# First annual report to corporate members

1 JULY 2020 - 30 JUNE 2021



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Australia & New Zealand School Of Government



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ANZSOG works for our government owners and with our university partners to lift the quality of public sector leadership across Australia and Aotearoa-New Zealand. Our work inspires and connects people across agencies, sectors, jurisdictions and nations.



# MESSAGE FROM THE DEAN

I have much pleasure in presenting this report to corporate members on the activities and achievements of the ANZSOG/National Regulators Community of Practice (NRCoP) and its impact on regulatory capability and professionalism.

While the NRCoP has grown to be the largest and most visible of ANZSOG's contributions to better regulation in Australia and Aotearoa-New Zealand, with more than 6,000 subscribers, it is only one aspect of a long-standing commitment of which we are very proud.

Australasian regulators have long benefited from ANZSOG's access to leading international and national regulatory scholars. These include world-renowned Harvard Kennedy School Professor Malcolm Sparrow, whose workshop alumni were inspired to create the original regulators community of practice, Emeritus Professor Arie Freiberg, who leads the highly regarded Governing by the Rules subject in our Executive Master of Public Administration (EMPA), and Dr. Chris Walker, the Academic Director of the EMPA. Many of Australia's and Aotearoa-New Zealand's regulatory leaders gained the knowledge and confidence to advance their careers by undertaking one of ANZSOG's core offerings. Our leadership in building regulatory capability and professionalism has now been further recognised through our participation in the Australian Government's Regulator Leadership Cohort and the policy performance framework and regulatory capability pilot led by the Department of the Prime Minister and Cabinet and the Australian Public Service Commission respectively.

As you will observe in the report, the NRCoP exemplifies ANZSOG's unique remit to build bridges: between Australia and New Zealand, between academics, public sector leaders and practitioners, and all those in the public sector seeking to deliver public value regardless of jurisdiction, sector or role. Internally funded by ANZSOG in its initial years, ANZSOG and the NRCoP's advisory committees have been delighted at its progress over this difficult period. The ANZSOG/NRCoP has gone from strength to strength, with invaluable financial and in-kind support from our corporate members, underpinned by the leadership of Simon Corden as national Chair, the enthusiasm of the national and four state chapter committees, and the continuing contribution of the dedicated ANZSOG team of Monica Pfeffer and Lorraine Cherney.

Professor Ken Smith, Dean and CEO, ANZSOG



# MESSAGE FROM THE NRCoP CHAIR

# INTRODUCTION

This report outlines the NRCoP's activities and achievements since COVID transformed the way we operate, and demonstrates our impact against the ANZSOG strategic priorities of **Connect**, **Inspire**, **Enrich** and **Educate**.

As a genuine community of regulatory practitioners from all levels of government, sectors, roles and levels of seniority in Australia and Aotearoa-New Zealand, we provide opportunities to learn from and with each other. We aim to build regulatory capability and professionalism and promote the public value of regulation. We seek to raise the profile of regulation as a valuable career path for ambitious and capable public servants.

Weathering the storm which was COVID-19, from April 2020 the NRCoP pivoted to online delivery and from 1 July 2020 to a widely distributed corporate membership model. We have built on our existing chapters in Western Australia, Queensland, New South Wales and Victoria, with a new chapter imminent in South Australia and a growing reciprocal relationship with G-Reg in New Zealand. Everyone associated with the NRCoP cares deeply about the regulatory craft and this broadly based ownership and commitment is evident in everything that has been achieved to date and is planned for the future.

"I am completely thrilled to be able to hang out with the regulators community of practice because as far as I can tell there is no such thing anywhere else on earth and so the energy that has gone into this and the commitment to the cross domain learning that you've been able to derive from this I think is a dream come true.

For more than 30 years I've been pressing the point in all of my teaching and writing that I think regulators share a huge number of frustrations, a huge number of aspirations, and that if only they would learn each other's vocabulary, they're dealing with very similar sets of concepts and there is merit and value in having them share across these lines. You have really done that with a vengeance."

Professor Malcolm Sparrow, introduction to NRCoP webinar on Fundamentals of Regulatory Design, October 2020

# TIMELINE FOR THE NRCoP

NRCoP launches partnership with SkillsNZ to design and deliver An informal network online professional of 'Sparrow alumni' development for approaches ANZSOG Australian regulators to act as auspice **APO Regulation** 14 seminars held across **ANZSOG and Institute** Policy and Practice Fourth annual forum with Australia, NRCoP of Public Administration collection celebrates **Professor Alberto Alemanno** reaches 2500 members Australia (Victoria) first birthday, launches Second annual forum Intention to take the CoP Sixth annual forum co-auspice Victorian free Jobs Board for **Community of Practice** with Professor Gary Banks national announced at forum with Bill Eggers corporate members 2015 2019 2013 2017 2021 2014 2016 2018 2020 Inaugural annual Third annual forum with WA chapter launched Pandemic transforms forum with Professor NRCoP's deliveries. **Professor Cary Coglianese** QLD chapter launched Malcolm Sparrow

(building on existing Queensland Regulators

NSW chapter launched

Fifth annual forum with

Dr Femke de Vries

Network)

Pandemic transforms
NRCoP's deliveries,
business model
Launch of Regulation
Policy and Practice
collection on APO
50 departments and
regulatory agencies
become corporate

NRCoP reaches

milestone of 25 successful webinars delivered

NRCoP agrees on reciprocal arrangements with G-Reg in New Zealand

NRCoP delivers 17 webinars and 3 facilitated conversations

members





18,000
Approx 18,000 registrations for 25 webinars + 82 for three facilitated conversations, 10,000 YouTube views



**82%** of participants have shared insights from seminars/webinars with others in their workplace



6000

Nearly 6000 subscribers from all levels of government in Australia and Aotearoa-NZ



71,000
page views of APO
Regulation Policy &
Practice collection



71%
of participants have been able to apply insights from seminars/webinars to their work as regulators



4.3/5
'I have found participating in the NRCoP valuable in developing my capability and professionalism as a regulator': 4.3 out of possible 5.0



# **CONNECT**

The foundation of the NRCoP is recognising how much all regulators have in common, and consequently the value of learning from their peers' challenges, innovations, frameworks and experiences.

The NRCoP not only joins up regulators across jurisdictions, sectors and roles, we connect them with regulatory experts, including international and local scholars and past and present regulatory leaders.

As a consequence of COVID-19, we have needed to forego the 'warm' connections generated by face-to-face events and move online. Although this had its downsides, it has enabled us to bring into the community thousands more regulators who work outside capital cities, or part time, or in jurisdictions without NRCoP chapters. We could also connect directly and immediately with ANZSOG's network of international regulatory scholars and the NRCoP has been the beneficiary of this opportunity.

As soon as the pandemic permits, we aim to combine the best of all worlds, with the resumption of face-to-face seminars and forums complemented by an ongoing program of webinars.

"As the Chief Executive
Officer of Western
Australia's independent
economic regulator, the
National Regulators
Community of Practice has
provided me with a network
of peers in regulatory
agencies across the country
with whom I can share
ideas, news and support.

For regulatory agencies in Western Australia, NRCOP has enabled access to presentations and resources from leading practitioners across the country and plays an essential role fostering a culture of regulatory best practice in the State."

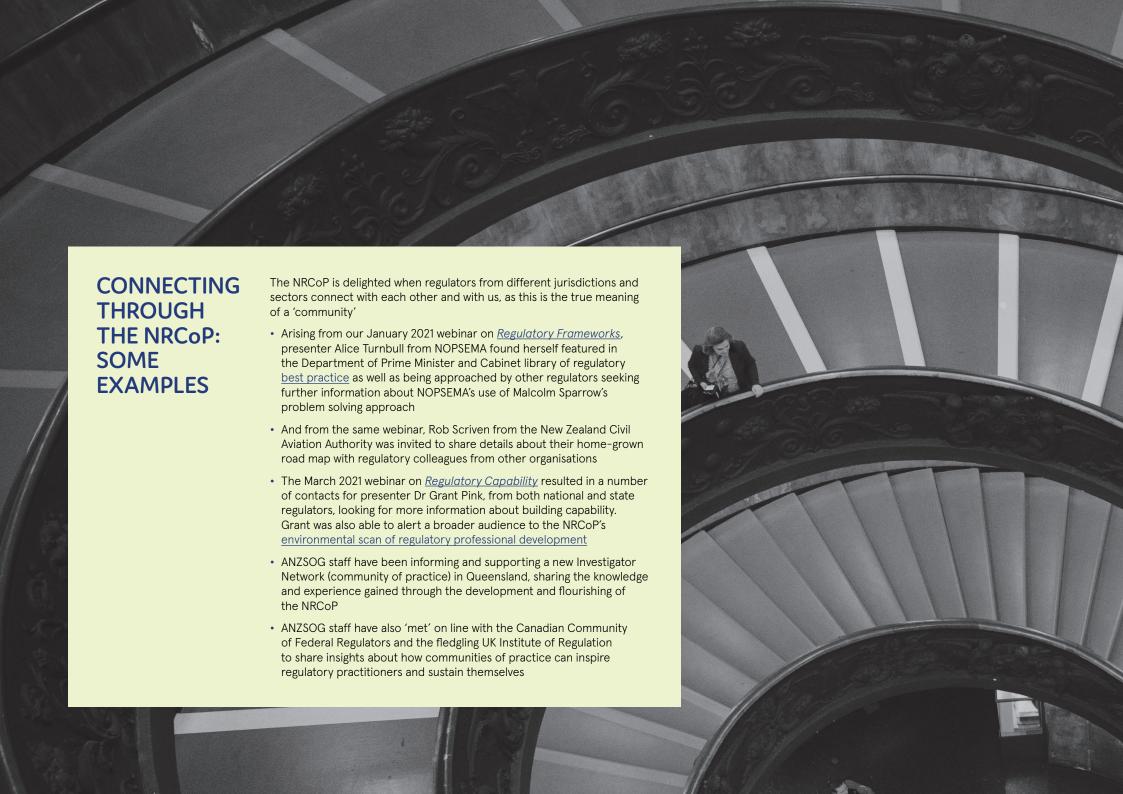
Jenness Gardner, CEO WA Economic Regulation Authority

NRCoP Program of Events	Engagement	
	Registrations for event	YouTube views
April 2020		
Regulating the population Cameron Stewart, Michael Eburn and Pauline Ireland	339	464
<b>Regulating at the border</b> Luke Wilson, Emma Watts and Simon Corden	343	191
May 2020		
Learning to be better regulators, the G-Reg journey Tony McKenna and Grant Pink	565	374
Regulating the professions Roxane Marcelle-Shaw, Jane Eldridge and Bronwyn Weir	434	359
Why do people comply? COVID-19 compliance behaviours in international and local perspective Benjamin van Rooij, Liam Smith and Jenness Gardner	403	738
June 2020		
Measuring regulatory performance Claire Noone and Gerard Brody	948	581
RegX: Regulatory Excellence Cary Coglianese, Kate Maddern and Simon Corden	491	646
What would culturally responsive regulation of Aboriginal and Torres Strait Islanders organisations look like?  Brendan Thomas, Simone Jackson, Phillip Brooks and Janet Schorer	792	424

(Continued on next page)

NRCoP Program of Events	Engagement	
	Registrations for event	YouTube views
July 2020		
Inside/Outside: the pros and cons of the independent versus the departmental regulator and does it matter? Graeme Samuel, Peter Shergold and Fran Thorn	702	693
Bias by design: when the design, implementation and enforcement of rules creates disadvantage  Donald Moynihan, Sarah McDowell and Janine O'Flynn	494	402
August 2020		
<b>Regulation, trust and social licence</b> Edward Langley, James Shipton and Marianne Munro	574	462
Facilitated conversations: Windows of opportunity in a pandemic Adam Beaumont, Grant Pink and Alice Turnbull		
September 2020		
One space, many regulators Rose Webb, Simon Cohen, Tracy Mackey and Simon Corden	521	290
Facilitated conversations: Compliance in a crisis Adam Beaumont, Grant Pink and Victoria Thomson		
October 2020		
<b>Defining and measuring our public value</b> Emily Sanders, Tony Keenan and Chris Walker	927	527
Fundamentals of Regulatory Design Malcolm Sparrow and Rose Webb	1994	1103
Facilitated conversations: Regulatory laggards in a crisis Adam Beaumont, Grant Pink and Chris Walker		
November 2020		
Using Behavioural Science at the Bad End of Town Femke de Vries, Will Day and Genene O'Neill	929	417
December 2020		
Markets and Consumers in the Digital Age: the ACCC and the Platforms Kate Reader, Morag Bond and Rob Nicholls	360	135

NRCoP Program of Events	Engagement	
	Registrations for event	YouTube views
Regulating Unreason Luke Cornelius, Sandro Demaio, Julie Inman Grant and Simon Corden	542	272
January 2021		
Regulatory frameworks Eric Kimmel, Alice Turnbull, Rob Scriven and Kate Maddern	1084	480
February 2021		
<b>Telling our story to the community: why good Comms matter</b> Michelle Bryne and Ian Caplin	640	456
March 2021		
Learning to be virtual regulators: inspection and compliance in the age of COVID  Peter Dunphy, Samantha Taylor, Benjamin Noyen and Erica McLuckie	776	257
'Regulatory Capability': what does it mean and how do we acquire it? Grant Pink, Victoria Thomson and Lorraine Cherney	786	310
April 2021		
The struggle to regulate integrity: money and politics Joo-Cheong Tham, Anne Twomey and Marlo Baragwanath	548	114
May 2021		
Taking a new look at old tools: registering, licensing, permitting, accrediting, certifying, and so many more  Arie Freiberg, Jenness Gardner and Kerri Melkersson	1071	186
Regulatory Stewardship: why and how the Kiwis manage regulation as an asset  Jeroen van der Heijden, Rebecca Foley and Lorraine Cherney	645	60
June 2021		
Complain, complain, complain: how complaints can (and should) change regulatory practice Nicole Lawless, Andrew Gavrielatos and Adam Beaumont	1119	
TOTAL	17,961	9,940





# **INSPIRE**

Regulation is a core and publicly valuable part of the work of government, but it is also complex, volatile and challenging. The NRCoP aims to inspire regulators that their work is intellectually, professionally and ethically worthwhile and the foundation for a rich and satisfying career. In its emotional dimension, the NRCoP works to give heart to regulators who find themselves constantly in the cross hairs of some or all of government, media, the community and duty holders.

"I passionately support the work of the NRCoP. As someone who has worked across many different regulators and regulatory areas – including agriculture, environment, forestry, transport and human services – many lessons and learnings can be shared with each other to improve skills and spark innovation, and also avoid reinventing the wheel. I particularly value that this community of practice covers the spectrum from technical and academic work to how it's been applied in practice."

Kate Maddern, Victorian Disability Worker Commission

## Celebrating and recognising our female regulatory leaders:

For International Women's Day 2021, ANZSOG turned to the NRCoP's outstanding community of female regulatory leaders from every jurisdiction, sector and role to provide <u>inspirational and wise advice</u> to the next generation. Sonya Stewart, CEO of the NSW Law Society, provides eloquent comment:

As an Aboriginal woman I am part of the world's oldest surviving culture and this has encouraged me to think long and hard about legacy; about the impact we can all make in the short time we are here.

The regulatory roles I have held – whether as the co-regulator of NSW's 36000 solicitors as the CEO of The Law Society of NSW or as Executive Director of the then Department of Family and Community Services, where I led the regulation of 5,500 early education and care services across NSW – are ways for me to serve and deliver impact.

The advice that I give to women thinking about senior regulatory roles is that these are some of the most challenging and rewarding roles that you can have. In these roles, you have to keep the system "big picture" in mind while not neglecting the details; to be comfortable with complexity and constant problem solving all while focussing on delivering outcomes to individuals, organisations and communities.

Sonya Stewart, CEO of the NSW Law Society



# **ENRICH**

The NRCoP is committed to ensuring there is an enduring legacy from our learning opportunities for all regulators, whether or not they've been able to attend webinars and seminars. We do this in a number of ways.

The dedicated regulators webpage on the ANZSOG site provides a rich array of resources from previous events, including slides, other relevant materials and links to recordings on ANZSOG's YouTube channel. Regular communications alert our subscribers to the availability of these resources. The 2020 annual survey indicated that 82% shared insights and resources from NRCoP events with their colleagues and networks, by a range of means including letting others know, sending links to materials and following up on the presenter's work.

The NRCoP Regulation Policy and Practice collection on APO, the Analysis and Policy Observatory, was launched in March 2020 and has quickly grown to be the most visited collection on APO. The collection includes 1,280 resources from 1,211 authors, hailing from 392 organisations. The site has received almost 71, 255 pageviews and 11,225 downloads since its inception.

Every NRCoP subscriber receives a monthly newsletter from the collection, highlighting the latest developments of relevance and interest to regulators. We commission a snappy guest editorial for each newsletter, spotlighting the work and challenges of our participants. Dr Liam Smith's 'Three steps for regulators to embrace behavioural science' was the year's most popular, with 2,200 unique web hits.

In April 2021 we provided extra value to our corporate members by introducing a free Jobs Board on APO, enabling regulatory policy and practice roles to be viewed by interested regulators across Australia and NZ. In its first fully operational week, the Jobs Board received almost 2,000 views and has become the third most-visited site on APO.

"The Regulators Community of Practice provides an invaluable network and resource for us as regulators of child safe practices. Regulation in complex areas such as out of home care and disability services, presents unique challenges. What we have found through the Community of Practice, is the opportunity to sit alongside other regulators, share the dilemmas, the wins and importantly, access a breadth of practical insight and support for practitioners. This is an excellent way to support the ongoing capability development for people working in regulatory bodies."

Janet Schorer, NSW Children's Guardian

The N	The NRCoP Regulation Policy and Practice collection		
May	Learning to be better regulators: the importance of training and development		
June	COVID-19 and compliance: what makes people stick to the rules?		
July	Good design leads to great digitisation for regulators		
Aug	Three steps for regulators to embrace behavioural science		
Sept	Regulation, trust and the professions		
Oct	The role of artificial intelligence in regulatory decision-making		
Nov	Regulatory stewardship: virtue, mechanism or both?		
Dec	Performance reporting by regulators: are we measuring and reporting what matters?		
Feb	What's in a name? Does knowing you're a regulator make a difference?		
Mar	Regulatory Excellence		
Apr	What can we learn from the regulation of sport?		
May	Regulatory capability – some personal reflections on what makes a 'good regulator'		
June	'Red tape' and 'beige tape': what are they and why do they matter?		

"I just wanted to thank you and the NRCoP team for the work you do in fostering and maintaining a vibrant community of practice for regulators in NSW. The range of topics and speakers has been fantastic and I know generated a great deal of discussion and insights which has translated into exemplary and credible regulatory services and approaches. Research often takes many years to translate into practice but the NRCoP has been a great way of accelerating this process by getting thought leaders and peers to share and embed learnings. I look forward to continuing this important network in 2021."

Peter Dunphy, Head of Road, Maritime and Transport Safety, Transport for NSW



## **EDUCATE**

Inspired by the nested set of accredited qualifications for regulators in New Zealand developed and delivered by SKillsNZ, the NRCoP is well on its way to designing and piloting the first two of a 6-module program of regulatory professional development. We are cognisant of parallel investments in regulatory capability and professionalism by the Australian and Victorian Governments and many individual regulators, and are sharing our insights with them, confident that our work will complement those initiatives. Our environmental scan of existing Australian and international regulatory professional development programs can be found here.

Grounded in enthusiastic endorsement from a survey of NRCoP participants and consultation across the NRCoP national and chapter committees, the program's development is based on the following agreed 'problem statement'

The absence of shared and consistent professional development affects regulators' capacity to develop regulatory careers, through which they can build a 'regulatory mindset', share knowledge and apply their skills and capabilities to different problems

Many staff of regulators don't fully understand the purpose and role of a regulator, and how it differs from other activities in the public or private sector, to the detriment of the culture and effectiveness of regulators

There are knowledge, skills and capability gaps that are reducing the effectiveness of regulators

The cost of individual regulators developing and delivering their own bespoke training and professional development wastes time and resources and reduces the overall supply

"ASIC's engagement with the NRCoP complements our capability development strategy by providing hundreds of our team members access to free learning opportunities across a range of relevant topics and speakers. It also provides them with the opportunity to connect with other regulators across Australia, to share experiences and learn from each other. Participation in the NRCoP continues to be a key element of our capability development strategy at ASIC."

Jackie Walsh, Manager - People and Development, ASIC

# THE YEAR AHEAD: FUTURE PLANS AND DIRECTIONS

#### The NRCoP has an active and ambitious workplan for the year ahead, including:



Parallel program of online webinars and face-to-face deliveries



Piloting and delivering a 6-module program of regulatory professional development in partnership with SkillsNZ



Forums in Perth,
Brisbane and Melbourne



New chapters – South Australia and the ACT

- With an investment of corporate members' funds from both 20-21 and 21-22, piloting, reviewing and delivering an online program of regulatory professional development relevant to regulators regardless of jurisdiction, sector and role
- Continuing a program of timely, thought provoking webinars on topics of interest and concern to regulatory practitioners
- As restrictions ease, resuming face-to-face seminars
- Again as restrictions ease, planning and delivering 'satellite' forums in Perth and Brisbane, in addition to a larger cross-jurisdictional annual forum in Melbourne
- Launching a South Australian chapter, followed by an ACT chapter
- Continuing to grow and develop the NRCoP/APO Regulation Policy and Practice collection
- Redeveloping the NRCoP website
- Supporting chapters to deliver small F2F work-in-progress and mentoring sessions for regulators in their jurisdiction

## THANK YOU TO OUR CORPORATE MEMBERS

#### **Australian Government**

























#### **Australian Capital Territory**



#### National





#### **New South Wales**



Office of the Children's Guardian Customer Service Planning, Industry and Environment Treasury Transport for NSW Health



#### Queensland





















#### Victoria



Health and Human Services



Jobs, Precincts and Region



Treasury and Finance



Department of Transport



Education and Trainin



Premier and Cabine



tate and Commun Safety









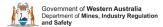


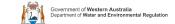
#### Western Australia













### THANK YOU TO OUR NATIONAL AND CHAPTER COMMITTEES

In 2021 the national committee was restructured to better reflect the more equitable distribution of NRCoP corporate members and engaged participants since COVID.

#### **National committee**

#### Simon Corden, Chair, VIC Essential Services Commission

Adam Beaumont, With\_Purpose Consulting

Ashley Bunce, VIC Conservation Regulator

Martyn Campbell, incoming SA convenor, SafeWork SA

lan Caplin, NZ Government Regulatory Practice Initiative

Lorraine Cherney, Secretariat, ANZSOG

Jarrod Cowley-Grimmond, QLD convenor, Department of Regional Development, Manufacturing and Water

Derise Cubin, Access Canberra

Matt D'Abbs, VIC Environment Protection Authority

Arie Freiberg, Academic Advisor, Monash University/ ANZSOG

Philip Halton, QLD member, NDIS Quality and Safeguards Commission

Christopher Ingham, Victorian chapter convenor, Victorian Registration and Qualifications Authority

David MacLennan, interim WA convenor, City of Vincent

Kate Maddern, Victorian Disability Workers Commission Roxane Marcelle-Shaw, NSW convenor, Professional Standards Authority

Chris Mather, WA member, WA Department of Transport

Cassandra Meagher, Service Victoria

Marianne Munro, VIC Department of Environment, Land, Water and Planning

Rowena Park, QLD member, Australian Securities and Investment Commission

Grant Pink, Pracademic Advisor, Recap Consultants

Monica Pfeffer, Secretariat, ANZSOG

Janet Schorer, NSW Children's Guardian

Alice Turnbull, WA member, National Offshore Petroleum and Environmental Safety Authority

Jeroen van der Heijden, NZ Government Regulatory Practice Initiative, Victoria University of Wellington

Chris Walker, Deputy Dean ANZSOG

Adam Watson VIC WorkSafe

#### **New South Wales**

#### Rose Webb, sponsor, NSW Department of Customer Service

Roxane Marcell-Shaw, convenor, Professional Standards Authority

Matthew Barrett, NSW State Insurance Regulatory Authority

Derise Cubin, Access Canberra

Peter Dunphy, Transport for NSW

Jane Eldridge, Australian Health Practitioner Regulation Agency

Maggie Hardy, Australian Pesticides and Veterinary Medicine Authority

Tony Kofkin, NSW Health Care Complaints Commission

Tracy Mackey, NSW Environment Protection Authority

Janet Schorer, NSW Children's Guardian

Chris Walker AN7SOG

Jackie Walsh, Australian Securities and Insurance Commission

Scott Wheeler, NSW Treasury

#### Queensland

# David Mackie, sponsor, QLD Department of Justice and Attorney-General

Jarrod Cowley-Grimmond, convenor, Department of Regional Development, Manufacturing and Water

Omar Ameer, Queensland Building and Construction Commission

Brian Bauer, QLD Office of Fair Trading

Rose Bovey, QLD Health

Philip Halton, NDIS Quality and Safeguards Commission

Jennifer Kenny, QLD Department of Transport and Main Roads

Anne Lenz, Brisbane City Council

Erica McLuckie, QLD Department of Education and Training

Rowena Park, Australian Securities and Investment Commission

Rachel Scalongne, Department of Regional Development, Manufacturing and Water

Mark Stone, Resources Safety and Health QLD

Victoria Thomson, QLD Department of Justice and Attorney-General

#### Victoria

#### Simon Corden, sponsor, Essential Services Commission

Christopher Ingham, convenor, Victorian Registration and Qualifications Authority

Adam Beaumont,
With\_Purpose Consulting

Ashley Bunce, Conservation Regulator,

Matt d'Abbs, Environment Protection Authority

Kate Maddern, Victorian Disability Workers Commission

Cassandra Meagher, Service Victoria

Baethan Mullen, Australian Securities and Investment Commission

Marianne Munro,
Department of Environment,
Land, Water and Planning

Antonia Parkes, Fair Work Ombudsman

Emily Sanders, Commission for Children a nd Young People.

Adam Watson, WorkSafe

Penelope Winslade, City of Hobsons Bay

Douglas Young, Department of Health

#### **Western Australia**

#### Michelle Andrews, sponsor, WA Department of Water and Environmental Regulation

David MacLennan, interim convenor, City of Vincent

Lyn Anderson, WA Department of Communities

Lanie Chopping, WA Department of Local Government, Sport and Cultural Industries

Benjamin Ford, WA Treasury

Robert Kennedy, WA Electoral Commissioner

Germaine Larcombe, WA Department of Water and Environmental Regulation

Matthew, Lester, WA Health

Chris Mather.

WA Department of Transport

lan Munns.

WA Department of Mines, Industrial Regulation and Safety

Phil Pavne,

Department of Communities

Nicola Perry, WA Department of Local Government, Sport and Cultural Industries

Neil Sarti, WA Department of Primary Industries and Regional Development

Alice Turnbull, National Offshore Petroleum Safety and Environmental Management Authority

Philip Wyles, WA Department of Training and Workforce Development We acknowledge the Aboriginal and Torres Strait Islander peoples as First Peoples of Australia, and Māori as tangata whenua and Treaty of Waitangi partners in Aotearoa-New Zealand.

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