

Regulator Performance Framework (RPF)

The RPF

The framework consists of six outcomes-based key performance indicators (KPIs) that are measured and assessed by all Commonwealth regulators. The KPIs cover the following broad areas: communication, risk-based and proportionate approaches, transparency, reducing regulatory burden and continuous improvement. Regulators must consider how they operate and the regulatory burden created when administering regulation. The key purpose of the RPF is to improve regulator's performance by being publicly accountable in demonstrating effective management of risk. The framework is also expected to drive cultural change and encourage the adoption of risk-based approaches.

NOPSEMA's approach

NOPSEMA has aligned the Regulator Performance Framework (RPF) requirements with the *Public Governance, Performance and Accountability Act 2013* and the Enhanced Commonwealth Performance Framework. NOPSEMA's corporate plan KPIs are aligned, and grouped into, the RPF KPIs. This gives the agency the flexibility to streamline performance assessment and reporting while still ensuring accountability and transparency is maintained.

RPF requirements state that regulators must self-assess their performance against the RPF annually, and that the results of the self-assessment (report) must:

- be validated by the approved Ministerial Advisory Council as external stakeholders¹
- be certified by the agency's accountable authority (CEO)
- be provided to the agency's portfolio minister
- be published no later than 31 December each year.

NOPSEMA's 2018-19 RPF self-assessment report

NOPSEMA has continued to meet the requirements of the RPF. Details are published in the NOPSEMA Annual Report Performance Statements available at nopsema.gov.au.

Growth Centres Advisory Committee Response

Response provided by National Energy Resources Australia (NERA)².

NOPSEMA 2019 self-assessment

The key purpose of the RPF is to improve regulator's performance by being publicly accountable in demonstrating effective management of risk. The framework consists of six outcomes-based KPIs covering reducing regulatory burden, communications, risk-based and proportionate approaches, efficient and coordinated monitoring, transparency, and continuous improvement. Overall NOPSEMA's self-assessment is a positive reflection that it has implemented the RPF and met its six KPI's.

¹ The approved MAC for NOPSEMA this is the Growth Centres Advisory Committee (GCAC)

² The not-for-profit company responsible for delivering the activities of the Oil, Gas and Energy Resources Growth Centre.



The self-assessment is comprehensive and considers all of the regulatory functions of the statutory authority and its interactions with stakeholders. The link between evidence and performance measures is documented and NOPSEMA's 23 performance KPIs adequately cover the scope of regulatory activities. NOPSEMA does not undertake stakeholder feedback surveys but seeks feedback from stakeholders on the guidance it provides via various methods, including direct engagement.

NOPSEMA undertook a total of 176 inspections in 2018-19. NOPSEMA inspections focus on areas of the facility or activity that contribute the largest proportion of risk and on the respective control measures and aspects of the safety management system or environmental implementation strategy that are the most critical to controlling risk. An area for improvement is to provide a more consistent style of inspection.

NOPSEMA's actions are proportionate to the regulatory risk with enforcement action including options for graduated compliance actions, prosecutions and the use of specific directions. NOPSEMA is open to different approaches to manage issues uncovered during inspections. There have been a number of examples this year in which the risk of a major accident event has taken precedent leading to enforcement action. NOPSEMA uses its enforcement powers in a transparent, efficient and consistent manner and according to the principles of procedural fairness. The enforcement management model is an intrinsic element of the decision-making process. All proposed enforcement actions under the powers of the OPGGS Act are referred to an internal compliance committee for review to ensure consistency.

NOPSEMA's communication with stakeholders is via multiple methods including quarterly strategic meetings with duty holders, its website, 'The Regulator' quarterly magazine, specific committees and group meetings. Two potential improvements are to define environmental improvement pathways and identify emerging technical innovations, and discuss how they may be managed within the regulatory framework.

NOPSEMA has introduced best practice forums and prioritised stakeholder engagement focussed on improving transparency in relation to environment approvals. An independent audit by the Chief Scientist found that NOPSEMA's processes and guidelines appropriately take into account all environmental risks and impacts as required under the regulations.

NOPSEMA engages effectively with international counterparts on a regular basis including offshore wind regulation. NOPSEMA has highlighted offshore wind regulation as an area for future focus for Commonwealth and State governments.

NOPSEMA communicates effectively with the National Offshore Petroleum Titles Administrator (NOPTA) to address emerging issues such as new entrants to industry, late field life financial transactions and asset decommissioning with a view to streamlining processes under the current offshore petroleum regime.

NOPSEMA is an effective regulator, independently and professionally regulating offshore safety, integrity and environmental management of petroleum and greenhouse gas storage industries in Commonwealth waters. The regulated entities support NOPSEMA in its role of regulatory oversight of safety cases, well operations management plans and environment plans.

Further information

RPF details are available at docs.jobs.gov.au/documents/regulator-performance-framework

NOPSEMA's Annual Reports are available at nopsema.gov.au/about/people-planning-and-performance/