

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 2018–2021 reflects the intent and direction further detailed in ONRSR's Corporate Plan 2018–2021.

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 requires full transition of just one jurisdiction to achieve its goal of being a fully integrated national organisation. ONRSR will 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 continuous investment in business and information management systems.

Accountability and transparency

ONRSR is guided by the expectations of the Transport and Infrastructure Council to which 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
- > Jurisdictional government departments
- > The National Transport Commission
- > The Australian Transport Safety Bureau
- > The Rail Industry Safety and Standards Board (RISSB)
- > The Australasian Railway Association
- > The Australian Tourist and Heritage Railway Association
- > Rail transport operators and;
- > 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.

ONRSR is a risk-based regulator overseeing 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.

The ONRSR Way provides further details on the key principles by which ONRSR regulates. This is supported by policies, procedures and guidelines to assist accredited parties to fulfil their obligations.

ONRSR's safety priorities

While individually unique, national operational safety priorities share specific characteristics. They are defined as a rail safety area of regulatory focus that applies to multiple jurisdictions and operators and warrants a sustained period of regulatory attention. ONRSR typically targets its national priorities through operator-centric, national compliance projects or industry-wide, safety improvement projects.

In late 2017 ONRSR reviewed and re-scoped its national operational safety priorities (Road Rail Vehicle Safety, Track condition, rolling stock maintenance and track work – competency and communication) which had been in place since 2015.

The review found that while both track condition and rolling stock maintenance should remain areas of focus, enough progress had been made to transition them to the normal audit and compliance work program. **Road Rail Vehicle safety** and **track work** remain areas of concern and are joined in a new set of priorities by **level crossing safety** and **tourist and heritage safety management capability**.

Further information on why each priority was chosen, what the specific focus for ONRSR is and what progress has been made to date follows.

Track worker safety

Track work – competency and communication has been an ONRSR priority since 2016 and was the focus of a national compliance project throughout that time. Findings from this project have led ONRSR to redefine the scope of this priority area in 2018 and launch a new national compliance project, focusing on unplanned and reactive track work activities. An industry-wide safety improvement initiative will also be progressed, which will be based on the findings of the compliance projects, as well as the research investigation undertaken by the Australian Transport Safety Bureau.

Level crossing safety

With the exception of trespass and suicides, accidents at railway crossings account for the largest number of railway related fatalities involving members of the public. Industry and governments are taking a leading role in addressing this particular safety issue with the full support of ONRSR which will scope a new safety improvement project to assist in the promotion of measures that can increase level crossing safety nationally.

Tourist and heritage sector safety management capability

Through its interactions with the sector ONRSR is aware of the challenges that tourist and heritage operators face with maintaining a safety management system that is compliant with legislative requirements, yet suitable for volunteer-resourced organisations to administer. ONRSR will increase its efforts in this area by scoping a safety improvement project focused on tourist and heritage operators, involving safety management capability.

Road rail vehicle (RRV) safety

After more than 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 2018–2021 reflects the following corporate goals and strategies. These guide the ONRSR business plan strategies and activities and associated organisational performance measures.

Goal 1: Enhance our risk-based approach to rail safety regulation

Using a Risk-based Regulation Framework, ONRSR schedules its compliance activities via a national work plan that reflects its assessment of rail industry safety trends, previous audit and inspection reports and ONRSR regulatory intelligence. *Rail Safety National Law* provides a range of enforcement powers including the ability to shut down unsafe operations and to prosecute. ONRSR is working diligently to strengthen its intelligence function with an emphasis on improved data capture, collation and analysis while also working proactively with proponents of major rail projects to ensure safety issues are addressed through project lifecycles.

Goal 2: Reduce regulatory burden on industry

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 finalising reviews of drug and alcohol and fatigue risk management arrangements. The transition to direct delivery of regulatory oversight by ONRSR in Victoria remains a priority and the focus will again be on working closely with government to encourage the removal of the service level agreement in Victoria. In the field the focus is on constantly improving the quality and efficiency of our regulatory interactions supported by more efficient requests for, and exchange of, information with regulated parties. 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: Work with industry to address national rail safety issues.

ONRSR will continue to support industry to take leadership on safety initiatives, performance and harmonisation. This will include working with RISSB on a range of industry-developed standards, guidelines and products. ONRSR will again issue clear and complementary guidance on its expectations in relation to priority rail safety issues. A dedicated safety improvement agenda, and a renewed strategic focus on the role of ONRSR as an educator of rail transport operators and rail safety workers alike will also be pursued.

Goal 4: Invest in ONRSR's national capability, governance and culture to drive our strategic intent.

Supporting all staff to deliver their national roles is key to the success of ONRSR. Therefore, implementing the three-year workforce plan and an integrated Work Health and Safety Framework remain priorities. 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.

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