



## **Federal Safety Commissioner**

### **STATEMENT OF INTENT – JANUARY 2022**

This statement sets out my intentions as the Federal Safety Commissioner of the Office of the Federal Safety Commissioner (OFSC) regarding how I will meet the expectations outlined by the responsible Commonwealth Minister under the *Building and Construction Industry (Improving Productivity) Act 2016* (the BCIP Act) in the Ministerial Statement of Expectations of 21 October 2021.

#### **Overview**

I acknowledge that the Federal Safety Commissioner position is a statutory appointment under the BCIP Act responsible for:

- promoting work health and safety (WHS) in the building and construction industry
- administering and promoting the WHS Accreditation Scheme (the Scheme)
- identifying and progressing initiatives to improve WHS performance
- auditing compliance with National Construction Code performance requirements in relation to building materials, and
- referring relevant matters to other relevant agencies and bodies.

I will exercise my functions and powers in good faith and to the best of my ability and according to the principles of regulator best practice.

#### **Principles of regulator best practice**

I will act according to the Government's principles of regulator best practice when conducting operations in my role as Federal Safety Commissioner. I will adopt a stewardship approach in undertaking the following activities:

##### **Continuous improvement and building trust**

I will take a whole-of-system perspective and look for opportunities to continuously improve the OFSC's performance, capability and culture. I will achieve this through:

- improving and modernising the Scheme through mechanisms such as the 2021–22 Scheme review. This review presents an opportunity to ensure the Scheme is future proof, fit for purpose and an appropriate regulatory impost on business
- building, maintaining and improving positive relationships with the building and construction industry through my long-standing Industry Reference Group and partnerships with key industry stakeholders
- promoting case studies of companies' innovative and successful safety approaches to illustrate best practice on building and construction sites
- developing staff expertise in building and construction hazards within the OFSC, including through specialised training and industry partnerships
- balancing the benefits of using standard procedures within Scheme operations with flexibility to respond to unforeseen challenges, changing circumstances or demand



**Australian Government**

**Attorney-General's Department**

Office of the Federal Safety Commissioner

- driving efficiency and effectiveness in the administration of the Scheme using internal pilot programs to test and develop innovative methods of work, for example, virtual system checks prior to on-site audits for new applicants to the Scheme.

### **Risk based and data driven**

I believe firmly in using data and information to manage risk proportionately and consistently. As Federal Safety Commissioner, I will work to:

- improve safety across the building and construction industry through the continual use and maximisation of available data. The OFSC's data driven approach is central to its risk-based compliance model which focuses regulatory efforts on the most dangerous hazards and accredited companies that demonstrate the highest risk of non-compliance
- refine the quality and comparability of the OFSC's data sources and enhancing its data analytics capabilities through an upgrade of its IT system and enhanced training for staff
- inform the OFSC of technological changes in building and construction practice, including through the 2021–22 Scheme review and regular interaction with companies and Federal Safety Officers. This ensures the Scheme remains at the cutting-edge of safety innovation
- continue to adapt operational settings of the Scheme in response to COVID-19.

### **Collaboration and engagement**

I value openness and transparency in my dealings with stakeholders and the opportunity to enhance regulatory impact through industry consultation. In leading the OFSC I will:

- maintain open, transparent and consistent engagement with stakeholders including building and construction companies of all sizes, governments, unions and the broader community
- document and publish governance arrangements and procedures of the Scheme to enhance consistent and transparent decision-making and promote accountability and fairness across the industry
- consult with the Industry Reference Group, the Australian Government Agency Reference Group, industry peak bodies and building and construction companies
- participate in the National Heads of Workplace Safety Authorities (HWSA) sub-committee on major infrastructure projects and the Building Regulators' Forum
- collaborate with the Australian Building and Construction Commission and state and territory WHS regulators and building regulators
- encourage open and honest feedback through mechanisms such as the OFSC's annual census of accredited companies and post-audit surveys
- drive interactive and collaborative safety education initiatives such as webinars.



**Australian Government**

**Attorney-General's Department**

Office of the Federal Safety Commissioner

## **The Government's policy priorities and objectives**

### ***COVID-19 Response***

I will support the Government's infrastructure commitments as part of its COVID-19 response by prioritising the consideration of applications for accreditation from companies seeking to tender for building contracts associated with this measure.

### ***Deregulation Agenda***

I will contribute to the Government's Deregulation Agenda by improving the efficiency and accessibility of the Scheme. Improvements to Scheme operations will be guided by stakeholder input, including through the 2021–22 Scheme review.

I will work to integrate your Statement of Expectations and my Statement of Intentions into appropriate performance targets.

### **Relationship with Minister and portfolio**

I will ensure the Government is well placed to improve safety in the building and construction industry through strong collaboration with other parts of the Attorney-General's Department and relevant portfolio agencies on significant issues.

I will consult with you, as the appropriate Minister, on my broad priorities for discharging my legislative functions.