



BOARD OF  
**PROFESSIONAL  
ENGINEERS**  
OF QUEENSLAND

# **REGULATOR PERFORMANCE FRAMEWORK**

December 2019



## 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 2018/19 align with the regulator model practices and what actions have been taken in 2018/19 to improve regulatory activities and practices.</b>
<p><b>1. 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>• BPEQ conducts random audits of RPEQs to enforce fitness to practice and continuing professional development requirements under the Act and random audits of assessment schemes to ensure applicants are meeting RPEQ eligibility standards.</li><li>• Conducted 451 audits of registered professional engineers for compliance with BPEQ's continuing professional development policy.</li><li>• Requested documents from assessment entities which provide background information on all relevant persons being assessed for recommendation as a RPEQ.</li><li>• Conducted a review of the suitability criteria guidelines for assessment entities applying for assessment scheme approval to enforce the standards for engineers seeking registration.</li></ul>



## 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.

- Updated and approved policies on Mutual Recognition, complaints and investigations.

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

- Stakeholders include: professional engineers (both registered and unregistered), engineering firms, state and local government, other statutory bodies, universities and professional associations.
- Customers are invited to submit feedback about their service experience with BPEQ staff.
- Professional engineers are surveyed to determine areas of improvement for BPEQ or to understand matters of importance to them.
- 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 38 seminars across Queensland in 2018/19.
- Exhibited and presented at industry events and conferences. Board members and BPEQ staff attended and presented at 31 industry events and conferences across Queensland and interstate in 2018/19.
- Chairperson and staff took part in Engineers Australia hosted industry roundtables.
- Advised the Victorian Government on its planned system of registration for engineers to promote consistency between the two states.
- Developed new website that is easy to use and navigate and allows for creation of educational tools and content for engineers and the public.
- Established information sharing arrangements with other government agencies.
- Better engagement with interstate and Trans-Tasman regulatory agencies in the building and engineering environments.

## 3.

### Provide appropriate information and support to assist compliance

**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.**



- 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 that 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.
- Prepared and published case notes covering the prosecutions and disciplinary outcome for a range of factual scenarios.
- Produced a monthly e-news 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). The e-news subscriber list numbers more than 19,000.
- 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 38 seminars across Queensland in 2018/19.
- Exhibited and presented at industry events and conferences. Board members and staff attended and presented at 31 industry events and conferences across Queensland and interstate in 2018/19.
- 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 continuing professional development courses for engineers in regional Queensland
- Developed a new website that is easy to use and navigate and allows for creation of educational tools and content for engineers and the public.
- Reviewed the requirements for renewal of registration, updated the form and sought approval from the delegated authority for the updated form.
- The Professional Engineers Regulation 2019 which commenced on 8 July 2019, introduces penalty infringement notices which commence on 1 January 2020. Penalty infringement notices are issued as a disincentive for lower level offences rather than court proceedings.

## 4.

### Commit to continuous improvement

**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.**



- 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.
- Conducted bi-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 undertook training in customer service, effective communication, emotional intelligence, technology in government, employee/organisation behaviour as well as legal training and development.
- Collaborated with New Zealand, Victorian and NSW regulatory authorities in relation to mutual recognition of professionals.
- Conducted a review of the areas of engineering to make the system clearer to engineers and the public.
- Developed and proposed amendments to the legislation to ensure BPEQ's functions and powers continue to meet the objectives of the *Professional Engineers Act 2002*.
- Commenced a review of CPD auditing processes.
- Agreed on terms of reference for a 'futures paper'.
- Commenced consultation on possible new registration categories.
- Identified the policies which require a review.
- Mutual Recognition Policy amended and updated to reflect the objectives of the *Mutual Recognition Act 1992*.
- Updated and implemented new Board delegations.

## 5.

### Be transparent and accountable in actions

- Where appropriate, regulatory frameworks and timeframes for making regulatory decisions are published to provide certainty to stakeholders.

### 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.
- Relevant policies are available on BPEQ's website.



- Decisions are provided in a timely manner, clearly articulating expectations and the underlying reasons for decisions.
- Indicators of regulator performance are publicly available.
- 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.