



Resources Safety & Health  
Queensland

# Resources Safety and Health Queensland

## Performance Accountability Framework 2019-20 Self-Assessment Summary

December 2020

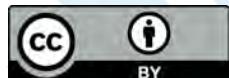


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# Contents

	Page
<b>Summary of assessment</b>	1
<b>Key performance indicator 1</b> RSH does not unnecessarily impede the operation of regulated entities	2
<b>Key performance indicator 2</b> RSH communicates with regulated industries in a clear, targeted and effective manner	2
<b>Key performance indicator 3</b> Compliance actions undertaken by RSH are proportionate to the regulatory risk being managed	3
<b>Key performance indicator 4</b> RSH compliance and monitoring approaches are streamlined and coordinated	3
<b>Key performance indicator 5</b> RSH is open and transparent in its dealings with regulated entities	4
<b>Key performance indicator 6</b> RSH actively contributes to the continuous improvement of regulatory frameworks	4
<b>Stakeholder survey</b>	5

# Summary of assessment

The Performance Accountability Framework was established in 2017 to assess our performance when interacting with industry stakeholders while carrying out our regulatory functions. It is intended to evaluate how we perform as a regulator and our level of engagement with stakeholders.

The six outcome-based key performance indicators (KPIs) that make up the framework and self-assessment reporting are:

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

The 2019-20 self-assessment is based on evidence collected from the regulator's inspectorates and business units. Individual initiatives are reported against the most appropriate key performance indicator (KPI), though the activities performed may be relevant to more than one indicator.

The 2019-20 self-assessment reporting demonstrates that there was:

- a high level of consultation, engagement, and communication with regulated industries, as well as collaboration and engagement with international and domestic regulatory, scientific and academic institutions as demonstrated in KPI 1, KPI 2 and KPI 6
- satisfactory evidence to demonstrate that compliance and monitoring approaches are streamlined and coordinated where appropriate, that we take a proportionate approach to compliance and enforcement actions and that our overall practices and systems are founded on a risk-based regulatory approach and are reviewed regularly as demonstrated in KPI 3, KPI 4 and KPI 5
- a reduction in stakeholder satisfaction compared to the 2018 baseline. Although the number of survey participants was very low – having just 54 respondents makes statistical significance difficult to identify – the feedback is nonetheless valuable and identifies specific areas for improvement for the regulator to address.

The full report can be obtained from the website [here](#).



# Key performance indicator 1

RSH does not unnecessarily impede the operation of regulated entities

## Performance measures

- 1.1 RSH inspectorates demonstrate an understanding of the operating environment of the regulated entities through efficient consultative mechanisms.
- 1.2 RSH inspectorates minimise potential for unintended negative impacts of regulatory activities on regulated entities.
- 1.3 RSH inspectorates implement continuous improvement strategies to improve safety and health outcomes for the regulated industries.

RSH's participation in regular consultation and engagement with stakeholders provides us with the opportunity to share our expectations and approach to administering the regulatory framework, and helps us improve our understanding of the industries we regulate. The regulator also benefits from learning opportunities offered by engagement with other regulatory agencies and scientific and academic institutions, as well as the participation of its inspectors in technical committees such as Australian Standards and technical regulator committees.

RSH participated in a range of these activities in 2019-20, details can be found on the [website](#). 

## Significant initiatives and continuous improvement

- The introduction of mandatory lung health checks for Queensland mineral mine and quarry workers, commenced on 1 September 2020.
- The development of a Code of Practice for Fireworks in Queensland which is expected to be published in mid-2021.

# Key performance indicator 2

Communication with regulated entities is clear, targeted, and effective

## Performance measures

- 2.1 RSH inspectorates provide guidance and information that is up to date, clear, accessible and concise through appropriate mediums to the targeted audience.
- 2.2 RSH inspectorate decisions are provided in a timely manner and clearly articulate expectations and the reasons for the decision.
- 2.3 RSH inspectorate advice is consistent and supports predictable outcomes.

RSH inspectorates notify industry stakeholders of serious incidents through alerts and news flashes as soon as pertinent information is available for release. The inspectorates also publish bulletins and reports with more detail on incidents or issues affecting industry. RSH regularly communicates with its stakeholders through newsletters, emails, social media posts, information sessions, toolbox talks or web updates to assist in understanding their obligations.

## Significant initiatives and continuous improvement reporting

### Developing our people: Good decision-making, procedural fairness, human rights

- Advanced Government Decision-Making and Statutory Interpretation
- Mandatory training in the application of the Human Rights Act 2019 for all staff (309 completions)

### Safety Reset

1197 Safety Reset sessions held to facilitate effective discussion between management, operational staff and workers' representatives to improve safety outcomes. More than 53,000 workers (95 per cent of the work force) attended a session in July or August 2019.

# Key performance indicator 3

Compliance actions are proportionate to the regulatory risk being managed

## Performance measures

- 3.1 RSH inspectorates apply a proportionate approach to compliance obligations, engagement and regulatory enforcement actions, as determined by respective legislation.

The compliance record of regulated entities is recognised.

- 3.2 RSH inspectorates' approach to risk is regularly reviewed. Strategies amended to reflect changing priorities without diminishing regulatory certainty or impact.

RSH's regulatory approach is proportionate to the legislated compliance obligations and the safety, security, or health risks that the industry's activities present to workers and the community. The approach takes into consideration information from legislated safety and health reporting obligations; inspections and audits; complaints; licensing; certificates of competency, and regular engagement with industry stakeholders. The RSH Compliance Policy, published on the department's website, sets out the principles and practices that underpin our compliance and enforcement approach.

## Significant initiatives and continuous improvement reporting

### Central Assessment and Performance Unit

Work to introduce a streamlined incident management system and establish a Central Assessment and Performance Unit has commenced with the aim of providing improved incident data capture, better analysis and assessment, and increased capacity to provide lessons learnt to industry.

### Board of Examiners

In 2020 an external review of the operation of the Board of Examiners was completed. The wide-ranging review made a number of suggestions to: improve governance and management of the Board; deliver consistency across examination processes and procedures; improve administrative processes; and move towards best practice in cost recovery.

# Key performance indicator 4

Compliance and monitoring approaches are streamlined and coordinated

## Performance measures

- 4.1 RSH inspectorate information requests are tailored and only made when necessary to secure regulatory objectives.
- 4.2 RSH inspectorates utilise information received from government agencies, through formal information sharing arrangements, to limit requests made to regulated entities, where possible.
- 4.3 RSH inspectorates take into account the circumstances and operational needs of the regulated industry

RSH's information systems and databases give us the ability to access up-to-date information about our stakeholders and our regulatory environment to inform our regulatory responses. As far as possible, the data collected and stored on inspectorate databases is reused to minimise requests of regulated industries. RSH maintains a range of formal and informal information sharing practices with other government agencies including Memoranda of Understanding.

## Significant initiatives and continuous improvement reporting

### Coordinated inspections

RSH aims to coordinate inspections with other regulators where practical, to minimise disruption.

### Workplace Health and Safety

From 1 July 2020, the WHS Prosecutor will bring prosecutions for serious offences under resource safety legislation, bringing increased transparency and consistency in the exercise of this power.

# Key performance indicator 5

RSH is open and transparent in its dealings with regulated entities

## Performance measures

- 5.1 RSH inspectorates' legislation and compliance policy are publicly available in a format which is clear, understandable and accessible.
- 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.
- 5.3 RSH inspectorate performance measurement results published in a timely manner to ensure accountability to the public.

RSH seeks to be open and transparent in its dealings with regulated industries. Legislation administered by RSH inspectorates provides clear objectives and obligations and the published Compliance Policy provides a clear framework for our compliance approach. RSH releases performance information on the department's website through the annual Queensland Mines and Quarries Safety Performance and Health Report and at the annual Industry Leaders' Briefing.

## Significant initiatives and continuous improvement reporting

### Mining fatality review

The Review of all fatal accidents in Queensland mines and quarries from 2000 to 2019 examined:

- a) the causes of mine worker fatalities over the past 20 years
- b) what industry can do to improve
- c) how the mines inspectorate can better support industry safety and health outcomes

Dr Brady makes 11 recommendations to the industry and regulator, including that the regulator play an increased role in analysing incident data and disseminating lessons learnt to industry.

# Key performance indicator 6

RSH actively contributes to the continuous improvement of regulatory frameworks

## Performance measures

- 6.1 RSH inspectorates establish cooperative and collaborative relationships with stakeholders to improve the efficiency and effectiveness of the regulatory framework.
- 6.2 RSH inspectorates engage with stakeholders in the development of options to improve safety and health outcomes.
- 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.

## Significant initiatives and continuous improvement reporting

### Consultation on major policy and legislation changes

- Resources Safety and Health Queensland Bill 2019
- Industrial manslaughter, statutory positions and reprisal penalties
- Proposed safety and health fee invoicing changes
- Revised record-keeping requirements with regard to the safety and health fee
- Methane monitoring and ventilation systems in underground coal mines
- The use of particular electrical equipment in sealed underground mines
- A recognised standard to support amendments requiring explosion barriers in underground coal mines
- The establishment of a new regulatory gas device approval authority framework for appointing and conditioning persons to approve gas devices in Queensland
- Explosives security clearance changes
- Mobile health units

# Stakeholder Survey

In 2020 we repeated our stakeholder survey using the same questions and methodology as in 2018. This consistency allows for some comparisons to be drawn between the two sets of results; however the very small survey sample means we need to be somewhat cautious of the results. A sample of just 54 respondents does not provide an adequate representation of the regulator's stakeholder group to produce robust findings. That said, the results provide valuable insights for the regulator and areas of focus for improvement in the coming year.

We observe a consistent reduction in satisfaction across almost all areas of engagement since 2018. While the proportion of stakeholders rating service as very good and good remains high and always above 50 per cent, there is a clear, though modest increase in poor and average ratings in most areas.

Notable exceptions to the trend are the improvement in scores relating to transparency and fairness in decision-making and providing information in a courteous and instructive manner. We also note the maintenance of high levels of satisfaction with regard to complaints management, inspector preparedness, consistency, knowledge and professionalism.

Detailed comparison charts for each survey question are provided in the full report on the [website](#).

