

Title	Conduct, analyse, and report on regulatory investigations		
Level	5	Credits	20

Purpose	<p>This unit standard is for people currently employed as regulatory practitioners.</p> <p>People credited with this unit standard are able to:</p> <ul style="list-style-type: none"> – conduct regulatory investigations; – analyse information to arrive at investigation outcomes that are supported by evidence; and – consider interventions, and determine and report recommendations and/or decisions based on investigation findings.
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Classification	Public Sector Compliance > Public Sector Compliance Operations
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Available grade	Achieved
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Guidance Information

1 Definitions

Organisational requirements refer to instructions to staff on policies, procedures, and methodologies which are documented and are available in the workplace. This includes an organisation's obligations under Te Tiriti o Waitangi/ The Treaty of Waitangi.

The Regulatory sector has a number of terms with specific usage. For current definitions visit [Programme Guidance-Skills](#).

2. References include but are not limited to

Criminal Disclosure Act 2008;

Criminal Procedure Act 2011;

Evidence Act 2006;

Health and Safety at Work Act 2015;

Local Government Official Information and Meetings Act 1987;

New Zealand Bill of Rights Act 1990;

Official Information Act 1982;

Oranga Tamariki Act 1989;

Search and Surveillance Act 2012;

Te Tiriti o Waitangi/The Treaty of Waitangi;

Victims' Rights Act 2002;

specific legislation mandating the powers and duties of a specific organisation with respect to its regulatory role and/or any other legislation applicable to a particular regulatory situation (e.g. Fisheries Act 1996, Resource Management Act 1991);

and any subsequent amendments and replacements.

3 Range

- a Demonstration of knowledge and skills must be consistent with any applicable code or codes of conduct such as the New Zealand State Services Code of Conduct, *Standards of Integrity and Conduct* (available from <http://www.publicservice.govt.nz>) and/or any other agency specific code or codes of conduct and/or ethics.
- b Evidence must be from at least two regulatory investigations.

Outcomes and performance criteria

Outcome 1

Conduct regulatory investigations.

Performance criteria

- 1.1 Conduct the regulatory investigation, in accordance with an investigation plan.
- 1.2 Collect and manage evidence and information using a range of investigative practices and techniques to meet the purposes of the investigation.
- 1.3 Create investigation files and documentation for the regulatory investigations in accordance with organisational requirements.

Outcome 2

Analyse information to arrive at investigation outcomes that are supported by evidence.

Performance criteria

- 2.1 Analyse the information gathered during the investigation to determine the outcomes of the investigations, consistent with the investigations' objectives.
- 2.2 Analyse any offences or other instances of non-compliance.
- 2.3 Determine investigation findings, consistent with the objectives of the investigations.
- 2.4 Contribute to intelligence processes, in accordance with organisational requirements.

Outcome 3

Consider interventions, and determine and report recommendations and/or decisions based on investigation findings.

Performance criteria

- 3.1 Consider possible interventions relevant to the investigation findings and the organisation's goals and mandate that could be taken to achieve compliance.

Range factors to be considered regarding possible interventions include but are not limited to – the organisation’s regulatory policies, priorities, and directions; any intervention decision-making tools or risk matrices used by the organisation; severity of the offending; compliance history of the party and effectiveness of previous interventions; admission or denial of guilt and/or willingness to make reparation; public interest; evidential sufficiency.

3.2 Specify the offences and evidential sufficiency, where applicable, and consider potential issues that may affect prosecution or other interventions.

Range other interventions may include but are not limited to – issuing a statutory notice, educating and/or assisting, further investigation, administrative sanction, taking no further action.

3.3 Determine and report recommendations and/or decisions relating to the investigation findings.

Range may include but is not limited to – considerations that may assist future investigations or other regulatory activities.

Replacement information	This unit standard replaced unit standard 26915.
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Planned review date	31 December 2025
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Status information and last date for assessment for superseded versions

Process	Version	Date	Last Date for Assessment
Registration	1	18 February 2016	31 December 2023
Review	2		

Consent and Moderation Requirements (CMR) reference	0121
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This CMR can be accessed at <http://www.nzqa.govt.nz/framework/search/index.do>.

Comments on this unit standard

Please contact The Skills Organisation at reviewcomments@skills.org.nz if you wish to suggest changes to the content of this unit standard.