



# REGULATOR PERFORMANCE FRAMEWORK 2021-2022

Version 1 (November 2022)



## INTRODUCTION

The Board of Professional Engineers of Queensland (BPEQ) is an independent statutory body within the portfolio responsibilities of the Minister for Energy, Renewables and Hydrogen and Minister for Public Works and Procurement (Minister).

BPEQ is established under the *Professional Engineers Act 2002* (PE Act) and in turn administers the PE Act on behalf of the Queensland Government. The primary objectives of the PE Act are to:

- protect the public by ensuring professional engineering services are provided by a Registered Professional Engineer of Queensland (RPEQ) in a professional and competent way
- maintain public confidence in the standard of services provided by RPEQs
- Uphold the standards of practice of RPEQs.

Engineers carrying out professional engineering services in Queensland or for Queensland are required to be registered with BPEQ. Once an engineer is registered, they are awarded the protected title RPEQ.

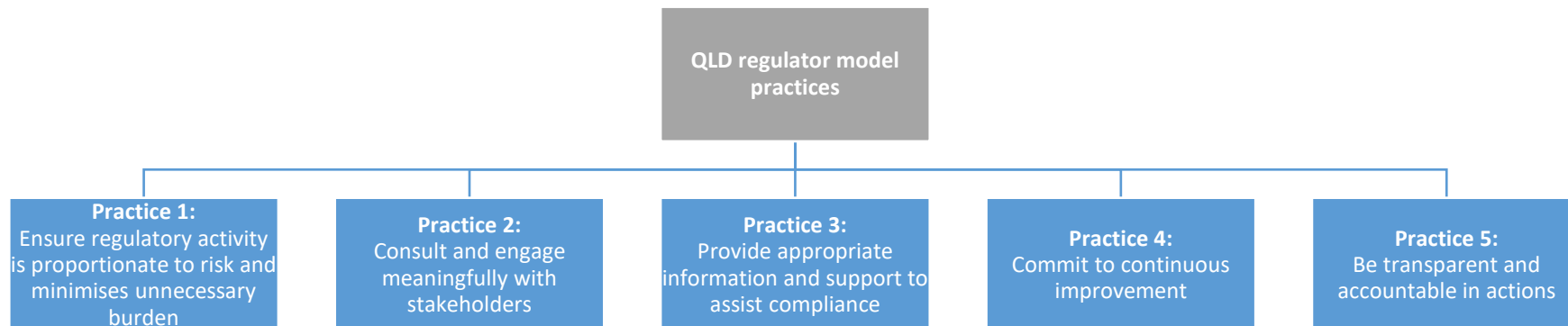
BPEQ also investigates and disciplines RPEQs for unsatisfactory professional conduct as well as prosecuting individuals for breaches of the PE Act (e.g., carrying out a professional engineering service when unregistered).



The Regulator Performance Framework is a principal component of [The Queensland Government Guide to Better Regulation](#). The framework includes five model practices that support effective policy objectives and improve regulator performance via better interactions between regulators and their stakeholders, reducing regulation burden/costs for all parties.

Regulators are required to prepare an annual performance report on their efforts implementing the Regulator Performance Framework for their responsibilities.

BPEQ has endorsed the model practices included in the Regulator Performance Framework and outlined in Figure 1 below. This report details how BPEQ's regulatory practices align with the regulator model practices.



*Figure 1 QLD regulator model practices*



Regulator model practices and supporting principles		Outline and evidence of how BPEQ's regulatory practices in 2021-2022 align with the regulator model practices and what actions have been taken in 2021-2022 to improve regulatory activities and practices.
<b>1.</b>	<p><b>Ensure regulatory activity is proportionate to risk and minimises unnecessary burden</b></p> <ul style="list-style-type: none"><li>• A proportionate approach is applied to compliance activities, engagement and regulatory enforcement actions.</li><li>• Regulations do not unnecessarily impose on regulated entities.</li><li>• Regulatory approaches are updated and informed by intelligence gathering so that effort is focussed towards risk.</li></ul>	<p><b>BPEQ understands the risks to the public associated with engineering and is committed to protecting the public and upholding standards of engineering. Decisions taken by BPEQ balance the public interest with the need to enforce the PE Act and standards of professional engineering practice.</b></p> <ul style="list-style-type: none"><li>• In October 2021, BPEQ released and commenced a RPEQ Code of Practice (code). All RPEQs are bound by the code and it provides a set of guidelines and principles for RPEQs to better understand their obligations under the PE Act. The code provides RPEQs guidance on professional and personal conduct as well as guidance on professional expertise.</li><li>• Finalised 10 investigations into disciplinary and compliance matters.</li><li>• Conducted 117 audits of RPEQs for compliance with BPEQ's Continuing Registration Requirement policy.</li><li>• BPEQ established a Risk and Audit Committee to provide an independent review of the organisation's reporting functions and ensure integrity of financial reports, ensure all control and risk management functions are operating, and provide strong oversight of the organisation's audit functions.</li></ul>



<p><b>2.</b></p>	<p><b>Consult and engage meaningfully with stakeholders</b></p> <ul style="list-style-type: none"><li>• Formal and information consultation mechanisms are in place to allow for the full range of stakeholder input and Government decision making circumstances.</li><li>• Engagement is undertaken in ways that help regulators develop a genuine understanding of the operating environment of regulated entities.</li><li>• Cooperative and collaborative relationships are established with stakeholders, including other regulators, to promote trust and improve the efficiency and effectiveness of the regulatory framework.</li></ul>	<p><b>BPEQ proactively engages with its stakeholders and members of the public through various engagement methods to better develop a genuine understanding of current issues in the industry.</b></p> <ul style="list-style-type: none"><li>• During 2021-2022, BPEQ conducted more than 70 seminars, workshops, webinars, and industry events for a wide range of stakeholders, including state and local government, universities, professional bodies, private industry, as well as the general community. Events were held throughout Queensland, including Toowoomba, Moranbah, Central Highlands, Cairns and more. These events provided free information to attendees on the RPEQ registration system, the PE Act, code, and the BPEQ complaints process.</li><li>• BPEQ utilises social media channels (LinkedIn and Twitter) and the BPEQ website to provide information to stakeholders regarding PE Act obligations, RPEQ registration process, and to respond to frequently asked questions.</li><li>• During 2021-2022, BPEQ commenced a mining industry communications and engagement program to increase understanding in the industry about the RPEQ system and mining engineering requirements as part of the PE Act.</li></ul>
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<p><b>3.</b></p>	<p><b>Provide appropriate information and support to assist compliance</b></p> <ul style="list-style-type: none"><li>• Clear and timely guidance and support is accessible to stakeholders and tailored to meet the needs of the target audience.</li><li>• Advice is consistent and, where appropriate, decisions are communicated in a manner that clearly articulates what is required to achieve compliance.</li><li>• Where appropriate, regulatory approaches are tailored to ensure compliance activities do not disproportionately burden particular stakeholders (e.g., small business) or require specialist advice.</li></ul>	<p><b>BPEQ recognises the importance of educating its stakeholders to comply with the PE Act. BPEQ provides a range of products and services to deliver information on the PE Act, the Code of Practice for RPEQs and the registration process.</b></p> <ul style="list-style-type: none"><li>• Prepared and published case notes and practice notes covering the prosecutions and disciplinary outcomes for a range of factual scenarios.</li><li>• Produced an e-newsletter sent to 24,632 subscribers, which features updated and new case and practice notes, and articles covering elements of the PE Act, Code of Practice for RPEQs as well as information regarding prescriptive standards and professional engineering services.</li><li>• Exhibited and presented at industry events and conferences. Board members and staff attended and presented at 9 industry events and conferences, with a major focus on the mining industry.</li><li>• Conducted free seminars on the PE Act, code, and RPEQ registration process with a wide range of stakeholders, including state and local government, universities, professional bodies, private industry, as well as the general community.</li><li>• Policies concerning registration, compliance, investigation processes and other matters are available on BPEQ's website.</li><li>• A compliments and complaints process is detailed on the BPEQ website. Stakeholders and members of the public are encouraged to provide feedback that will help BPEQ improve services.</li></ul>
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<p><b>4.</b></p>	<p><b>Commit to continuous improvement</b></p> <ul style="list-style-type: none"><li>• Regular review of the approach to regulatory activities, collaboration with stakeholders and other regulators, to ensure it is appropriately risk based, leverages technological innovation and remains the best approach to achieving outcomes.</li><li>• To the extent possible, reform of regulatory activities is prioritised on the basis of impact on stakeholders and the community.</li><li>• Staff have the necessary training and support to effectively, efficiently and consistently perform their duties.</li></ul>	<p><b>BPEQ is committed to continuous improvement and Board members and staff discuss and identify relevant environmental factors impacting the organisation and undertake skills and development training.</b></p> <ul style="list-style-type: none"><li>• BPEQ established a Risk and Audit Committee to provide an independent review of the organisation's reporting functions and ensure integrity of financial reports, ensure all control and risk management functions are operating, and provide strong oversight of the organisation's audit functions.</li><li>• A review of internal policies and procedures has begun to manage risks and assure that BPEQ policies and procedures comply with relevant legislation and directives and maintain industry best practice.</li><li>• Employees in the Legal, Compliance and Investigations Unit attended the Queensland Government Lawyer Conference as well as training sessions with the Office of Information Commissioner Queensland and the Queensland Crime and Corruption Commission. The Board's investigation team also attended the Identity, Credential, and Access Management Lead Investigation course.</li></ul>
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<p><b>5.</b></p>	<p><b>Be transparent and accountable in actions</b></p> <ul style="list-style-type: none"><li>• Where appropriate, regulatory frameworks and timeframes for making regulatory decisions are published to provide certainty to stakeholders.</li><li>• Decisions are provided in a timely manner, clearly articulating expectations and the underlying reasons for decisions.</li><li>• Indicators of regulator performance are publicly available.</li></ul>	<p><b>Transparency and accountability are core tenets of BPEQ. This helps build trust and confidence with our stakeholders. BPEQ complies with all government reporting requirements and those contained in the <i>Professional Engineers Act 2002</i>.</b></p> <ul style="list-style-type: none"><li>• Provided a live directory of all current RPEQs which is made available on BPEQ's website.</li><li>• Provided a historical register of RPEQs (current and former) which is available for stakeholders to view at the BPEQ office.</li><li>• Prepared and published an annual report detailing BPEQ regulatory and financial performance, statistical information on registrations achievements and challenges.</li><li>• Reviewable decisions are communicated within the legislative timelines and stakeholders are provided with the relevant notices pursuant to BPEQ's obligations under the PE Act.</li><li>• Decisions are made within the timeframes outlined in relevant legislation.</li><li>• BPEQ's website is regularly updated to provide up-to-date information for professional engineers, the public, industry and other stakeholders.</li></ul>
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