

Annual Report  
*of*  
Safety and Risk Officer  
Angela Byrne  
*For Fiscal Year 2023*

Technical Standards and Safety Authority

*September 2023*

## Introduction

I am pleased to present the Safety and Risk Officer (“SRO<sup>1</sup>”) Annual Report for the fiscal year 2023 (“FY23”).

One of my responsibilities as the SRO is to release an Annual Report to the public. As described in the Memorandum of Understanding (“MOU”) between the Ministry of Public and Business Service Delivery (“MPBSD”) and the Technical Standards and Safety Authority (“TSSA”) the purpose of my report is to provide *“an overview of the CSRO<sup>2</sup>’s activities and operations, highlight key recommendations arising out of any other report issued by the CSRO in the preceding year, and any other matter the CSRO considers relevant to the public<sup>3</sup>.”*

The intended audience for the report is the general public and it reports on my activities for the period from May 1, 2022, to April 30, 2023.

## Overview of SRO Activities for Fiscal Year 2023

As reflected in the FY23 Work Plan approved by the Safety and Regulatory Affairs Committee (“SRAC”) of the Board, my activities continued to build on the theme of data quality identified with my appointment as SRO in October 2019. As in previous years the main deliverable was the SRO Report on the Annual State of Public Safety Report (“PSR”).

The purpose of my review of the PSR was to assess the quality, accuracy, and clarity of select safety data used in the report. My review found that overall, the quality, accuracy and clarity of the in-scope data disclosures presented in the fiscal year 2022 (“FY22”) PSR continued to be strengthened. I provided recommendations to build on work that was underway and improve the quality of the PSR. Management’s response and progress on the recommendations are discussed later in this report.

After the release of my report on the review of the FY22 PSR, feedback was received on the review methodology and the value of the SRO recommendations and steps were taken to improve the approach for the review of the FY23 PSR.

Other deliverables that I completed in the Work Plan for FY23 were:

- The SRO Annual Report FY22, including a report on the Status of Recommendations, and
- The submission of the fiscal year 2024 (“FY24”) Work Plan and Budget for SRAC Approval.

Throughout FY22 I continued to seek feedback on the SRO role and activities and continued to work closely with Internal Audit and Strategic Analytics to avoid duplication, minimize business disruption and leverage appropriate external support as needed. Coordination and collaboration among the roles are viewed as essential to supporting TSSA’s journey to a Modern Outcome-Based Regulator.

## Follow Up on SRO Recommendations for FY21 and FY22

During FY23 TSSA continued to work towards closing the recommendations resulting from the SRO review of the FY21 and FY22 PSR. I will continue to monitor the status of recommendations throughout the SRO review of the FY23 PSR and during fiscal year 2024.

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<sup>1</sup> The MOU refers to the Chief Safety and Risk Officer or CSRO. TSSA refers to the position as the Safety and Risk Officer or SRO to reflect the assurance focus of the role applied in 2019.

<sup>2</sup> Ibid

<sup>3</sup> “Memorandum of Understanding”, Technical Standards and Safety Authority, April 2022, page 17, <https://www.tssa.org/en/about-tssa/resources/TSSA-Memorandum-of-Understanding---April-2022.pdf>

An overview of the recommendations and their status is provided in the chart below with further details provided in Appendix A.

FY21 Outstanding Recommendations		
Recommendation		Status
<b>1. Risk of Injury or Fatality (“RIF”) metric</b>	Reviewing the RIF metric to confirm its value in tracking performance and overall safety.	Open – An initial review of the RIF was completed in FY22, and a decision regarding its presentation in the PSR will be decided in FY24.
<b>2. Strengthening Near Miss Occurrences</b>	Driving consistency in utilizing and reporting near miss occurrence data.	Closed – Guidance on reporting incidents has been published and harmonizing internal processes is driving consistency in data collection.
<b>3. Strengthening Quality and Timeliness of Incident Reporting</b>	Negotiations and collaboration with Spills Action Centre (“SAC”) to improve incident reporting.	Closed – A new service level agreement was executed in FY23 and training and monitoring of data quality issues is closing gaps.

FY22 Outstanding Recommendations		
Recommendation		Status
<b>1. Enhancing Quality Control Activities</b>	Improving quality control consistency among safety programs.	Closed – Enhancing quality control activities continues with the final release of the new IT system OASIS, centralizing accountability for data quality and staff training.
<b>2. Connecting Action and Data</b>	Strengthening transparency by linking outcomes of initiatives to public safety trends.	Closed – The FY23 PSR edition enhanced the linkage between outcomes and public safety trends.
<b>3. Strengthening Audience Engagement</b>	Enhancing communication and visualization of the PSR content and data to strengthen audience engagement.	Closed – Audience engagement continues to be enhanced and analytics serve as a benchmark to inform future engagement.

## Overview of SRO Activities for Fiscal Year 2024

The Fiscal Year 2024 Work Plan strives to provide the greatest value while minimizing costs. The Work Plan continues to focus on the review of the PSR and the main deliverable for the year is the SRO Report on the Annual State of Public Safety Report FY23.

Other deliverables in the Work Plan for FY24 include:

- The SRO Annual Report FY23, including a report on the Status of Recommendations (to be delivered with this report),
- The submission of the FY25 Work Plan and Budget for SRAC Approval in March 2024.

## Evolution of the Safety and Risk Officer Role

With the refocusing of the SRO responsibilities in 2019, my work over the last few years has concentrated on providing assurance as to the reliability of the Public Safety Report. The TSSA's response to my recommendations to strengthen quality, accuracy, and clarity of data in addition to management's efforts to leverage the value of the PSR have led to significant improvements over the version of the PSR reviewed by the Auditor General in 2018.

The Data Governance initiative and changes in technology are improving the consistency and reliability of data used in decision-making and in reporting of metrics in the PSR. Quality assurance processes are now built into regular operations and that, combined with greater reliance on the data to inform decisions, allows for data integrity issues to be spotted as they occur.

The PSR is no longer a "stand alone" exercise but one that is integrated with regular operations and moving towards a reflection of the activities of a Modern Outcome-Based Regulator. Increased attention is applied to data and metrics to understand what it reveals about the state of safety and how it can be used to inform decisions and allocate resources.

With TSSA's transformation to a Modern Outcome-Based Regulator well underway, the importance of the PSR grows as it evolves as the public face in reflecting the TSSA purpose of enhancing safety through engagement, evidence, enforcement, and education. Steps have been taken to increase discussion and collaboration with industry partners in publicizing metrics in the PSR that will drive safety outcomes and reduce harm. The investigation into the metrics is being implemented in tandem with a review of the data metrics that TSSA needs to inform its risk-based decisions. This direction is consistent with other Modern Outcome-Based Regulators that publicly report on fewer, relevant indicators, supported by plain language commentary, that explain their significance.

## Conclusion

SRO activities in FY23 continued to build on the theme of data quality with the completion of the main deliverable of the SRO Review of the FY22 PSR. Other deliverables completed were the SRO Annual Report FY22 and the submission of the FY24 Work Plan and Budget for SRAC Approval. Collaboration and coordination continued to flourish with Internal Audit and Strategic Analytics and allows for enhanced clarity and transparency.

In response to the recommendations from my review of the FY21 and FY22 PSR, TSSA continues to demonstrate consistent action and commitment to the continuous improvement of the PSR. As technology

takes root at TSSA there is a continued focus on data integrity to drive decisions. I will continue to follow up to close the remaining items as action is completed.

The Fiscal Year 2024 Work Plan strives to provide the greatest value while minimizing costs. The Work Plan continues to focus an assurance lens on the PSR and the main deliverable for the year is the SRO Report on the Annual State of Public Safety Report FY23.

## Appendix A – Details of Follow Up on SRO Recommendations for FY21 and FY22

The following section provides details of the recommendations and the status of management’s action plan.

### Update on FY21 Recommendations

#### Recommendation #FY21 - 2: Risk of Injury or Fatality (“RIF”) metric

TSSA management plans to review safety performance metrics, including the RIF, to assess whether they are appropriate as metrics to track TSSA’s performance and overall safety. Some results, including next steps identified, are expected early in fiscal year 2023.

It is recommended that TSSA management pay special attention to the RIF in their review and consider the value of the RIF in reporting on TSSA performance and how the PSR audience uses the information. A closer look at the value of presenting a composite RIF reflecting the three safety programs should be examined to determine the value to readers and TSSA.

#### TSSA Response and Action

TSSA agrees that a review of risk metrics can be beneficial to both TSSA and the readers of the report.

**Action:** In FY22, TSSA will undertake an initiative to revise the risk metrics, including a review of the RIF and an assessment of the value and clarity of providing aggregate measures.

#### Status - Open

TSSA began a review of the RIF metric in FY22 assessing the validity of the metric and scanning what other regulators and jurisdictions were doing. It was intended that the 2024-2028 Strategic Plan, released in FY23, would introduce new organizational safety metrics, including a review of the RIF. However, for other priorities to move forward, assessing and deciding on the value of the RIF has been deferred. The RIF will continue to be included in the balanced scorecard and a decision regarding its presentation in the PSR will be decided later in FY24.

#### Recommendation #FY21- 5: Strengthening Near Miss Occurrences

There is an opportunity for the TSSA to revisit the approach used for utilizing and reporting near miss occurrence data to help drive consistency in reporting. Possible considerations include:

- Separating this measure from incidents for reporting purposes.
- Reviewing the inclusion of near miss data in key safety performance metrics such as the RIF calculation.
- Adopting a consistent definition of near misses for all program areas which should be reflected in reporting requirements shared with the Spills Action Centre (“SAC”).

To enhance completeness and quality of reporting on near misses, TSSA management should consider practices from other jurisdictions such as obtaining reports on near misses from regulated businesses through existing Joint Health & Safety Committees. These details may be more informative and complete than current information received through the SAC and help to better inform root-cause analysis.

#### TSSA Response and Action

TSSA agrees on the need to harmonize and strengthen the collection of incidents and near miss data.

**Action:** TSSA will review the quality of incident reporting and look to implement a uniform definition and seek ways to enhance data collection. Any changes will be aligned with the reporting requirements in the regulation. As part of the review of the RIF, TSSA will assess the inclusion of different occurrence types.

Status – Closed

In FY22, TSSA finalized an Advisory for Boilers, Pressure Vessels, and Operating Engineers (“BPV OE”) on the incident reporting definitions and process. Guidance on reporting incidents was published on the website and progress continues in addressing incident data quality. To better understand the impact of near miss occurrence data on the RIF, TSSA conducted a RIF calculation with and without the near miss occurrence data and concluded there was no significant impact on the RIF results. Currently each program area has distinct requirements for incident reporting that reflect their respective regulations.

As definitions for incident reporting are embedded in regulations, TSSA worked on harmonizing internal processes during FY23 that are driving consistency in incident data collection.

**Recommendation #FY21- 7: Strengthening Quality and Timeliness of Incident Reporting**

While annual training is conducted for Spills Action Centre staff to reinforce the quality standards required relating to incident response and reporting, there is an opportunity to perform this training on a bi-annual basis to ensure quality standards are clearly understood and any changes made to coordination response procedures can be communicated.

As a new Service Level Agreement (“SLA”) agreement with the SAC is currently being discussed, TSSA should take this opportunity to incorporate key performance indicators into the agreement to better monitor and measure the services provided by the SAC. To help inform what key performance indicators (“KPIs”) should be included, there is an opportunity for the TSSA to closely monitor the performance of the SAC over the next short period of time to assess its effectiveness in meeting TSSA’s needs and which indicators should be reported on a regular basis.

Updated Recommendation for FY22:

TSSA should continue to follow up with the SAC regarding the execution of the new agreement and consider adjusting the term of the contract to compensate for the delay in signing. Staying current on capacity or structural changes at the SAC may allow for the introduction of KPIs in the future.

To further improve the efficiency of training delivery, it is recommended that TSSA consider implementing e-learning modules to supplement bi-annual training.

TSSA Response and Action

TSSA agrees that its partnership with the SAC is critical for the quality standards of occurrence data used for public disclosures.

**Action:** In FY22 a new SLA was negotiated between TSSA and SAC and training provided to SAC staff. In FY23, TSSA will continue to monitor the quality and completeness of incident reports submitted by SAC and will continue to track any issues with reports to properly assess the impact of those issues on the quality and accuracy of public disclosures.

Status - Closed

In negotiating the new SLA, the SAC did not agree to performance indicators and the agreement was signed in FY23.

In FY22 TSSA revised the training package and delivered training to SAC staff in May 2022 and designated individuals in each program area to monitor the quality and timeliness of data. Training has continued and TSSA has a standing monthly meeting with SAC to discuss any data quality issues.

In FY23, TSSA created a new position, Director of Investigations with accountability for incidents and investigations. In this role, the team identifies gaps in data quality and implements action to close the gaps. In FY24, TSSA is implementing and tracking metrics that measure the consistency of data in meeting data standards.

### **Update on FY22 Recommendations**

#### **Recommendation #FY22- 1: Enhancing Quality Control Activities.**

It was noted that not all program areas perform the same quality control activities. In one program area ride-along performed by Supervisors with Inspectors as part of a Quality or Inspection audit are not executed based on a set frequency. They are performed at the discretion of the Supervisor based on the plan each Supervisor has created and each region has a different structure for the plan.

There is a risk that quality related issues, inefficiencies or errors are not being identified and remediated due to inconsistencies amongst program areas.

There is an opportunity for all program areas to implement additional quality control activities such as trend analysis on incident related errors and Supervisor ride-along. Furthermore, Supervisor ride-along should be performed based on a set frequency or each time there is a serious incident (i.e., fatality, incident involving high risk inventory) to ensure they are performed consistently throughout the program area.

#### **TSSA Response and Action**

TSSA agrees that the quality of incident data is critical to overall accuracy of reporting and public disclosures. TSSA will review existing quality control activities and assess opportunities to strengthen them in other program areas.

#### **Status - Closed**

With the final release of the new IT system OASIS, TSSA is reviewing its quality control activities. One of the key pillars of the Strategic Plan is "Ease of Doing Business" which includes the goal to document processes and work instructions, cross-training, streamline, simplify, digitize processes to ensure that client and employees work together seamlessly.

In FY23, TSSA began defining business rules and definitions for incident data as part of the Data Governance Program Framework. In addition, the newly appointed Director of Investigations is tracking data quality issues and implementing action to close gaps. Leveraging CRM and providing staff training will strengthen root cause analysis, identify emerging safety issues, and link the data to risk-based decisions.

#### **Recommendation #FY22 - 2: Connecting Action and Data.**

Public performance reporting, such as the Public Safety Report, ideally should suggest a logical flow of events from vision, mission, strategies, through to action and results. Clearly making this connection for the targeted audiences promotes transparency and accountability. The PSR is beginning to identify key initiatives that are having, or expected to have, an impact on data disclosed in the report. It was noted that it was not always clear how the initiative is, or will, impact the data and move TSSA closer to its safety goals.



As initiatives continue to deliver results, it is recommended that wherever possible the PSR highlights the impact on data and trends that demonstrate the initiative is targeting risks and reducing harm.

TSSA Response and Action

TSSA will continue to highlight how Outcome-Based Regulator activities are contributing to overall public safety results by linking the outcome of initiatives to public safety data trends.

Status - Closed

The FY23 PSR edition enhanced the linkage between TSSA strategic initiatives and public safety results. As a result, target audiences are beginning to see how TSSA initiatives are targeting risks and reducing harm.

**Recommendation #FY22 - 3: Strengthening Audience Engagement.**

Considerable progress has been made in enhancing the format and readability of the Public Safety Report. As Advisory Councils members are a key partner in shifting safety behaviour their understanding of the data and safety results is necessary to fully engage them in discussions on current and future initiatives. Making the PSR as easy as possible to access and understand will strengthen this engagement.

TSSA should explore options to provide the Public Safety Report in digital interactive content supported by a variety of message media to enhance interaction with the PSR. Strengthening the communication and visualization of the value of content and data in the PSR will support meaningful consultation and engagement with its intended audience.

TSSA Management Response:

TSSA agrees with this observation and will explore ways to improve and enhance interaction between the intended audience and the PSR key data and insights in order to make the content more engaging.

Status - Closed

The communications team has significantly increased and improved the way it shares and disseminates the key findings and learning of the Public Safety Report with key audiences like industry.

For example: In FY22, the bi-weekly Safety Dispatch newsletter contains key data from the PSR; there is a social media campaign focused on safety related themes around key milestones and public events; and presenting key learnings more regularly with staff.

During FY23, significant efforts were invested in promoting the Public Safety Report to the public. Analytics were implemented to track activity related to general social media posts, including those related to PSR, as well as identifying downloads of the PSR. This analysis serves as a benchmark from which to measure further social media interactions and provides a solid foundation to inform future engagement as the PSR continues to evolve in tandem with TSSA's transformation to a Modern Regulator.