

Response to the Independent Review of the Ministry of Transport's Processes for Undertaking Consultations on the Clean Car Standard

March 2020



We acknowledge the work that the RDC Group has undertaken and fully accept the findings and recommendations contained in their Report. Commissioning this Independent Review is part of our commitment to ensuring our consultation processes are fit for purpose and consistent with our openness to considering diverse views.

The Review and the findings will be valuable inputs as we continue to review our approach to online consultations.

Importantly, as the Report outlines, all submissions that were received in relation to the Clean Car Standard consultation were considered in the advice we provided to the Government. This included all submissions that were initially mistakenly classified as spam but were subsequently retrieved and fully considered.

While the Report notes staff acted appropriately and professionally and were genuine in their belief that there was a potential threat to the integrity of the consultation process, our Ministry can learn from this experience.

Specifically, our actions in response to the Report’s recommendations are as follows:

Report Recommendations	Ministry Actions
<p>We recommend that future consultation planning processes specifically consider the best channels for undertaking consultation and that at the planning phase a specific assessment of possible risks be undertaken, and appropriate mitigation steps/plans be approved as part of the consultation plan.</p>	<p>We are currently reviewing and updating the existing engagement toolkit for staff. The guidance about online engagement will explicitly include information on the risks and mitigations highlighted in the Report.</p>
<p>We recommend the Ministry review its current consultation toolkits, templates and guidance to ensure they reflect best practice and that staff undertaking consultation be reminded to apply these resources when planning and undertaking any future consultation activities.</p>	<p>Building awareness and usage of the engagement tool kit is part of the review process that is currently underway. As an interim measure, the Report and our response will be shared and considered by the Ministry management cohort to ensure they are taken into account for upcoming consultations.</p>

<p>In future, where the Ministry receives a large number of emails, good practice would be to have an agreed standard operating procedure in place covering how to review these and make good decisions on how to respond. This process should involve appropriate Ministry staff, including IT security specialists, as necessary.</p>	<p>We are committed to developing a standard process for situations where we receive large volumes of email responses. This will be documented and in use no later than June 2020. Where our security software identifies a potential attack, this process will be superseded by the automated process below.</p>
<p>We recommend that in future where the Ministry intends to block suspicious emails, that these initially be placed into a quarantine folder so an investigation could be conducted to determine the appropriateness of the emails. We note however, that normal email SPAM configurations are still likely to result in automated blocking/rejections of emails sent in large numbers from the same IP address.</p>	<p>We agree that quarantining suspicious emails is preferable to immediate deletion. We will change our SPAM configuration to allow us to automatically quarantine, rather than delete, suspicious emails, so that we are able to review and release these manually if they have been flagged in error. We are also investing in survey software. This will be used to better coordinate and manage consultation responses that don't use email.</p>
<p>Where the Ministry is undertaking consultation using an email address, the Ministry should make it clear in its communications and consultation guidance material, that people or organisations that are considering using campaign websites, or other automated systems for providing feedback, should discuss this with the Ministry first to enable the Ministry to set appropriate rules to allow that feedback to be received.</p>	<p>We are currently building a new website. Guidance to stakeholders responding to consultations will be included on the new website.</p>

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Chief Executive