

## Assessment

Document No: N-04000-PL0050 A15241

Date: 05/05/2020

---

### 1. Purpose

This policy provides for a documented, consistent and systematic approach to assessment of various types of documents submitted to NOPSEMA. This policy is supported by, and can be read in conjunction with, separate policies for each type of assessment conducted.

### 2. Scope

This policy applies to the assessment of safety cases, scopes of validation, diving safety management systems, well operations management plans, applications for approval to undertake well activities, environment plans and offshore project proposals.

### 3. Relevant legislation and policy statements

NOPSEMA has a regulatory obligation to assess a range of documents submitted by proponents or duty holders. The outcomes of assessments contribute to the ongoing inspection of proponents and duty holder's compliance with the regulations. Information gained from inspections and investigations may be used to inform assessment activities. NOPSEMA will continue to build on its knowledge and experience of dealing with proponents and duty holders to help it assess subsequent submissions.

The *Offshore Petroleum and Greenhouse Gas Storage Act 2006* (OPGGs Act) and subordinate legislation requires duty holders to implement control measures that reduce risks to the environment and to the workforce at, or near, a facility (including pipelines) or well to as low as reasonably practicable. In addition, the Commonwealth Offshore Petroleum and Greenhouse Gas Storage (Safety) Regulations 2009 (Safety Regulations) require the operator of a facility to commit to ongoing improvement of all aspects of the operator's safety management system. Furthermore, the Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009 (Environment Regulations) require proponents and duty holders to carry out activities in a manner consistent with the principles of ecologically sustainable development.

During the assessment process NOPSEMA will consider whether the proponent or duty holder has taken into consideration all practicable risk reduction measures during the preparation of the submission. The following principles apply to the entire assessment process for all types of assessment activities. These principles provide procedural direction and guidance for personnel involved in the assessment process.

#### **3.1 All information contained in submissions provided for assessment will be treated as confidential, but information may be disclosed where compelled or authorised by law**

Any information provided within any submission for assessment, or provided to NOPSEMA during the assessment process shall be treated as confidential.

NOPSEMA may be compelled or authorised to disclose information by law, but will not otherwise disclose information provided except with the express permission of the proponent or duty holder. Situations where NOPSEMA may be compelled or authorised to disclose information include, but are not limited to:

- where NOPSEMA is authorised to disclose or required to publish information under the OPGGS Act and regulations
- where required under Freedom of Information laws
- where required by the Auditor-General.

### **3.2 Each assessment will be fair and technically competent**

The assessment and subsequent conclusions will be fair and technically competent. To ensure fairness, assessments will be undertaken in accordance with specified procedures that meet the requirements of the legislation and are consistent with NOPSEMA guidance. The NOPSEMA core processes contain the guidance and operational procedures for the assessment teams and supporting personnel involved in processing and assessing submissions received from proponents and duty holders. The core processes are aligned with the requirements of the legislation. All assessment processes will be consistent with information and interpretations provided to proponents, duty holders and other stakeholders via NOPSEMA guidance.

Each assessment will be conducted by an assessment team with the appropriate skills and competencies. The assessment team will have (or will have access to) an appropriate combination of technical and operational expertise and experience to perform their allocated roles. In addition, all assessment team members will receive training to ensure that they are competent in the use of NOPSEMA core processes.

### **3.3 There will be consistency of methodology between different assessments**

Each assessment will be carried out in a manner that is consistent with corresponding assessments, regardless of when they occurred or who carried them out (allowing for continual improvement of proponents and duty holders safety and environmental performance and NOPSEMA processes over time). This consistency of methodology will be achieved by:

- use of the NOPSEMA assessment processes for all assessments
- use of an assessment team with appropriate technical and operational expertise and experience
- use of team managers and other representatives of NOPSEMA to review findings and promote consistency of assessment methodology across proponents and duty holders
- sharing of knowledge and lessons from assessments within and between assessment teams.

### **3.4 Assessment processes will be transparent**

The assessment process and subsequent conclusions will be sufficiently transparent to enable the proponents to understand the basis of NOPSEMA decisions with appropriate documentation maintained to enable any decision to be audited. This transparency will be achieved by the following:

- the assessment team will be selected on specified grounds and the lead assessor made known to the proponent

- the assessment process will employ the structured approach and criteria defined in NOPSEMA procedures and guidelines
- any deviations from documented procedures will be approved and recorded in the relevant assessment file
- where assessment results in a rejection, NOPSEMA will offer to meet with the proponent to clarify the results of its assessment, the conclusions drawn and the reasons for the decision
- NOPSEMA decisions will be in writing to the proponent.

### **3.5 Good management practices will be applied**

The assessment of submissions will be managed by the lead assessor and assisted by regulatory assistants who coordinate assessment processes. A specific assessment scope will be developed by the lead assessor for each submission in accordance with NOPSEMA systems. Progress of the assessment will be monitored to ensure the assessment is completed within an appropriate time frame, with the allocated resources to the required standard.

Each assessment will be managed by a lead assessor who will be primarily responsible for the assessment and the point of contact for the proponent or duty holder for communications about the process. The lead assessor will have the principal responsibility to ensure the assessment is conducted according to NOPSEMA procedures. The proponent or duty holder will be informed of the name and contact details of the lead assessor following receipt of the submission, where appropriate.

### **3.6 Good quality management practices will be applied**

The assessment process will be subject to quality assurance/quality control (QA/QC) and adequate review to ensure sound technical judgement and compliance with procedures. QA/QC processes will be embedded into the assessment processes to ensure procedural compliance. The inherent QA/QC processes will be supplemented by a system of audits, in accordance with the quality management system to ensure procedural compliance is being maintained.

### **3.7 The detail of assessments will be proportionate to the level of risk**

The effort needed to be satisfied about the regulatory submissions compliance with the regulations will depend, to some extent, on the size and complexity of the submission. Effort will be focused on areas of the facility or activities that contribute the largest proportion of the risk and on those control measures and those aspects of the safety management system or environmental implementation strategy that are the most critical to risk control.

Initial planning of the assessments will assign more resources and effort to submissions that are large and complex. NOPSEMA will make this judgement based on its existing knowledge of the relevant environment, facility, well, pipeline, diving operations, offshore project or activity and the content of the submission.

Within the legislated timeframe, NOPSEMA may not necessarily assess every aspect of a submission in detail when it is received, but will carry out such evaluations as necessary to gain sufficient assurance to make an assessment decision. The submission is typically assessed using a combination of general and specific topic scopes, and verified by using a sampling approach which provides sufficient assurance that submission is fit-for-purpose.

### **3.8 The results of assessment will be presented to relevant stakeholders**

At the conclusion of assessments resulting in refusal/rejection, the proponent or duty holder will be given the opportunity to meet with NOPSEMA to be briefed on the assessment results and the reasons for the decision. Any verbal briefings will be supported in writing. Should any serious issues be identified during the course of the assessment that may lead to a refusal/rejection, the proponent or duty holder will be informed as soon as possible so there is opportunity to rectify the issue in accordance with the legislation, where applicable.

### **3.9 Assessment of competency**

Assessments will generally include a review of the commitments in relation to competency including the requirement of regulation 2.9 of the Safety Regulations (for safety cases) that members of the workforce must be competent. NOPSEMA expects that operators and other responsible parties will have given appropriate consideration to the incorporation of relevant nationally and internationally recognised units of competency during the development of their competency assurance processes.

### **3.10 Use of information obtained from assessment**

NOPSEMA will use the information gathered during an assessment to guide inspection and other potential compliance activities.

### **3.11 Referral of significant assessment decisions to NOPSEMA Compliance Committee**

NOPSEMA assessment teams will refer significant assessment decisions, e.g. multiple rejections or refusals to accept permissioning documents and significant rejections/refusals that may have a significant impact on a project schedule which could lead to media or ministerial attention, to the Compliance Committee for consideration.

## **4. Related documents**

N-04200-PL0268 – Validation

N-04300-PL0052 – Safety case assessment

N-04500-PL0054 – Diving submission assessment

N-04600-PL0842 – Well operations management plan assessment

N-04750-PL1347 – Environment assessment