



BOARD OF
**PROFESSIONAL
ENGINEERS**
OF QUEENSLAND

REGULATOR PERFORMANCE FRAMEWORK

Version 3 (December 2021)



INTRODUCTION

Regulators are required to prepare an annual performance report in implementing the Queensland Government’s Regulator Performance Framework for portfolio responsibilities.

The Board of Professional Engineers of Queensland (**BPEQ**) has endorsed model practices as shown in the first column of the table below. BPEQ is Queensland’s engineering regulator and administers the *Professional Engineers Act 2002 (PE Act)* and the registered professional engineer of Queensland (**RPEQ**) system. The objectives of the PE Act are to:

- Protect the public by ensuring professional engineering services are provided by a RPEQ in a professional and competent way.
- Maintain public confidence in the standard of services provided by RPEQs.
- Uphold the standards of practice of RPEQs.

To carry out a professional engineering service in Queensland or for Queensland, engineers are required to be registered with BPEQ. The only exceptions are if an unregistered person carries out the professional engineering service under the direct supervision of a RPEQ or the service is carried out only in accordance with a prescriptive standard. Once an engineer is registered they are awarded the protected title RPEQ.

BPEQ is also charged with investigating and disciplining RPEQs for unsatisfactory professional conduct and prosecuting individuals for breaching the PE Act (e.g. carrying out a professional engineering service when unregistered).

Regulator model practices and supporting principles	Outline and evidence of how BPEQ’s regulatory practices in 2020-21 align with the regulator model practices and what actions have been taken in 2020-21 to improve regulatory activities and practices.
<p>1.</p> <p>Ensure regulatory activity is proportionate to risk and minimises unnecessary burden</p> <ul style="list-style-type: none"> • 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 focussed towards risk. 	<p>BPEQ understands the risks to the public associated with engineering and is committed to protecting the public and upholding standards of engineering. Decisions taken by BPEQ balance the public interest with the need to enforce the PE Act and standards of professional engineering practice.</p> <ul style="list-style-type: none"> • Finalised 23 investigations into disciplinary and compliance matters. • Conducted 167 audits of RPEQs for compliance with BPEQ’s Continuing Registration Requirements policy. • Engaged with the Department of Energy and Public Works about amendments to the PE Act contained in the <i>Building Industry Fairness (Security of Payment) and Other Legislation Amendment Act 2020</i>. The amendments commenced in March 2021 and strengthen BPEQ’s regulatory functions so that it can better access and capture evidence during an investigation and also impose conditions on an engineer’s registration without their consent. The amendments align BPEQ’s regulatory powers with those of other regulators.



		<ul style="list-style-type: none">Completed the review of the areas of engineering. The aim of the review is to streamline the areas of engineering recognised by BPEQ to better align with recognised engineering qualifications. BPEQ, in consultation with the assessment entities who assess in the areas of engineering impacted by the proposed changes, made recommendations to the Minister to discontinue nine (9) areas of engineering.BPEQ established a risk and audit committee and reviewed and updated policies aimed at managing and mitigating risk.
2.	<p>Consult and engage meaningfully with stakeholders</p> <ul style="list-style-type: none">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.	<p>BPEQ proactively engages with its stakeholders and provides various touch points for stakeholder to offer their feedback to BPEQ.</p> <ul style="list-style-type: none">Conducted free seminars on the PE Act, Code of Practice for RPEQs and registration process with engineering firms, government departments, local government, resource companies, infrastructure and construction companies and universities and academics. Board staff conducted 59 seminars in 2020-21. Many of these seminars were conducted as part of BPEQ's strategic engagement with local government. Local government engineers were identified as a priority group after the Crime and Corruption Commission formed the view that professional engineering services not carried out by or under the direct supervision of a RPEQ amounted to corrupt conduct.Exhibited and presented at industry events and conferences. Board members and BPEQ staff attended and presented at nine (9) industry events and conferences across Queensland and interstate in 2020-21.Presentations on PE Act amendments were held with engineering peak bodies ahead of the commencement of the new laws in March 2021.A communications program with the organisations and engineers impacted by the review and changes to the areas of engineering was commenced.BPEQ has been active in discussions with other states and territories concerning the registration of engineers. BPEQ is a co-convenor of a regular working group with representatives from Australian Capital Territory, New South Wales, Victoria and Western Australia. This group meets to discuss matters related to the registration of engineers, particularly as states and territories implement their respective schemes for the registration of engineers. BPEQ aspires to work with all states and territories on national uniform legislation for the registration of engineers.



		<ul style="list-style-type: none">• BPEQ and the Queensland Building and Construction Commissioner entered into a new Memorandum of Understanding in April 2021. BPEQ recognises the correlation between engineering and the building and construction sector and the benefit in the two organisations sharing and referring information.• BPEQ gathers feedback and intelligence from its stakeholders about its registration processes, presentations and information, website useability and general customer service.
3.	<p>Provide appropriate information and support to assist compliance</p> <ul style="list-style-type: none">• 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.	<p>BPEQ recognises the importance of educating its stakeholders to comply with the PE Act. BPEQ provides a range of products and services to deliver information on the PE Act, the Code of Practice for RPEQs and the registration process.</p> <ul style="list-style-type: none">• Prepared and published case notes covering the prosecutions and disciplinary outcome for a range of factual scenarios.• Produced a monthly e-news – sent to 24,066 subscribers – which features case notes, when available, and also a legal article covering elements of the PE Act, Code of Practice for RPEQs or similar (e.g. prescriptive standards, professional engineering services).• Conducted free seminars on the PE Act, Code of Practice for RPEQs and registration process with engineering firms, government departments, local government, resource companies, infrastructure and construction companies and universities and academics. Board staff conducted 59 seminars in 2020-21.• Exhibited and presented at industry events and conferences. Board members and BPEQ staff attended and presented at nine (9) industry events and conferences across Queensland and interstate in 2020-21.• Provided continuing professional development bursaries to assist engineers returning to the workforce or engineers based in remote or very remote areas of Queensland.• Policies concerning registration, compliance, investigation processes and other matters are available on BPEQ’s website.• All forms and guidance notes are reviewed, amended and updated where required.• BPEQ drafted and implemented a new policy explaining how it will manage complaints about BPEQ (Board) members or staff.• BPEQ drafted and implemented a new policy explaining the processes for publishing information on the BPEQ website concerning decisions and information about RPEQs and persons other than RPEQs found guilty of an offence.



4.	<p>Commit to continuous improvement</p> <ul style="list-style-type: none">• 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 on the basis of impact on stakeholders and the community.• Staff have the necessary training and support to effectively, efficiently and consistently perform their duties.	<p>BPEQ is committed to continuous improvement and Board members and staff discuss and identify relevant environmental factors impacting the organisation and undertake skills and development training.</p> <ul style="list-style-type: none">• Conducted annual strategy meetings with Board members and key BPEQ staff.• Board members and staff participated in risk assessment workshops to identify key risk areas and agree on the approach to those risks.• Staff in the Registrations and Corporate Services Unit completed training in: public interest disclosures, fraud and corruption prevention managing gifts and benefits.• BPEQ staff have met targets set in Performance Excellence Framework.• Registrations and Corporate Services Unit is reviewing internal key performance indicators related to registration processes and customer management.
5.	<p>Be transparent and accountable in actions</p> <ul style="list-style-type: none">• 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.	<p>Transparency and accountability are core tenets of BPEQ. This helps build trust and confidence with our stakeholders. BPEQ complies with all government reporting requirements and those contained in the <i>Professional Engineers Act 2002</i>.</p> <ul style="list-style-type: none">• Provided a live directory of all current RPEQs which is made available on BPEQ's website.• Provided a historical register of RPEQs (current and former) which is available for stakeholders to view at the BPEQ office.• Prepared and published an annual report detailing its regulatory and financial performance, statistical information on registrations achievements and challenges.• Reviewable decisions are all communicated within the legislative timelines and stakeholders are provided with the relevant notices pursuant to BPEQ's obligations under the PE Act.• Decisions are made within the timeframes outlined in the legislation.• BPEQ's website is regularly updated to provide up-to-date information for professional engineers, the public, industry and other stakeholders.