

Reverse Brief – Climate Change Commission

Purpose

1. The purpose of this document is to outline the description, issue statement, success criteria and development process for the four key products. This ensures that there is a clear scope and principled approach to the development process, and that the finalised products and contract deliverables are fit for purpose for the Climate Change Commission (Commission).

Summary

2. This reverse brief is organised into the following sections:
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Background

3. This document is informed by:
 - a. Contract milestones and deliverables;
 - b. Key statutory obligations and strategic document;
 - c. Statutory deliverables;
 - d. Key organisational policies and processes; and
 - e. Initial discussions with key Commission staff.

4. The contract deliverables have not changed. However, after the initial review of the information outlined in **Para 3** there is a better understanding of:
 - a. Statutory and strategic imperatives, the underlying issues that need to be resolved, and how the key products can be better framed to address those issues.
 - b. Scope and time allocation for the development of the respective products.
 - c. Existing documents and other workprogrammes, to remove duplication and inefficiencies.
5. The Commission's Tiriti and Māori obligations crosscut business functions within the organisation. For some products, this creates interdependencies outside the role and responsibilities of the GM Māori. These limitations and interdependencies are outlined in the respective product sections.

Statutory and strategic imperatives

Statutory imperatives

6. The key statutory requirements regarding the Tiriti and Māori are outlined in the Climate Change Response Amendment Act 2002:
 - a. CCRA s5M(f) provides that in performing all of its functions and in exercising any power under the 2002 Act, the Commission "must" – and so has a legal duty to – consider, where relevant the Crown-Māori relationship, te ao Māori and specific effects on iwi and Māori.
 - b. CCRA s5N are in two stages:
 - i. first the Commission must consider whether there are relevant persons with whom it should proactively engage and/or whether public participation is necessary; and
 - ii. second, where the Commission decides there would be relevant persons or that public participation is necessary, that proactive engagement or public participation must occur.
7. section 9(2)(h)

Strategic imperatives

8. The diagram below summarises the references to Tiriti and Māori in the Commission's strategic planning documents:

Document	Reference	Build	Connect	Deliver
Statement of Intent 2023-27	Matters we must consider (Pg.12)	"Giving consideration to the Crown Māori Relationship, Te Ao Māori and effects on Iwi/Māori"		
	NZ climate policy and action system (Pg.15)	"Upholds - Te Tiriti Waitangi, Treaty of Waitangi principles of partnership, participation, protection and equity"		
	Strategic framework (Pg.20)	"Uphold Te Tiriti o Waitangi, Treaty of Waitangi consistent with the Commission's mandate"		
	Strategic framework (Pg.10)	"Uphold Te Tiriti o Waitangi, Treaty of Waitangi consistent with the Commission's mandate"		

Statement of Performance Expectation 2023/24	Performance measures 2023/24 (Pg20)	“Advice is made with consideration to the Crown-Māori relationship, te ao Māori and specific effects on Iwi/Māori.”
	Assessment methodology (Pg21)	“All published reports are reviewed with consideration to te ao Māori, and specific effects on Iwi/Māori as per the Board approved QA/QC approach”
	Why this measure matters	“This measure seeks to demonstrate that we have considered Iwi/Māori perspectives consistent with the Commission’s mandate”

Overarching objectives

9. The overarching objectives for the key products are to ensure:
 - a. Systematic and principled approach to embedding section 5Mf, including through the Tiriti-related and Māori considerations as outlined in the Commissions Statutory and strategic imperatives section.
 - b. Efficient and sustainable resourcing, including operating within allocated resources.
 - c. Effective service delivery.
 - d. To provide clarity around cross organisational responsibilities and interdependences.
 - e. To maximise value and performance of operations.
10. The objectives and development process will be through a tikanga-based approach.

Key products

11. The milestones and deliverables can be summarised into four key products:
 - a. Pou Herenga operational manual
 - b. 2023-2024+ Work Programme
 - c. GM Māori team structure and recommendations
 - d. Emission reduction plan 2 review

Pou Herenga operational manual

12. The Pou Herenga operations manual outlines the specific procedures that Pou Herenga members and its secretariat need to follow, this includes:
 - a. Manual - Policies, guidelines and templates for members; and
 - b. Approach – How the Pou Herenga hui work and serviced, including interacting with the Board in the Pou advisory function to the Board.

Issue statement

13. The Pou Herenga is in the early stages of its establishment and requires an operational manual to ensure compliance with existing Government and Commission policies and guidelines.
14. There is still ambiguity around the Pou Herenga purpose and how to operationally support it to achieve its objective.

Success criteria

15. The success criteria for the operational manual include:
- a. Alignment with legislation and Commission policies. Where applicable, consistent with other operational practices within the Commission.
 - b. Plain English, clear and concise – the reader can easily take the manual and implement it.
 - c. A tikanga-based framework of working that acknowledges and maximises the value derived from the Pou Herenga expertise.

Interdependencies and limitations

16. The challenges raised to date are compliance and process related matters, which can be easily addressed through a consolidated manual. However, there is also the matter of performance. There needs to be an agreed way of working to ensure that the Pou Herenga is being efficiently serviced by the secretariat, that there is effective engagement and the maximum value derived from the expertise of the Pou Herenga. Success criteria 5 (a) attempts to address this. There is a risk that by front loading compliance matters, meetings become onerous, the secretariat is perceived as being difficult, trust is eroded and the value of the Pou Herenga is not realised.
17. The policies are dictated by legislation, standard practice issued by relevant agencies and Commission policies. The manual acts as a consolidation of these compliance obligations, and is a mechanism to raise awareness of these obligations to the Pou Herenga. The second part of the manual are the Commission processes to ensure obligations are met, this is in the form of templates, logs etc. This doesn't require approval by the Pou Herenga, and are already approved by their respective delegations.
18. There is an opportunity to workshop and develop an operational framework, as a schedule to or in parallel to the manual. The 'Approach acts as a mechanism to outline the various organisational levers that will be exercised to ensure the Commission has the capability and capacity to deliver on 5N(1).
19. The 'Pou Herenga operational framework' will be informed by the purpose of the Pou Herenga, it will require engagement with the Pou Herenga and approval by responsible management regarding resourcing and any delegation implications.

2023/2024+ Work Programme

20. The work programme and agendas schedule the body of work to be progressed by the Pou Herenga and the interdependencies across the Commission for this to be achieved efficiently and effectively. The 2023-2024+ Work Programme includes the following components:
- a. Operational framework – The pieces of work across the Commission that contribute to embedding the statutory and strategic requirements concerning the Tiriti and Māori. This includes a review of the analytical approach.
 - b. Work programme – How the above and statutory deliverables are scheduled over the 2023-24 period. This includes interdependencies between the Pou Herenga and operational.
 - c. Draft Hui #3 and #4 Agendas – Providing planning support as aligned with **Para 20(b)**.
 - d. Attendance at Hui #3 and #4 to present agenda items associated with the key products, **Para 11**.

Issue statement

21. The Pou Herenga meetings and subsequent advice is dependent on key cross-Commission milestones and deadlines and limited by staff capacity and resourcing.
22. Currently, there are no official documents that outline the responsibilities and workload of the GM Māori Team. Therefore it is difficult to review the capability and capacity needs of the team (i.e. team structure and recommendations).

Success criteria

23. The success criteria for the Work programme include:
 - a. Where applicable, consistent with other operational practices within the Commission. E.g. PMO, templates and common ways of working.
 - b. Plain English, clear and concise – the reader can easily understand and implement it.
 - c. Able to be viewed holistically and in its parts to ensure integrated planning and reporting from a Pou Herenga level, Māori team level and across the Commission.
 - d. Includes recommendations regarding templates for real-time recording of data and metrics within the various annual reporting processes under the SOI, SPE and Annual Report.

Interdependencies and limitations

24. The review of the Analytical approach will be cognisant of the advice provided by Dee Sciscia and embedding 5m(f) into statutory deliverable work.
25. The Commission has engaged a consultant to scope the initial engagement and consultation strategy, and implementation guide. Although this is unlikely to be finalised in time for the Comms & Engagement team presenting their strategy to the Board in September, it is necessary to connect the Iwi/Māori strategy and implementation guide within the mahi across the Commission and through to Commissioners and the Pou.
26. The agendas, particularly, the interface items between the secretariat and the Pou Herenga need to be facilitated in a way that maximises value. The draft agenda and presentation items for Pou Herenga Hui #3 and #4, will be an opportunity to exemplify and apply the 'Pou Herenga Operational framework'.
27. Where there are cross organisational implications, the work programme components will require approval by the Chief Executive.

GM Māori team structure and recommendations

26. A Māori team review to ensure that there is the shared capability and capacity to deliver the identified work programme.

Issue statement

27. There is significant change in the Māori team, this includes; natural attrition of kaimahi, increase responsibility of servicing the Pou Herenga and the Commission being a relatively new organisation. Therefore, the Māori team has shared capability and capacity limitations.

Success criteria

28. The success criteria for the GM Māori team structure and recommendations include:
- a. A development process that is tikanga driven and includes the engagement of current team members
 - b. The process appropriately considers and reflects the Commission's commitments within the new Strategic Framework and Statement of Intent
 - c. That the team has shared capability to deliver on the identified work programme
 - d. That the team has shared capacity to deliver on the identified work programme
 - e. Consider the organisational needs for Thought leadership, service delivery, centralisation/decentralisation
 - f. Cognisant of futureproofing, continuity and considerations around an internal pipeline to support a tuakana/teina development dynamic
 - g. Leverages off efficient use of shared services across the Commission
 - h. Staffing levels/expenses which is sustainable and meets the requirements of the organisation, including operating within resource constraints

Interdependencies and limitations

29. The work programme and review as part of this Māori team structure will need to identify the impact this advice has on the workload of the Māori team and of the Commission. section 9(2)(h)

Emissions reduction plan 2 review

30. The Emissions Reduction Plan 2 (ERP2) is a key statutory deliverable of the Commission. This drafting process requires support from a Māori perspective and is a time sensitive priority. Review activities include:
- a. General review of draft chapters;
 - b. General review of source documents, such as, Maui Tech interviews; and
 - c. Drafting support.

Success criteria

31. The success criteria for the ERP2 review activities include:
- a. Providing an Ao Māori perspective (based on evidence)
 - b. Consistent with the Commission style writing guide
 - c. Timeliness
 - d. Accuracy

Interdependencies and limitations

32. This contract deliverable is a gap filling service, based on Commission and GM Māori need and where capacity allows around and other contract deliverables.

Operational summary

33. It is important to highlight that obligations and references to section 5Mf, Te Tiriti-related and Māori are embedded across the strategic framework (cross-cutting). This diagram below summarises the contract deliverables within other key section 5Mf, Tiriti-related and Māori pieces of work:

Uphold Te Tiriti o Waitangi

Business function	Outcome area	Products
Induction	Ensuring capability to support the delivery of activities under 5m(f)	Cultural capability framework
Recruitment and procurement		
Leadership and development		
Organisational strategy	SOI, SOPE, Annual reporting	Operational framework. Setting out metrics to be compiled on a rolling-basis alongside implementation of work programme
Engagement	Ensuring engagement considerations under CCRA s5Mf and s5N	Māori engagement strategy (Te Aroha Puketapu)
Communications	Ensuring appropriate application of Te Reo Māori	Te Reo Māori style guideline
Statutory deliverables	Consider, where relevant the Crown-Māori relationship, te ao Māori and specific effects on iwi and Māori. under CCRA s5m(f)	Analytical approach review (Emma Gardiner, in application of Dee Sciascia advice)
Pou Herenga	Consider, where relevant the Crown-Māori relationship, te ao Māori and specific effects on iwi and Māori. under CCRA s5m(f)	<ul style="list-style-type: none"> Operational Manual Workprogramme/Horizon forecast
GM Māori team	Ensuring the capacity	<ul style="list-style-type: none"> Operational framework GM Māori team structure and recommendations ERP2 Māori review

Notes:

- a. White – Current Commission work
- b. Green – Contract deliverables
- c. Blue – Current Commission work, reviewed and adapted under contract deliverables
- d. Red – Areas for improvement to ensure Commission capability to support embedding 5m(f)

34. The above table also act as an initial analysis to inform the operational framework (under workprogramme product). This will be further developed and include final recommendations.

Development process

The table below outlines the development process leading up to the key contract milestone dates (Green):

Process	Due date
Review relevant material	Complete
Hui with Ali	03/08/2023
Draft Reverse brief	04/08/2023
Hui with key Commission kaimahi. Refining reverse brief - Issue statements, success criteria, existing resourcing	08/08/2023 – 09/08/2023
Meet with Pou Herenga Chair, Tanira	?
Draft agenda for Pou Herenga hui #3 & #4	8/08/2023
Finalise Reverse brief	10/08/2023
Draft 2024 workplan and agendas	11/08/2023
Finalise amendments to agendas, and 2024 workplan and agendas	18/08/2023
Draft outline of Pou Herenga operations manual	18/08/2023
Finalise Pou Herenga operations manual	
Final Pou Herenga operations manual	31/08/2023
Attends online Pou Herenga hui #3 and presents PPT on operations manual and upcoming program of work	5/09/2023 8am-11am
Reviews GM Maori team structure and drafts recommendations	15/09/2023
Supports Emissions Reduction Plan 2 editing	30/09/2023
Attends online Pou Herenga hui #4 and presents PPT on GM Maori team structure and final recommendations	14/11/2023 9am-12pm
Implements follow-up on workstreams upon discussion and agreement	30/11/2023
BAU support upon discussion and agreement	30/11/2023