



**Australian Government**

**Safety, Rehabilitation and  
Compensation Commission**

# **SAFETY, REHABILITATION AND COMPENSATION COMMISSION**

**2017-18 Annual report against the regulator  
performance framework**

**30 JUNE 2018**

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## EXECUTIVE SUMMARY

This is the third annual self-assessment by the Safety, Rehabilitation and Compensation Commission (Commission) against the Government's Regulator Performance Framework.

The self-assessment was informed by:

- outcomes of the quarterly meetings of the Commission;
- the Commission's governance and accountabilities framework and outcomes; and
- the professional knowledge and experience of the Commission and support staff.

The self-assessment identified that the Commission has fully met 17 of the 18 measures (with one partially met), that fall under the six key performance indicators (KPIs). This signifies an overall positive view of the Commission's performance for 2017-18. However, the Commission recognises that there are gaps and opportunities for improvement, and these have been identified within the self-assessment.

Specific areas for improvement highlighted by the self-assessment include:

- engaging with other regulators to learn from peer experiences and share better practice; and
- implementing a regulatory decision precedent log to ensure decisions are consistent with the Commission's self-insurance regulatory framework.

## BACKGROUND

The Commission is established by the *Safety, Rehabilitation and Compensation Act 1988* (SRC Act). It has functions under both the SRC Act and the *Work Health and Safety Act 2011* (WHS Act).

One of its key functions is regulating self-insurance under the SRC Act, which includes granting and revoking licences and monitoring licensees' compliance against the Commission's conditions of self-insurance licence.

The Commission consulted directly with regulated entities (self-insurance licensees) both in developing its Regulator Performance Framework KPIs and on its 2017-18 self-assessment.

## FINDINGS

The self-assessment found that of the 18 measures, 17 were fully met and one is rated as partially met.

### **KPI 1.3: The Commission does not unnecessarily impede the efficient operation of regulated entities.**

The Commission implements continuous improvement strategies to reduce the costs of compliance for those they regulate.

In relation to KPI 1.3, a review is being undertaken to ensure all key elements of the Licence Compliance and Performance Model (LCPM) are fully assessed by 2022. This is a five-year Review Plan that was agreed to by the Commission in 2017-18. The Review Plan also includes biennial reviews to assess whether the LCPM is achieving improved licensee performance outcomes. These improvements will continue throughout the 2018-19 year, to 2022.

The Commission has also identified a specific area of improvement for 2018-19, to engage with other regulators to share experiences and better practice.

It should be noted that both opportunities for improvement and continuous improvement points have been identified and are evident across many of the KPIs which will continue to be made in the 2018-19 year.

## REPORTING AGAINST THE KEY PERFORMANCE INDICATORS

### Summary

KPI	Measure	Status
KPI 1: The Commission does not unnecessarily impede the efficient operation of regulated entities.	1.1 The Commission demonstrates an understanding of the operating environment of the industry, or organisation, or the circumstances of individuals and the current emerging issues that affect the sector.	●
	1.2 The Commission takes actions to minimise the potential for unintended negative impacts of regulatory activities on regulated entities or affected supplier industries and supply chains.	●
	1.3 The Commission implements continuous improvement strategies to reduce the costs of compliance for those they regulate.	●
KPI 2: The Commission communicates with regulated entities in clear, targeted and effective manner.	2.1 The Commission provides guidance and information that is up to date, clear, accessible and concise through media appropriate to the target audience.	●
	2.2 The Commission considers the impact on regulated entities and engages with industry groups and representatives of the affected stakeholders before changing policies, practices or service standards.	●
	2.3 The Commission's decisions and advice are provided in a timely manner, clearly articulating expectations and the underlying reasons for decisions.	●
	2.4 The Commission's advice is consistent and supports predictable outcomes.	●
KPI 3: Actions undertaken by the Commission are proportionate to the regulatory risk being managed.	3.1 The Commission applies a risk-based, proportionate approach to compliance obligations, engagement and regulatory enforcement actions.	●
	3.2 The Commission's preferred approach to regulatory risk is regularly reassessed. Strategies, activities and enforcement actions are amended to reflect changing priorities and evolving regulatory threats, without diminishing regulatory certainty or impact.	●
	3.3 The Commission recognises the compliance record of regulated entities, including using earned autonomy where this is appropriate. All available and relevant data on compliance, including evidence of relevant external verification is considered.	●
KPI 4: Compliance and monitoring approaches are streamlined and coordinated.	4.1 The Commission's information requests are tailored, coordinated, only when necessary and utilises existing information to secure regulatory objectives, and information requests are made to minimise impact.	●
	4.2 The Commission bases monitoring and inspection approaches on risk and, where possible, considers the circumstance and operational needs of the regulated entity.	●
KPI 5: The Commission is open and transparent in its dealings with regulated entities.	5.1 The Commission's risk-based frameworks are publicly available in a format which is clear, understandable and accessible.	●
	5.2 The Commission is open and responsive to requests from regulated entities regarding the operation of the regulatory framework, and approaches implemented by the Commission.	●
	5.3 The Commission's performance measurement results are published in a timely manner to ensure accountability to the public.	●
KPI 6: The Commission actively contributes to the continuous improvement of regulatory frameworks.	6.1 The Commission establishes and maintains cooperative and collaborative relationships with stakeholders to promote trust and improve the efficiency and effectiveness of the regulatory framework.	●
	6.2 The Commission engages all relevant stakeholders in the development of options to reduce compliance costs. This could include changes to the overarching regulatory framework, or other strategies to streamline monitoring and compliance approaches.	●
	6.3 The Commission regularly shares feedback from stakeholders and performance information (including from inspections) with policy departments to improve the operation of the regulatory framework and administrative processes.	●

Legend: ● Indicator is met ● Indicator is partially met/at risk of not being met for the period ● Indicator is not met


## Reporting against each KPI

### KPI 1: The Commission does not unnecessarily impede the efficient operation of the regulated entities

**Measure of Good Regulatory Performance 1.1:** The Commission demonstrates an understanding of the operating environment of the industry, or organisation, or the circumstances of individuals and the current emerging issues that affect the sector.

Output/Activity	Evidence	Status	Actions for improvement	Reference links for further information
<p><b>Access to documented knowledge base on regulated entities, their environment and issues impacting them.</b></p>	<p>At its quarterly meetings the Commission is provided with updates on:</p> <ul style="list-style-type: none"> <li>• issues relevant to current regulated entities (licensees)</li> <li>• forward looking issues relevant to potential licence applications (self-insurance matters update paper)</li> <li>• strategic matters from Comcare on issues impacting on it as well as scheme performance and a work health and safety regulatory matters update (Comcare strategic update paper).</li> </ul> <p>The Commission is provided with an annual report by each licensee, or group of licensees (the Licensee Compliance, Performance and Improvement (LCPI) report), which includes its achievements for the year, key issues impacting on them and their performance, and the key actions planned for the next reporting period (refer to June 2018 meeting).</p> <p>Commissioners have access to a range of historical papers, performance information and governance documentation.</p> <p>Commissioners are provided with a weekly email update that includes a summary of media relevant to their roles and the entities they regulate.</p>	●	<p>Indicator met.</p> <p>No further actions recorded for improvement.</p>	<p><a href="http://srcc.gov.au">srcc.gov.au</a></p> <p>Sections: Commission meetings Latest news</p>

**Measure of Good Regulatory Performance 1.2:** The Commission takes actions to minimise the potential for unintended negative impacts of regulatory activities on regulated entities or affected supplier industries and supply chains.

Output/Activity	Evidence	Status	Actions for improvement	Reference links for further information
<p><b>Regular, ongoing consultations or engagement with stakeholders on policies and procedures, including independent experts and industry associations, where relevant.</b></p>	<p>The Commission is comprised of Members representing the interests of the scheme, including:</p> <ul style="list-style-type: none"> <li>• three Members representing the interests of employees</li> <li>• one Member representing the interests of licensees</li> <li>• one Member representing the interests of the Commonwealth</li> <li>• one Member representing the interests of the Defence Force</li> <li>• one Member representing the interest of the Australian Capital Territory</li> <li>• the Chief Executive of Safe Work Australia.</li> </ul> <p>The Commission, in the development of its Licence Compliance and Performance Model (self-insurance regulatory model), consulted extensively with:</p> <ul style="list-style-type: none"> <li>• licensees</li> <li>• unions</li> <li>• experts</li> <li>• Comcare.</li> </ul> <p>The Commission holds an annual meeting with licensees to discuss matters impacting on them. This year it occurred on 14 March 2018. Matters discussed included the Commission’s priorities for 2018 and introduction to the new Chairperson; innovation, sustainability and trust; and, the regulatory model and forward thinking.</p> <p>Further to the annual meeting, the Commissioner representing licensees presents, through liaison with licensees, better practice shared learnings of licensees to Commission meetings as applicable.</p> <p>Stakeholder engagement and consultation included, but was not limited to:</p> <ul style="list-style-type: none"> <li>• Licensee Liaison Forums – a forum convened by Comcare, bringing together representatives of all licensees, at which the Commissioner representing licensees provides outcomes of the most recent Commission meeting; in 2017-18 five forums were conducted.</li> <li>• Commission annual meeting with licensees – attended by representatives of 36 licensees.</li> </ul>		<p>Indicator met.</p> <p>No further actions recorded for improvement.</p>	<p><a href="http://srcc.gov.au">srcc.gov.au</a> Section: About the Commission - Commissioners</p> <p><a href="#">SRCC Annual Report 2016-17</a> Sections: Membership Operations of the Commission Licensing</p>

Output/Activity	Evidence	Status	Actions for improvement	Reference links for further information
<p><b>Documented responsiveness to feedback from regulated entities, including feedback from existing complaint mechanisms and surveys of regulated entities.</b></p>	<p>The Commission's feedback mechanisms for regulated entities are:</p> <ul style="list-style-type: none"> <li>• representation of licensees on the Commission through the Commissioner representing licensees</li> <li>• the annual meeting between the Commission and licensees</li> <li>• representation of the Commission on the sub-committee of the Commission reviewing the regulation of self-insured licensees.</li> </ul> <p>Issues raised by licensees are considered by the Reviewing the Regulation of Self-Insured Licensees (RRSIL) Sub-committee with any amendments to the model then being brought through to the Commission.</p> <p>The Commission does not conduct a survey of regulated entities.</p> <p>It is open for regulated entities to write to the Commission to make complaints. No specific complaints were made to the Commission in 2017-18.</p>	●	<p>Indicator met.</p> <p>Continuous Improvement Opportunity - explore opportunities to expedite responses to licensee feedback.</p>	<p>As above</p>



Output/Activity	Evidence	Status	Actions for improvement	Reference links for further information
<b>Regulatory operations consider the knowledge base prior to commencing action.</b>	<p>The key document through which the Commission considers regulatory action is the quarterly assessment of licensee performance provided at each regular Commission meeting. This paper provides Commissioners with:</p> <ul style="list-style-type: none"> <li>an overview of the Commission's self-insurance regulatory model</li> <li>a range of performance related information for each licensee (based on the requirements of the Commission's self-insurance regulatory model), including performance against KPIs and the outcomes of and actions taken following audits of licensees' management systems</li> <li>an assessment by Comcare of this performance information against the self-insurance regulatory model and its recommendations for regulatory action.</li> </ul> <p>The Commission also has access to its own policies, including:</p> <ul style="list-style-type: none"> <li>Policy on variation of a licence under Part VIII of the SRC Act</li> <li>Policy on the regulatory approach relating to licensing under Part VIII of the SRC Act</li> <li>Policy on suspension or revocation of a licence under Part VIII of the SRC Act</li> <li>Policy on extension of a licence under Part VIII of the SRC Act</li> <li>Policy on consultation and dispute resolution for licensing decisions of the Commission impacting on Licensees under Part VIII of the SRC Act.</li> </ul>	●	<p>Indicator met.</p> <p>No further actions recorded for improvement.</p>	<p><a href="http://srcc.gov.au">srcc.gov.au</a> Section: Publications - Policies</p> <p><a href="#">SRCC Annual Report 2016-17</a> Section: Licensing</p>

**Measure of Good Regulatory Performance 1.3:** The Commission implements continuous improvement strategies to reduce the costs of compliance for those they regulate.

Output/Activity	Evidence	Status	Actions for improvement	Reference links for further information
<b>Demonstrated engagement with relevant organisations to learn from peer experiences and share better practice.</b>	<p>The composition of the Commission includes, but is not limited to, representation from the Australian Council of Trade Unions, Safe Work Australia, and members with qualifications or experience relevant to the Commission's functions, or the exercise of its powers.</p> <p>This composition, and engagement with licensees such as through the annual meeting with the Commission, enables the Commission to consider and implement where appropriate strategies to reduce the costs of compliance.</p>	●	<p>Indicator partially met.</p> <p>Improvement Action – identified for 2018-19 the Commission to engage with other regulators to share experiences and better practice.</p>	<p><a href="http://srcc.gov.au">srcc.gov.au</a> Section: About the Commission - Commissioners</p> <p><a href="#">SRCC Annual Report 2016-17</a> Sections: Membership</p>



				Operations of the Commission Licensing
<p><b>Regular review of regulatory model confirming no need to or benefit from making changes or any change identified as necessary and/or beneficial is subject to compliance cost/benefit analysis.</b></p>	<p>Following extensive review, the Commission’s new self-insurance regulatory model (LCPM) was fully implemented from 1 July 2017.</p> <p>During 2017-18, the Commission agreed a five-year Review Plan to ensure all key elements of the LCPM are fully assessed by 2022. The Plan also provides for biennial reviews to determine whether the LCPM is achieving improved licensee performance outcomes.</p> <p>The first activity under the Review Plan (a stocktake of licensee internal audit and review processes) has occurred.</p> <p>Through its RRSIL Sub-committee, the Commission also identifies areas of the LCPM for focussed review and improvement on a quarterly basis.</p> <p>In addition, through its consultation and feedback mechanisms, the Commission will continue to update and refine this framework, as it did with its previous framework.</p>	●	<p>Indicator partially met.</p> <p>Improvement Action – ongoing consultation with stakeholders and review and improvement of the LCPM.</p>	<p><a href="http://srcc.gov.au">srcc.gov.au</a></p> <p>Sections: Commission meetings Latest news</p> <p><a href="#">SRCC Annual Report 2016-17</a></p> <p>Sections: Chairperson’s review Licensing</p>

## KPI 2: The Commission communicates with regulated entities in clear, targeted and effective manner.

**Measure of Good Regulatory Performance 2.1:** The Commission provides guidance and information that is up to date, clear, accessible and concise through media appropriate to the target audience.

Output/Activity	Evidence	Status	Actions for improvement	Reference links for further information
<p><b>Guidance material and information that complies with government accessibility guidelines</b></p>	<p>The Commission's website provides a range of policies and guidance material.</p> <p>The Commission completed a review of its website (structure and content) to ensure compliance with government accessibility guidelines in August 2017. As part of this process, licensee consultation was undertaken, and feedback on the proposed revised content and page layout from Licensees and other user groups received in July 2017.</p> <p>Comcare, on behalf of the Commission, continues to monitor government accessibility guidelines and provides advice to the Commission should any enhancements to the website be required.</p>	●	<p>Indicator met.</p> <p>Continuous improvement Action – ongoing monitoring of guidelines to ensure compliance and accessibility.</p>	<p><a href="http://srcc.gov.au">srcc.gov.au</a></p> <p>Sections: All content as required</p> <p>General site information provides an accessibility and contact details</p>

Output/Activity	Evidence	Status	Actions for improvement	Reference links for further information
<b>Feedback (including measures of use, e.g. web visits) received from regulated entities and others inform guidance material and information.</b>	<p>The Commission receives feedback from regulated entities through a range of mechanisms, including the annual Commission-licensee meeting and the Licensee Liaison Forum.</p> <p>In 2016-17, following feedback from licensees on what constituted consultation and when this was to occur, the Commission developed guidance for licensees on Provision of Information and Consultation Requirements.</p> <p>The Commission has a range of documentation available to stakeholders on its website, including, for example, the Licence Compliance and Performance Model and the Commission's policies in relation to licensing under Part VIII of the SRC Act.</p> <p>The Commission's policies provide information to licensees and interested participants on the policies that guide the Commission's decision-making framework.</p> <p>The Licence Compliance and Performance Model provides guidance and information to licensees to support them to meet their conditions of licence.</p> <p>As an example of usage, site visit statistics indicate that the pages with most traction are 'Licensees' under the 'Information for self-insurers' tab (with 5,856 pageviews), the 'Licensees' tab under the 'Functions of the Commission – self-insurance' tab (with 1,201 pageviews), the 'Commissioners' page under the 'About the Commission' tab (with 1,167 pageviews) and 'audit tools and templates for licensees' under the 'Publications' tab (with 823 pageviews). Site visit usage analysis informs, in part, website updates for accessibility and relevancy of information.</p>	●	<p>Indicator met.</p> <p>No further actions recorded for improvement.</p>	As above

**Measure of Good Regulatory Performance 2.2:** The Commission considers the impact on regulated entities and engages with industry groups and representatives of the affected stakeholders before changing policies, practices or service standards.

Output/Activity	Evidence	Status	Actions for improvement	Reference links for further information
<b>Policy, practices and standard changes which are preceded by comprehensive engagement with stakeholders</b>	<p>The Commission has a policy on consultation and dispute resolution for licensing decisions of the Commission impacting upon Licensees under Part VIII of the SRC Act. This policy provides the framework under which the Commission engages and consults with licensees in relation to making changes to a range of matters, including licensing conditions, and the regulatory model.</p>	●	<p>Indicator met.</p> <p>No further actions recorded for improvement.</p>	<p><a href="http://srcc.gov.au">srcc.gov.au</a> Section: Publications - Policies</p>

Output/Activity	Evidence	Status	Actions for improvement	Reference links for further information
	In 2017-18, the Commission engaged with stakeholders in relation to reviewing its self-insurance regulatory model and enhancing reporting.			
<b>Feedback is sought from all relevant stakeholders on guidance and advice provided by the regulator via a wide range of mechanisms, including stakeholder surveys.</b>	<p>The Commission engages with its stakeholders through a range of mechanisms including:</p> <ul style="list-style-type: none"> <li>• directly through its Members</li> <li>• its website</li> <li>• its annual meeting with licensees</li> <li>• the RRSIL.</li> </ul> <p>No surveys are conducted.</p> <p>A key priority for the Commission is the guidance and advice it has in relation to the application of the LCPM. In 2017-18, the Commission, through the RRSIL, provided guidance and advice following the changes made to the LCPM through the RRSIL, through its website and through communication channels in place in Comcare.</p>	●	<p>Indicator met.</p> <p>No further actions recorded for improvement.</p>	<p><a href="http://srcc.gov.au">srcc.gov.au</a> Section: About the Commission - Commissioners</p> <p><a href="#">SRCC Annual Report 2016-17</a> Section: Licensing</p>



**Measure of Good Regulatory Performance 2.3:** The Commission’s decisions and advice are provided in a timely manner, clearly articulating expectations and the underlying reasons for decisions.

Output/Activity	Evidence	Status	Actions for improvement	Reference links for further information
<b>Maximum, minimum and average time for decision.</b>	<p>The Commission’s Policy on consultation and dispute resolution for licensing decisions of the Commission impacting upon Licensees under Part VIII of the SRC Act states, among other things, that:</p> <p><i>The Commission, Licensees and Comcare agree that in relation to decisions of the Commission impacting upon Licensees they will:</i></p> <ul style="list-style-type: none"> <li>&gt; meet all timeframes relevant to the Commission’s decision-making processes—for example, as specified in legislation, regulations, Ministerial Directions and conditions of licence</li> <li>&gt; meet all reasonable timeframes as required.</li> </ul> <p>The SRC Act does not stipulate timeframes for decision making.</p> <p>In relation to self-insurance licence applications, the Commission’s website notes, “The legislation does not stipulate a timeframe for the evaluation of self-insurance licence applications and it can vary depending on the complexity of the information provided. The preparedness and capacity of the licence applicant to meet all of the requirements will enable the process to be undertaken in a timely manner.”<sup>1</sup></p> <p>In 2017-18 the Commission received and considered one licence application:</p> <ul style="list-style-type: none"> <li>- Australian National University’s licence application was received in July 2016 and its licence was granted by the Commission in December 2017</li> </ul> <p>In 2017-18, the Commission’s Premiums and Regulatory Contributions Review sub-committee was not required to convene. No reviews were required of Comcare reviews of determination of premium or regulatory contributions as per section 97K of the SRC Act.</p>	●	<p>Indicator met.</p> <p>No further actions recorded for improvement.</p>	<p><a href="http://srcc.gov.au">srcc.gov.au</a></p> <p>Sections:</p> <ul style="list-style-type: none"> <li>Latest News</li> <li>SRCC Meetings - Notices</li> <li>Publications - Policies</li> </ul>
<b>Published timeframes for decision making</b>	Evidence to support rating as per above item - <i>Maximum, minimum and average time for decision.</i>	●	<p>Indicator met.</p> <p>No further actions recorded for improvement.</p>	As above

<sup>1</sup> [https://www.srcc.gov.au/information\\_for\\_self-insurers/information\\_for\\_applicants\\_and\\_interested\\_parties/how\\_a\\_licence\\_application\\_is\\_considered](https://www.srcc.gov.au/information_for_self-insurers/information_for_applicants_and_interested_parties/how_a_licence_application_is_considered)

Output/Activity	Evidence	Status	Actions for improvement	Reference links for further information
<b>Decisions are accompanied by statement of reasons where required</b>	<p>Where the Commission makes an adverse decision in relation to licensing matters, a statement of reasons is issued to the affected party.</p> <p>The Commission also provides a statement of reasons where it reviews premium determinations under section 97K of the SRC Act. No premium determination reviews were conducted in 2017-18.</p>	●	<p>Indicator met.</p> <p>No further actions recorded for improvement.</p>	<p><a href="http://srcc.gov.au">srcc.gov.au</a> Section: Publications - Policies</p>
<b>Demonstrated mechanisms for responding to stakeholder engagement/ complaint.</b>	<p>Commission membership and feedback mechanisms as per supporting evidence provided against KPI 1.2.</p> <p>The Commission meets quarterly at which time any Member can bring an item to the agenda for consideration which is otherwise not on the agenda.</p> <p>Employees of licensees can make complaints about the operations of their employer under their self-insurance licence. Comcare manages these complaints on behalf of the Commission and reports on these complaints at each regular quarterly meeting.</p>	●	<p>Indicator met.</p> <p>No further actions recorded for improvement.</p>	<p><a href="http://srcc.gov.au">srcc.gov.au</a> Section: About the Commission - Commissioners</p> <p><a href="#">SRCC Annual Report 2016-17</a> Section: Licensing</p>
<b>Demonstrated engagement with regulated entities to inform them of the regulators' expectations</b>	<p>Commission membership and feedback mechanisms as per supporting evidence provided against KPI 1.2.</p>	●	<p>Indicator met.</p> <p>No further actions recorded for improvement.</p>	<p><a href="http://srcc.gov.au">srcc.gov.au</a> Section: About the Commission - Commissioners</p> <p><a href="#">SRCC Annual Report 2016-17</a> Section: Licensing</p>

**Measure of Good Regulatory Performance 2.4:** The Commission’s advice is consistent and supports predictable outcomes.

Output/Activity	Evidence	Status	Actions for improvement	Reference links for further information
<p><b>Approved procedures for communications are available for staff use when interacting with regulated entities.</b></p>	<p>Commissioners have access to the <i>Guide to Commission Governance and Commissioner Responsibilities</i> which outlines their roles and responsibilities as Commissioners.</p> <p>All Commission papers have classification markers that provide a framework through which the content of those papers can (or cannot) be released to stakeholders. The classification markers are explained in the Commissioners’ governance document.</p> <p>The Commission has published policy documents that detail when the Commission will communicate with licensees and affected parties. Examples of these policy documents include:</p> <ul style="list-style-type: none"> <li>• Policy on the regulatory approach relating to licensing under Part VIII of the SRC Act</li> <li>• Policy on consultation and dispute resolution for licensing decisions of the Commission impacting upon Licensees under Part VIII of the SRC Act.</li> </ul> <p>The Commission has no staff. Comcare, on behalf of the Commission, provides an Account Management model through which advice is provided to current and potential future licensees in relation to the self-insurance regulatory framework.</p>		<p>Indicator met.</p> <p>No further actions recorded for improvement.</p>	<p><a href="http://srcc.gov.au">srcc.gov.au</a></p> <p>Sections: Publications - Policies Information for self-insurers</p>
<p><b>Advice provided to regulated entities is consistent with communication policies.</b></p>	<p>The Commission has no staff. Comcare, on behalf of the Commission, provides an Account Management model through which advice is provided to current and potential future licensees in relation to the self-insurance regulatory framework.</p>		<p>Indicator met.</p> <p>No further actions recorded for improvement.</p>	<p><a href="http://srcc.gov.au">srcc.gov.au</a></p> <p>Sections: Publications - Policies Information for self-insurers</p>



Output/Activity	Evidence	Status	Actions for improvement	Reference links for further information
<b>Communications with regulated entities include clear and consistent reasons for the communication and, where relevant linkage with the risk framework.</b>	<p>The Commission has a strategic risk register which was updated during the 2017-18 period.</p> <p>Comcare has a risk management framework in place.</p> <p>The Commission communicates with licensees to inform them of relevant decisions, including licence fees, regulatory action etc.</p>	●	<p>Indicator met.</p> <p>Continuous improvement</p> <p>Action – the Commission continues to review and monitor the risk register and communications.</p>	<p><a href="http://srcc.gov.au">srcc.gov.au</a></p> <p>Sections:</p> <p>Publications - Policies</p> <p>Information for self-insurers</p>

### KPI 3: Actions undertaken by The Commission are proportionate to the regulatory risk being managed.

**Measure of Good Regulatory Performance 3.1:** The Commission applies a risk-based, proportionate approach to compliance obligations, engagement and regulatory enforcement actions.

Output/Activity	Evidence	Status	Actions for improvement	Reference links for further information
<b>Risk management policies and procedures are available to regulator staff and the public.</b>	<p>The Commission has no staff.</p> <p>A rolling review of the Commission's risks was undertaken in 2017-18.</p>	●	<p>Indicator met.</p> <p>No further actions recorded for improvement.</p>	<p><a href="http://srcc.gov.au">srcc.gov.au</a></p> <p>Section:</p> <p>Publications - Policies</p>

Output/Activity	Evidence	Status	Actions for improvement	Reference links for further information
<p><b>Compliance and enforcement strategies, consistent with agreed risk management policies, are implemented.</b></p>	<p>The Commission's Policy on the regulatory approach relating to licensing under Part VIII of the SRC Act is a risk-based approach to regulation and is available on the Commission's website.</p> <p>The Commission's self-insurance regulatory framework is risk based. Decisions by the Commission in relation to regulatory oversight, which are consistent with this regulatory framework, are risk based.</p>	<p>●</p>	<p>Indicator met.</p> <p>Improvement Action – identified for 2018-19 to implement a regulatory decision precedent log.</p> <p>Continuous improvement Action – Commission continues to review its self-insurance regulatory framework.</p>	<p><a href="http://srcc.gov.au">srcc.gov.au</a> Section: Publications - Policies</p>
<p><b>Statements of expectations and intent are published</b></p>	<p>The Commission's policies, which express the Commission's expectations and intent, are available on the Commission's website.</p> <p>The Commission's strategic plan is also published on the Commission's website.</p> <p>The Commission's strategic plan, which is reviewed annually, includes linkage of strategic priorities to KPI indicators of the RPF.</p>	<p>●</p>	<p>Indicator met.</p> <p>No further actions recorded for improvement.</p>	<p><a href="http://srcc.gov.au">srcc.gov.au</a> Sections: Publications - Policies Publications - Corporate documents</p> <p><a href="#">SRCC Strategic Plan 2017-18</a></p>

Output/Activity	Evidence	Status	Actions for improvement	Reference links for further information
<b>Relevant staff trained in risk Management policies, processes and procedures.</b>	<p>Commissioners are appointed to their positions based on the SRC Act specifications, as well as their relevant qualifications and experience.</p> <p>When appointed, Commissioners are provided a package of documentation, including the <i>Guide to Commission Governance and Commissioner Responsibilities</i>, as well as Commission policies.</p> <p>The Commission has no staff. Comcare support staff are trained in risk management.</p>	●	<p>Indicator met.</p> <p>Indicator met.</p> <p>Continuous improvement action – Commission continues to review its governance documentation and policies.</p>	<p><a href="http://srcc.gov.au">srcc.gov.au</a></p> <p>Sections: About the Commission – Commissioners Publications - Policies Publications - Corporate documents</p>

**Measure of Good Regulatory Performance 3.2:** The Commission’s preferred approach to regulatory risk is regularly reassessed. Strategies, activities and enforcement actions are amended to reflect changing priorities and evolving regulatory threats, without diminishing regulatory certainty or impact.

Output/Activity	Evidence	Status	Actions for improvement	Reference links for further information
<b>Documented procedures in place to review risk approaches regularly including considering with stakeholders on risk approaches.</b>	<p>The Commission’s strategic risk register is reviewed regularly to ensure that it is current.</p> <p>The Commission reviews the discharge of its statutory responsibilities at each regular quarterly meeting. It reports on the discharge of these responsibilities through its annual report.</p> <p>A standing paper is provided to the Commission at each regular quarterly meeting on updates relevant to licensees, including updates to enforcement actions.</p>	●	<p>Indicator met.</p> <p>No further actions recorded for improvement.</p>	<p><a href="http://srcc.gov.au">srcc.gov.au</a></p> <p>Sections: Publications - Policies Publications - Corporate documents</p>
<b>Documented enforcement strategy includes options for graduated compliance actions consistent with regulators’ powers</b>	<p>As per KPI 3.1, the Commission’s Policy on the regulatory approach relating to licensing under Part VIII of the SRC Act is a risk-based graduated approach to regulatory decisions and actions.</p>	●	<p>Indicator met.</p> <p>No further actions recorded for improvement.</p>	<p><a href="http://srcc.gov.au">srcc.gov.au</a></p> <p>Section: Publications - Policies</p>

**Measure of Good Regulatory Performance 3.3:** The Commission recognises the compliance record of regulated entities, including using earned autonomy where this is appropriate. All available and relevant data on compliance, including evidence of relevant external verification is considered.

Output/Activity	Evidence	Status	Actions for improvement	Reference links for further information
<p><b>Documented enforcement strategy which allows for the compliance records of regulated entities to be considered in determining regulatory actions.</b></p>	<p>The Commission’s Policy on the regulatory approach sets out the staged approach to regulation.</p> <p>The Commission’s regulatory framework, through which it regulates licensees, is published on the Commission’s website.</p> <p>The key document through which the Commission considers regulatory action in relation to licensees, under the regulatory framework, is the Licence Compliance and Performance Model. This paper provides Commissioners with:</p> <ul style="list-style-type: none"> <li>• an overview of the Commission’s regulatory model</li> <li>• a range of performance related information for each licensee (based on the requirements of the Commission endorsed regulatory model), including performance against key performance indicators</li> <li>• an assessment by Comcare of this performance information against the LCPI report and regulatory model and its recommendations for regulatory action.</li> </ul> <p>To support this paper, the Commission is also provided with the annual LCPI report, audit reports and any other supporting documentation relevant to consideration by the Commission.</p> <p>A standing paper is provided to the Commission at each regular quarterly meeting on updates relevant to licensees, including updates to enforcement actions.</p>	●	<p>Indicator met.</p> <p>No further actions recorded for improvement.</p>	<p><a href="http://srcc.gov.au">srcc.gov.au</a></p> <p>Sections:</p> <p>Publications - Policies</p> <p>Publications - Corporate documents</p> <p>Information for self-insurers</p> <p><a href="#">SRCC Annual Report 2016-17</a></p> <p>Section: Licensing</p>

## KPI 4: Compliance and monitoring approaches are streamlined and coordinated.

**Measure of Good Regulatory Performance 4.1:** The Commission’s information requests are tailored, coordinated, only when necessary and utilises existing information to secure regulatory objectives, and information requests are made to minimise impact.



Output/Activity	Evidence	Status	Actions for improvement	Reference links for further information
<b>Evidence of collected information being acted upon, stored and re-used.</b>	<p>The Commission does not have any resources of its own. Comcare provides the staffing and resources to manage any data collected and used by the Commission.</p> <p>The Commission’s Privacy Policy outlines the privacy obligations of the Commission and its commitment to meeting its highest standards when collecting, storing, using and disclosing personal information.</p> <p>Through the self-insurance regulatory model, the Commission obtains a variety of information from licensees. This information is stored by Comcare. Comcare analyses this information and provides it to the Commission throughout the year in various formats, in particular:</p> <ul style="list-style-type: none"> <li>• Licence Compliance and Performance Model reporting paper provided to each quarterly meeting</li> <li>• a scheme performance summary report provided to each quarterly meeting</li> <li>• an assessment of the licensees yearly Licence Compliance and Performance Improvement reports.</li> </ul> <p>The Commission is provided with a quarterly view of licensee performance against key performance indicators, as well as supporting documentation such as licensee context and assessment of evidence where required.</p>	●	<p>Indicator met.</p> <p>No further actions recorded for improvement.</p>	<p><a href="http://srcc.gov.au">srcc.gov.au</a> Sections: Publications - Policies Publications - Corporate documents Information for self-insurers</p> <p><a href="#">SRCC Annual Report 2016-17</a> Section: Licensing</p>
<b>Documented decision-making procedures for information requests requiring consideration of the necessity of a request and the impact of the request.</b>	<p>Outside the information that is provided by licensees under the self-insurance regulatory model, the Commission has the power under the SRC Act and the Commission endorsed conditions of self-insurance licence to obtain information from licensees.</p> <p>The Commission’s Policy on the regulatory approach relating to licensing under Part VIII of the SRC Act provides for a graduated and risk-based response to regulation. This framework sets the direction through which the Commission seeks additional information from licensees.</p> <p>The Commission has written to certain licensees in 2017-18 seeking further information about their performance.</p>	●	<p>Indicator met.</p> <p>No further actions recorded for improvement.</p>	<p><a href="http://srcc.gov.au">srcc.gov.au</a> Sections: Publications - Policies Publications - Corporate documents Information for self-insurers</p>

Output/Activity	Evidence	Status	Actions for improvement	Reference links for further information
<p><b>Following a process to determine whether information is already held by the Commission or other regulatory bodies before requesting information from the regulated entities.</b></p>	<p>Comcare provides support to the Commission for it to fulfil its functions. Comcare holds information/records and documents of the Commission through its content management system. Comcare staff have procedures and other supporting documents in place to support the request, coordination and management of licensee information.</p> <p>Comcare, in support of the Commission, advises the Commission of the information held and relied upon in making recommendations to the Commission. If the Commission considers that further information is relevant, and that Comcare doesn't already hold it, it will be requested of a licensee.</p>	<p>●</p>	<p>Indicator met.</p> <p>No further actions recorded for improvement.</p>	<p><a href="http://srcc.gov.au">srcc.gov.au</a> Sections: Publications - Policies Publications - Corporate documents Information for self-insurers</p>
<p><b>Timing of requests for information considers the desirability of minimising and consolidating requests made to regulated entities.</b></p>	<p>Information requests from the Commission to licensees are generally limited to a quarterly basis, following a quarterly meeting and consideration of licensee performance. This does not prevent the Commission from making requests of licensees on an ad-hoc basis.</p> <p>Other than arising out of a meeting, the Commission did not make any ad hoc requests in 2017-18.</p>	<p>●</p>	<p>Indicator met.</p>	<p><a href="http://srcc.gov.au">srcc.gov.au</a> Sections: Publications - Policies Publications - Corporate documents Information for self-insurers</p> <p><a href="#">SRCC Annual Report 2016-17</a> Section: Licensing</p>

**Measure of Good Regulatory Performance 4.2:** The Commission bases monitoring and inspection approaches on risk and, where possible, considers the circumstance and operational needs of the regulated entity.

Output/Activity	Evidence	Status	Actions for improvement	Reference links for further information
<p><b>Demonstrated transparency of inspection and monitoring arrangements</b></p>	<p>The Commission’s Policy on the regulatory approach relating to licensing under Part VIII of the SRC Act is a risk based regulatory approach. The principles and consultation process in that document promote transparency and consultation in the Commission’s decision-making process.</p> <p>The Commission’s current self-insurance regulatory model provides for a consistent yet flexible approach to monitoring of licensee performance.</p> <p>The key document through which the Commission considers regulatory action in relation to licensees, under the regulatory framework, is the quarterly Licence Compliance and Performance Model reporting papers. These papers provide Commissioners with</p> <ul style="list-style-type: none"> <li>a range of performance related information for each licensee (based on the requirements of the Commission endorsed regulatory model), including performance against key performance indicators and the monitoring of the close out of corrective actions from any audits of licensees’ management systems</li> </ul> <p>Comcare’s Account Managers engage with licensees on the recommendations that are made by Comcare to the Commission that affect their licence (and regulation).</p>	●	<p>Indicator met.</p> <p>No further actions recorded for improvement.</p>	<p><a href="http://srcc.gov.au">srcc.gov.au</a></p> <p>Sections: Publications - Policies Publications - Corporate documents Information for self-insurers</p> <p><a href="#">SRCC Annual Report 2016-17</a></p> <p>Section: Licensing</p>
<p><b>Feedback mechanisms to seek stakeholder views on inspection and monitoring regime.</b></p>	<p>The Commission has undertaken a comprehensive review of its self-insurance regulatory framework. This review considers stakeholders’ views on the inspection and monitoring regime.</p> <p>Supporting evidence included that detailed as per KPIs 1.2 and 4.1.</p>	●	<p>Indicator met.</p> <p>No further actions recorded for improvement.</p>	<p><a href="http://srcc.gov.au">srcc.gov.au</a></p> <p>Section: About the Commission - Commissioners</p> <p><a href="#">SRCC Annual Report 2016-17</a></p> <p>Sections: Membership Operations of the Commission Licensing</p>



Output/Activity	Evidence	Status	Actions for improvement	Reference links for further information
<b>Monitoring and enforcement strategies that allows for a range of regulatory responses.</b>	As per KPI 3.1, the Commission’s Policy on the regulatory approach relating to licensing under Part VIII of the SRC Act is a risk based regulatory approach that provides for a staged approach to regulation.		Indicator met.  No further actions recorded for improvement.	<a href="http://srcc.gov.au">srcc.gov.au</a> Section: Publications - Policies
<b>Regular review and assessment of agreed monitoring and compliance strategies, including use of earned autonomy approaches.</b>	<p>The Commission’s regulatory model is a staged approach to regulation, inclusive of earned autonomy for those that demonstrate good performance and continuous improvement.</p> <p>Where the Commission imposes monitoring (and or inspection) in addition to that stipulated in its self-insurance regulatory model, it regularly monitors and reviews the ongoing need for this additional regulation through performance updates specific to the licensee provided at regular quarterly meetings.</p>		Indicator met.  No further actions recorded for improvement.	<a href="http://srcc.gov.au">srcc.gov.au</a> Sections: Publications - Policies Publications - Corporate documents Information for self-insurers

## KPI 5: The Commission is open and transparent in its dealings with regulated entities.

**Measure of Good Regulatory Performance 5.1:** The Commission's risk-based frameworks are publicly available in a format which is clear, understandable and accessible.

Output/Activity	Evidence	Status	Actions for improvement	Reference links for further information
<b>Enforcement strategy and risk approach are published.</b>	As per 3.1, the Commission's Policy on the regulatory approach relating to licensing under Part VIII of the SRC Act is a risk based regulatory approach and is available on the Commission's website.	●	Indicator met.  No further actions recorded for improvement.	<a href="http://srcc.gov.au">srcc.gov.au</a> Section: Publications - Policies

**Measure of Good Regulatory Performance 5.2:** The Commission is open and responsive to requests from regulated entities regarding the operation of the regulatory framework, and approaches implemented by the Commission.

Output/Activity	Evidence	Status	Actions for improvement	Reference links for further information
<b>Advice and guidance is available to all stakeholders.</b>	The Commission's website contains the Commission's policies and guidance material, as well as the Licence Compliance and Performance Model documents that are available to stakeholders and to the public.	●	Indicator met.  No further actions recorded for improvement.	<a href="http://srcc.gov.au">srcc.gov.au</a> Sections: Publications
<b>Demonstrated feedback mechanisms in place to support and inform continuous improvement.</b>	As per supporting evidence included that detailed as per KPIs 1.2 and 4.1, the Commission, through its review of its self-insurance regulatory framework, has engaged extensively with licensees on opportunities to improve the model.	●	Indicator met.  No further actions recorded for improvement.	<a href="http://srcc.gov.au">srcc.gov.au</a> Section: About the Commission - Commissioners  <a href="#">SRCC Annual Report 2016-17</a> Sections: Membership Operations of the Commission Licensing

Output/Activity	Evidence	Status	Actions for improvement	Reference links for further information
<b>Responses to requests from regulated entities provided within specified timeframes.</b>	<p>The Commission's Policy on consultation and dispute resolution for licensing decisions of the Commission impacting on Licensees under Part VIII of the SRC Act states that the Commission will meet all reasonable timeframes as required.</p> <p>The Commission has received requests from licensees in relation to the application of the regulatory model. These were received, considered and determined in timeframes appropriate to the nature of the request and the application of the regulatory framework.</p> <p>Following a request from a licensee, a statement of reasons for the Commission's decision in relation to that licensee was provided within the 28-day timeframe set by the ADJR Act.</p> <p>The Commission also has, as part of its website, an access to information page, which provides detail on accessing information that the Commission holds, including requests for information under the <i>Freedom of Information Act 1982</i>.</p>	●	<p>Indicator met.</p> <p>No further actions recorded for improvement.</p>	<p><a href="http://srcc.gov.au">srcc.gov.au</a> Section: Information for self-insurers – Regulator Performance Framework</p> <p><a href="#">SRCC Annual Report 2016-17</a> Sections: Operations of the Commission Licensing</p> <p><a href="http://srcc.gov.au">srcc.gov.au</a> Section: <a href="#">Access to Information</a></p>

**Measure of Good Regulatory Performance 5.3:** The Commission's performance measurement results are published in a timely manner to ensure accountability to the public.

Output/Activity	Evidence	Status	Actions for improvement	Reference links for further information
<b>Performance measurement results are published.</b>	<p>The Commission publishes performance information in its annual report, which is available on the Commission's website.</p> <p>The Commission finalised its 2016-17 self-assessment of its performance under the Regulator Performance Framework and will publish both its 2016-17 and 2017-18 self-assessment through the Commission's website.</p>	●	<p>Indicator met.</p> <p>No further actions recorded for improvement.</p>	<p><a href="http://srcc.gov.au">srcc.gov.au</a> Section: Information for self-insurers – Regulator Performance Framework</p> <p><a href="#">SRCC Annual Report 2016-17</a> Sections: All</p>

## KPI 6: The Commission actively contributes to the continuous improvement of regulatory frameworks.

**Measure of Good Regulatory Performance 6.1:** The Commission establishes and maintains cooperative and collaborative relationships with stakeholders to promote trust and improve the efficiency and effectiveness of the regulatory framework.

Output/Activity	Evidence	Status	Actions for improvement	Reference links for further information
<b>Documented procedures are in place to allow active and regular engagement with stakeholders.</b>	The Commission has a Policy on consultation and dispute resolution for licensing decisions of the Commission impacting on Licensees under Part VIII of the SRC Act.  The Commission has a forward planning calendar which details that it will hold an annual Commission-Licensee meeting. This meeting allows active and regular engagement with stakeholders.	●	Indicator met.  No further actions recorded for improvement.	<a href="http://srcc.gov.au">srcc.gov.au</a> Sections: About the Commission - Meetings Publications - Policies
<b>Feedback mechanisms are available and made known to all stakeholders.</b>	As linked to KPI 4.2.2, the Commission promulgates its contact details on its website, its policies and on all correspondence with stakeholders.	●	Indicator met.  No further actions recorded for improvement.	<a href="http://srcc.gov.au">srcc.gov.au</a> Sections: All General site information provides an accessibility and contact details

**Measure of Good Regulatory Performance 6.2:** The Commission engages all relevant stakeholders in the development of options to reduce compliance costs. This could include changes to the overarching regulatory framework, or other strategies to streamline monitoring and compliance approaches.

Output/Activity	Evidence	Status	Actions for improvement	Reference links for further information
<b>Number of stakeholder events held to facilitate participation in the development and/or amendment of regulatory frameworks.</b>	Supporting evidence as per detail provided against KPI 1.2.	●	Indicator met.  No further actions recorded for improvement.	SRCC annual Report 2015-16 Sections: Membership Operations of the Commission Licensing
<b>Documented guidelines ensuring engagement</b>	The Commission has a Policy on consultation and dispute resolution for licensing decisions of the Commission impacting on Licensees under Part VIII of the SRC Act. The standards that are set by the	●	Indicator met.	<a href="http://srcc.gov.au">srcc.gov.au</a> Section:

Output/Activity	Evidence	Status	Actions for improvement	Reference links for further information
	<p>Commission, which form the basis of the self-insurance regulatory framework, fall within the purview of Part VIII of the SRC Act.</p> <p>This Policy provides for both overarching principles (and includes that the Commission will strive to achieve an environment which is characterised by cooperation, mutual respect and open communication with licensees), and a consultation process.</p>		No further actions recorded for improvement.	Publications - Policies

**Measure of Good Regulatory Performance 6.3:** The Commission regularly shares feedback from stakeholders and performance information (including from inspections) with policy departments to improve the operation of the regulatory framework and administrative processes.

Output/Activity	Evidence	Status	Actions for improvement	Reference links for further information
<b>Documented procedures are in place to facilitate the flow of information between the regulator and policy departments.</b>	<p>The Commission's governance documentation articulates the Commission's function in advising the Minister. The documentation also identifies that the Commission will report to the Minister after each meeting and annually through the annual report.</p> <p>The Commission's governance document articulates how information is to flow between it and the Department of Jobs and Small Business.</p>	●	<p>Indicator met.</p> <p>Continuous Improvement Opportunity – the Commission continues to review governance documentation and liaise with the Department on enhancements where possible.</p>	<p><a href="http://srcc.gov.au">srcc.gov.au</a> Section: Publications - Corporate Documents</p> <p><a href="#">SRCC Annual Report 2016-17</a> Sections: All</p>