



Commissioner for
**Resources Safety
& Health**

Annual report

2021–22

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To obtain a hard copy of the annual report, contact the Commissioner for Resources Safety and Health on +61 7 3096 6528 or commissioner@rshq.qld.gov.au.

Have your say

The Commissioner for Resources Safety and Health hopes you find this annual report informative. This report is part of the Commissioner's commitment to engage with all sectors of the resources industry to promote and protect the safety and health of people who may be affected by the operation of the industry.

The Commissioner welcomes any comments and feedback about the report. Please send your feedback to commissioner@rshq.qld.gov.au.

27 October 2022

The Honourable Scott Stewart MP
Minister for Resources
1 William Street
Brisbane Qld 4000

Dear Minister

In accordance with section 64 of the *Resources Safety and Health Queensland Act 2020*, I am pleased to submit to you the Commissioner for Resources Safety and Health annual report for the year ending 30 June 2022.

Yours sincerely



Kate du Preez
Commissioner for Resources Safety and Health

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From the Commissioner

It gives me great pleasure to present the Commissioner for Resources Safety and Health annual report for 2021–22.

My primary focus this year has been on furthering engagement with all sectors of the resources industry to provide effective leadership on safety and health to promote and protect the safety and health of people who may be affected by the operation of the industry.

I have completed a range of projects and activities that were aligned to my three strategic objectives under the *Commissioner for Resources Safety and Health strategic plan 2021–26*:

- an informed Minister
- effective oversight
- an engaged industry.

This report outlines some of my key achievements over the past 12 months, including:

- working with the Queensland Resources Council to continue to facilitate the necessary discussions to achieve the goals of an industry action plan to address the recommendations of the Coal Mining Board of Inquiry
- engaging with industry on its progress in adopting the principles of high reliability organisations
- providing the Minister with independent advice on the performance of Resources Safety and Health Queensland
- monitoring the implementation of the recommendations of the Brady review by Resources Safety and Health Queensland
- establishing and chairing the Tripartite Statutory Positions Working Group to provide advice to the Minister on the implementation challenges of amendments introduced by the *Mineral and Energy Resources and Other Legislation Amendment Act 2020*.
- chairing and supporting the Coal Mining Safety and Health Advisory Committee and the Mining Safety and Health Advisory Committee to achieve the objectives of their five-year strategic plans
- implementing a strategic engagement campaign centred around the key objectives of
 - encouraging and supporting workers to report safety concerns
 - understanding the barriers and opportunities to promote improved safety reporting culture
- establishing a program of work to conduct a survey of the reporting culture of the Queensland mining industry
- facilitating an industry workshop on lead indicators of safety
- commencing a project to examine fatigue management in the Queensland mining industry and its relationship with mental health and safety outcomes
- co-hosting an industry forum exploring workplace culture risks in the resources industry including sexual harassment, bullying and discrimination.

A continuing priority has been to promote the importance of a healthy reporting culture in the resources industry. Without a culture which encourages and enables workers to report their safety concerns, we can never hope to eliminate hazards which cause serious harm.

One of the key challenges I identified in my 2020–21 report was ensuring an equitable level of collaboration and cooperation across all sectors of the resources industry. While my strategies to improve this engagement have been effective, and I have been able to form solid links and networks with stakeholders, it remains a challenge due to the diverse operational composition of the industry.

Overall, 2021–22 has been a successful year and I would like to take this opportunity to acknowledge the unseen work undertaken by my team that assists me in carrying out my functions.

Industry outlook

I am saddened to report that there were three fatal incidents in the Queensland resources industry in 2021–22. Graham Dawson, Clark Peadon and Gavin Feltwell went to work at coal mines in Queensland and did not come home. I would like to express my most sincere sympathies to the families, friends and colleagues of these men.

In addition, 154 workers in the coal mining, mineral mining and quarrying, and petroleum and gas industries sustained injuries that required hospital admission and 59 additional cases of mine dust lung disease were reported to Resources Safety and Health Queensland.

Every person who goes to work should be able to return home in the same condition in which they left. Serious harm in the resources industry is unacceptable and, as an industry, we must strive to achieve our goal to have all resources workers go home safe and healthy at the end of every shift.

Over the past 12 months, there has been significant progress in the resources industry in addressing the identified deficiencies in safety and health practices. Recommendations made by the many reviews and inquiries, such as the *Review of all fatal accidents in Queensland mines and quarries from 2000 to 2019* and the Queensland Coal Mining Board of Inquiry, have seen significant efforts from industry and the regulator to ensure that we learn the lessons of past incidents.

Some of the most concerning findings have been the number of incidents which involved identified hazards with inadequate or non-existent critical controls, and the number of incidents which happened after previous near misses occurred and where warning signs appear to have been missed or not communicated effectively. Industry must learn from past findings and strive to constantly verify that the critical controls in place are effective. To learn about potential hazards, ineffective controls and early warnings before an accident occurs, resources industry leaders must embrace a reporting culture which promotes, supports and rewards *bad news* reporting at their sites and which is physically and psychologically safe for everyone.

While there has been momentum in the industry to create physically and psychologically safe cultures and workplaces, industry has also identified the need to address other workplace behaviours such as sexual harassment, bullying and discrimination. Those behaviours have no place in our industry at any time and I am encouraged to see industry taking a proactive approach to addressing these serious risks to safety and health.

The resources industry is on a significant journey towards a goal of eliminating serious harm and, like all journeys worth taking, there will be some challenges along the way. However, if we share our experiences and the lessons we have learned, and support each other to improve as an industry, we will get closer to our destination every day.



Kate du Preez

Commissioner for Resources Safety and Health

About the Commissioner

Kate du Preez is Queensland's Commissioner for Resources Safety and Health. Mrs du Preez has more than 20 years of experience in the resources industry across Africa and Australia, including working in underground coal mines and in management positions. She holds a Bachelor of Science in Mining Engineering and was the first woman in South Africa to hold a mine manager's certificate of competency in coal mining. As a miner herself, Mrs du Preez is passionate about the resources industry and is a strong advocate for resources safety and health issues.



Year at a glance

Table 1: Commissioner for Resources Safety and Health key achievements for 2021–22

Objective	Key achievements
An informed Minister	<ul style="list-style-type: none"> Supported the Queensland Resources Council to complete a benchmarking project to identify the principles of high reliability organisations currently being applied in the mining industry. Developed a discussion paper about the adoption of high reliability organisation principles in the Queensland quarrying industry. Facilitated a Methane Exceedances and Classification Working Group and a Lead Indicators Working Group to address Queensland Coal Mining Board of Inquiry recommendations. Hosted a forum with the Queensland Resources Council to allow industry stakeholders to share approaches and experiences in developing lead indicators. Launched the Report for Safety communication and engagement campaign focussing on promoting the reporting of safety concerns. Established the Tripartite Statutory Positions Working Group to provide advice to the Minister on the implementation challenges of amendments introduced by the <i>Mineral and Energy Resources and Other Legislation Amendment Act 2020</i>.
Effective oversight	<ul style="list-style-type: none"> Provided timely, independent advice to the Minister on the performance of Resources Safety and Health Queensland by assessing performance against characteristics that define effective regulators in high-hazard industries. Provided advice to the Minister on Resources Safety and Health Queensland's progress in implementing the recommendations of Dr Sean Brady's <i>Review of all fatal accidents in Queensland mines and quarries from 2000 to 2019</i>. Engaged an external expert to complete an independent review of Resources Safety and Health Queensland's implementation of the recommendations directed at it in the Brady review.
An engaged industry	<ul style="list-style-type: none"> Chaired and supported the Coal Mining Safety and Health Advisory Committee and the Mining Safety and Health Advisory Committee to achieve the objectives of their five-year strategic plans. Engaged directly with stakeholders on safety and health issues to gather feedback about industry and regulator performance. Participated as a member of the Mount Isa Lead Health Management Committee. Proactively communicated with industry using a variety of communication channels including social media, website, videos and in-person presentations. Proactively examined emerging safety and health issues including <ul style="list-style-type: none"> the reporting culture of the Queensland mining industry the relevance of process safety management to the resources industry fatigue management in the mining industry workplace culture risks such as sexual harassment, bullying and discrimination.

Commissioner for Resources Safety and Health

The Commissioner for Resources Safety and Health is appointed by the Governor in Council under the *Resources Safety and Health Queensland Act 2020*. The position commenced on 1 July 2020.

Commissioner's functions

The *Resources Safety and Health Queensland Act 2020* prescribes the following functions for the Commissioner:

- advise the Minister on matters relating to safety and health in the resources sector
- respond to requests by the Minister for advice on particular matters, including, for example, the strategic direction of Resources Safety and Health Queensland
- fulfil the following roles
 - chair of the Coal Mining Safety and Health Advisory Committee
 - chair of the Mining Safety and Health Advisory Committee
- engage with representatives of the explosives sector, and petroleum and gas sector, about promoting and protecting the safety and health of persons who may be affected by the operation of those sectors
- monitor, review, and report to the Minister on the performance of Resources Safety and Health Queensland's functions.

The Commissioner has the power to do anything necessary or convenient to be done for the performance of the Commissioner's functions and, in doing so, must act independently, impartially and in the public interest.

The Commissioner is required under section 64 of the *Resources Safety and Health Queensland Act 2020* to provide a written report to the Minister for Resources about the operations of the Commissioner during each financial year.

The activities undertaken by the Commissioner for Resources Safety and Health in 2021–22 are summarised in the body of this report. In addition, information on the operations of the advisory committees can be obtained in the following reports:

- Coal Mining Safety and Health Advisory Committee annual report 2021–22
- Mining Safety and Health Advisory Committee annual report 2021–22.

These reports can be downloaded from the Commissioner for Resources Safety and Health website at www.commissioner.rshq.qld.gov.au.

Vision and mission

The Commissioner's vision is:

Queensland's resources industries are the safest and healthiest in the world.

To achieve this vision, the Commissioner is guided by the mission:

To provide effective leadership to the resources industry on safety and health and to advise the Minister on matters related to safety and health and the performance of the functions of the resources regulator.

Values

The Commissioner has four core values. These values underpin the work of the Commissioner and are supportive of the Queensland public service values:

- independence, integrity and impartiality
- transparency and accountability
- fairness, equity and accessibility
- collaboration and engagement.

Vision: Queensland's resources industries to be the safest and healthiest in the world

Mission: To provide effective leadership to the resources sector on safety and health and to advise the Minister on matters related to safety and health and the performance of the functions of the resources regulator.

Values: Independence, integrity and impartiality | Transparency and accountability | Fairness, equity and accessibility | Collaboration and engagement

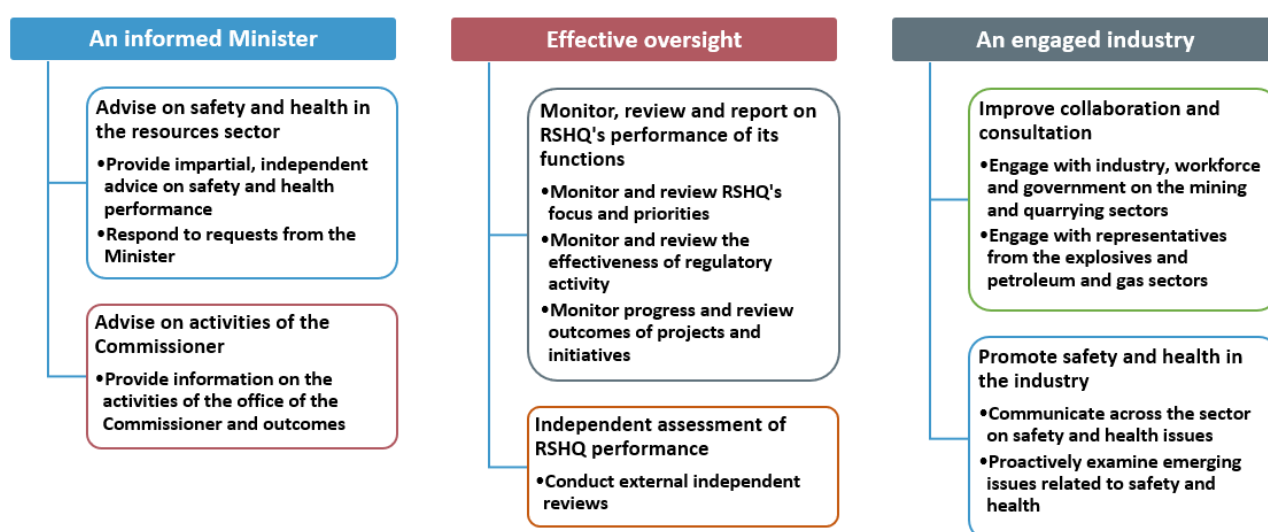


Figure 1: Commissioner for Resources Safety and Health strategic plan 2021–26

Relationships with government bodies

The Commissioner has relationships with other government bodies with decision-making powers established either by an Act of Parliament or by a decision of executive government. The following government bodies have functions or responsibilities relevant to the role of Commissioner for Resources Safety and Health:

- Coal Mining Safety and Health Advisory Committee
- Mining Safety and Health Advisory Committee
- Resources Safety and Health Queensland.

Information on their operations can be obtained in their annual reports.

Commissioner's performance

In 2021–22, the Commissioner completed a range of projects and activities that were aligned to the three strategic objectives under the *Commissioner for Resources Safety and Health strategic plan 2021–26*:

- an informed Minister
- effective oversight
- an engaged industry.

An informed Minister

The Commissioner's primary function is to provide advice to the Minister on matters relating to safety and health in the resources sector.

The Commissioner proactively examines emerging issues related to safety and health and responds in a timely manner to requests from the Minister for advice, information and action.

Throughout 2021–22, the Commissioner regularly briefed the Minister for Resources and Ministerial staff on the safety and health performance of the resources industry and provided updates on stakeholders' issues and concerns.

Impartial, independent advice on safety and health performance

In providing impartial, independent advice to the Minister on safety and health performance in the resources industry, the Commissioner:

- meets regularly with the Minister
- conducts formal reviews of safety and health outcomes
- reviews trends in safety and health data and outcomes
- engages with stakeholders to understand safety and health issues.

In 2021–22, the Commissioner met regularly with the Minister or his advisors to provide advice about safety and health performance in the resources industry and requested data and information from Resources Safety and Health Queensland to review trends in safety and health outcomes.

The Commissioner uses this data, as well as data sourced from industry stakeholders and from other sources, when providing advice to the Minister about current trends in safety and health and meets proactively with stakeholders and industry representatives to understand the current safety and health issues in the resources industry.

In 2021–22, the Commissioner met regularly with industry stakeholders and hosted four forums with resources industry executives as an opportunity for the industry to engage directly with the Minister to discuss current issues related to safety and health.

The Commissioner also conducted a range of formal reviews of safety and health outcomes in the industry, including:

- high reliability organisations benchmarking summary
- high reliability organisations principles in the quarrying sector.

High reliability organisations benchmarking summary

In 2021–22, the Commissioner supported the Queensland Resources Council to complete a benchmarking project to identify the principles of high reliability organisations (HROs) currently being applied in the mining industry. This project follows the work underway in industry after the review of fatal accidents in

Queensland mines and quarries by Dr Sean Brady.

The Commissioner worked closely with the Queensland Resources Council to identify eight mines which represented a cross-section of the Queensland mining industry, including underground and surface coal mines and underground and surface mineral mines.

The independent project team made site visits to each mine and held discussions with each site prior to the visit. Sites provided relevant documentation for review prior to each visit.

During each site visit, discussions were held with a range of leaders, including site senior executives and site leadership teams, mine managers, safety and health managers and their teams, and technical services managers and their teams.

Site visits included observation of work areas, both underground and on the surface, and discussions with operators, supervisors and other personnel in their workplace.

The report examined the information and examples gathered through the lens of the five recognised characteristics of HROs and identified nine learnings for the industry:

- Improve understanding of the value of critical controls in preventing serious accidents, and improve implementation to provide greater clarity on control health.
- Encourage the reporting of a wider range of situations including weak signals.
- Reduce emphasis on lagging indicators such as lost time injury frequency rate and total recordable injury frequency rate.
- Increase the use and communication of leading indicators directly relevant to managing hazards.
- Encourage predictable, reliable operations to prevent unwanted safety outcomes.
- Improve incident investigations to explicitly review and revise critical control design and verification.
- Share best practice on incident investigations.
- Give organisational expectations, practices and performance on managing principal hazards equal prominence to other workplace safety and health issues.
- Provide guidance for the most senior leaders on good practice in managing low probability, high consequence events including principal hazards.

High reliability organisation principles in the quarrying sector

In addition, the Commissioner initiated a parallel project in the quarrying industry to develop a discussion paper about the adoption of HRO principles in the Queensland quarrying industry.

Typically, HRO theory focuses on large, complex and highly hazardous operations. In many instances this does not describe quarrying operations. The project aimed to examine how the principles of HROs could be applied in the quarrying sector, taking into account the wide diversity of operations and the size, complexity and relative hazards involved.

Two quarry sites were identified in consultation with Cement, Concrete and Aggregates Australia. Site visits were conducted to review the application of HRO principles—where they might be applicable and translated into practices—and a discussion paper was produced based on the information gathered at the site. The discussion paper identified practices that

meet the intent of the principles of HROs, including where these practices are already in place, and any gaps that exist.

The report made eight findings:

- Adopting HRO theory in the quarrying sector will be different to the mining industry due to the differences in site complexity and inherent hazard.
- HRO principles require clarity on how incidents are prevented. This requires clear definitions of hazards and controls, including how to check if these controls are in place and working.
- Processes in place such as critical control verification could be used to identify where controls for key risks may not be working as intended.
- Adopting HRO principles means reducing the emphasis on lagging safety indicators and removing incentives for targets or trends related to incident statistics.
- Processes in place to show leadership in the field could be used to check key safety systems and reduce the gap between *work as imagined* and *work as done*.
- HROs empower front line workers to identify safety issues and act on them if conditions change or uncertainties are encountered.
- HROs ensure that key operational decisions are made by ensuring the right knowledge and expertise is incorporated into the decision-making process.
- Adopting HRO principles requires senior leaders and supervisors to embrace *bad news* so that any failures in safety—and other—systems can be detected before they lead to an incident.

Respond to requests from the Minister

Under section 63 of the *Resources Safety and Health Queensland Act 2020*, the Minister may give a written direction to the Commissioner about the performance of functions or exercise of powers. The Commissioner must comply with the direction and publish a copy of the direction on a Queensland government website.

In 2021–22, the Minister directed the Commissioner to establish a tripartite statutory positions working group to provide advice the Minister on the implementation challenges of amendments to the *Coal Mining Safety and Health Act 1999* which require people appointed to critical safety statutory roles for coal mining operations to be an employee of the coal mine operator.

As directed by the Minister in 2020–21, the Commissioner continued to:

- work with the Queensland Resources Council to facilitate the industry action plan to address recommendations 1, 2, 7–11, 18, 23 and 24 of the *Queensland Coal Mining Board of Inquiry part 1 report*
- as chair of the Coal Mining Safety and Health Advisory Committee, consider recommendations 16 and 22 of the *Queensland Coal Mining Board of Inquiry part 1 report*
- develop a program of engagement in 2021–22 with workers and relevant industry personnel to promote safety reporting and confidential complaints and to understand the barriers and opportunities of reporting culture, including education across the range of industry stakeholders.

Statutory positions

On 25 May 2020, the *Mineral and Energy Resources and Other Legislation Amendment Act 2020* amended the *Coal Mining Safety and Health Act 1999* to require that only an employee of a coal mine operator can be appointed to certain statutory positions. These amendments were set to commence on 25 November 2021.

On 13 October 2021, the Minister deferred the commencement of these provisions to 25 November 2022 and provided direction to the Commissioner for Resources Safety and Health to establish and chair a tripartite working group to provide advice to the Minister on the implementation challenges of the proposed legislative amendments to statutory positions and to find solutions to the identified issues.

In addition to the chair, the Tripartite Statutory Positions Working Group consisted of two members representing coal mine workers (plus one alternate), two members representing coal mine operators (plus one alternate) and two members representing coal mines inspectors (plus one alternate).

The working group held six meetings during which they considered and evaluated potential transitional issues, consequential issues and possible solutions.

Working group members took a consensus-based decision-making approach and, where they were not able to reach consensus, it was noted.

Industry and union members of the working group provided written submissions describing their issues and concerns. The working group also received written submissions and heard presentations from

coal mining industry stakeholders representing mine operators and workers.

The working group identified transitional and consequential issues and provided possible solutions for the Minister's consideration.

Recommendations of the Coal Mining Board of Inquiry relating to methane exceedances and lead indicators

The Queensland Coal Mining Board of Inquiry made a number of recommendations for the Queensland coal mining industry in relation to gas management—recommendations 1, 2, 7, 8, 9, 10 and 11—and the use of lead indicators of safety—recommendations 23 and 24.

Subsequent to those recommendations, the Minister directed the Commissioner to assist the coal mining industry—via the Queensland Resources Council—to facilitate discussions to develop an action plan to address the recommendations.

In 2020–21, the Queensland Resources Council established a Methane Exceedances and Classification Working Group (to address recommendations 1, 2, 7–10) and a Lead Indicators Working Group (to address recommendations 23 and 24). The Commissioner facilitated both working groups.

In 2021–22, the Methane Exceedances and Classification Working Group held a forum at Moranbah North coal mine where underground coal mine operators gave technical presentations to brief the Minister about the industry's response to recommendation 10 of the Board of Inquiry's part 1 report. It also provided an opportunity for the Minister to be updated on recommendations 2 and 3 of the Board of Inquiry's part 2 report.

The forum provided information about the management of goaf drainage systems by

individual companies and the complexity of the systems in place. Sites also outlined ongoing research and development in the area of methane management.

The Lead Indicators Working Group noted industry had started the journey to address recommendations 23 and 24, but recognised the need for cultural change across the industry to facilitate the use of lead indicators of safety.

The Commissioner and the Queensland Resources Council jointly hosted a lead indicators forum on 30 November 2021 to focus industry attention on leading practice approaches to health and safety across Queensland's resources sector.

The forum featured 12 expert presenters explained various approaches and experiences in developing lead indicators and this was followed by a workshop exploring future focus areas and practical takeaways. The workshop allowed industry stakeholders to plan and focus on the development of practical lead indicators.

More than 330 industry stakeholders from across the coal mining, mineral mining and quarrying, and petroleum and gas industries attended.

Recommendations of the Coal Mining Board of Inquiry relating to competencies

The Queensland Coal Mining Board of Inquiry made two recommendations related to the competencies required to be held by workers employed in the coal mining industry in specific statutory positions—recommendations 16 and 22.

Subsequent to those recommendations, the Minister directed the Commissioner, as chair of the Coal Mining Safety and Health Advisory Committee, to develop a plan to consider those recommendations.

The advisory committee accepted recommendation 16 and updated the competencies for site senior executives.

The advisory committee engaged with Simtars on recommendation 22 to consider three potential options to include critical control management in the standard risk management training packages, particularly *RIIRIS601E*.

Promotion of safety reporting

In 2020–21, the Minister directed the Commissioner to develop a program of engagement with workers and relevant industry personnel for implementation in 2021–22 focussing on the promotion of safety reporting.

The Report for Safety campaign was launched in June 2022 and seeks to engage with workers in the coal mining, mineral mining and quarrying, petroleum and gas, and explosives industries to:

- identify the opportunities and barriers related to the reporting of safety concerns
- understand the reasons why people do or do not report high potential incidents, near misses and early warning signs
- gain a better understanding of resources industry safety reporting practices.

The campaign features:

- a website¹ with information and resources for workers and operators about the objectives of the campaign and invites people to share their story

¹ www.commissioner.rshq.qld.gov.au/reportforsafety

- video interviews² with experienced, knowledgeable and respected people within the resources industry, as well as specialist content experts
- a dedicated Facebook page³ to communicate key messages to targeted audiences.

The campaign will run until 30 June 2023, with a possibility of extension, and will link closely with the industry safety reporting survey being conducted in conjunction with the Coal Mining Safety and Health Advisory Committee and the Mining Safety and Health Advisory Committee. In addition, the Commissioner delivered a number of related presentations to industry stakeholders with the central themes of:

- encouraging and supporting workers to report safety concerns
- understanding the barriers and opportunities to promoting improved safety reporting culture.

Advise on activities of the Commissioner

The Commissioner regularly advises the Minister for Resources and Ministerial staff on the activities of the office of the Commissioner and the outcomes of projects and activities.

In 2021–22, the Commissioner prepared a budget of estimated costs, as per the requirements of the legislation, and regularly briefed the Minister on progress against the strategic plan. The Commissioner also prepared and gave the Minister an annual report on the operations and effective performance of the functions of the role.

Effective oversight

The Commissioner has the function of monitoring, reviewing and reporting to the Minister on the performance of Resources Safety and Health Queensland's functions.

In achieving this objective, the Commissioner provides timely, independent advice on the performance of Resources Safety and Health Queensland by assessing performance against characteristics that define effective regulators in high-hazard industries, in particular, covering Resources Safety and Health Queensland's role, functions and capabilities.

The Commissioner also engages external experts to assess certain aspects of the performance of Resources Safety and Health Queensland.

Monitor, review and report on regulator's performance

In 2021–22, the Commissioner independently reviewed the activity of Resources Safety and Health Queensland and provided regular briefings to the Minister for Resources.

In achieving this objective, the Commissioner assesses performance against the 11 characteristics that define effective regulators in high-hazard industries. These characteristics are typical of effective safety and health regulators that oversee a wide range of safety and health issues. At different times, the Commissioner may focus on specific characteristics depending on current industry and regulatory conditions.

² www.youtube.com/channel/UCIGBSRQdo6Fx71n5P0_5qaw

³ www.facebook.com/ReportforSafety

The Commissioner assessed Resources Safety and Health Queensland's performance against the following five characteristics:

- regulation is based on a clear articulation of risk and risk control
- the regulator's activities and enforcement are risk-based
- the regulator has sufficient resources and skilled people on staff to fulfil functions
- the regulator effectively communicates with duty holders, workers and other stakeholders
- the regulator encourages collaboration and improves knowledge

The Commissioner also assessed Resources Safety and Health Queensland's progress in implementing the recommendations of Dr Sean Brady's *Review of all fatal accidents in Queensland mines and quarries from 2000 to 2019*:

- Recommendation 6—Adopting a high reliability organisation approach will require the refinement or addition of specific competencies to both the mining industry and the regulator.
- Recommendation 7—In order to proactively assist the mining industry to operate more like high reliability organisations, the regulator should play a key role in collating, analysing, identifying, and proactively disseminating the lessons learned from the incident and fatality data it collects from the industry.
- Recommendation 8—The regulator should develop a new and greatly simplified incident reporting system that is easy to use by those in the field, that is unambiguous, and that aims to encourage open reporting, rather than be an administrative burden to reporting.

- Recommendation 10—The regulator should adopt the serious accident frequency rate as a measure of safety in the industry.
- Recommendation 11—The regulator should adopt the high potential incident frequency rate as a measure of reporting culture in the industry.

In reviewing Resources Safety and Health Queensland's activity in 2021–22, the Commissioner:

- met regularly with the Resources Safety and Health Queensland chief executive officer, chief inspectors, industry operators and worker representatives
- accompanied inspectors on site visits and sought external feedback from worker representatives and coal mine, mineral mine and quarry, explosives, and petroleum and gas operators
- reviewed Resources Safety and Health Queensland documentation, projects and initiatives
- reviewed compliance and enforcement programs and activities
- reviewed the keys aspects of the implementation process of recommendations 7 and 8 to see if the intent had been met
- assessed the changes in practices, communication and reporting to adopt the serious accident frequency rate as a measure of safety and high potential incident frequency rate as a measure of reporting culture in the industry
- reviewed the addition of any specific competencies to enable and support the adoption by industry of the characteristics of HROs

- assessed the balance between proactive and reactive site visits
- assessed the level of technical expertise and industry experience among staff
- reviewed stakeholder engagement, communication and education campaigns
- assessed the dissemination of lessons learned by
 - reviewing outputs of inspection activity such as audits, reports, safety alerts, mine record entries and sector specific engagements
 - accompanying inspectors on site visits and attending demonstrations and conferences to observe first-hand sector engagement.

Independent assessment of performance

The Commissioner engages independent external experts to assess certain aspects of the performance of Resources Safety and Health Queensland.

In June 2021, the Commissioner engaged an external expert to complete an independent review of Resources Safety and Health Queensland's implementation progress of the recommendations directed at it in the *Review of all fatal accidents in Queensland mines and quarries from 2000 to 2019*.

The independent review covered the implementation of:

- recommendations 7, 8, 10 and 11 of the review and to assess whether the actions meet the intent of the recommendations
- recommendation 6 of the Brady review as it relates to the regulator's role and competencies.

Key aspects of the review process included:

- essential documentation requests
- interviews with key personnel from Resources Safety and Health Queensland
- external interviews with worker representatives and operating companies across coal mines and minerals mines and quarries for external perspectives on Resources Safety and Health Queensland's implementation of the recommendations directed at the regulator.

In 2022–23, the Commissioner will continue to assess the regulatory approach taken by Resources Safety and Health Queensland and will continue to monitor progress and review outcomes of projects and initiatives, including those recommendations made by the Queensland Coal Mining Board of Inquiry.

An engaged industry

The Commissioner aims to provide effective leadership to the resources industry on safety and health.

In achieving this, the Commissioner seeks to engage with all sectors of the resources industry to improve collaboration and consultation and to promote and protect the safety and health of people who may be affected by the operation of the industry.

One critical way that the Commissioner engages with industry, workforce and government stakeholders in the coal mining and mineral mining and quarrying industries is by chairing the two mining safety and health advisory committees and providing the support and resources necessary to achieve their five-year strategic plans.

The Commissioner is committed to improving tripartite collaboration and consultation across, and between, resources industry operators, workers and the regulator.

The Commissioner engaged directly with stakeholders in the coal mining, mineral mining and quarrying, explosives, and petroleum and gas sectors to consider the current issues related to safety and health.

The Commissioner aims to ensure that all stakeholders from the wide diversity in operations and locations have an equitable voice in the regulation of the resources industry and actively promotes safety and health by communicating across the industry on safety and health issues and proactively examining emerging issues.

Chair the advisory committees

In 2021–22, the Commissioner chaired four meetings of the Coal Mining Safety and Health Advisory Committee and four meetings of the Mining Safety and Health Advisory Committee. The Commissioner also provided resources to enable each of the advisory committees to implement the programs and projects outlined in their individual five-year strategic plans.

The primary function of the advisory committees is to give advice and make recommendations to the Minister about promoting and protecting the safety and health of persons at coal mines and mineral mines and quarries and persons who may be affected by coal mining and mineral mining and quarrying operations.

The advisory committees each focussed their efforts on achieving four key strategic objectives:

- a safe and healthy workplace
- maintain a competent workforce
- an informed industry
- an effective advisory committee.

Coal Mining Safety and Health Advisory Committee

In 2021–22, the advisory committee:

- identified emerging safety and health issues/trends by reviewing relevant information and data
- continued to address fatal and serious risks to workers by reviewing the findings and recommendations of the Brady review and Coal Mining Board of Inquiry
- endorsed *Recognised standard 23: Fluid power safety in coal mines*
- engaged Simtars to complete a review of all competencies recognised and established by the advisory committee (283 competencies across 29 positions) to ensure they are current, and to perform a gap analysis
- carried out a review of the competencies for working with electrical equipment in hazardous areas
- amended the open cut examiner competency
- informed the Minister about emerging issues, their potential impact and proactive best-practice safety and health activities by the industry and Resources Safety and Health Queensland
- reviewed Resources Safety and Health Queensland performance summary report to the advisory committee to inform the Minister on performance
- developed advisory committee terms of reference
- held an advisory committee meeting and industry forum in Moranbah
- visited Broadmeadow mine to discuss risk management practices in relation to the hazard of diesel particulate matter.

Mining Safety and Health Advisory Committee

In 2021–22, the advisory committee:

- identified emerging safety and health issues/trends by reviewing relevant information and data
- identified safety and health risks inherent in mineral mining and quarrying as focus areas to consider and provide advice
- established a working group to carry out a project to improve the quality of operational risk management in the mineral mining and quarrying industry
- continued to address fatal and serious risks to workers by reviewing the findings and recommendations of the Brady review and Coal Mining Board of Inquiry
- held an industry forum to collaborate and share learnings for developing, implementing, and maintaining effective controls associated with respirable dust at mineral mines and quarries and the barriers and opportunities for localised controls
- engaged Simtars to complete a review of all competencies recognised and established by MSHAC (61 competencies across 12 roles) to ensure they are current, and to perform a gap analysis
- amended the ventilation officer competency
- informed the Minister about emerging issues, their potential impact and proactive best-practice safety and health activities by the industry and Resources Safety and Health Queensland, including a proposed reduction in the workplace

exposure standard for respirable crystalline silica

- developed advisory committee terms of reference.

Proactively examine emerging safety and health issues

The Commissioner proactively examines emerging safety and health issues to promote and protect the safety and health of people in the resources industry.

In 2021–22, the Commissioner completed and initiated a range of programs to explore emerging issues including a comprehensive safety reporting survey in the coal mining and mineral mining and quarrying industries, and exploring process safety management, fatigue management, and workplace culture risks.

Safety reporting survey

Finding 91 of the *Queensland Coal Mining Board of Inquiry part 2 report*⁴ found:

An extensive study undertaken by CSMHAC on reporting culture in coal mines would benefit the industry in Queensland.

In 2021–22, after considering presentations focussing on identifying precursors and reporting *bad news*, as well as finding 91, the Commissioner started a process in conjunction with Coal Mining Safety and Health Advisory Committee and the Mining Safety and Health Advisory Committee to survey of the reporting culture of the Queensland mining industry. Each advisory committee formed a working group to provide guidance and input into the survey project.

⁴ https://www.coalminesinquiry.qld.gov.au/_data/assets/pdf_file/0014/1621211/Queensland-Coal-Mining-Board-of-Inquiry-Part-II-Report.pdf

The survey objective is to establish a baseline understanding of the state of the safety reporting culture in Queensland's mining industry and to better understand safety reporting behaviours, including potential barriers to reporting. The survey is expected to be completed in 2022–23 and results will be communicated to industry. The Commissioner aims to repeat the survey periodically to encourage continuous improvement.

Process safety management

In March 2022, the Commissioner engaged an independent expert to produce a discussion paper on process safety to explain its origins and relevance to the mining industry.

The Coal Mining Board of Inquiry part 1 report's process safety recommendation 18⁵ and finding 76⁶ were the driving force behind the Commissioner's decision to initiate this work to further understanding of process safety as it relates to the mining industry.

The discussion paper was delivered on 30 June 2022 and provided six findings to support the development of an equivalent to process safety management in the Queensland mining industry.

The discussion paper explored:

- what is process safety
- process safety management
- process safety in legislation
- process safety in the mining industry
- giving effect to the Board of Inquiry's recommendation.

Fatigue management in the Queensland mining industry

In 2021–22, the Commissioner commenced a project to examine fatigue management in the Queensland mining industry and its relationship with mental health and safety outcomes.

While there has been considerable work completed on fatigue, and there is knowledge of the controls to manage it, the recognition and management of fatigue remains a challenge.

The objectives of the project are to:

- identify if fatigue remains a hazard in the Queensland mining industry and the extent of fatigue as a hazard
- identify what constitutes good practice in contemporary workplace fatigue management in mining and similar industries
- identify the links (direct and indirect) between worker fatigue and mental health outcomes
- provide a greater understanding of what the Queensland mining industry is doing well and improvement opportunities.

The project is expected to be completed by December 2022.

Workplace culture risks forum

In 2021–22, the Commissioner worked with the Queensland Resources Council to host an industry forum on workplace culture risks, including sexual harassment, bullying and discrimination.

The purpose of the forum was to provide the resources industry with an opportunity to openly

⁵ Recommendation 18 *The industry adopts strategies and performance measures to address process safety and personal safety separately.*

⁶ Finding 76 Safety management systems should recognise that the causative factors resulting in fatalities and catastrophic incidents are different

from those that result in less significant injuries. An appropriate focus on catastrophic risk requires consideration of process safety strategies.

collaborate and share learnings to best respond to the concerns about workplace culture.

It aimed to provide opportunities for industry stakeholders to review current approaches to workplace culture, encourage storytelling to explore the issue, and for operators to share their own initiatives to support change in the workplace.

The forum included expert speakers and panel members from within the resources industry, as well as from other industries and government organisations.

Workshops related to four central pillars of:

- leadership and culture
- psychological safety
- strategy and governance
- physical environment.

The forum was attended by more than 100 industry stakeholders from 37 businesses representing a significant cross-section of the Queensland coal mining, mineral mining and quarrying, and petroleum and gas industries.

Stakeholder direct engagement

An important element of the Commissioner's engagement strategy is directly engaging with stakeholders from the resources industry to collaborate on safety and health issues and to gather feedback about industry and regulator performance and current issues and concerns.

In 2021–22, the Commissioner attended 29 mining, petroleum and gas, and explosives industry events and delivered presentations at 14 of those events, including at the Women in Energy and Resources Leadership forum, Resources Training Council annual conference, Mine Managers Association of Australia forum, and the Cement Concrete and Aggregates Australia Quarrying and Mining Safety and Health Conference.

The Commissioner visited 13 resources industry sites—six coal mines, three mineral mines, two petroleum and gas sites, one quarry, and one explosives site—to gain a better understanding of current safety and health issues and to engage with workers and industry stakeholders directly in their workplaces.

The Commissioner also hosted four forums in regional areas with resources industry executives from the coal mining, mineral mining and petroleum and gas industries as an opportunity to discuss current issues related to safety and health.

In addition, the Commissioner continued regular engagement meetings with peak bodies including Queensland Resources Council, Australian Petroleum Production and Exploration Association, Cement Concrete and Aggregates Australia, International Society of Explosives Engineers, mining industry unions including the Mining and Energy Union and Australian Workers' Union, and government bodies including Resources Safety and Health Queensland. This included presenting at the Queensland Resources Council's Health and Safety Standing Committee meetings and Cement Concrete and Aggregates Australia's Occupational Health and Safety Sub-Committee.

The Commissioner also engaged with relevant research and subject matter experts including The University of Queensland's Sustainable Minerals Institute and Simtars.

The Commissioner is also a member of the advisory board of The University of Queensland's Minerals Industry Safety and Health Centre.

Figure 2 and Figure 3 show the number and proportion of direct, in-person engagements during the year.

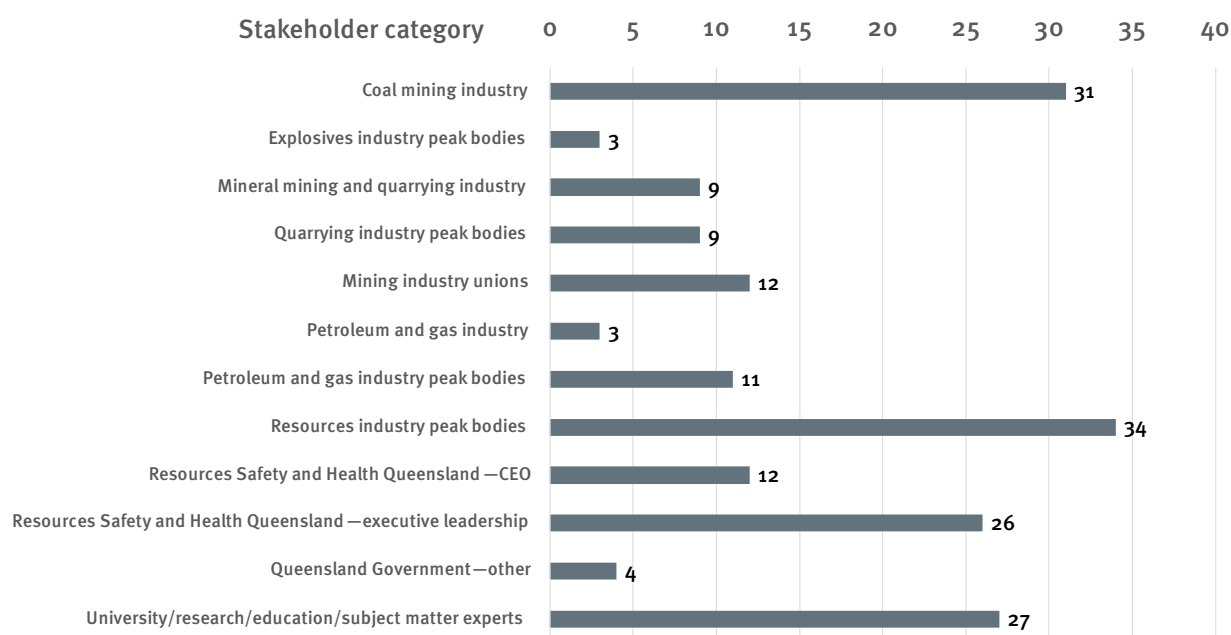


Figure 2: Number of direct engagements with stakeholders in 2021–22 by stakeholder category

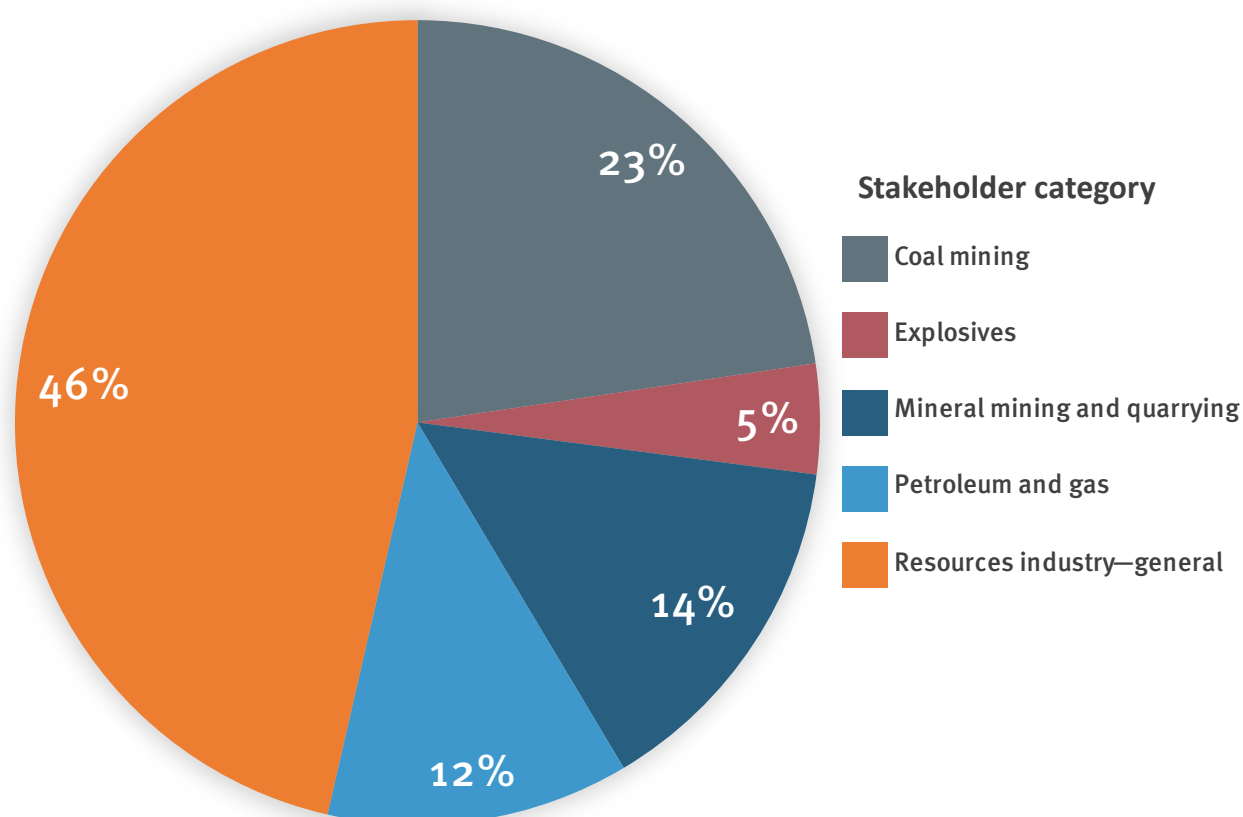


Figure 3: Proportion of direct engagement with stakeholders in 2021–22 by industry sector⁷

⁷ Resources industry—general includes organisations that are not specific to one sector of the industry i.e. Queensland Resources Council

Mount Isa Lead Health Management Committee

The Commissioner remains a committed member of the Mount Isa Lead Health Management Committee and supports its continued action to achieve sustainable improvement in the health of the Mount Isa community.

The Queensland Chief Health Officer is the chair of the committee and members represent Queensland Government agencies, Glencore Mount Isa Mines, Queensland and Federal Members of Parliament, and Mount Isa City Council.

In 2021–22, the Commissioner attended two committee meetings. The committee also developed a five-year strategic plan to guide the development of practical prevention measures to protect the health of the children of Mount Isa from lead and other heavy metals in the environment.

In 2021–22, the Commissioner contributed \$29,438 to funding the Mount Isa Lead Alliance.

Level 1 emergency exercise

The Commissioner continues to support the annual coal mining industry Level 1 mine emergency exercise by making staff available to participate as assessors.

In 2021–22, one staff member participated as an assessor in the exercise which was held on 26 October 2021 at Oaky North coal mine in Central Queensland.

All Queensland underground coal mines must run annual simulations to test their readiness for emergencies. In addition to their own exercises, each year one mine hosts the state's

Level 1 emergency exercise. These exercises have been held annually since 1998 and are monitored by assessors from the Queensland and New South Wales coal mining community.

Proactive communication across the industry

The Commissioner promotes safety and health in the industry by proactively communicating with stakeholders across the industry and examining emerging issues related to safety and health.

In 2021–22, the Commissioner continued to implement a strategic communications and engagement plan to establish a coordinated model of communication which informs, educates and encourages stakeholders to engage with the Commissioner on resources safety and health.

The Commissioner continued to develop key communication channels, including a dedicated website and social media presence, and engaged face-to-face with stakeholders on a formal and informal basis via professional events and resources industry site visits.

Social media

The Commissioner continued to use LinkedIn⁸ to communicate with professional, operational and technical workers in the resources industry.

Regular updates have been posted⁹ informing industry stakeholders about the Commissioner's current projects and providing information about safety and health in the

⁸ <https://www.linkedin.com/showcase/queensland-commissioner-for-resources-safety-&-health->

⁹ The average number of posts per month was 2.6. Total number of posts for 2020–21 was 24.

industry. The number of followers¹⁰ has steadily increased over that time and the engagement rate¹¹ has remained steady.

Social media affords the opportunity for the Commissioner to engage directly with target audiences in the resources industry and to amplify key messages through the personal networks of highly engaged stakeholders.

Website

The Commissioner has continued to develop a dedicated website¹² to house information about the role of the Commissioner and the advisory committees. The website is used to regularly communicate and publish information about the Commissioner's projects and activities.

The Commissioner aimed to publish one news article per month on the website. In 2021–22, a total of 13 articles were published.

Resources Safety and Health Matters video series

In 2021–22, the Commissioner launched the *Resources Safety and Health Matters* video series to explore current safety and health issues in Queensland's resources industry.

The Commissioner worked with Professors Alex Haslam and Jolanda Jetten of the University of Queensland's School of Psychology and Susan Johnston from The University of Queensland's Sustainable Minerals Institute to develop three videos which discuss the relationship between HROs and leadership and the application of HRO theory in the resources industry.

Three videos were published in 2021–22 and further videos with other content experts will be developed in 2022–23 to provide in-depth discussions on contemporary safety and health issues which affect Queensland's resources sector.

¹⁰ The average number of followers added per month was 26.1. The total number of followers added for 2020–21 was 235.

¹¹ The average monthly engagement rate was 12.65%.

¹² www.commissioner.rshq.qld.gov.au

Governance

The Commissioner for Resources Safety and Health maintains a small office in Brisbane.

Staffing

The Commissioner does not directly employ staff.

Section 62 of the *Resources Safety and Health Queensland Act 2020* provides for the Commissioner to arrange for the services of officers or employees of a government agency to be made available to the Commissioner. Any such arrangement is to be made with the agreement of the chief executive of the government agency.

In 2021–22, the Commissioner maintained a small multidisciplinary workforce composed of four full-time staff. All staff made available were employees of Resources Safety and Health Queensland.

Staffing arrangements remained consistent throughout the year with no staff turnover.

All staff completed professional development plans and were encouraged to undertake further development opportunities, including attending conferences, industry events and safety and health exercises.

Conflicts of interest

Under section 57 of the *Resources Safety and Health Queensland Act 2020*, if the Commissioner has an interest that conflicts, or may conflict, with the discharge of the Commissioner's responsibilities, the Commissioner must:

- disclose the nature of the interest and conflict to the Minister as soon as practicable after the relevant facts come to the Commissioner's knowledge
- not take action or further action concerning a matter that is, or may be, affected by the conflict unless authorised by the Minister.

In 2021–22, the Commissioner did not disclose any conflicts of interest to the Minister.

External accountability

Under the *Resources Safety and Health Queensland Act 2020*, the Commissioner is accountable to the Minister for Resources.

Looking ahead

In 2022–23, the Commissioner will continue to build on the success achieved over the past two years to provide effective leadership to the resources industry on safety and health and to advise the Minister on matters related to safety and health and the performance of the functions of the resources regulator.

The Commissioner will continue to implement the key activities of the *Commissioner for Resources Safety and Health strategic plan 2022–27* to achieve the following objectives:

- an informed Minister
- effective oversight
- an engaged industry.

A key priority for the Commissioner is the continued implementation of industry strategic engagement activities centred around:

- continuing the Report for Safety worker engagement campaign to improve the reporting culture in the industry by sharing video interviews with experienced, knowledgeable and respected people from the resource industry
- conducting a survey of the reporting culture of the Queensland mining industry to establish a baseline for the reasons why people do, or do not, report high potential incidents, near misses and early warnings, and to better understand reporting practices including potential barriers and opportunities
- communicating the results of the survey back to industry.

The Commissioner will also continue to work with key stakeholders in the resources industry to create an industry culture which is physically and psychologically safe for everyone.

Key considerations include:

- continuing to consider the effects of workplace culture risks such as sexual harassment, bullying and discrimination
- investigating the role psychological safety plays in the reporting and safety culture of the Queensland resources industry
- exploring the robustness of reporting systems in relation to workplace culture risks and industry's response
- understanding the effect of physical environment on workplace culture risks.

The Commissioner will also engage broadly with the mining industry on its progress in adopting process safety concepts focussing on catastrophic hazards and critical controls. This is a continuation of work started in 2021–22. Further work will also be conducted into the management of fatigue in the Queensland resources industry.

The Commissioner will also continue to assess the performance of Resources Safety and Health including:

- the implementation of recommendations of the Brady review and the Queensland Coal Mining Board of Inquiry
- the effectiveness of processes to ensure capture and *fit-for-purpose* response to workplace culture risks
- that regulation is based on clear articulation of risk and risk control
- the regulator has sufficient resources and skilled people to fulfil its functions
- the regulator effectively communicates and encourages collaboration and improves knowledge.

Financial snapshot

Under the *Resources Safety and Health Queensland Act 2020*, it is a requirement that the Commissioner prepare by 31 March each year, in consultation with the Chief Executive Officer of Resources Safety and Health Queensland, a budget of estimated costs of the Commissioner for the next financial year.

Funding

The funding for the Commissioner is sourced from regulatory fees paid by industry participants under legislation specific to the mining, quarrying, explosives, and petroleum and gas industries.

Budget of estimated costs for 2021–22

The Commissioner's budget of estimated costs for 2021–22 was **\$1,733,822** million. No amendments to the budget were made during the year.

The surplus for the Commissioner for the 2021–22 financial year was \$1693.

Revenue from regulatory fees is collected and administered by Resources Safety and Health Queensland and funds the Commissioner's budget. The full Resources Safety and Health Queensland audited financial statements are available in its 2021–22 annual report.¹³

¹³ <https://www.rshq.qld.gov.au/about-us/resources/publications/annual-report>

Income and expenditure

Table 2: Commissioner for Resources Safety and Health income and expenditure for 2021–22

Income and expenditure
for the period 1 July 2021 to 30 June 2022

Income from operations

User charges and fees

1,733,822

Total Income from operations

1,733,822

Expenses from operations

Employee expenses

955,891

Supplies and services

741,157

Grants and subsidies

29,438

Other expenses

5,643

Total expenses from operations

1,732,129

Surplus for the year

1,693

Appendix 1 Compliance checklist

Summary of requirement		Basis for requirement	Annual report reference
Letter of compliance	<ul style="list-style-type: none"> A letter of compliance from the accountable officer or statutory body to the relevant Minister/s 	ARRs – section 7	iii
Accessibility	<ul style="list-style-type: none"> Table of contents 	ARRs – section 9.1	iv
	<ul style="list-style-type: none"> Public availability 	ARRs – section 9.2	ii
	<ul style="list-style-type: none"> Interpreter service statement 	Queensland Government Language Services Policy ARRs – section 9.3	ii
	<ul style="list-style-type: none"> Copyright notice 	<i>Copyright Act 1968</i> ARRs – section 9.4	ii
	<ul style="list-style-type: none"> Information Licensing 	QGEA – Information Licensing ARRs – section 9.5	ii
General information	<ul style="list-style-type: none"> Introductory Information 	ARRs – section 10	2–5
Non-financial performance	<ul style="list-style-type: none"> Government’s objectives for the community and whole-of-government plans/specific initiatives 	ARRs – section 11.1	N/A
	<ul style="list-style-type: none"> Agency objectives and performance indicators 	ARRs – section 11.2	7
	<ul style="list-style-type: none"> Agency service areas and service standards 	ARRs – section 11.3	7
Financial performance	<ul style="list-style-type: none"> Summary of financial performance 	ARRs – section 12.1	28
Governance – management and structure	<ul style="list-style-type: none"> Organisational structure 	ARRs – section 13.1	N/A
	<ul style="list-style-type: none"> Executive management 	ARRs – section 13.2	N/A
	<ul style="list-style-type: none"> Government bodies (statutory bodies and other entities) 	ARRs – section 13.3	8
	<ul style="list-style-type: none"> Public Sector Ethics 	<i>Public Sector Ethics Act 1994</i> ARRs – section 13.4	N/A
	<ul style="list-style-type: none"> Human Rights 	<i>Human Rights Act 2019</i> ARRs – section 13.5	N/A
	<ul style="list-style-type: none"> Queensland public service values 	ARRs – section 13.6	N/A
	<ul style="list-style-type: none"> Risk management 	ARRs – section 14.1	N/A
Governance – risk management and accountability	<ul style="list-style-type: none"> Audit committee 	ARRs – section 14.2	N/A
	<ul style="list-style-type: none"> Internal audit 	ARRs – section 14.3	N/A
	<ul style="list-style-type: none"> External scrutiny 	ARRs – section 14.4	N/A
	<ul style="list-style-type: none"> Information systems and recordkeeping 	ARRs – section 14.5	N/A
	<ul style="list-style-type: none"> Information Security attestation 	ARRs – section 14.6	N/A
Governance – human resources	<ul style="list-style-type: none"> Strategic workforce planning and performance 	ARRs – section 15.1	N/A
	<ul style="list-style-type: none"> Early retirement, redundancy and retrenchment 	Directive No.04/18 Early Retirement, Redundancy and Retrenchment ARRs – section 15.2	N/A
Open Data	<ul style="list-style-type: none"> Statement advising publication of information 	ARRs – section 16	N/A
	<ul style="list-style-type: none"> Consultancies 	ARRs – section 33.1	https://data.qld.gov.au
	<ul style="list-style-type: none"> Overseas travel 	ARRs – section 33.2	https://data.qld.gov.au
	<ul style="list-style-type: none"> Queensland Language Services Policy 	ARRs – section 33.3	https://data.qld.gov.au
Financial statements	<ul style="list-style-type: none"> Certification of financial statements 	FAA – section 62 FPMS – sections 38, 39 and 46 ARRs – section 17.1	N/A
	<ul style="list-style-type: none"> Independent Auditor’s Report 	FAA – section 62 FPMS – section 46 ARRs – section 17.2	N/A

FAA *Financial Accountability Act 2009*

FPMS *Financial and Performance Management Standard 2019*

ARRs Annual report requirements for Queensland Government agencies



Commissioner for
**Resources Safety
& Health**

