

REPORTING ON THE QUEENSLAND GOVERNMENT'S REGULATOR PERFORMANCE FRAMEWORK 2020-2021

The Queensland Government has published a Regulator Performance Framework, which requires regulators to report the extent which they are implementing model practices included in the Framework. This document lists evidence of how the QBCC's regulatory practices and activities in 2020-2021 align with the model practices.

1 QBCC REGULATOR PERFORMANCE FRAMEWORK ASSESSMENT 2020-2021

1. ENSURE REGULATORY ACTIVITY IS PROPORTIONATE TO RISK AND MINIMISES UNNECESSARY BURDEN.

- A proportionate approach is applied to compliance activities, engagement and regulatory enforcement actions.
- Regulations do not unnecessarily impose on regulated entities.
- Regulatory approaches are updated and informed by intelligence gathering so that effort is focused

In the reporting period, the QBCC:

- continued to proactively investigate unlicensed contracting and advertising offences. This involved examining advertising on various internet platforms and cross-referencing with the QBCC's own databases to identify potential breaches. This use of the QBCC's Compliance Intelligence Dashboard technology was primarily focused on the plumbing and drainage industry.
- actively produced and promoted educational and information resources to raise awareness among licensees about their obligations, and to the public around the importance of using licenced tradespeople.

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.

The QBCC sought to gain further insights and influence in the sector through the following means:

- the Service Trades Council is an independent advisory body to the Minister and the QBCC Commissioner in relation to the service trades. It comprises members and deputy members from industry and other Queensland government departments. The Council met six times in 2020-2021 and provided advice to the Minister and the Commissioner in accordance with its functions under the *Plumbing and Drainage Act 2018*.
- held multiple industry and stakeholder engagements, addressing various issues within the Queensland building and construction industry.

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 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.

The QBCC sees education and engagement activities as a key strategy in helping customers understand their responsibilities in complying with the law. These activities are regularly conducted across Queensland, and some examples in 2020-2021 include:

- One State-wide Tradie Tour, which included nine face-to-face events, incorporating two sessions per event. Session One covered the technical topic of 'Plasterboard' and was run in conjunction with The Association of Wall and Ceiling Industries. Session Two addressed 'Annual Financial Reporting lodgement' and 'New Laws for Queensland' and was delivered in unison with the Department of Energy and Public Works (DEPW)
- Presenting three webinars addressing amendments to existing legislation under the *Building Industry Fairness (Security of Payment) and Other Legislation Amendment Act 2020* including important information for certifiers, changes for adjudicators, and changes to security of payment laws in Queensland
- Presentations at Master Plumbers' Association of Queensland industry forums and webinars discussing topics including compliance and audit activities, notifiable work lodgement forms and defective work
- Delivering a pilot program in relation to the Compulsory Continuing Professional Development to support professional development in Queensland's building and construction industry. Pilot program topics included minimum financial requirements and Annual Financial Reporting course, and a second course on Safety Reporting Obligations in the building and construction industry
- Developing an intuitive tool on the QBCC website to assist plumbers to better understand when a Form 4 registration is required for Notifiable Works
- Developing pilot programs on topics including a minimum financial requirements and Annual Financial Reporting course, and another course on Safety Reporting Obligations. These service to support the Compulsory Continuing Professional Development scheme to uplift the skills of the building and construction industry
- Issuing warnings to the public about unlicensed companies and individuals offering services in regulated activities to Queenslanders.

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 based on impact on stakeholders and the community.
- Staff have the necessary training and support to effectively, efficiently and consistently perform their duties.

In 2020-2021, the QBCC:

- Remained committed to delivering on the Insights-Driven Regulator (IDR) program to ensure the QBCC becomes a more efficient and effective risk-based regulator, with a corresponding uplift in staff capability by developing data architecture and visualisation tools to enable early warning and detection capability
- Implemented the majority of recommendations within the required timeframes as published by the Queensland Audit Office (Report 16 2019-20: Licensing builders and building trades)
- Undertook a self-assessment on recommendations in the Queensland Audit Office's report on Fraud Risk Management Report 6: 2017-18 (Fraud Risk Report), and reported that all recommendations had been implemented resulting in increased maturity in fraud risk management systems in recent years.

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.

The QBCC continues to improve its efforts to be transparent and accountable in our actions and to build trust and confidence in all that we do.

- The QBCC publishes a Strategic Plan and performance measures on our website.
- The QBCC's Service Delivery Statement is available on the State budget website- www.budget.qld.gov.au.
- The QBCC has service standards that specifically pertain to the performance of key regulatory activities as listed below. The performance of these service standards for the 2020-2021 period can be found on pages 22 and 23 of the QBCC Annual Report 2020-2021. The service standards include:
 - » time taken to process licence applications
 - » time taken to finalise dispute cases
 - » customer perception of the fairness of our decisions
 - » the percentage of decisions that were set aside by the Queensland Civil and Administrative Tribunal.
- As required by the Financial and Performance Management Standard 2019, the QBCC produces a performance report for the accountable officer on a quarterly basis. This report contains information about performance against the Strategic Plan and the Service Delivery Statements. The report is tabled at QBCC Executive Team and QBC Board meetings. The QBCC also publishes the Annual Report on our website as soon as practicable after it has been tabled in Parliament.

Need more information?

Visit qbcc.qld.gov.au or call us on 139 333.

