

OHS Planned Inspection

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1. Purpose

The purpose of this policy document is to provide an overview of the general principles the National Offshore Petroleum Safety and Environmental Management Authority (NOPSEMA) applies when undertaking occupational health and safety (OHS) planned inspections at facilities, regulated business premises or other premises.

2. Scope

The *Offshore Petroleum and Greenhouse Gas Storage Act 2006* (OPGGs Act) defines NOPSEMA's functions and gives its inspectors the power to conduct inspections to ascertain whether the requirements of the Act and subordinate regulations are being complied with.

This policy covers NOPSEMA's OHS inspectors (NOPSEMA inspectors) approach in conducting planned inspection functions.

The OPGGS Act does not differentiate between inspection and investigation but, for operational reasons NOPSEMA has, as described below.

Planned inspection is the term NOPSEMA uses to describe those inspections undertaken to ascertain whether a listed OHS law is being complied with. A planned inspection may include monitoring compliance with a facility safety case, or diving safety management system (DSMS) by inspecting the risk management commitments of the facility operator, diving contractor, or other persons having obligations under the OPGGS Act and subordinate legislation.

Investigation is the term NOPSEMA uses for inspections concerning accidents, dangerous occurrences, a contravention or a possible contravention of a listed OHS law as a basis for enforcement action. These inspections are only conducted where there is a specific justification to do so. Investigations are covered by policies and procedures in the N-03000 series. It is a NOPSEMA policy that warrants will generally only be sought in relation to investigations and are therefore not within the scope of this policy.

Inspections conducted by NOPSEMA relating to compliance with the Offshore Petroleum and Greenhouse Gas Storage (Resource Management and Administration) Regulations 2011 and the Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009 are not included in the scope of this policy.

3. Relevant legislation

Offshore Petroleum and Greenhouse Gas Storage Act 2006

Offshore Petroleum and Greenhouse Gas Storage (Safety) Regulations 2009

4. Purpose of planned inspections

Planned inspections are part of NOPSEMA's function under the OPGGS Act to develop and implement effective monitoring and enforcement strategies to secure compliance by persons with their OHS obligations under the OPGGS Act and relevant regulations.

In the event that planned inspections identify deficiencies in the controls and systems implemented, a lack of systems available, or significant omissions or errors in the safety case, that constitute either regulatory non-compliance or opportunities for improvement NOPSEMA will take the necessary action. It is NOPSEMA policy to secure compliance or improvement of the systems of the responsible party via promotion of compliance, or enforcement action in accordance with N-05000 core process series, as appropriate.

NOPSEMA's planned inspections do not physically inspect every element of a facility, pipeline or diving activity rather; they operate on a quality assurance basis. Planned inspections are a sampled evaluation of the controls and safety management systems of the responsible party in managing risks to a level that is as low as reasonably practicable (ALARP).

A planned inspection may involve some or all of the following activities:

- confirming that the hardware and procedural systems described in the safety case or DSMS are in place
- obtaining evidence that such systems are functional in practice
- gaining assurance that the implementation of the systems will be ongoing
- verifying that risk control improvements have been implemented
- verifying that actions arising from recommendations of previous inspections have been completed
- testing personnel knowledge and understanding of selected aspects of the safety case or DSMS and supporting documentation as relevant
- communication with health and safety representatives and the workforce.

5. Risk-based planned inspections

A model of the key inputs for risk-based planned inspections is shown in Figure 1.

All inspections will be undertaken in an informed, risk-based and consistent manner. NOPSEMA's risk-based inspection planning has established the following targets for inspection frequency:

- operator with one normally attended production facility and mobile offshore drilling units (MODUs) - twice per year
- operator with multiple facilities – minimum once per year per facility and minimum once per year operator head office inspection with safety management system focus
- normally unattended facility with hydrocarbon present – minimum once per two years
- diving operations, multi-purpose vessels, normally unattended facilities with no hydrocarbons – on an opportunistic basis

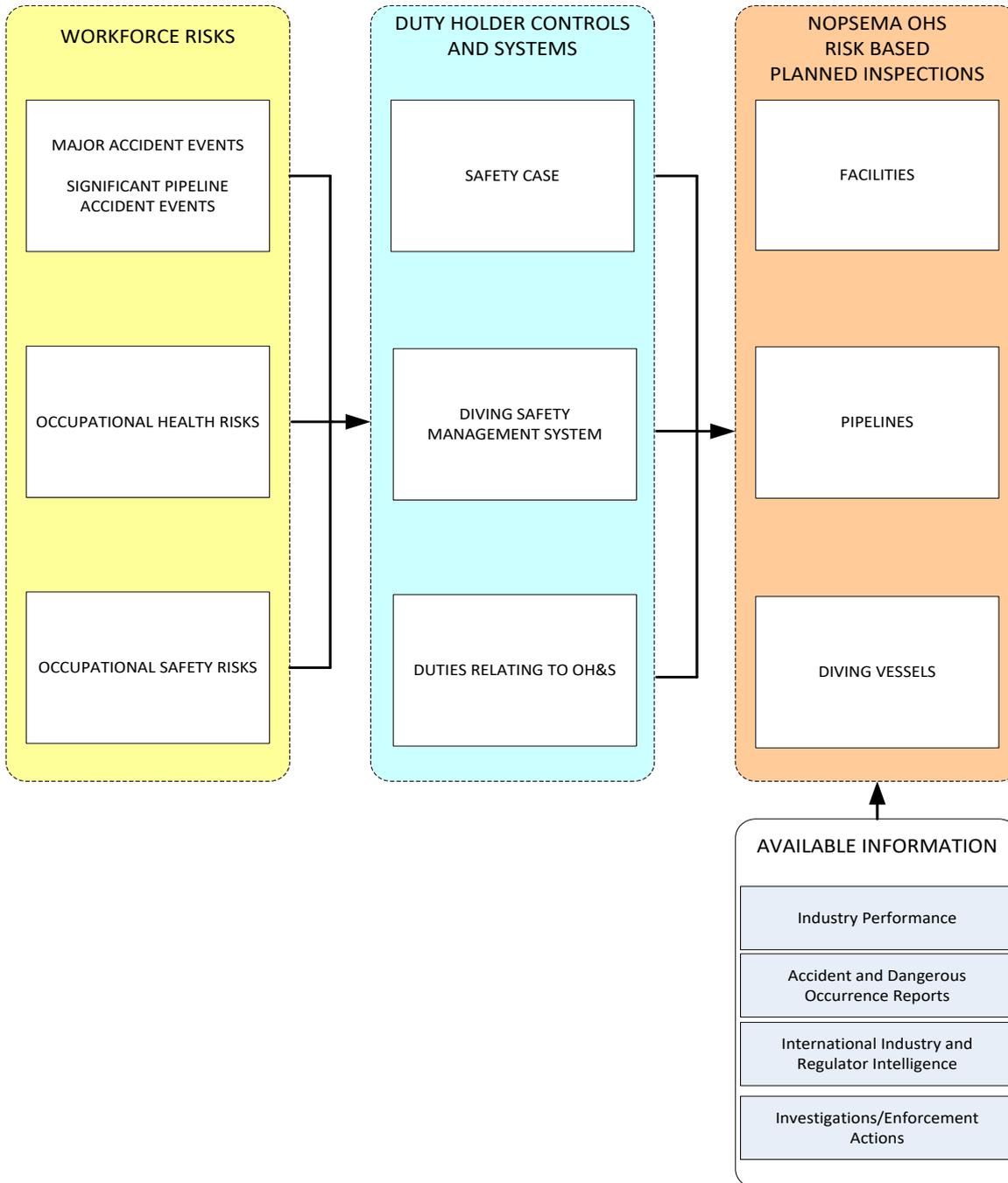
- pipelines or subsea facilities with high probability of people being at or near the pipeline or subsea facility – once per two years
- pipelines or subsea facilities with medium to low probability of people being at or near pipeline or subsea facility – once per four years
- mobile facilities operating in Australian Commonwealth waters for the first time; within six weeks of the commencement of operations for non-drilling facilities, and three weeks for drilling facilities where practical.

(Note: targets are applied on a pro-rata basis when the above facilities are only in the NOPSEMA jurisdiction for part of the year).

Planned inspections will be risk-based with the scope centred on the following factors and inputs:

- areas that generate a significant portion of the risk, and those control measures and elements of the safety management system that have the most influence on risk as described in the facility safety case or DSMS as relevant
- responsible party health and safety performance
- NOPSEMA national programs, where appropriate
- recorded accident and dangerous occurrences, and complaints
- recorded investigations and enforcement actions
- commitments made by the operator regarding recommendations from previous inspections
- communication with OHS representatives and members of the workforce, where applicable and available.

Figure 1 – Key inputs for risk-based planned inspections



6. Conducting planned inspections

NOPSEMA will schedule inspections at facilities in accordance with the above risk-based inspection frequency targets. Responsible parties will be consulted in the development of the schedule for planned inspection of their facilities. During the inspections, NOPSEMA inspectors will communicate with different levels of the workforce including health and safety representatives (HSRs). Inspections may take several days and will often incorporate overnight stays on facilities.

6.1. Planned inspection activities are specific and focused

The proposed scope of the inspection shall be prepared consistent with section 5 of this policy 'risk based planned inspections' by the lead NOPSEMA inspector, and approved by the team manager.

Where the need for a major change in the focus of the inspection occurs during an inspection, this should be discussed with the team manager where it is practicable to do so. If other issues are noted by NOPSEMA inspectors, these issues may also be taken into consideration during the inspection, even though they may fall outside the original scope.

6.2. Inspection team

Planned inspections will generally be conducted by a team consisting of two persons, one of whom is designated as the lead inspector. The lead inspector will normally be the focal point NOPSEMA inspector assigned to that facility.

6.3. Conduct of the inspection

NOPSEMA inspectors will conduct an entry meeting with management and other relevant personnel, including HSRs where practical, to inform them of NOPSEMA's intentions during the visit.

The planned inspection findings will be appropriately recorded. This information will be collated by the lead inspector and an exit meeting will be convened at the conclusion of the planned inspection to present and discuss the observations (both positive and negative) of the planned inspection.

NOPSEMA inspectors conducting planned inspections must operate within the boundaries of the relevant NOPSEMA policies and procedures. This may mean NOPSEMA inspectors will initiate enforcement activities during planned inspections if a NOPSEMA inspector considers it necessary.

Responsible parties are given the opportunity to comment on the conduct of the planned inspection via a feedback form available on NOPSEMA's website.

6.4. Communication of NOPSEMA's expectations

To assist in effective and efficient inspections, NOPSEMA will aim to ensure that responsible parties are fully aware of the role and purpose of planned inspections. NOPSEMA will generally issue an inspection brief not less than two weeks prior to the inspection and, where appropriate, NOPSEMA will conduct meetings with the operator's onshore management prior to commencing an inspection. A post inspection meeting with the operator is also held to discuss the inspection findings.

6.5. Managing planned inspections

All planned inspection activities will be recorded and monitored using NOPSEMA's Regulatory Management System (RMS).

6.6. Report on planned inspection

Upon completion of a planned inspection, NOPSEMA will provide a report to the operator detailing the findings, conclusions and any recommendations from the planned inspection, the reasons for those conclusions and any recommendations arising from the planned inspection.

NOPSEMA may, in writing, request the operator or any other person to whom a copy of the inspection report is given, to provide NOPSEMA with details of action proposed to address any conclusions and recommendations arising from the planned inspection.

Note: As soon as practicable after receiving a report, the operator of a facility must give a copy of the report, together with any written comment made by NOPSEMA on the report:

- a. if there is at least one health and safety committee in respect of some or all of the members of the workforce, to each such committee; and
- b. if there is no such committee in respect of some or all of the members of the workforce, but some or all of those members (in respect of which there is no such committee) are in at least one designated work group for which there is a health and safety representative, to each HSR.