



# OFFSHORE SAFETY REVIEW WORKSHOP

Report for the Department of Industry, Innovation and  
Science

Noetic Group

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## INTRODUCTION

The Department of Industry, Innovation and Science (the Department) has commenced a review of the occupational health and safety regime for offshore petroleum workers in Australian waters, within the scope of Schedule 3 of the *Offshore Petroleum and Greenhouse Gas Storage (OPGGGS) Act 2006* and the *Offshore Petroleum and Greenhouse Gas Storage (Safety) Regulations 2009*. The Department sought to engage with stakeholders as the first step of the review process in order to understand any issues and concerns that stakeholders may have with the regime. Noetic Solutions Pty Ltd (Noetic) was contracted to design, facilitate and report on the outcomes of the workshop. This report describes the workshop process, discussion outcomes and a record of all issues and concerns raised.

### Aim

The aim of this report is to detail the outcomes of the workshop.

### Workshop Intent

The workshop was designed to ensure participants are aware of the scope of the review and identify all participant concerns with regards to the regulation of offshore oil and gas safety. The intent was then to discuss and refine these concerns to identify and produce a list of issues to be further examined through the Review process.

## PROCESS

The participants were allocated to tables by Noetic so that each group was a mix of participants from a variety of work-related backgrounds. This was to ensure that there was a range of viewpoints at each table to enable productive discussion and useful outcomes. The participants were made aware that all thoughts and comments would be unattributable. They were also told that the workshop was designed for issue generation and not about solution development.

Workshop participants were provided with a copy of the Review's Terms of Reference as well as a summary document of key legislative issues in Schedule 3 of the OPGGS Act and Safety Regulations.

All ideas, issues and concerns were captured during the workshop and are recorded in this report.

A total of 47 participants attended the workshop from a variety of backgrounds and affiliations including: the offshore oil and gas workforce; unions; oil and gas operators and third-party contractors; industry associations; training providers; and state and Commonwealth government departments.

Annexes A and B include all the information generated by participants during the workshop.

Participants were provided an evaluation feedback form at the conclusion of the workshop. Feedback results are attached at Annex C.

# WORKSHOP DISCUSSION POINTS AND OUTCOMES

## Participant expectations

Workshop participants were asked to individually imagine what offshore safety would look like in five years' time, following a successful Review process and implementation of changes. The participants each made a list which was then discussed within the table groups to develop a consolidated list for each table. These lists helped develop 'signs of success' which were then used to 'backcast' and develop expectations of the workshop. The workshop expectations were recorded on butcher's paper and reported back to the group by a delegate from each table.

The workshop expectations were:

- Hear what we might otherwise not want to hear
- Discussions allowed to happen freely and frankly
- Bring viewpoints without argument
- Looking for opportunities to engage with stakeholders
- Balanced viewpoint
- Long list of issues
- Cover off all parts of industry
- Good stuff that we can learn from
- Understand and know what happens next
- Open and frank discussion
- Outcome focussed
- Transparency of results
- Review doesn't result in degradation of standard
- Recognise current key strengths in regime
- Sharing learnings across all stakeholders
- Open dialogue and respect for each other's views
- Understanding stakeholder views. What are the 3 or 4 key issues we can focus on?
- No reduction in any safety standards
- Keep industry as preferred place to work
- DIIS (the department) to understand that conflicting views exist

## Issues and Concerns Generation

The workshop participants were asked to individually develop a list of issues and concerns about the current state of the offshore safety regime. Each table then discussed each participant's list of issues and concerns to produce a consolidated list. These lists were communicated to the wider workshop group.

### Participant Issues and concerns:

The following is a summary of the generated issues and concerns. The full list is at Annex A.

- **Safety cases**
  - + Improve usability
  - + Use to educate people doing the operating
  - + Improve workforce involvement
  - + Early engagement
  - + Get regulator involved with development

- **Focus on health as well as safety**
- **Reporting culture needs to be changed**
  - + Whistle-blower protections
  - + Health and Safety Representatives (HSRs) need to be protected
  - + Subcontractors are not feeling empowered to raise issues
  - + Less adversarial approach to encourage reporting
  - + Needs to be a voice for silent parties such as transient workforce
- **Jurisdictional overlap**
  - + Multiple regulators overseeing facilities
  - + Inconsistent approach and requirements across regulators
- **Lack of international industry benchmarking**
- **Inspections could be improved**
  - + Some inspections undertaken where HSRs are not engaged
- **Lack of understanding around regulation, rights and expectations**
- **Training for Offshore Petroleum participants should be improved**
- **Health and Safety Representatives (HSRs)**
  - + HSR education and access to regulators should be improved
  - + HSR model – one size doesn't fit all
- There needs to be **better communication and relationships between National Offshore Petroleum Safety and Environmental Management Authority (NOPSEMA) and stakeholders**
- **Harmonisation** should be improved across onshore, nearshore and offshore regulation
- The industry needs **better culture around safety**
- There needs to be **higher worker confidence in the regulator**

## Issues and Concerns Exploration

After the initial list of issues and concerns was developed, it was grouped into categories by the facilitators. The categories were designed to cover all issues raised. When the categories were presented to the group, an additional category (Training of the participants) was requested by a number of the participants. The categories based on the generated issues and concerns with no ranking were:

- Safety Case (all aspects including ALARP)
- HSRs
- Information sharing/transparency
- Role of NOPSEMA
- Compliance and enforcement (including inspections)
- Reporting
- Communication & engagement
- Physical and mental health
- Safety culture
- Implementation of regime (interpretation & application)
- Jurisdiction coverage
- Harmonisation
- Training of the participants

Participants were asked to rank the categories, 1 – 13, for the purpose of further discussion across the eight tables of participants at the workshop. A table of rankings is in Annex B. Each table was allocated one category

(from the top eight categories and based on participant preference). The table groups were asked to produce a refined list of issues and concerns that fell under their assigned category and to describe an outcome statement of what 'good' would look like in their category.

The ranking of categories were:

1. HSRs
2. Physical and mental health
3. Safety Case (all aspects including ALARP)
4. Training of the participants
5. Safety Culture
6. Jurisdiction coverage
7. Harmonisation
8. Compliance and enforcement (including inspections)
9. Reporting
10. Communication & engagement
11. Information sharing/transparency
12. Role of NOPSEMA
13. Implementation of regime (interpretation & application)

## Refined Lists and Outcome Statements

### *Safety Case (all aspects including ALARP)*

- Cumbersome
- Not particularly useable/relatable
- Still needs to be comprehensive
  - + Existing document made more accessible?
  - + New document
    - Commitment register
    - Summary of the Safety Case for each role to give more awareness of how risks are mitigated
    - Workgroup specific sections
    - Early engagement/design notification scheme
- Complications where there exists a different operator and title holder

### *HSRs*

- HSRs are not democratically elected but are appointed
  - + Consider a formal election every three years
- Training of HSRs currently within 2 years – should be within 6 months of election
- NOPSEMA should have HSR's information to allow 2-way communication.
  - + Direct discussion
  - + Internal process before exchange with regulator
  - + Portal
- Opportunity for annual NOPSEMA/HSR forum/conference on east and west coasts

### *Compliance and enforcement (including inspections)*

- Operators feel that current inspection regime is robust and delivering results
- Perception exists that the lack of unannounced inspections generates distrust (captured regulator)
- Enforcement is not the primary motivator of compliance compared to other NOPSEMA powers (e.g. prohibition notices)
  - + Threat of prohibition notice is far greater than enforcement
- The size of fines should be sufficient to incentivise compliance

### *Jurisdiction coverage*

- Multiple authorities
  - + State
  - + Onshore
  - + Offshore
  - + Joint Petroleum Development Area (JPDA)
  - + Pipelines
- Transition between authorities not always clear
- Overlapping jurisdictions creates confusion and increased regulatory burden
- Not always clear who to notify of an incident or change
- Differing requirements between jurisdictions make transitioning difficult
- **Outcome Statement:** *No matter where your facility is, what it looks like or what it is doing, it is clear to both the operator and regulator, which regulator they need to call.*

### *Harmonisation*

- Interaction of onshore and offshore regulators are not harmonised which drives inefficiency and potential process of creating common standards.
- There needs to be consistent terminology principles
- **Outcome Statement:** *Clear and consistent regulatory environment that promotes the safe operating lifecycle of oil and gas assets.*

### *Training of the participants*

- Right people trained for the right positions
- Requirements in Safety Case for training are not consistent and not high enough
- There needs to be a focus on upgrades and new technology
- There also needs to be training around risk/competency
- There is a difference in training across companies
- There are no specified standards
- **Outcome Statement:** Every person/worker understands their job role and how to do it safely through training. Each role has a list of AQF (Australian Qualifications Framework) qualifications.

### *Physical and mental health*

- Seems to be some strong language in existing regulations – “without risk to health”
- Could be interpreted and applied better
- **Aspirational Outcome Statement:** *Take proactive and substantive steps to provide facilities, systems and support aimed at sustaining and improving physical and mental health and workforce wellbeing.*
  - + Focus on ‘best practice’

### *Safety culture*

- Difficult to regulate
  - + Safety leadership and safety management system are already in the regulation
- Identify blockers – regulations, training of everybody, sharing of information.
  - + Are they in-house or external?
- Culture is everyday – already exists
- Many topics influence safety culture
- Need to encourage reporting of safety concerns in a non-threatening environment, free and uninhibited
- Organisational speed to address safety concerns
  - + Willingness to investigate, learn, address, share and listen to feedback
  - + Celebrate raising of issue
- Many different models for safety culture
  - + Consider IOGP RP452
- Provide different avenues for reporting and promote these (e.g. whistle-blower number)
- People need to be sure that reports will be followed up
- **Outcome Statement:** *A culture where safety is genuinely #1 and managed collaboratively, where people feel free and uninhibited to raise safety concerns, with confidence they will be addressed with speed and learned from so there no repeat incidents.*

## SUMMARY

At the conclusion of the workshop participants were advised of the Department's approach for the Review process and actively encouraged to engage with the Review. Participants had the opportunity to ask questions of the Department's representatives. They were also advised that the workshop report would be made available on the Department's website.

# ANNEX A: FULL LIST OF PARTICIPANT ISSUES AND CONCERNS

- Safety case usability
  - + Use to educate people doing the operating
- Workforce involvement and design in safety case, similar to change management
- One source of truth with the correct data
- Focus on health as well as safety, especially mental health
- Should we focus more on human factors
- Early engagement with safety case
- How do we get the regulator involved in the design of safety case?
  - + Can we use regulator as a resource in designing a safe and efficient facility?
- Disclosure of incidents and personal injuries. Needs to be clearer in legislation
- Inspections at the shop floor level are very prescriptive
- HSR face punitive response for reporting
- Whistle-blower protections need to be improved
- Clear description of who has control
- Deterrent penalties & prosecutions need attention
- Training and qualification improvements, especially around new technologies
- Comparison of safety cases
  - + No oversight of businesses doing different things
- Multiple regulators overseeing facilities
- Health and Safety Representatives are not able to raise issues
- Subcontractors are not feeling empowered to raise issues
- Review might result in more complexity
- Lack of international industry benchmarking
  - + There are better regimes overseas and we should be using them to help
- Interpretation of dangerous currents. There are different definitions between offshore regulations and industry common practice
- Inspectors sometimes walk past higher hazards to pick up lower hazards
- Some inspections undertaken where HSRs are not engaged
- Need better culture around safety
- Less adversarial approach to encourage reporting
- Still some way to go to hit zero incidents
- Lack of understanding around regulation, rights and expectations
- Safety cases are too complex which means HSRs might not understand the essence of the safety cases
- Look into national standard for induction into oil and gas industry (similar to white-card system used in the construction industry)
- Operators are working across multiple jurisdictions which presents issues
- Systems and processes need to be consistent
- Safety case not suitable through the lifecycle of the site
- HSR model – one size doesn't fit all

- + Focus should be on keeping everyone safe
- + Are there other options for same/better outcome?
- Information sharing should be improved
  - + Create environment where that is possible
- There is potential for regulatory burden to be increased depending on where the focus of the Review is
- There needs to be better communication and relationships between NOPSEMA and stakeholders
  - + NOPSEMA needs to relate to and consult with stakeholders
- A list of HSRs should be available
- Concerns around the effectiveness of ALARP principle
- Data should be used in the analysis of regulation
- There should be tripartite representation
- There needs to be clarification around commonwealth requirements in NT Offshore areas
- Should be a requirement for early engagement in new projects
- Create a forum for reviewing regulatory decisions
  - + Appeal or response process
- HSR education and access to regulators should be improved
- NOPSEMA should help in developing best practice and in information sharing
- Need more focus on mental health and involve workforce in this
- Should be more of a focus on human factors
- There should be independent research into health impacts of working offshore
- Should move away from box ticking. Should be more of a risk-based approach.
- Inconsistencies between NOPSEMA departments
- There should be engagement with regard to critical incidents
  - + Not convinced NOPSEMA and WorkSafe are communicating
  - + Australian Transport Safety Bureau (ATSB) should be central point of investigation
- Need more harmonisation
- Needs to be a voice for silent parties such as transient workforce
- Erosion of performance/outcome-based safety regulation
- Jurisdictional overlap
- Lack of clarity around requirements for Safety Case revision
- Inconsistent approach and requirements across regulators
- Repetition and unnecessary information in Safety Cases
- Need consistency of regulation for vessels that are sometimes a facility
- Systems and processes can't be consistent without harmonisation
- Regime should harness expertise of operators, unions and government and their roles
- There needs to be higher worker confidence in the regulator
- There is a lack of qualification transferability between the facilities
  - + Indicates need for national standard

## ANNEX B: CATEGORY RANKINGS

Category number	Category name	Table								Sum	Ranking by Participants
		1	2	3	4	5	6	7	8		
1	Safety Case (all aspects including ALARP)	1	13	8	5	4	10	2	1	44	3
2	HSRs	13	1	2	7	2	1	1	9	36	1
3	Information sharing/transparency	12	8	10	4	8	8	9	12	71	11
4	Role of NOPSEMA	2	12	7	12	13	9	8	11	74	12
5	Compliance and enforcement (including inspections)	5	11	9	9	5	5	4	10	58	8
6	Reporting	6	3	11	10	6	13	6	8	63	9
7	Communication & engagement	10	10	1	11	12	7	11	2	64	10
8	Physical and mental health	7	7	5	6	3	3	7	3	41	2
9	Safety culture	3	2	4	1	11	11	5	13	50	5
10	Implementation of regime (interpretation & application)	8	9	12	8	10	12	10	7	76	13
11	Jurisdiction coverage	4	5	13	2	9	2	12	5	52	6
12	Harmonisation	9	6	3	3	7	6	13	6	53	7
13	Training of the participants	11	4	6	13	1	4	3	4	46	4

## ANNEX C: WORKSHOP FEEDBACK

Question	Average score (Out of 5)
Did you find the workshop productive?	3.56
Did you find the workshop presentation materials to be appropriate?	3.37
Did you find the Noetic facilitators effective and capable at directing discussion?	3.67
From your perspective, were your key concerns raised and captured?	3.34
Were your expectations of the workshop met by the facilitator?	3.60
How would you rate the overall workshop?	3.52
Were the workshop facilities appropriate? (e.g. food, venue, set-up)	4.20
Did you find the workshop to be organised and did it run to schedule?	4.12
Were the workshop registration and meal arrangements efficient?	4.30
Did the workshop meet your logistical expectations?	3.76

### COMMENTS

*A notable effort.*

*Venue too noisy.*

*Some more pre-read to understand the review. Perhaps some pre-workshop questions that may raise some issues that could be used to drive the workshop.*

*Opportunities restricted by table only exchange. Agreed priorities lost in discussion 'framework'.*

*Good first step in engaging stakeholders.*

*Most participants seem to lack knowledge of legislation/regulation. There are a lot of vested interests with a number of unintended consequences arising from their viewpoints (many of which will have negative consequences on safety, will detract from job creation and investment in Australia – which is very concerning).*

*Found most participants and facilitator did not know or understand the legislation we were reviewing which had a significant impact on the value of content and output of the workshops. Felt like very uneven representation of key stakeholders and most of the oil and gas industry not involved due to the location. The legislation is currently very effective in driving continuous improvement in industry safety performance. I am very concerned the suggestions raised will have a detrimental impact on the safety of Australian offshore oil and gas workers.*

*Disappointed the Department chose to run only 1 workshop and only in Victoria. Thanks to all involved.*

*1 x East coast, 1 x West coast. Prioritising was slow could have been done faster with appropriate software. Would like to see further opportunity to make submissions.*

*There was limited information available in emails ahead of time – agenda and terms of reference would have been good. Encourage visit to Perth to gather more perspectives on issues – using a Melb based workshop potentially limits the perspective.*

*I am Perth based so logistics was not great, but was worth the effort.*

*Needs more structure. Not sure of outcomes?*

*Often hard to see screen from rear tables. May need to use microphone for those that can't project their voice. Good idea to split up companies, union reps, etc personnel, good discussion and debate on our table.*

*Excellent start to the consultation process. Felt a little rushed and slightly concerned that thoughts and outcomes a little "half-baked" but probably still give a good overall picture of key issues. While it would be great to have longer, I also think that if workshop were longer you may not get such a good participation so in the end a good balance.*

*Terms of reference is very broad, so a lot to discuss in less than one day. Potentially could have been pre-work done by operators to align with facilitators method. Regulation review can be approach from many different angles, so clear objectives and discussion of these during the workshop would have been worthwhile.*

*It would be good/great to do a section where unions/HSR's/operators/Management split into groups where they can discuss and raise their specific issues. There is a chance to be outspoken in the allocated groups. Thanks so much!*

*Thank you to the facilitators for providing a platform to discuss offshore safety. Still a way to go before it is a healthy and transparent environment. But this is a good start.*

*Thanks for running this. It's great to consult so early on in the process and get everyone in the room.*

*Well organised with scribing issues. Conscious quite a challenge to have various stakeholders in room and collate responses.*

*Couldn't always hear what was said about the room (we were up the back). Some mics might have been useful?*

*Occupational health and safety (OHS).*

*A few 'prompts' before the meeting would have been useful – where we know there are problems/strengths. Difficult to come in cold, not enough background – even an agenda would have helped prior to the workshop.*





# AUTHOR



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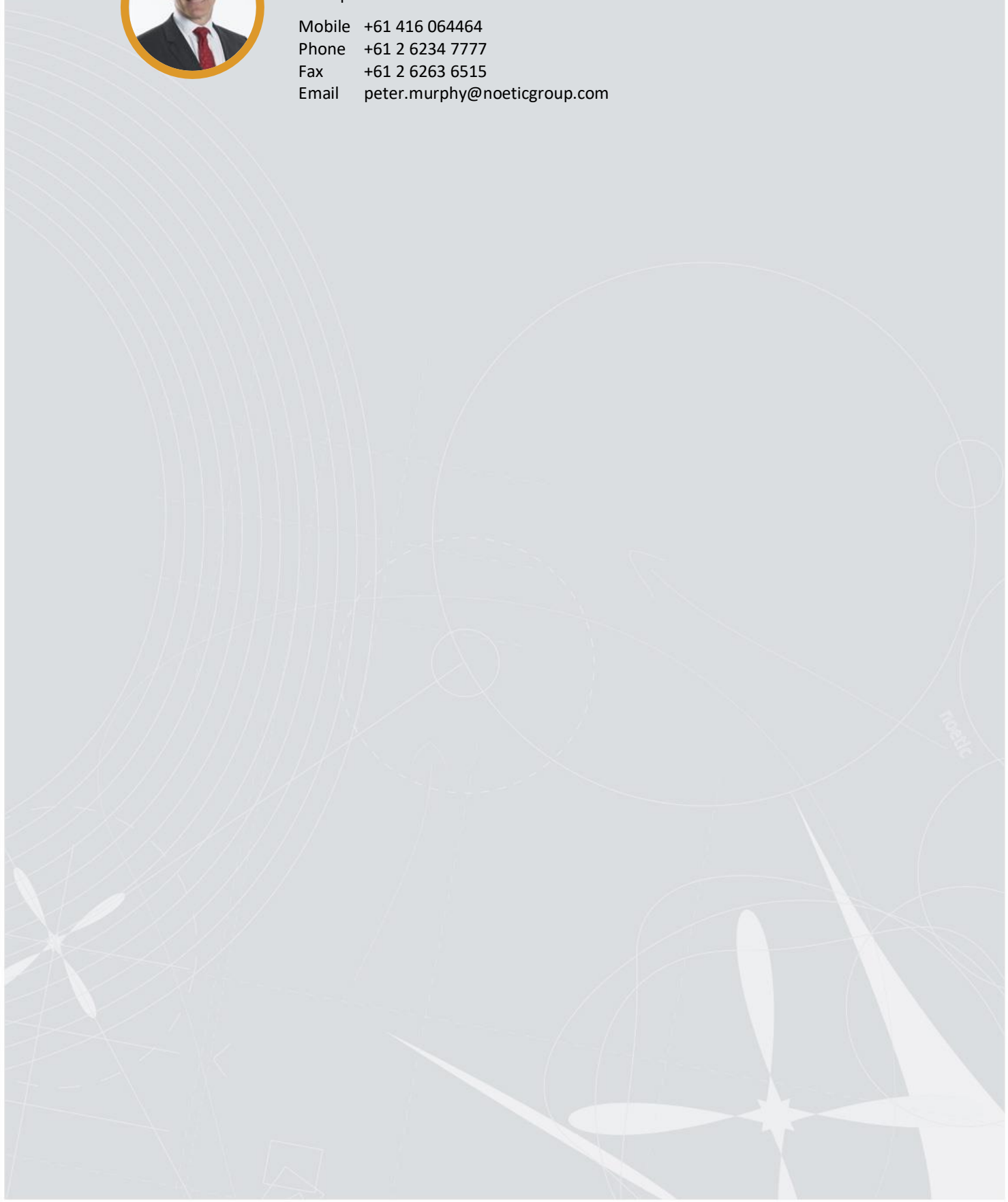
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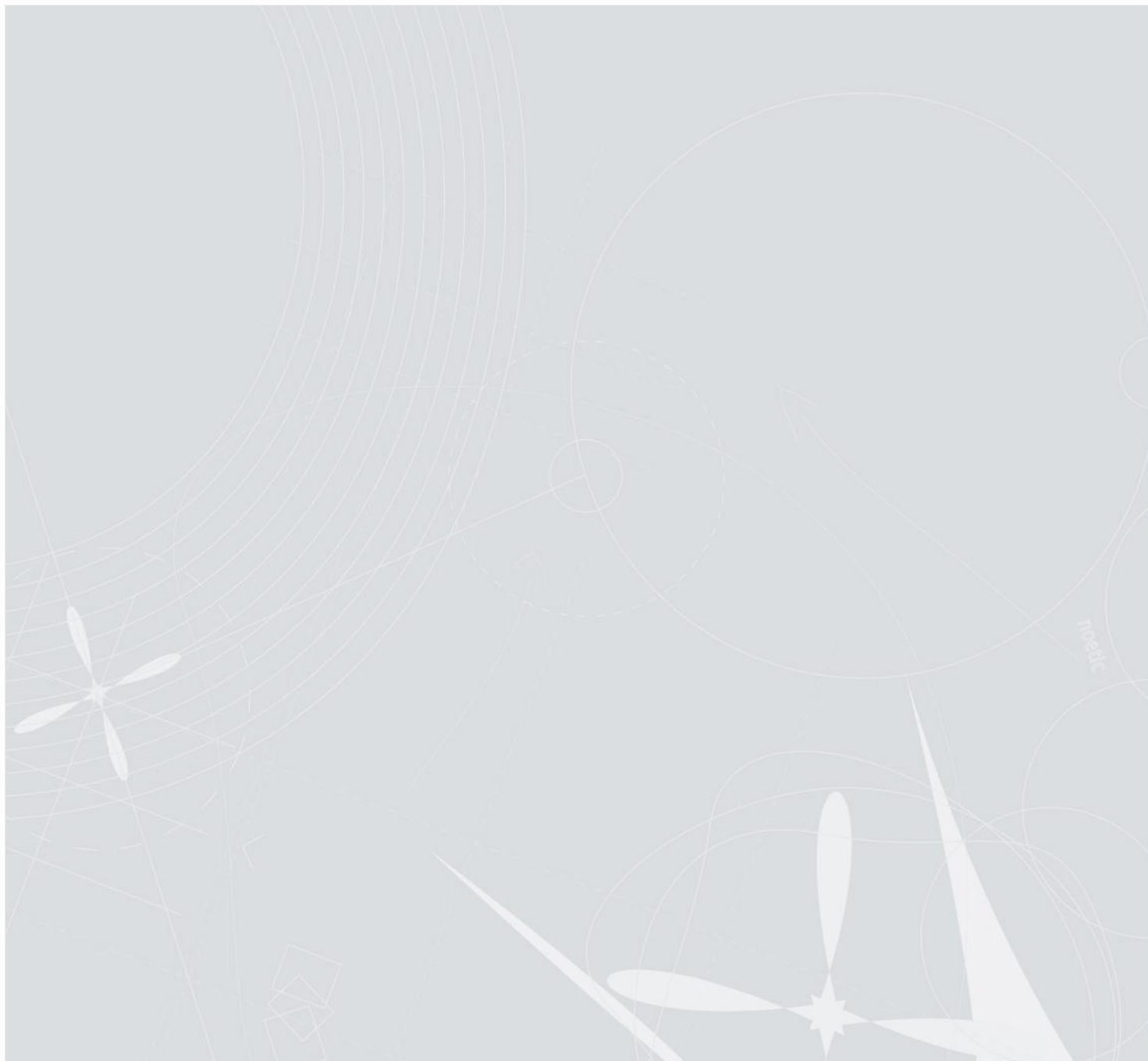
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