

Executive summary

This paper details the Auckland Transition Agency's preparedness in mid July 2009. The recently established Auckland Transition Agency will play a key implementation role for the Auckland region local governance reforms. Of particular interest for this paper is what performance outcomes will it need to achieve and how will that be measured; plus the risk management of the reform process.

The Auckland Transition Agency had no information to provide on performance outcomes for the proposed reforms or its risk management, in its 15 July 2009 official response.

We suggest a repeat study with the Auckland Transition Agency during August 2009 to gauge its progress; particularly in addressing its overall effectiveness of reform outcomes.

Will the Auckland Transition Agency see the wood through the trees?

Version history

Version	Status	Date	Comments
01	Issue	23 July 2009	Initial release

Introduction

Official information request from SavePapakura.com dated Thursday, 09 July 2009.

Official written response from Auckland Transition Agency (ATA) dated Wednesday, 15 July 2009.

We thank the ATA for their prompt response to the urgent information request.

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Background (supplied with the information request)

This is a neutral request (to the ATA) for official information and provided in good faith. We make no express or implied endorsements (or implications) about the ATA in issuing this request.

Urgent request due to select committee timing, and significance of potential impacts

The urgency of the below request is that the information:

- relates to the current Auckland Governance Legislation Committee hearings and the progress of the current bill; required for informed comment relating to high public interest
- relates to the ability of the Auckland Transition Agency to deliver effective and efficient transition outcomes

It will be extremely helpful if the information could be supplied no later than **Thursday 16th July 2009** (or at least substantial coverage).

ATA functions and duties

Referring to Section 13 of the *Local Government (Tamaki Makaurau Reorganisation) Act 2009*; the below duties and functions are relevant for the below request, particularly 13(1)(b) and partially 13(3)(b).

13(1) The Transition Agency has the following functions and duties:

...

(b) to advise the Minister on any matter associated with the reorganisation, including in relation to existing or proposed legislation

...

13(3) The Transition Agency, in exercising its powers or performing its functions and duties, must ensure that—

(a) its activities are conducted efficiently and effectively (including in a cost-effective manner); and

(b) it operates in a financially responsible manner; and

...

This is not an exclusive list; as there are provisions of other legislation that will also be relevant.

SavePapakura.com research paper 0006:

**Legislation impact assessment for the projected Auckland Supercity
(Auckland Transition Agency response, July 2009)**

We are aware that the ATA operates in a technical capacity and implementation capacity (rather than policy making role). The above duties are consistent with that role.

We are aware the ATA has duties and obligations under the common law and administrative law, such as diligence.

Context for this information request

High public interest for official information release

The transition is of local, regional and national significance.

We acknowledge there is much uncertainty, with many decisions 'to be decided' in the future. Yet it is expected as part of diligent administration there will be relevant forecasts (with stated assumptions) to detail what shall be achieved, and risk management to determine whether or not the planned implementation is even heading in the right direction for increased effectiveness and efficiency.

To date, we have found relevant evidence-based information lacking during the policy development and legislation development stages of government. Whereas the ATA as an agency has additional duties to get it right, including advising on policy (fully accepting it does not determine overall policy). The special role of ATA as a technical and implementation part of the process places the ATA under additional duties, such as diligently advising whether outcomes, or prescriptive implementation requirements, are on track or jeopardised.

The requested official information is critically important for informed comment and non-commercial research. We also believe it will promote transparency and accountability. We also intend to share the information for the wider public good so others can benefit, and drawing on the information as necessary to support the current select committee process.

1. Due-diligence reports relating to the proposed reorganisation

Information request

Due-diligence reports relating to the proposed reorganisation.

Official response

At this stage no such reports have been undertaken by the agency.

Analysis

The Auckland Transition Agency provided no indication when it will do this type of due diligence reporting.

2. Due-diligence reports relating to the ATA's role in the reorganisation

Information request

Due-diligence reports relating to the ATA's role in the reorganisation.

Official response

At this stage no such reports have been undertaken by the agency. The Secretary for Local Government has responsibility for monitoring the agency, with the Department of Internal Affairs providing written reports to the Ministers of Local Government, Transport and Finance.

Analysis

The Auckland Transition Agency provided no indication when it will do this type of due diligence reporting.

3. ATA's advice to the minister in relation to existing and proposed legislation

Information request

ATA's advice to the minister in relation to existing and proposed legislation.

Official response

The agency has provided no advice to the Minister in relation to existing and proposed legislation. The agency's activities are currently focussed on the consideration and confirmation (or otherwise) of council decisions and the development of the workstreams required to effect the transition to the Auckland Council.

Analysis

The Auckland Transition Agency provided no indication when it will provide this type of advice to the Minister. Considering the rapid passage of existing and proposed legislation, and the current select committee process, at this stage it is questionable what increased priorities will lead to the ATA fulfilling its duties.

We acknowledge the Auckland Transition Agency did not provide any substitute information under the information request, regardless whether or not intended for the Minister or draft / issued form.

4. ATA's advice to the minister about the reorganisation'

Information request

ATA's 'advice to the minister about the reorganisation'. If that is too large for this initial information request, then provide the advice

- a. identifying potential or actual risks
- b. identifying how risks will be managed
- c. identifying potential or actual outcome failures
- d. identifying how outcome failures will be managed;

plus an outline of the volume of advice not supplied.

Official response

The agency has provided no advice to the Minister about the reorganisation which is in the very early stages. The Minister met the Board of the agency on 28 May 2009 for an introductory discussion following the announcement of their appointments. The agency will provide six-weekly reports to Ministers on progress, priorities and other key matters relating [to] the transition.

Analysis

We acknowledge the Auckland Transition Agency did not provide any substitute information under the information request, regardless whether or not intended for the Minister or draft / issued form.

We interpret the six-week report (or draft thereof) was not under development on the lead up to the 15 July 2009 date of response.

5. ATA's in-force management plan

Information request

ATA's in-force management plan (or whatever that topic is called) for measuring & evaluation success and deviations from success. Particularly the objectives, general & specific outcomes, effectiveness, efficiency, risk management, time, cost, quality, milestones, for the ATA organisation as a whole. Include top level of workstreams if can easily be provided.

- a. (Sub-workstream detail is not expected for this part of this initial information request, unless directly supporting another part of this request. That is, don't spend extra effort at this stage to gather, or exclude, that more detailed information. However, if that level of detail is highly relevant to another part of the request, then provide the detail for the relevant workstreams)
- b. The current baseline for measuring success against
- c. The anticipated target outcomes for November 2010
- d. The anticipated target outcomes for later milestones

Official response

The possible workstreams have been drafted and are subject to change. At the time of writing it is likely that these will include some or all of the following: governance, human resources, customer and community services, finance and treasury, business systems, communications, legal, regulatory and environmental services, planning and policy, council-controlled organisations, trusts and investments, property, infrastructure, and economic development (including events). These can be viewed on the agency's website www.ata.govt.nz under "workstreams". More information will be added to the website as the workstreams are developed.

Analysis

The Auckland Transition Agency provided no indication when it will do this type of management planning.

We acknowledge the Auckland Transition Agency did not provide any substitute information under the information request, regardless whether in-force or draft.

Regardless of the workstream planning, we interpret the Auckland Transition Agency does not have any measures or targets for the ATA organisation as a whole.

6. ATA's in-force plan for transition outcomes

Information request

ATA's in-force plan on how it will manage the effectiveness and efficiency of the transition outcomes.

Official response

There is no 'in-force plan' of the kind you describe at this stage.

Analysis

The Auckland Transition Agency provided no indication when it will do this type of planning.

We acknowledge the Auckland Transition Agency did not provide any substitute information under the information request, regardless whether in-force or draft.

7. Impact analysis of the existing and proposed legislation

Information request

Impact analysis of the existing and proposed legislation, including direct and indirect impacts on the financial, cultural, social & environmental. Including forecast impacts plus sensitivity analysis. Clearly state assumptions

- a. (We do not accept the ATA making massive changes based on an unknown, to be determined plan. The ATA in taking action or inaction must be operating under a set of assumptions. Official information includes information known to the organisation, even if not yet documented)

Official response

No such analysis has been undertaken by the agency.

Analysis

The Auckland Transition Agency provided no indication when it will do this type of planning.

8. Guarantees and certainty of improved outcomes

Information request

Guarantees (that are evidence-based) and level of certainty that the ATA can deliver outcomes for an overall improvement in both efficiency and effectiveness of Auckland governance

- a. (The priority for this part is outcomes of the implementation; secondary is project management of the transition)

Official response

No such information currently exists.

Analysis

The Auckland Transition Agency provided no indication when it will do this type of planning.

We acknowledge the Auckland Transition Agency did not provide any substitute information under the information request, including draft form.

9. Audit certificates and audit reports

Information request

Audit certificates and audit reports addressing 13(1)(b) duties and functions

Official response

No such information currently exists.

Analysis

The Auckland Transition Agency provided no indication when it will do this type of planning.

We acknowledge the Auckland Transition Agency did not provide any substitute information under the information request, including draft form.