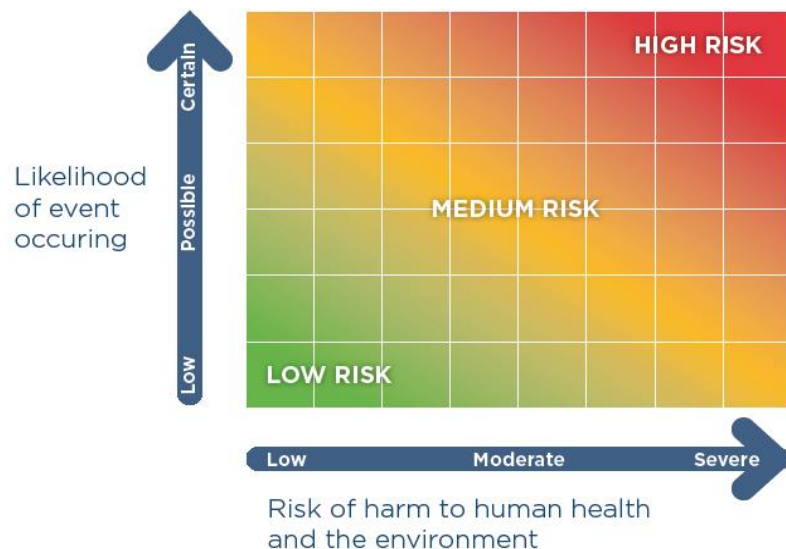
Our strategic compliance monitoring programme

- Consents are grouped into smaller “harms” and risk rated
- Consider where to focus effort
- And where to reduce effort
- Prioritise resources

Changes

- Frequency
- Methodology
- Stop monitoring altogether

Figure 2: Generic Environmental Risk Matrix



How do we use the 4Es Model???

Engage – regulated parties, community, relationships

Educate – what is needed to comply, who is responsible

Enable – promote best practice, provide advice

Enforce – range of tools to change behaviour.



Auckland's Enforcement

Our strategic enforcement procedures

- Enforcement is proportionate
- Consider on a case by case basis
- Officer delegation for ANs and EINs
- Manager delegation for EO's and Prosecutions
- Directive and punitive treated separately

Room for improvement

- Policy needs reviewing



What about reporting?



- Largely just quantifying what we do
- Not really used for anything
 - Measure “performance”
 - Not policy development
 - Not intelligence
- No annual report
- So, room for improvement!!

How can you get involved?

- Group together (CESIG or G-REG or similar)
- Borrow our framework
- Do some reading (ie: Sparrow)
- Review your own Council (and be honest!)
- Talk to me or your local CESIG rep – we're happy to help

Thank You!

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Resource Consents

Auckland Council

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