

Introduction

The Office of the National Rail Safety Regulator (ONRSR) is established as an independent body corporate under the *Rail Safety National Law (South Australia) Act 2012*.

ONRSR administers the *Rail Safety National Law* and performs the functions and responsibilities conferred upon it by that law.

The overarching intent of ONRSR is to improve rail safety for the Australian community and implement seamless national rail safety regulation of rail operations.

The rolling three-year Statement of Intent 2017–2020 reflects the intent and direction further detailed in ONRSR's Corporate Plan 2017–2020.

ONRSR

Vision: “**Safe railways for Australia**”

Values:

- > Integrity
- > Respect
- > Independence
- > Diligence
- > Excellence.

ONRSR's key functions are to:

- > improve rail safety for the Australian community;
- > decrease the regulatory burden on the rail industry;
- > provide seamless national safety regulation; and
- > enforce regulatory compliance.

Under *Rail Safety National Law*, ONRSR's objectives are to:

- > facilitate the safe operations of rail transport in Australia;
- > exhibit independence, rigour and excellence in carrying out its regulatory functions; and
- > promote safety and safety improvement as a fundamental objective in the delivery of rail transport in Australia.

ONRSR is now close to achieving its goal of being a fully integrated national organisation having achieved full transition of all but two jurisdictions. ONRSR expects to be an innovative and well respected regulator that balances the complexities of delivering good regulation with improved safety outcomes and reduced regulatory burden. Improved safety data quality and transparency, jointly facilitated by industry and the regulator, will be a catalyst for all stakeholders to identify and act on safety risks. Regulation of major projects will support the ongoing build of the transport systems of the future. ONRSR will be regarded as leader in its field with skilled and enabled staff supported by mature business and information management systems.

Accountability and transparency

ONRSR is guided by the expectations of the Transport and Infrastructure Council to whom it is accountable. It will continue providing regular reports to the council, including its annual report, and to individual Ministers to ensure they are kept fully informed of rail safety issues and achievements in their respective jurisdictions. ONRSR will continue to monitor its efficiency and effectiveness as a regulator in accordance with its legislative objectives under the *Rail Safety National Law* with the view to providing consistent, coordinated and streamlined rail safety regulation.

Stakeholder relationships

ONRSR values its stakeholders and will continue to work in partnership with its primary stakeholders including State, Territory and Federal Ministers for Transport and jurisdictional government departments, the National Transport Commission, Australian Transport Safety Bureau, railway associations such as the Rail Industry Safety and Standards Board, Australasian Railway Association and Australian Tourist and Heritage Railway Association, rail transport operators and rail unions.

Regulatory approach

Rail safety regulation in Australia is administered under a co-regulatory framework in which responsibility for regulation and safety is shared between industry, government and ONRSR.

Rail Safety National Law defines the functions of ONRSR but does not describe the way ONRSR will deliver them. ONRSR's aim, as defined in its Corporate Plan, is to enhance and promote safety through effective risk-based regulation.

Risk-based regulation is the application of a systematic decision making framework, which prioritises regulatory activities and informs decision outcomes, based on an assessment of risks to rail safety. It involves:

- > developing an understanding of the risks to the safety of railway operations in Australia;
- > determining which of these risks ONRSR is able to influence through its regulatory activities; and
- > designing and prioritising regulatory activities and outcomes in a way that best maintains and improves rail safety.

Applying a risk-based approach to regulation has parallels to the *Rail Safety National Law's* requirement for Rail Transport Operators to apply a risk-based approach to safety management. It also enables ONRSR to focus resources on the basis of risk and to improve the effectiveness of regulatory interactions.

ONRSR's Regulatory Approach provides further details on the key principles by which ONRSR regulates. This is supported by policies, procedures and guidelines to assist industry in fulfilling their obligations.

ONRSR's safety priorities

Four national priorities were selected by ONRSR in late 2015 and have since been the focus of regulatory attention. While individually unique, each of the priorities shares specific characteristics – the topics require sustained regulatory focus of at least one year, the issues affect railways across the country, and the areas are those where compliance and enforcement methods are appropriate regulatory responses.

The four priorities are:

1. Track condition;
2. Track work – competency and communication;
3. Rolling stock maintenance; and
4. Road rail vehicle (RRV) safety.

While progress has been made with all of the priorities, further work is required to achieve the safety outcomes set. Each of the priorities will be retained moving into 2017 and 2018 and what follows is further information on why the priority was chosen, what the specific focus for ONRSR is and what progress has been made to date.

Track condition

Poor track condition is the most common cause of derailments and ONRSR will focus its efforts on ensuring industry has quality systems in place which are being followed to ensure appropriate maintenance and repairs are being undertaken, along with an appropriate Asset Management Plan.

Track work – competency and communication

Rail safety worker competency and safety critical communication are recurring themes in the large number of safeworking breaches which occur each year. ONRSR will use a multi-pronged approach to facilitate industry improvement including promotion, collaboration, targeted auditing and inspection programs. Following the focus on auditing and inspections during 2016–2017, this information will be used during the coming year to develop a safety improvement program to help address common issues.

Rolling stock maintenance

ONRSR's audit and compliance program will have a major focus in this area working with industry to ensure quality systems are in place and that these are being implemented.

Road rail vehicle (RRV) safety

After two years of national focus in this area improvements have been made. However, there is still much to be done and ONRSR will work predominantly with rail infrastructure managers to promote further safety improvements in this area.

ONRSR's strategic goals and priorities

The ONRSR Corporate Plan 2017–2020 reflects the following corporate goals and strategies. These guide the ONRSR business plan strategies and activities and associated organisational performance measures.

Goal 1: Maintain and improve rail safety through a risk-based approach to regulation

ONRSR schedules its compliance monitoring activities with a risk-based national workplan which reflects its assessment of rail industry safety trends, previous audit and inspection reports and ONRSR regulatory intelligence. Senior leaders across ONRSR are also working collaboratively and innovatively to strengthen the intelligence function within ONRSR which involves improved data capture, collation and analysis. This analysis is supported by a new Risk-based Regulation Framework. ONRSR undertakes a drug and alcohol testing program of rail safety workers to monitor compliance with the legislation and continues to roll this program out across all jurisdictions. ONRSR works proactively with proponents of major rail projects across Australia to ensure safety issues are addressed through the project lifecycle.

Goal 2: Reduce regulatory burden on industry

A key factor in reducing the regulatory burden on industry is the transition of all jurisdictions into direct delivery of regulatory oversight by ONRSR. The focus will be on working closely with Queensland to ensure a smooth transition of regulatory oversight and staff. ONRSR will also work with Victoria to progress the outcomes of the Service Level Agreement review.

ONRSR will undertake ongoing reviews and refinement of the legislative framework, its policies, procedures and guidelines, and regulatory requirements to improve national legislative consistency, a key tenet of the national reform. This includes current work underway reviewing drug and alcohol and fatigue risk management arrangements. Through regular stakeholder engagement, and in some cases via memorandums of understanding between colleague bodies, roles and responsibilities will be reviewed and clarified.

Goal 3: Under a co-regulatory framework, support industry in its operation of safe railways for Australia.

ONRSR will continue to support industry under a co-regulatory framework to take leadership on safety initiatives, performance and harmonisation. This will include working with the Rail Industry Safety and Standards Board (RISSB) on the development of an industry-owned national rail safety risk model and a range of industry-developed standards, guidelines and products. ONRSR will develop, in consultation with industry, a national data strategy to support the collection and use of high quality industry data and continue to issue clear guidance on the regulator's expectations. ONRSR will also strengthen the co-regulatory framework to ensure common understanding internally and with industry.

Goal 4: Promote safety awareness and work with industry on safety improvement and research

ONRSR takes a leading role in informing industry of any immediate rail safety risks and produces an annual Rail Safety Report. It will also seek to further promote rail safety issues, innovation and better practice through a series of rail safety bulletins. ONRSR contributes to the provision of research through its role as a Director on the Australasian Centre for Research and Innovation.

ONRSR conducts a targeted safety improvement program which complements industry's program. Key priorities for ONRSR continue to be improving track worker safety, operator investigations, risk management practices, human factors integration and fatigue risk management.

Goal 5: Value and enable our people in pursuit of high performance

Supporting all staff in delivering their function is key to the success of ONRSR. Therefore, implementing the three-year workforce plan and an integrated WHS Framework remain priorities.

Another important strategy is development of a 'one ONRSR' organisational culture through a series of "Being ONRSR" staff engagement initiatives designed to support ONRSR's development as one team with a national focus.

Goal 6: Develop our systems to optimise our performance

ONRSR's systems continue to mature through the implementation of the rolling Information Management and Technology Strategic Plan. The Enterprise Risk Management Framework and internal audit program similarly support sound governance within ONRSR, while work is scheduled to build and strengthen knowledge management across the organisation. ONRSR also continues to develop innovative e-service delivery options that will create further efficiencies for operators.

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