

**Resources Safety and Health
Performance Accountability Framework
2017–18 Self-Assessment Supplementary Evidence
Report**

Explosives Inspectorate

December 2018

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Summary

Resources Safety and Health Performance Accountability Framework

The Resources Safety and Health Performance Accountability Framework (the Framework) was established 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 framework and self-assessment reporting is modelled on the established Commonwealth Regulator Performance Framework which comprises six outcome-based KPIs to communicate the expectations of regulator performance.

Framework self-assessment

Resources Safety and Health (RSH) carried out the first annual self-assessment of its inspectorates' performance against the framework key performance indicators (KPIs).

For the first self-assessment report, we have released details of specific activities undertaken in 2017-18, that demonstrate the KPIs, on the department's website. Another key source of supporting evidence are the results of a 2018 RSH industry stakeholder survey.

The information contained in this report is by no means an exhaustive list of the activities undertaken by the Explosives Inspectorate, but it captures the main elements of the work undertaken in 2017-18.

Future self-assessment reports will focus on significant initiatives and consultation activities, as well as significant continuous improvement initiatives, rather than repeating the material covered in the framework KPIs. We believe there is more value focusing on our significant performance efforts in future reports.

Summary of assessment

The self-assessment found RSH:

- is engaged with regulated industries, other regulatory agencies and academic and scientific institutions
- is delivering against the KPIs and performance measures
- effectively manages the balance between supporting industry through regular engagement and consultation and enforcing the legislation to achieve better safety and health outcomes.

Areas for improvement highlighted by the self-assessment include:

- improving understanding within industry of the risk-based approach RSH inspectorates take when monitoring compliance
- improving our website to make it easier for our stakeholders to find the information and guidance material to assist them in their day-to-day operations.

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Explosives Inspectorate 2017-18 supplementary activity-based evidence

KPI 1: RSH does not unnecessarily impede the operation of regulated entities

Stakeholder Survey 1

Explosives Inspectorate staff demonstrate an understanding of your operation.

Correlated Performance Accountability Framework KPI's: KPI 1, KPI 6



Overall, how well do you feel that the Explosives Inspectorate performs in terms of being a proactive safety and health regulator?

Correlated Performance Accountability Framework KPI's: KPI 1



To what extent do you feel that the Explosives Inspectorate supports positive safety and health outcomes for your organisation?

Correlated Performance Accountability Framework KPI's: KPI 1



Raise awareness and promote safety and health outcomes - How well does the Explosives Inspectorate perform in the delivery of these functions?

Correlated Performance Accountability Framework KPI's: KPI 1, KPI 2



Delivery of functions - How well do you think the Explosives Inspectorate performs?

Correlated Performance Accountability Framework KPI's: KPI 1, KPI 4



¹ The stakeholder survey results represented in this document may not always equal 100 per cent as 'Unsure' or 'Not applicable' responses have not been included where the results were very small.

Did you access, download or receive any resources from Resources Safety and Health during the last 12 months? (quality and ease of access)

Correlated Performance Accountability Framework KPI's: KPI 1, KPI 2



Industry consultative committees

- Presented on the security changes proposed in the new explosives legislation to the Coal Mining Safety and Health Advisory Committee on 19 April 2018.
- Presented on the security changes proposed in the new explosives legislation to the Mining Safety and Health Advisory Committee on 6 June 2018.

Consultation and engagement activities

- RSH Industry Leaders Briefing 27 October 2017 Parliament House, Brisbane. Chief Inspector of Explosives highlights their priorities and expectations to industry leaders.
- Annual Australian Explosives Industry and Safety Group.
- Presented on the security changes proposed in the new explosives legislation to the Underground Mineral Mine Managers forum held in Mount Isa 23 May 2018.
- Presented on the security changes proposed in the new explosives legislation to the Annual Quarrying Safety and Health Seminar in Townsville 27 June 2018.
- Transport Industry Liaison Group 6 December 2017.

Conferences, seminars and workshops

- Members of the Explosives Inspectorate attended and presented at the annual Queensland Mining Industry Health and Safety Conference 6-8 August 2017. The Inspectorate presented papers on:
 - *The Security of Explosives*
 - *Learning from Angellala Creek Ammonium Nitrate Vehicle Explosion.*
- Explosives Inspectorate attended BMA Flyrock modelling seminar 25 September 2018.
- International Conference of Chief Inspectors Explosives 15 to 20 April 2018.
- Institute of Makers of Explosives Safety Analysis for Risk Development Workshop 9-13 April 2018.

Academic and scientific institutions

Collaboration with Simtars on dust monitoring and results and training for statutory positions.

Engagement with domestic and international safety and regulatory agencies

- International Conference of Chief Inspectors Explosives 15 to 20 April 2018. This conference is made up of the International Group of Experts on the explosion risks of Unstable Substances (IGUS) and the Explosives, Propellants and Pyrotechnics (EPP) Group.
- Chaired the Annual Australian Forum Explosive Regulators (AFER) meeting in October 2017.
- Hosted the Queensland Explosives Forum on 18 November 2017. Forum attracts attendees from industry and interstate regulators in security and safety of explosives. An international representative from Mining3 provided overview of emerging explosives technologies.
- Attended and presented on Angellala Creek at the 44th International Society of Explosives Engineers 28 January to 2 Feb 2018.
- Annual Australian Forum of Explosives Regulators in October 2017.
- Annual meeting of the Competent Authority Panel on 3 November 2017 (transport regulation)
- Safe Work Australia National Harmonisation Strategic Industry Group (explosives legislation harmonisation) 31 July to 1 August 2017.

Professional and technical committees

- Attended Weapons Technical Intelligence Conference in Canberra in November 2017 (federal security and explosives technical conference).
- Member of the Ammonium Nitrate Vehicle Design Committee - 13 July 2017 and 31 October 2017 meetings.

KPI 2: Communication with regulated industries is clear, targeted and effective manner

Stakeholder Survey

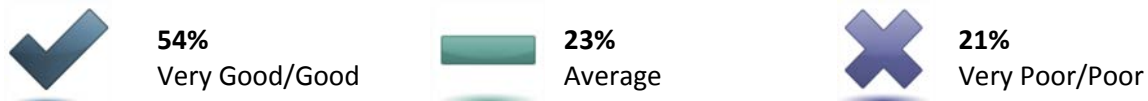
Raise awareness and promote safety and health outcomes - How well does the Explosives Inspectorate perform in the delivery of these functions?

Correlated Performance Accountability Framework KPI's: KPI 1, KPI 2



Information and Guidance Material - How well do you think the Explosives Inspectorate performs:-

Correlated Performance Accountability Framework KPI's: KPI 2



Communication and Information - How well do you think the Explosives Inspectorate performs?

Correlated Performance Accountability Framework KPI's: KPI 2, KPI 5



Did you access, download or receive any resources from Resources Safety and Health during the last 12 months? (Quality and ease of access)

Correlated Performance Accountability Framework KPI's: KPI 1, KPI 2



Consistency in communication

The following documentation is stored in the Explosives Inspectorate's databases and is available to all staff to promote consistency in communication with stakeholders and form part of the induction process for new employees.

- Departmental communication procedures and style guides
- Departmental protocols and templates
- RSH Compliance Policy
- Audits and Inspections manual with supporting checklists
- RSH Investigations Manual
- Licence letter templates
- Documented decision-making process
- Emergency Response Manual

- Process maps and procedures.

Communication and information releases

- Regular releases of information to stakeholders through tailored emails and letters, Vision6 and social media posts.
- Roadshows and industry forums are favoured for larger information releases (e.g. implementation of new legislation).

Feedback received on quality and availability of information

General feedback received from industry on the quality and availability of information was regarding the difficulty in searching the department's website. In particular, accessing safety and security alerts and bulletins.

Stated response timeframes

The *Explosives Act 1999* and the Explosives Regulation 2017 have response timeframe provisions.

The Explosives Inspectorate also has internal supporting documentation for timeframes on the issuing of licences and safety alerts.

RSH inspectorates comply with departmental and ministerial response timeframes.

Procedural fairness and appeal mechanisms

There were three external reviews lodged with QCAT in 2017-18. These related to licensing appropriateness and compliance action.

Explosives Act 1999

Part 7 of this Act provides for internal review by the chief inspector of certain decisions of an inspector (other than the chief inspector), including directions given by inspectors about contraventions under the Act.

Part 7 also provides for external review by the Queensland Civil and Administrative Tribunal (QCAT) of certain decisions of the chief inspector, including decisions about the grant of authorities under the Act and internal review decisions of the chief inspector.

KPI 3: Actions undertaken by RSH are proportionate to the regulatory risk being managed

Stakeholder Survey

Compliance activities and complaints processes - How well does the Explosives Inspectorate perform in the delivery of these functions?

Correlated Performance Accountability Framework KPI's: KPI 3



How well do you think the Explosives Inspectorate performs when working with industry to reduce the likelihood and consequence of serious incidents?

Correlated Performance Accountability Framework KPI's: KPI 3



Communication of expectations to regulated industries

- RSH Annual Leaders Briefing at Parliament House on 27 October 2017
- Four Safety Alerts and sixteen Information Bulletins published on the department's website
- Website guidance material
- Vision6 messages
- Security alerts
- Safety Alerts
- Text/email reminders (Licensing only)
- Information Bulletins
- Queensland Explosives Forum presentations on safety and security

Risk approach and review mechanisms

- Priorities and targets are based on a risk assessment and are determined using outcomes of the audits and inspections program from the previous financial year.
- Explosives Inspectorate reviews its approach to risk through the quarterly audit and inspection program reviews where identified risks and trends are taken into consideration. This process assists the Inspectorate's reassessment of strategies to reflect changing risk priorities throughout the year.
- Special circumstances such as the Commonwealth Games are individually assessed as being high risk and are allocated an appropriate priority.

Recognition of alternative ways to come into compliance

Generally, direct communication between the inspectorate and the regulated entity can allow for discussion on possible alternative ways to come into compliance with the legislation

Appeals can be made to the Chief Inspector of Explosives within 28 days of a compliance decision made by an inspector.

KPI 4: RSH compliance and monitoring approaches are streamlined and coordinated

Stakeholder Survey

Delivery of functions - How well do you think the Explosives Inspectorate performs?

Correlated Performance Accountability Framework KPI's: KPI 1, KPI 4



Information sharing practices (external and internal)

- Memorandum of Understanding with the Office of Industrial Relations for the provision of regulatory cooperation and understanding of roles, responsibilities and obligations.
- Memorandum of Understanding with the Queensland Police Service for the provision of shared information and documentation concerning the investigation of fatalities, injuries or serious incidents.
- Memorandum of Understanding with the Department of Transport and Main Roads for the provision of compliance and enforcement of explosives vehicles road operations.
- The Explosives Inspectorate conducted two Power of Explosives demonstrations. These events provide a unique opportunity for the Inspectorate to demonstrate explosives safety and security awareness to individuals from other government agencies and industry representatives who may encounter explosives hazards in their day-to-day roles. Regular attendees include state and federal police, federal security agencies, Queensland Fire and Rescue Service and industry stakeholders.
- The Chief Inspector of Explosives may communicate anything that comes to their attention under the disclosure provisions of section 132(2) of the *Explosives Act 1999* to an officer or authority responsible for administering a law of Queensland, the Commonwealth or another State about explosives.
- Presented on the security changes proposed in the new explosives legislation to the Underground Mineral Mine Managers forum held in Mount Isa 23 May 2018.
- Presented on the security changes proposed in the new explosives legislation to the Annual Quarrying Safety and Health Seminar in Townsville 27 June 2018.
- RSH inspectorates regularly share information through the monthly Chief Inspectors meetings, the monthly RSH Leadership Group meeting, RSH Newsletter, regional meetings, joint compliance meetings and day-to-day engagement.

Coordinated inspections

- Thirteen joint inspections conducted with the Mines Inspectorate.
- Four joint inspections conducted with the Petroleum and Gas Inspectorate in relation to the Commonwealth Games.
- Four joint industry engagements with the Petroleum and Gas in relation to the Commonwealth Games.

Complaints

There were a total of 105 complaints made to the inspectorate in 2017-18. Of these, there were nine complaints still under investigation at the end of the financial year. Feedback on the outcome of a complaint is conveyed to the complainant through email communication and phone. The outcomes of complaints are also published on a monthly basis on department's website in the *Significant incident and complaint reports* found at www.business.qld.gov.au/industries/mining-energy-water/explosives-fireworks/safety-security/significant-incident-reports

The following are a breakdown of the type of complaints received by the Inspectorate in 2017-18

76 – Fireworks complaints

25 – Blasting complaints

2 – Transport complaints

2 – Sales complaints

There were no complaints received from regulated industries about information requests.

Complaints are confidentially managed in accordance with the department's Complaints Management Policy.

KPI 5: RSH is open and transparent in its dealings with regulated entities

Stakeholder Survey

Open, transparent and responsive in their dealings with industry (targeted survey question)



Practice transparent and fair decision-making (targeted survey question)



Performance - How well do you think Explosives Inspectors perform?

Correlated Performance Accountability Framework KPI's: KPI 5



Communication and Information - How well do you think the Explosives Inspectorate performs?

Correlated Performance Accountability Framework KPI's: KPI 2, KPI 5



Publication and communication of reported incidents and compliance approaches

- RSH Compliance Policy is published on the department's website.
- Significant incident and complaints reports are published on the department's website www.business.qld.gov.au/industries/mining-energy-water/explosives-fireworks/safety-security/significant-incident-reports
- Explosives safety alerts and information bulletins are published on the department's website www.dnrme.qld.gov.au/business/mining/safety-and-health/alerts-and-bulletins/alerts-bulletins-search
- Information on the authorisation and classification of fireworks and the authorisation, reliving and trialling of explosives is published on the department's website www.business.qld.gov.au/industries/mining-energy-water/explosives-fireworks/safety-security/significant-incident-reports

Regular engagement with stakeholders

Refer to responses in KPI 1 and KPI 6

KPI 6: RSH actively contributes to the continuous improvement of regulatory frameworks

Stakeholder Survey

Consultation or engagement with industry on legislative or major policy changes (targeted survey questions)



Explosives Inspectorate staff demonstrate an understanding of your operation.

Correlated Performance Accountability Framework KPI's: KPI 1, KPI 6



Consultation on major policy and legislation changes

- Consultation with the Australian Explosives Industry and Safety Group, the Firearms Dealers Association of Queensland, Queensland Police Service and the Transport Workers Union regarding the Land, Explosives and Other Legislation Amendment Bill (LEOLA Bill).
- RSH also consulted with legal sector stakeholders identified by the Department of Justice and Attorney-General and a small number of domestic and family violence sector stakeholders were consulted by the then Department of Communities, Child Safety and Disability Services on behalf of RSH.
- Industry stakeholders were able to provide submissions to the Parliamentary Committee inquiry into the LEOLA Bill, which RSH responded to as part of the Parliamentary Committee process.
- Consultation on an early draft of the remaking of the Explosives Regulation 2017 was conducted with the Australian Explosives Industry and Safety Group.
- Consultation on significant policy changes included the introduction of explosives security clearances and explosives driver licences.
- The Inspectorate worked closely with the small number of specialised industry stakeholders between July 17 and June 2018 to prepare the first draft of the *Queensland Code of Practice for Special Effect Explosives*. The draft Code is being prepared for an industry consultation release and is scheduled to be published 2018-19.

Consultation activities

Refer also to responses in KPI 1.

RSH internal information sharing activities

- Regular information sharing occurs between the inspectorates and other business units at the monthly RSH Leadership Group meetings and Chief Inspectors meetings.
- Formal and informal meetings occurred between the Explosives Inspectorate and the RSH Policy Unit to discuss various policy projects and particular matters related to the regulatory framework and stakeholder feedback. This included discussion on the Land, Explosives and Other Legislation Amendment Bill 2018 and the remake of the Explosives Regulation 2017.

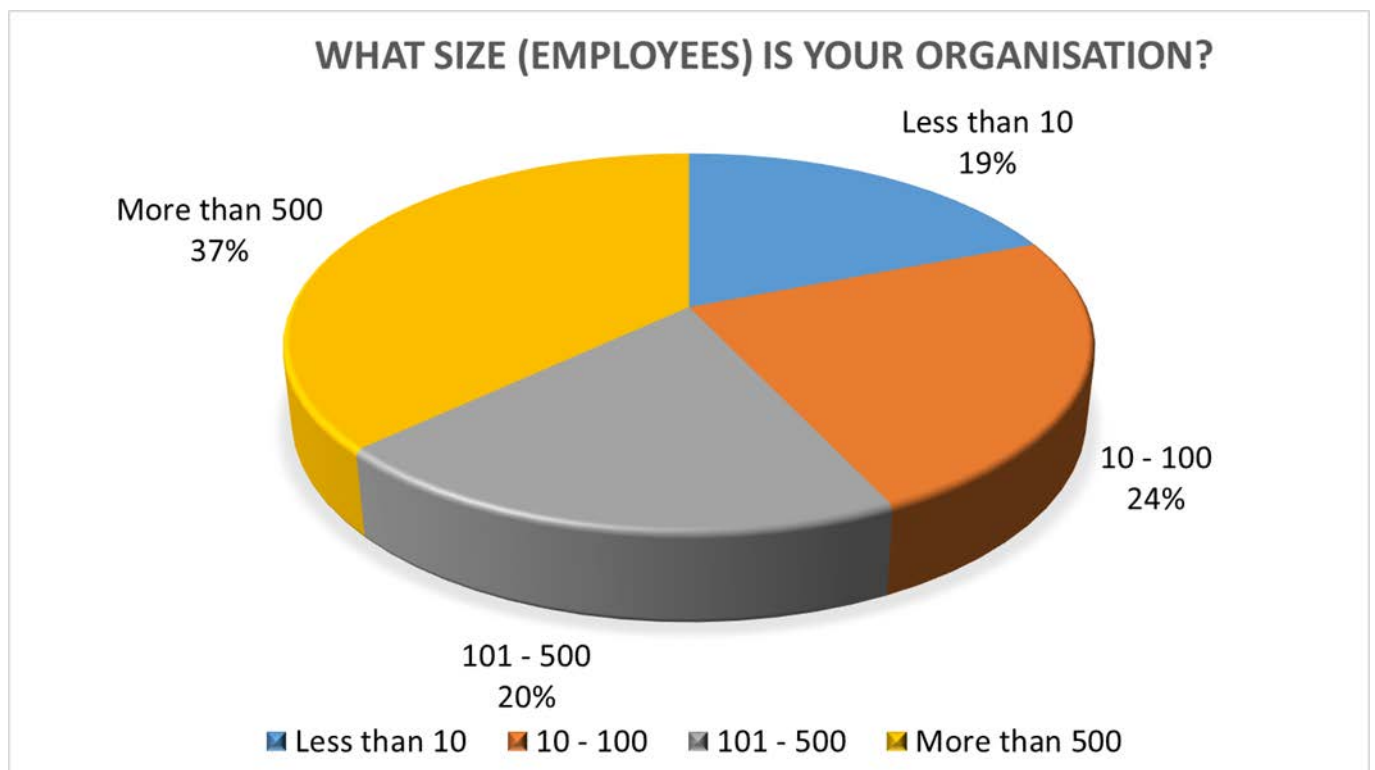
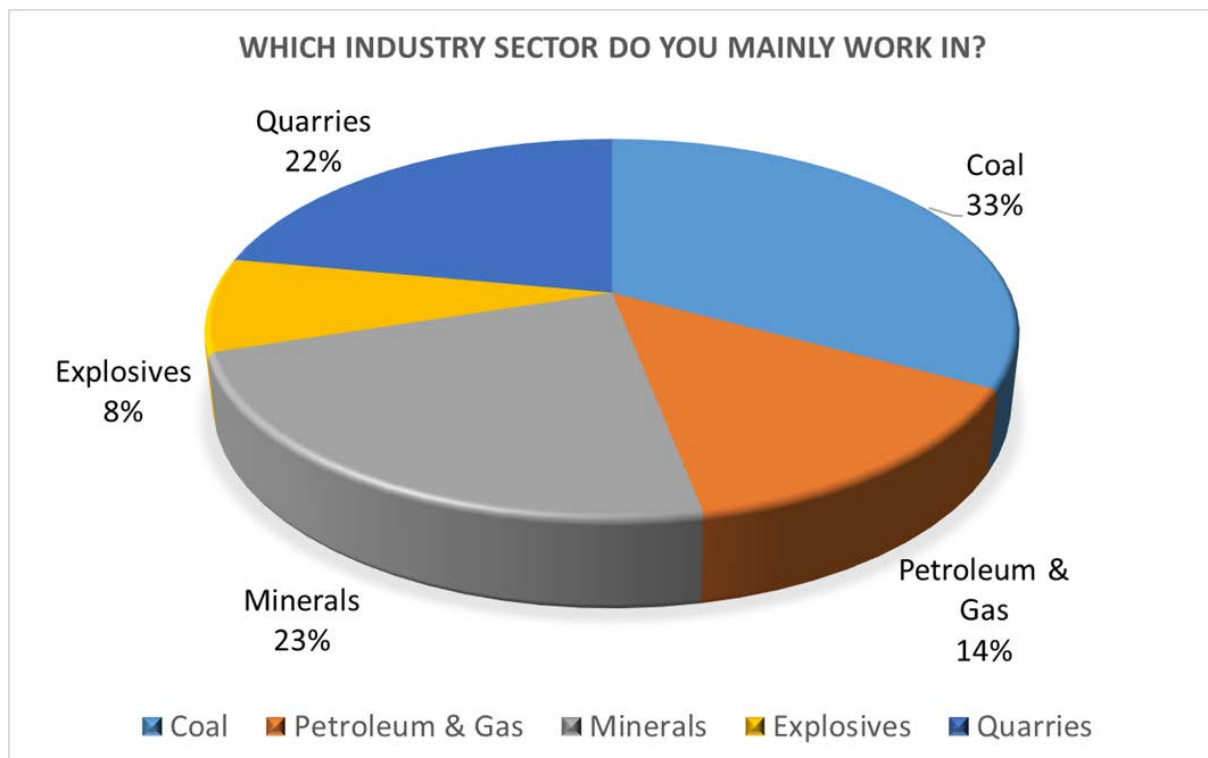
Stakeholder surveys

The Explosives Inspectorate did not conduct any stakeholder surveys in 2017-18.

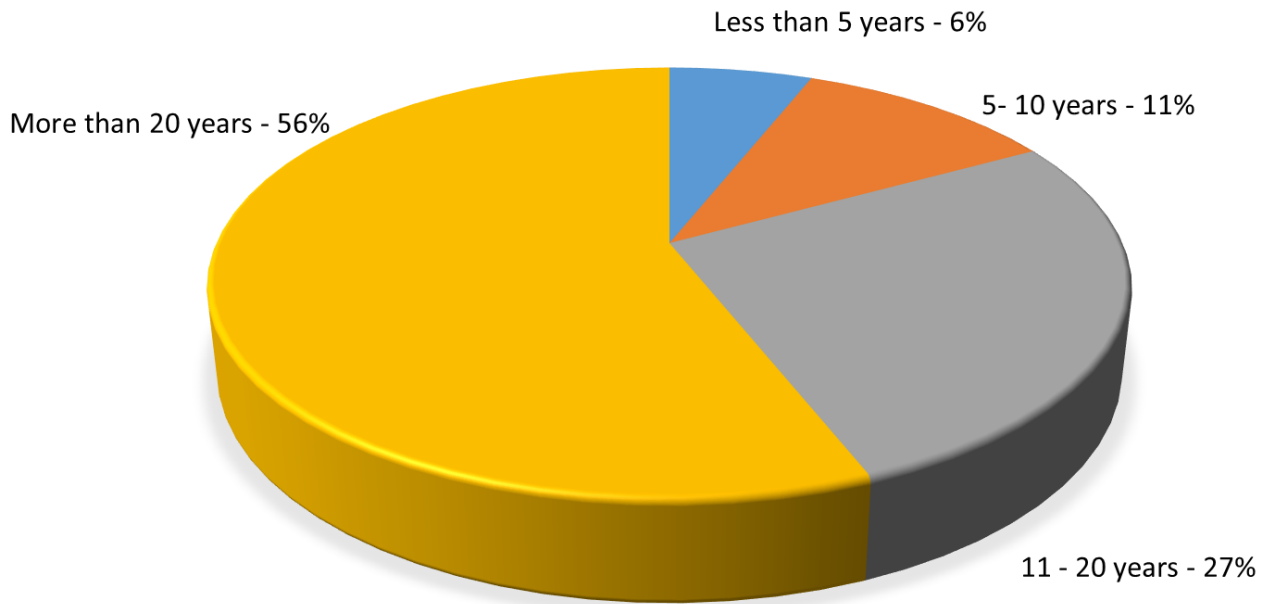
Feedback mechanisms

Refer to responses in KPI 2, KPI 3 and KPI 4.

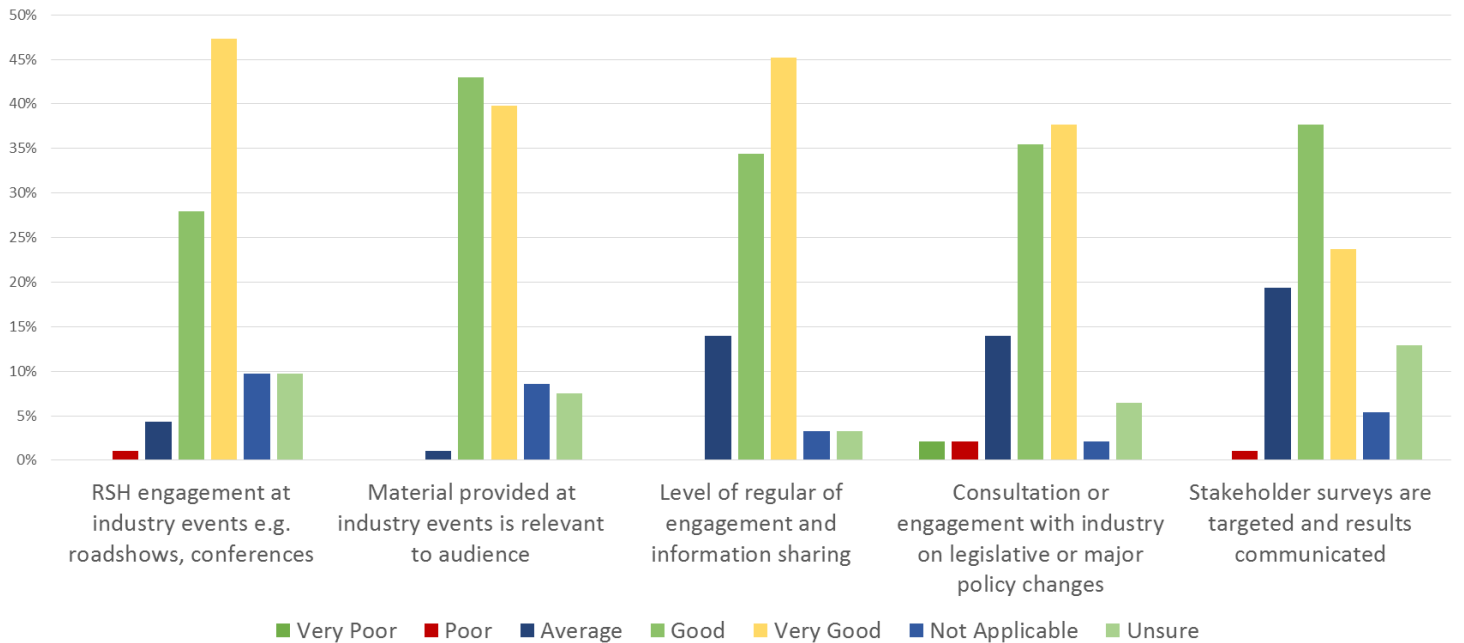
Resources Safety and Health 2018 Stakeholder Survey Results



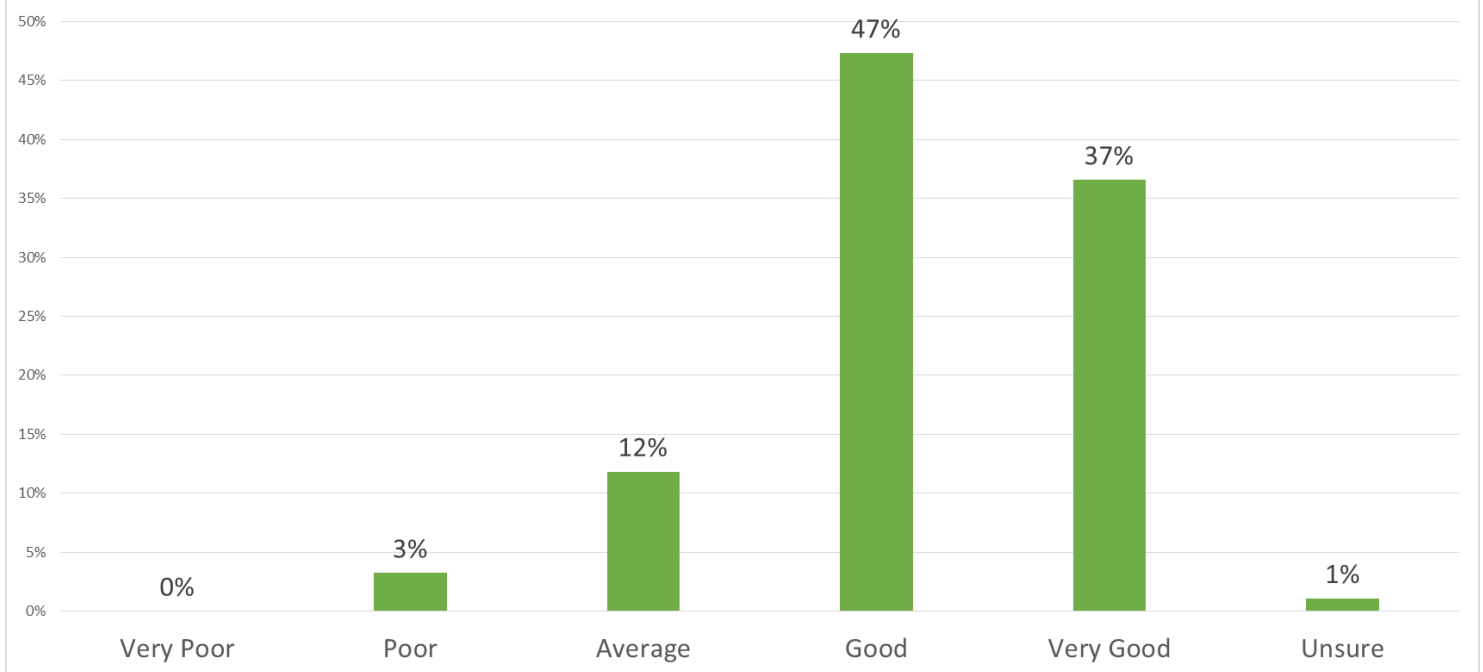
HOW LONG HAVE YOU BEEN WORKING IN YOUR INDUSTRY?



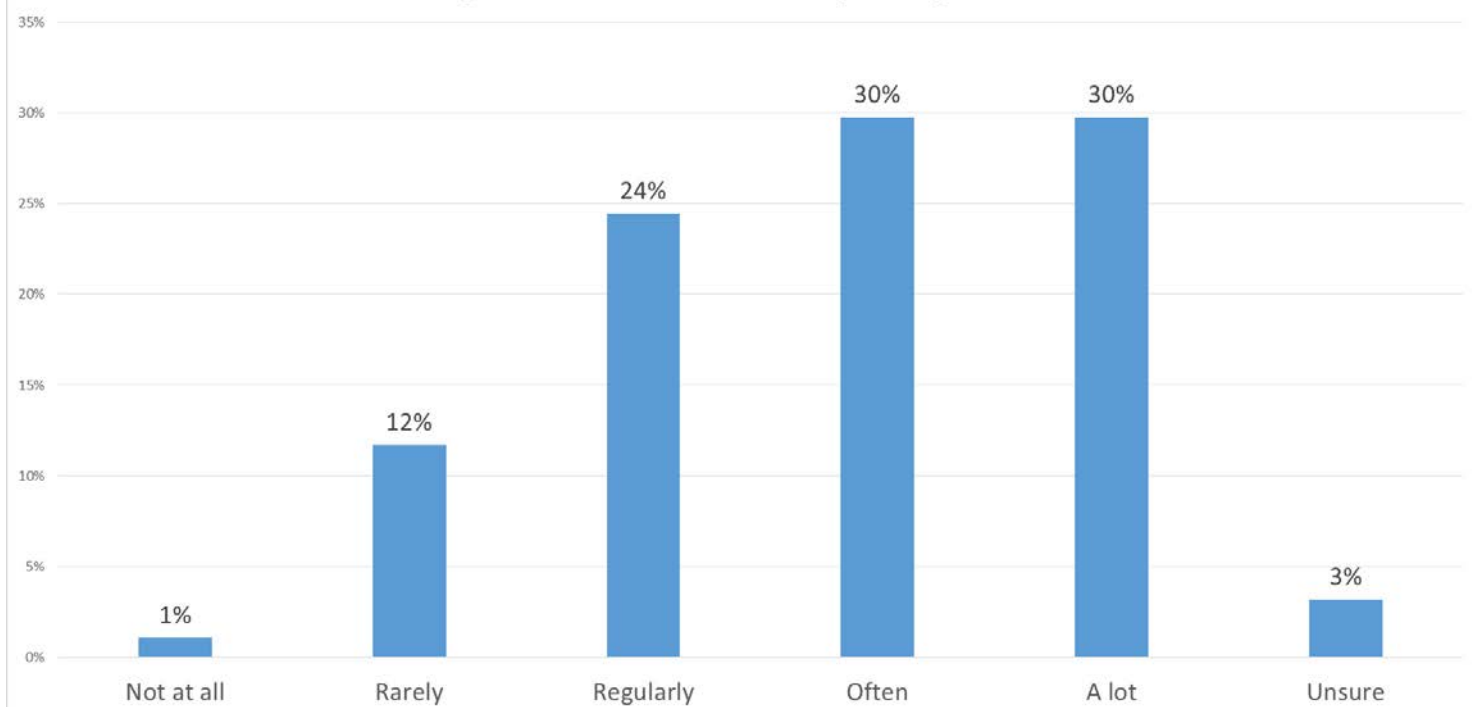
Resources Safety and Health staff demonstrate an understanding of your operation



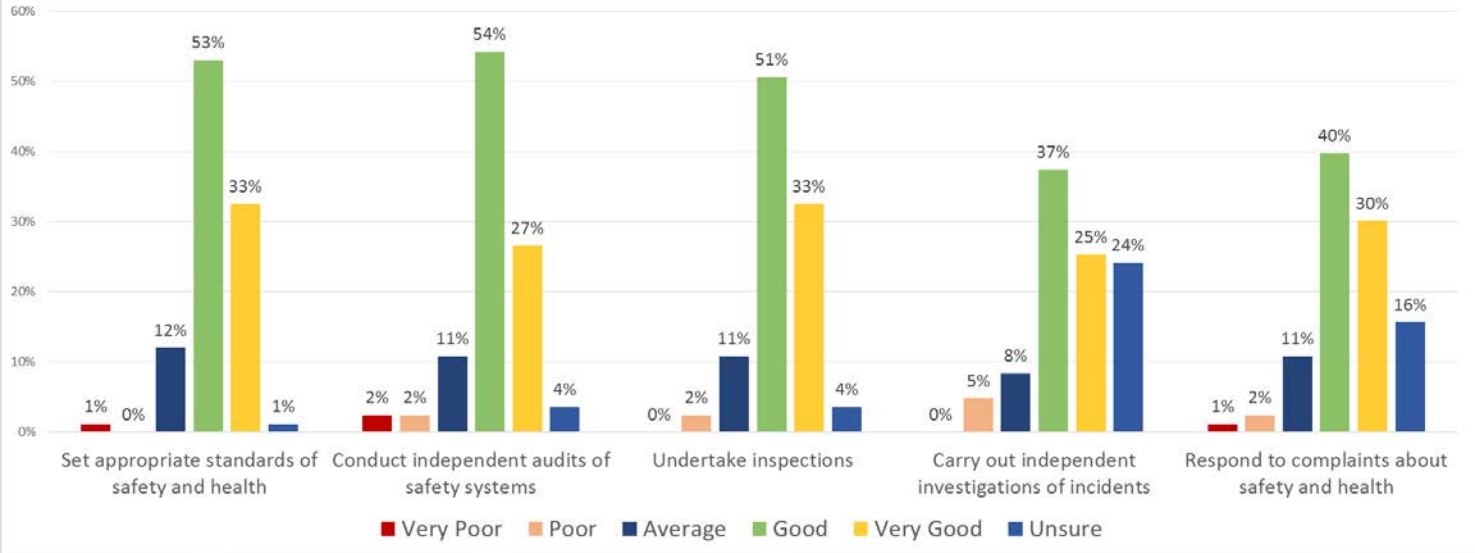
Overall, how well do you feel that Resources Safety and Health performs in terms of being a proactive safety and health regulator?



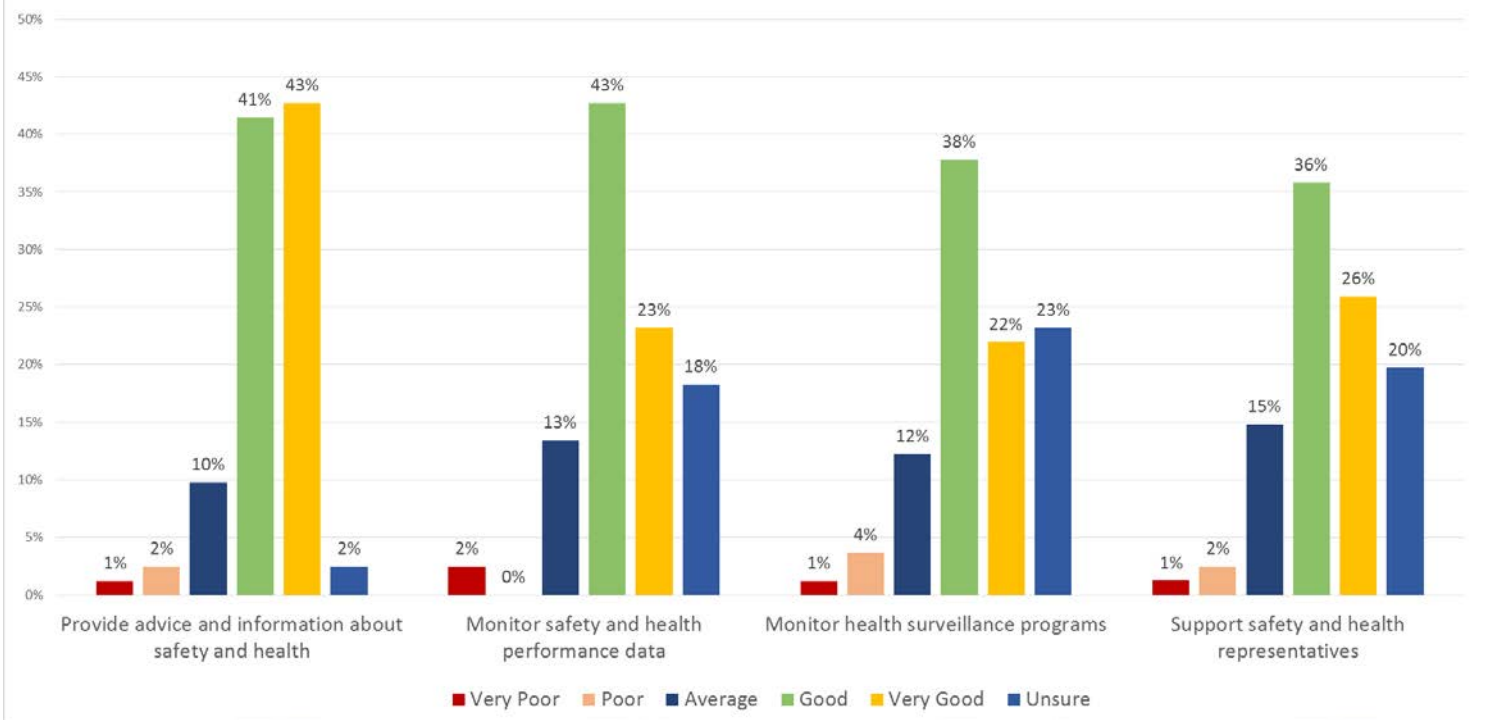
To what extent do you feel that Resources Safety and Health supports positive safety and health outcomes for your organisation?



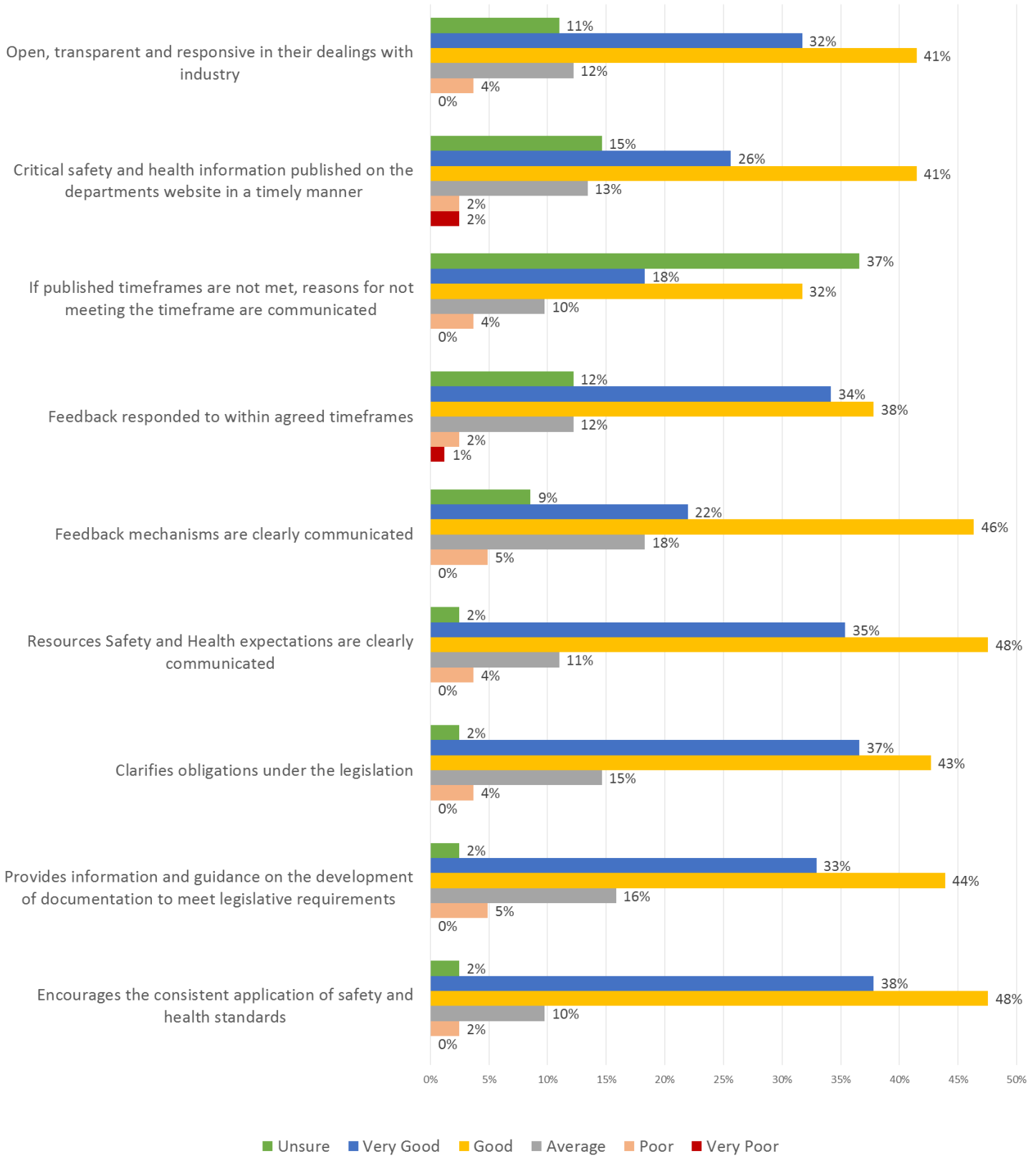
Compliance activities - How well does Resources Safety and Health perform in the delivery of these functions?



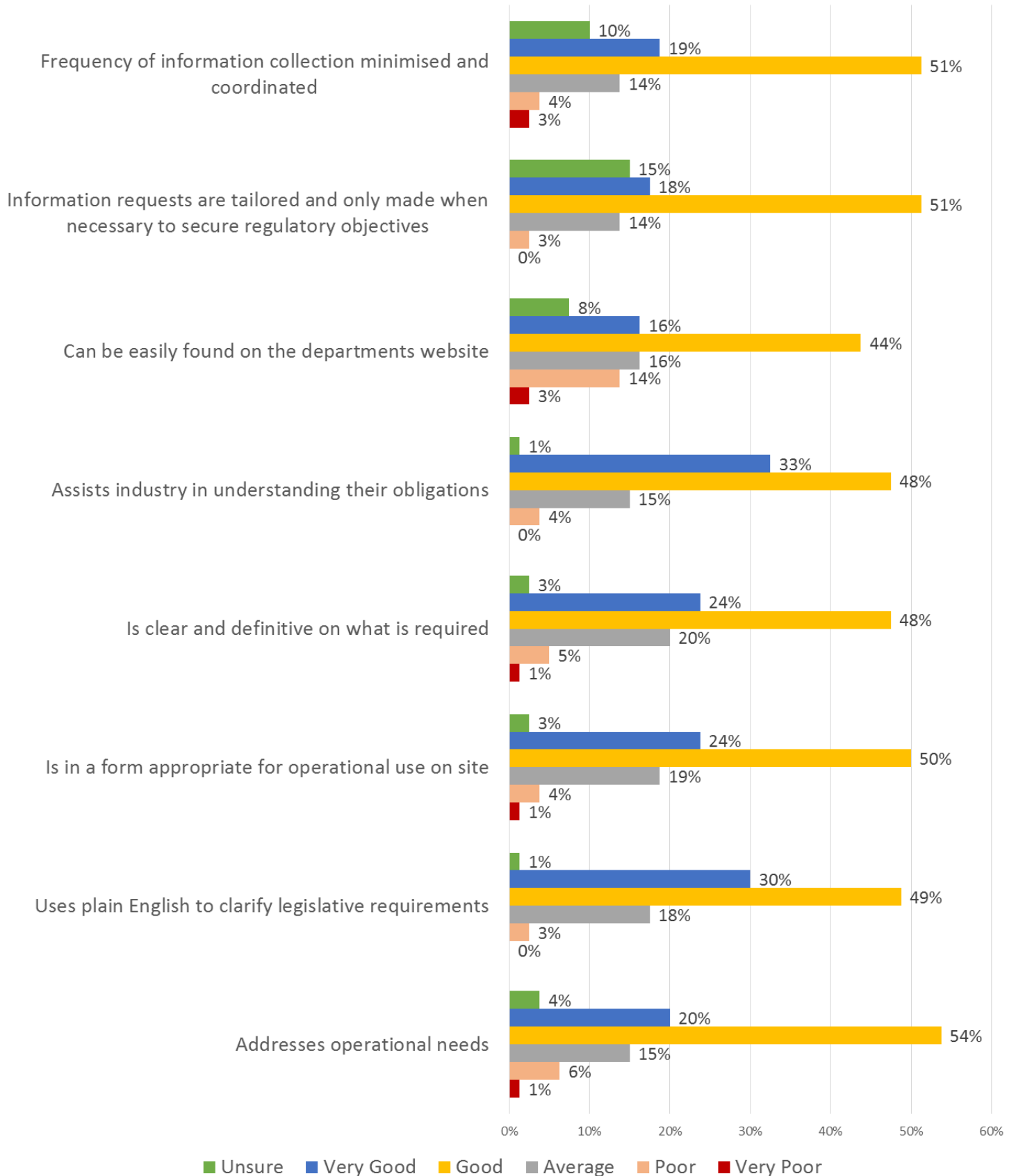
Raise awareness and promote safety and health outcomes - How well does Resources Safety and Health perform in the delivery of these functions?



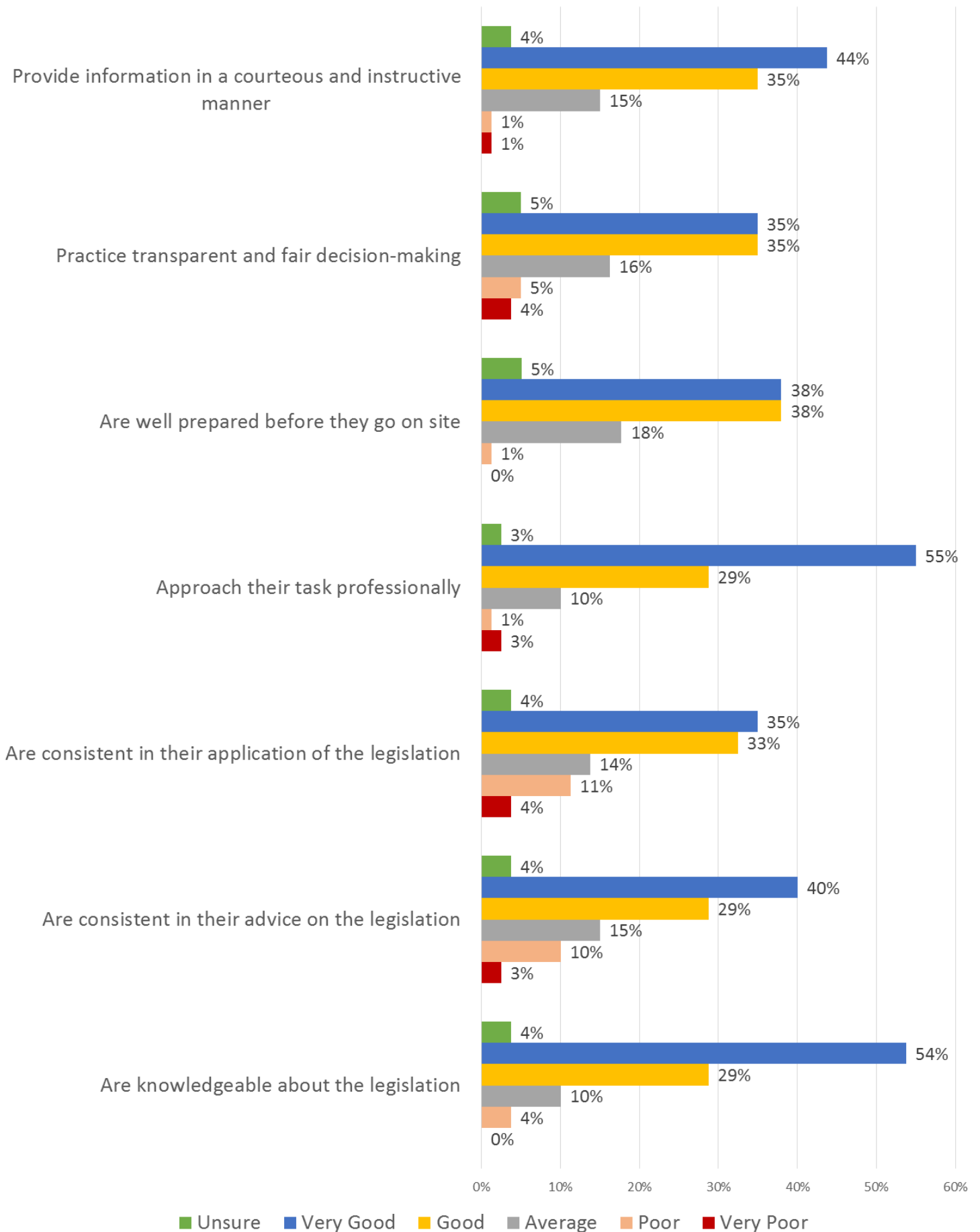
How well do you think Resources Safety and Health performs when working with industry to reduce the likelihood and consequence of serious incidents and fatalities?



Information and Guidance Material - How well do you think Resources Safety and Health performs :-



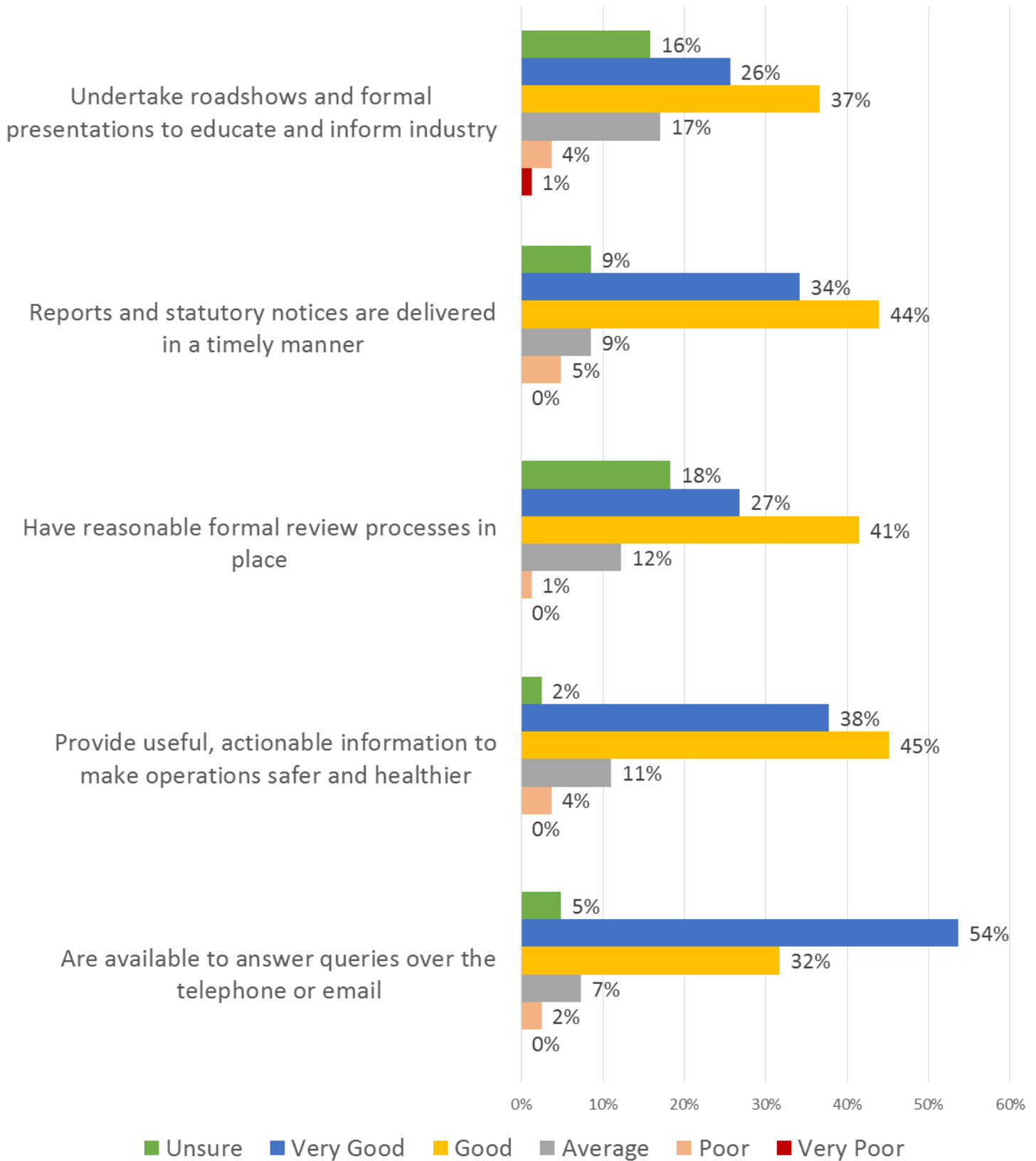
Performance - How well do you think Resources Safety and Health Inspectors perform on the following?



Delivery of functions - How well do you think Resources Safety and Health performs on the following?



Communication and Information - How well do you think Resources Safety and Health performs on the following?



Did you access, download or receive any of the following resources from Resources Safety and Health during the last 12 months?

