

Resources Safety and Health Performance Accountability Framework

Version 2 - July 2019

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Version	Description	Date	Officer
1.0	Creation of document	01/07/2017	MT
1.1	Change Mine Safety and Health to Resources Safety and Health Change MSH to RSH	23/01/2018	MW
1.2	<i>Petroleum and Gas (Production and Safety) Act 1994</i> and the <i>Petroleum and Gas (Production and Safety) Regulation 1994</i> . Change to <i>Petroleum and Gas (Production and Safety) Act 2004</i> and the <i>Petroleum and Gas (Production and Safety) Regulation 2004</i> .	23/07/2018	MW
2	Review of RSH Performance Accountability Framework to remove duplication, update and refine.	30 April 2019	MT

Introduction

The Resources Safety and Health Performance Accountability Framework (the Framework) has been established to assess our performance when interacting with industry stakeholders and the community while carrying out our functions.

The Framework is modelled on the established Commonwealth Regulator Performance Framework which comprises six outcomes-based key performance indicators (KPIs) to communicate the expectations of regulator performance. The objective is to improve the way regulators operate, where possible reduce costs associated with the administration of regulation, increase public accountability and transparency and identify opportunities for improvement. The KPIs are:

- KPI 1: Regulators do not unnecessarily impede the operation of regulated entities
- KPI 2: Communication with regulated entities is clear, targeted and effective
- KPI 3: Compliance actions undertaken by regulators are proportionate to the regulatory risk being managed
- KPI 4: Compliance and monitoring approaches are streamlined and coordinated
- KPI 5: Regulators are open and transparent in their dealings with regulated entities
- KPI 6: Regulators actively contribute to the continuous improvement of regulatory frameworks.

The KPIs are supported by activity-based evidence to assist Resources Safety and Health with the assessment of achievements.

Resources Safety and Health is required to report how they are performing against the six key performance indicators that cover issues like consultation and engagement, communication, risk-based and proportionate approaches, transparency and continuous improvement.

The Framework requires an annual self-assessment to be undertaken. Some stakeholders will be approached to participate in the review process by providing external validation of Resources Safety and Health's performance against the KPIs through a biennial industry stakeholder survey.

The 2017-18 Resources Safety and Health Self-Assessment Report was the first of these reports to be released and published on the department's website. This report identified the need to refine the Framework with the aim of removing duplication and improving alignment with our regulatory environments and future reporting.

All future self-assessment reports will primarily focus on significant consultation and engagement initiatives, as well as significant continuous improvement initiatives.

What does Resources Safety and Health regulate?

Resources Safety and Health is responsible for Queensland's mining, explosives and petroleum and gas legislation and regulations and regulates activities under the:

- *Coal Mining Safety and Health Act 1999* and the Coal Mining Safety and Health Regulation 2017
- *Mining and Quarrying Safety and Health Act 1999* and the Mining and Quarrying Safety and Health Regulation 2017
- *Explosives Act 1999* and the Explosives Regulation 2017
- *Petroleum and Gas (Production and Safety) Act 2004* and the Petroleum and Gas (Safety) Regulation 2018.

KPI 1: Resources Safety and Health does not unnecessarily impede the operation of regulated entities

Measure of good regulatory performance	Activity-based evidence
<p>1.1 RSH inspectorates demonstrate an understanding of the operating environment of the regulated entities through efficient consultative mechanisms.</p>	<p>1.1.1 Provide a summary of industry consultative committees and stakeholder meetings held during the reporting period.</p> <p>1.1.2 Provide a summary of regular engagement and information sharing between Resources Safety and Health and stakeholders.</p> <p>1.1.3 Provide a summary of participation in annual safety and health conferences and seminars.</p>
<p>1.2 RSH inspectorates minimise potential for unintended negative impacts of regulatory activities on regulated entities.</p>	<p>1.2.1 Provide a summary of consultation with regulated industries to ensure continued delivery of expert and responsive inspectorate services.</p> <p>1.2.2 Provide a summary of responsiveness to feedback from regulated industries including existing complaint mechanisms.</p>
<p>1.3 RSH inspectorates implement continuous improvement strategies to improve safety and health outcomes for the regulated industries.</p>	<p>1.3.1 Provide a summary of engagement with external bodies including domestic and international safety and health regulatory agencies.</p> <p>1.3.2 Provide a summary of inspectors participation in professional/technical committees and conferences.</p> <p>1.3.3 Stakeholder surveys are targeted and conducted regularly with results published. .</p>

KPI 2: Resources Safety and Health communicates with regulated industries in a clear, targeted and effective manner

Measure of good regulatory performance	Activity-based evidence
<p>2.1 RSH inspectorates provide guidance and information that is up to date, clear, accessible and concise through appropriate mediums to the targeted audience.</p>	<p>2.1.1 Timely publication of accurate and accessible information to assist industry understanding and compliance with their obligations.</p> <p>2.1.2 Provide summary of engagement with regulated industries to inform them of the inspectorate's expectations.</p>
<p>2.2 RSH inspectorate decisions are provided in a timely manner and clearly articulate expectations and the reasons for the decision.</p>	<p>2.2.1 Published response timeframes are met or a clear and concise statement of reasons for not meeting the published timeframe is communicated within the original timeframe.</p> <p>2.2.2 Provide details of mechanisms for affording procedural fairness and escalation points for prospective decisions.</p>
<p>2.3 RSH inspectorate advice is consistent and supports predictable outcomes.</p>	<p>2.3.1 Documented procedures for communications are available for staff use when interacting with regulated industries.</p> <p>2.3.2 Communication with regulated industries is consistent with the department's communication policies and procedures.</p>

KPI 3: Compliance actions undertaken by Resources Safety and Health are proportionate to the regulatory risk being managed

Measure of good regulatory performance	Activity-based evidence
<p>3.1 RSH inspectorates apply a proportionate approach to compliance obligations, engagement and regulatory enforcement actions, as determined by respective legislation.</p> <p>The compliance record of regulated entities is recognised.</p>	<p>3.1.1 Provide summary of documented compliance strategy and monitoring and compliance strategies that allow for a range of regulatory responses.</p> <p>3.1.2 All available and relevant data on compliance is considered.</p>
<p>3.2 RSH inspectorates' approach to risk is regularly reviewed. Strategies amended to reflect changing priorities without diminishing regulatory certainty or impact.</p>	<p>3.2.1 Provide information on approach to reviewing emerging risk.</p> <p>3.2.2 Provide summary of risk management training undertaken by inspectors.</p>

KPI 4: Resources Safety and Health compliance and monitoring approaches are streamlined and coordinated

Measure of good regulatory performance	Activity-based evidence
<p>4.1 RSH inspectorate information requests are tailored and only made when necessary to secure regulatory objectives.</p>	<p>4.1.1 RSH collects and shares incident and injury statistical information with stakeholders to improve industry safety and health performance.</p>
<p>4.2 RSH inspectorates utilise information received from government agencies, through formal information sharing arrangements, to limit requests made to regulated entities, where possible.</p>	<p>4.2.2 Evidence of established information sharing practices including MOUs.</p>
<p>4.3 RSH inspectorates take into account the circumstances and operational needs of the regulated industry.</p>	<p>4.3.1 Inspection visits coordinated with other RSH inspectorates or external regulators where appropriate.</p>

KPI 5: Resources Safety and Health is open and transparent in its dealings with regulated entities

Measure of good regulatory performance	Activity-based evidence
<p>5.1 RSH inspectorates legislation and compliance policy are publicly available in a format which is clear, understandable and accessible.</p>	<p>5.1.1 Provide a summary of key documents publicly available during the reporting period.</p>
<p>5.2 RSH inspectorates are open and responsive to requests from regulated industries and other relevant stakeholder representatives regarding the operation of the regulatory framework and approaches implemented by RSH.</p>	<p>5.2.1 Advice and guidance is available to the regulated industry and relevant stakeholder representatives, with feedback mechanisms in place to support and inform continuous improvement.</p> <p>5.2.2 Regular industry stakeholder surveys specifically seek feedback on openness and transparency in dealing with regulated entities.</p>
<p>5.3 RSH inspectorate performance measurement results published in a timely manner to ensure accountability to the public.</p>	<p>5.3.1 Provide a summary of performance information published on the department's website.</p>

KPI 6: Resources Safety and Health actively contributes to the continuous improvement of regulatory frameworks

Measure of good regulatory performance	Activity-based evidence
<p>6.1 RSH inspectorates establish cooperative and collaborative relationships with stakeholders to improve the efficiency and effectiveness of the regulatory framework.</p>	<p>6.1.1 Documented processes and legislated industry consultative bodies allow active and regular engagement with stakeholders and are used to improve the regulatory framework.</p> <p>6.1.2 Provide a summary of consultation or engagement with stakeholders on legislative and major policy changes that may affect the regulated industry.</p>
<p>6.2 RSH inspectorates engage with stakeholders in the development of options to improve safety and health outcomes.</p>	<p>6.2.1 Provide a summary of stakeholder events held to facilitate participation in the development and/or amendment of regulatory frameworks during the reporting period.</p>
<p>6.3 RSH inspectorates regularly share relevant stakeholder feedback with the RSH policy and performance units to improve the operation of the regulatory framework and administrative processes.</p>	<p>6.3.1 Provide a summary of relevant stakeholder feedback from stakeholders and inspectorate advice shared with RSH policy and performance units.</p>

