



BOARD OF  
**PROFESSIONAL  
ENGINEERS**  
OF QUEENSLAND

# **REGULATOR PERFORMANCE FRAMEWORK**

Version 2 (December 2020)





## INTRODUCTION

Regulators are required to prepare an annual performance report in implementing the new Queensland Government's Regulator Performance Framework for portfolio responsibilities.

The Board of Professional Engineers of Queensland (**BPEQ**) has endorsed model practices as shown in the first column of the table below. BPEQ is Queensland's engineering regulator and administers the *Professional Engineers Act 2002 (Act)* and the Registered Professional Engineer of Queensland (**RPEQ**) system. The objectives of the Act are to:

- protect the public by ensuring professional engineering services are provided by a RPEQ in a professional and competent way;
- maintain public confidence in the standard of services provided by RPEQs; and
- uphold the standards of practice of RPEQs.

To carry out a professional engineering service in Queensland or for Queensland, engineers are required to be registered with BPEQ. The only exceptions are if an unregistered person carries out the professional engineering service under the direct supervision of a RPEQ or the service is carried out only in accordance with a prescriptive standard. Once an engineer is registered they are awarded the protected title RPEQ.

BPEQ is also charged with investigating and disciplining RPEQs for unsatisfactory professional conduct and prosecuting individuals for breaching the Act (e.g. carrying out a professional engineering service when unregistered).

<b>Regulator model practices and supporting principles</b>	<b>Outline and evidence of how BPEQ's regulatory practices in 2019-20 align with the regulator model practices and what actions have been taken in 2019-20 to improve regulatory activities and practices.</b>
<p><b>1.</b> <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 Act and standards of professional engineering practice.</b></p> <ul style="list-style-type: none"><li>• Finalised 14 investigations into disciplinary and compliance matters.</li><li>• Conducted 310 audits of RPEQs for compliance with BPEQ's Continuing Registration Requirements policy.</li><li>• Introduced updated Mutual Recognition policy to reflect the objectives of the <i>Mutual Recognition Act 1992</i>.</li><li>• Introduced new suitability criteria guidelines for assessment entities applying for assessment scheme approval to enforce the standards for engineers seeking registration.</li><li>• The Professional Engineers Regulation 2019 introduces penalty infringement notices which commence on 1 January 2020. Penalty infringement notices are issued as an alternative to court proceedings for lower level offences.</li></ul>



- Approved Risk Appetite Statement which considers the most significant risks BPEQ is exposed to and provides an outline of the approach to managing these risks, and adopted best practice risk management analysis measures.

## 2.

### **Consult and engage meaningfully with stakeholders**

- Formal and informal consultation mechanisms are in place to allow for the full range of stakeholder input and Government decision making circumstances.
- Engagement is undertaken in ways that help regulators develop a genuine understanding of the operating environment of regulated entities.
- Cooperative and collaborative relationships are established with stakeholders, including other regulators, to promote trust and improve the efficiency and effectiveness of the regulatory framework.

### **BPEQ proactively engages with its stakeholders and provides various touch points for stakeholder to offer their feedback to BPEQ.**

- Implemented feedback and customer intelligence processes to gauge stakeholder insights and appraise staff performance and quality of information and services provided by BPEQ.
- Conducted free seminars on the Act, Code of Practice for RPEQs and registration process with engineering firms, government departments, local government, resource companies, infrastructure and construction companies and universities and academics. Board staff conducted 29 seminars across Queensland in 2019-20.
- Exhibited and presented at industry events and conferences. Board members and BPEQ staff attended and presented at 19 industry events and conferences across Queensland and interstate in 2019-20.
- Participated in and provided advice through working groups with the New South Wales and Victorian governments on their respective planned registration systems for engineers to promote consistency between the two states.
- Established information sharing arrangements with other government agencies.

## 3.

### **Provide appropriate information and support to assist compliance**

- Clear and timely guidance and support is accessible to stakeholders and tailored to meet the needs of the target audience.
- Advice is consistent and, where appropriate, decisions are communicated in a manner than clearly articulates what is required to achieve compliance.
- Where appropriate, regulatory approaches are tailored to ensure compliance activities do not disproportionately burden particular stakeholders (e.g. small business) or require specialist advice.

### **BPEQ recognises the importance of educating its stakeholders to comply with the Act. BPEQ provides a range of products and services to deliver information on the Act, the Code of Practice for RPEQs and the registration process.**

- Prepared and published case notes covering the prosecutions and disciplinary outcome for a range of factual scenarios.
- Produced a monthly e-news - sent to 23,051 subscribers - which features case notes, when available, and also a legal article covering elements of the *Professional Engineers Act 2002*, Code of Practice for RPEQs or similar (e.g. prescriptive standards, professional engineering services).
- Conducted free seminars on the Act, Code of Practice for RPEQs and registration process with engineering firms, government departments, local government, resource companies, infrastructure and construction companies and universities and academics. Board staff conducted 29 seminars across Queensland in 2019-20.



- Exhibited and presented at industry events and conferences. Board members and BPEQ staff attended and presented at 19 industry events and conferences across Queensland and interstate in 2019-20.
- Provided continuing professional development bursaries to assist engineers returning to the workforce or engineers based in remote or very remote areas of Queensland.
- Policies on the compliance areas are available on BPEQ's website.
- All forms and guidance notes are reviewed, amended and updated where required.
- Piloted two continuing professional development courses for engineers in Cairns and Rockhampton.
- Extended the renewal period in response to the coronavirus (COVID-19) lockdown to assist engineers experiencing hardship.
- Updated the Business Continuity Plan and arrangements to ensure the BPEQ workforce can remain mobile and continue to work during the coronavirus (COVID-19) lockdown.
- Launched an updated website in August 2019 to improve user experience and functionality, rationalise numbers of pages and content and optimise search engine performance.

## 4.

### **Commit to continuous improvement**

- 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.
- To the extent possible, reform of regulatory activities is prioritised on the basis of impact on stakeholders and the community.
- Staff have the necessary training and support to effectively, efficiently and consistently perform their duties.

### **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.**

- Completed reviews of policies including continuing registration requirements and restoration of registration.
- Completed review and consultation and drafted new Code of Practice.
- Completed review of the areas of engineering to make the system clearer to engineers and the public.
- Conducted annual strategy meetings with Board members and key BPEQ staff.
- Board members undertook governance training.
- Board members and staff participated in risk assessment workshops to identify key risk areas and agree on the approach to those risks.
- BPEQ staff completed customer service and legal training and development.
- Implemented an updated Performance Excellence Framework to assist staff in their development, training requirements and career opportunities.



## 5.

### **Be transparent and accountable in actions**

- Where appropriate, regulatory frameworks and timeframes for making regulatory decisions are published to provide certainty to stakeholders.
- Decisions are provided in a timely manner, clearly articulating expectations and the underlying reasons for decisions.
- Indicators of regulator performance are publicly available.

### **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 *Professional Engineers Act 2002*.**

- Provided a live register of all current RPEQs which is made available on BPEQ's website.
- Provided a historical register of RPEQs (current and former) which is available for stakeholders to view at the BPEQ office.
- Prepared and published an annual report detailing its regulatory and financial performance, statistical information on registrations achievements and challenges.
- Reviewable decisions are all communicated within the legislative timelines and stakeholders are provided with the relevant notices pursuant to BPEQ's obligations under the Act.
- Decisions are made within the timeframes outlined in the legislation.
- BPEQ's website is regularly updated to provide up-to-date information for professional engineers, the public, industry and other stakeholders.