

Review
of the
Public Safety Report
2022 Edition

By Angela Byrne
TSSA Safety and Risk Officer

Technical Standards and Safety Authority

For the Period ending April 30, 2022

Contents

Executive Summary.....	3
Introduction.....	5
Opinion.....	5
Status Update for FY21 Management Action Plan.....	10
FY22 PSR Observations and Recommendations.....	10
Appendix A: Details of FY20 and FY21 Recommendations and Status Update.....	12

Executive Summary

In conjunction with MNP LLP, I have undertaken an independent review to assess the accuracy and completeness, quality, and clarity of Technical Standards and Safety Authority (“TSSA”) reported disclosures across three program areas (Elevating and Amusement Devices Safety Program, Fuels Safety Program and Boilers and Pressure Vessels and Operating Engineers Safety Program) in TSSA’s Public Safety Report (“PSR”) during the period of May 1, 2021, to April 30, 2022. The focus of the engagement was limited to controls over selected processes and criteria related to the noted attributes, and focused on disclosures related to the following safety metrics:

1. Risk of injury and fatality
2. Observed injury burden
3. Incidents and near misses

The conclusions derived from the results of our work should not be extended to other disclosures in the PSR in whole or in part.

Management’s Responsibility

TSSA management is responsible for the design and operating effectiveness of controls related to the accuracy and completeness, quality, and clarity of PSR disclosures.

Safety and Risk Officer Responsibility

My responsibility under this engagement was to express a conclusion on whether the identified disclosures comply in all significant respects with relevant criteria.

MNP LLP completed a CSAE¹ 3001 limited assurance engagement to assess the accuracy and completeness of ‘in scope’ data disclosures reported in the PSR, and my assessment of quality and clarity was conducted with reference to the Performance Reporting Principles For the British Columbia Public Sector² (“Reporting Principles”).

The procedures performed in a review vary in nature and timing. Instances of fraud or error are considered significant if, individually or in the aggregate, they could reasonably be expected to influence the decisions of users of the report.

I believe the evidence we obtained was sufficient and appropriate to provide a basis for my opinion on each area reviewed.

Summary of Work Performed

For each of the attributes considered in relation to the disclosed metrics, the following criteria was agreed to with TSSA management:

Accuracy and Completeness Criteria

- Data disclosures are clearly defined.
- Defined methods exist for calculating and documenting data disclosures outputs.

¹ Canadian Standards on Assurance Engagements (“CSAE”), as issued by the Chartered Professional Accountants (CPA) Canada

² Performance Reporting Principles for the British Columbia Public Sector, issued by the Province of British Columbia and the Office of the Auditor General of British Columbia, November 2003

- Documented guidance or procedures exist for data gathering, input and analysis for the data disclosures.
- Defined parameters are applied around data extraction from operating systems/data bases for the data disclosures.
- Assigned tasks and controls around quality assurance exist and are clearly documented for each of the disclosures.

Quality and Clarity Criteria

- The target audience for the PSR understands the link between the TSSA goals /objectives and the data disclosures as reported for each of the three safety programs.
- The data disclosures used in the PSR are generally accepted and used within the regulated technologies, devices, and industries.
- Sufficient information is provided on the data disclosures to judge performance (relative to the past, others, or standards/benchmarks/best practices).
- Any year over year data inconsistencies for the data disclosures are explained.
- Relevant information for the data disclosures is offered to put results into context.
- The data disclosures are presented in a format and using language that helps the reader appreciate its significance.

The review consisted of performing documentation reviews, discussions with key internal stakeholders and the review of selected evidence against the above-noted criteria to determine whether appropriate controls exist and applied to effectively achieve the above attributes.

The scope of the review was limited to the PSR reporting period only, May 1, 2021, to April 30, 2022, and as applicable to the select disclosure areas. The nature, timing and extent of procedures selected were determined based on professional judgment, considering each of TSSA's program areas.

Conclusions

In my opinion, based on the limited procedures performed and evidence obtained of 'in scope' disclosures, no matter(s) has come to my attention that causes me to believe that the underlying subject matter does not conform in all significant respects, to the applicable criteria.

Several observations were noted during the review which have been reported to TSSA management for consideration to further strengthen controls related to the quality, clarity, and accuracy of future disclosures in the PSR Report. These matters were discussed with TSSA management within the context of the review of the PSR and informed overall conclusions related to the reliability of the disclosures. Details of the observations, recommendations and TSSA's management response are provided in the body of this report.

Introduction

Mandated by the Government of Ontario, the Technical Standards and Safety Authority (“TSSA”) is Ontario’s public safety regulator in the following key sectors: Fuels Safety; Elevating Devices, Amusement Devices and Ski Lifts; and Boilers, Pressure Vessels and Operating Engineers. TSSA is governed by a 13-member Board of Directors and is accountable to the government of Ontario, residents of Ontario and other stakeholders. The Ministry of Public and Business Service Delivery (formerly the Ministry of Government and Consumer Services) is the Ontario government body that sets public safety policy, oversees the delivery of safety services and TSSA’s organizational performance and retains authority for the Technical Standards and Safety Act, 2000 (“Act”).

A Memorandum of Understanding (“MOU”) between the Ministry of Public and Business Service Delivery (“MPBSD”) and the TSSA clarifies the roles, duties, and responsibilities of each party in relation to the administration of the Act. The Safety and Risk Officer (“SRO”) position is established through the Act and is further outlined in the MOU. The creation of this position was aimed at improving technical safety in the province.

The mission of the SRO is to provide the TSSA Board of Directors with an independent review of the public safety responsibilities assigned to the TSSA pursuant to the Act. To this end, the SRO will provide analysis, recommendations and information concerning safety activities and strive to be an advocate for best practices. SRO duties include a review of the Corporation’s Annual Public Safety Report (“PSR”) for the purpose of assessing the quality, accuracy and clarity of the data used within the report.

The annual PSR relays critical information about the documented state of safety in the places where Ontarians live, work and play. It provides key safety related information on the sectors that the TSSA regulates, estimates the level of risk Ontarians are exposed to through TSSA-regulated technologies, devices, equipment, and certified trades people and provides an evaluation on TSSA’s own performance.

The results of my review of the fiscal year 2022 (“FY22”) PSR are provided in this report. This report is intended for the sole purpose of assisting the TSSA Board of Directors and management in taking steps to continually strengthen the value of the PSR in measuring safety outcomes and communicating them to the public. As such, the observations and recommendations expressed in this report are written exclusively for the use of the TSSA Board of Directors and management and will not be suitable for other purposes. This report is not to be interpreted as the results of an audit, review, or assurance engagement as defined by the Canadian Standard on Assurance Engagements.

The report that follows provides an opinion on the quality, accuracy, and clarity of data in the FY22 PSR and provides observations and recommendations to continue to strengthen the reliability of the PSR report on the state of safety in the sectors that TSSA regulates.

Opinion

The annual PSR provides key safety related information about the documented state of safety by estimating the level of risk Ontarians are exposed to through TSSA-regulated technologies, devices, equipment, and certified trades people. Ensuring that the PSR presents quality, accurate and clear data is necessary to ensure a reliable picture of the state of safety and to assure readers that the regulated sectors do not present an unacceptable risk of harm.

In undertaking the review of the PSR I collaborated with TSSA Internal Audit and MNP LLP³ to develop a robust approach to assessing the quality, accuracy and clarity of the data reported.

For the purposes of my review, I referenced the definition of “quality” as provided by the International Organization for Standardization (“ISO”) and specifically ISO 8000 – 2:2020⁴. The ISO definition describes quality of data using five attributes:

- Accuracy
- Completeness
- Reliability
- Relevance
- Timeliness

For the term “clarity” I relied on the following OECD⁵ (Organisation for Economic Co-operation and Development) definition:

“Clarity refers to the data’s information environment: whether data are accompanied with appropriate metadata, illustrations such as graphs and maps, whether information on their quality also available (including limitation in use) and the extent to which additional assistance is provided by National Statistical Institutes.”⁶

I directed and relied upon the work of MNP LLP in determining an appropriate scope and approach to providing limited assurance as to the accuracy of ‘in scope’ data disclosed in the PSR. In addition, I independently reviewed specific processes and controls related to the quality and clarity of selected data disclosed in the report.

Conclusion on Accuracy and Completeness of Select Disclosures

MNP LLP completed a CSAE⁷ 3001 limited assurance engagement to assess the accuracy and completeness of three ‘in scope’ data disclosures reported in the PSR across TSSA’s three safety program areas (Elevating and Amusement Devices Safety Program, Fuels Safety Program and Boilers and Pressure Vessels, and Operating Engineers Safety Program). The CSAE 3001 standard can be applied when assurance on non-financial information is required, such as on the accuracy of the data reported within the PSR. This standard allows for an objective and structured approach to be used for evaluating data against applicable criteria and for expressing a conclusion that provides assurance to users of the data.

A ‘limited assurance’ engagement requires the collection of evidence, performance of audit tests and provides assurance focused on a specific subject matter. In this instance, it was utilized to provide assurance on select disclosures related to the accuracy and completeness of data within the PSR. Limited assurance engagements are often used for evaluating selected criteria (which are noted below), limited to a specific review period. In executing the CSAE 3001 limited assurance engagement, MNP LLP complied with independence and other ethical requirements required by the Institute of Internal Auditors and CPA Canada.

³ MNP LLP is a leading Canadian accounting, tax and business consulting firm and is currently engaged by the TSSA to provide assurance and advisory services.

⁴ <https://www.iso.org/obp/ui/#iso:std:iso:8000:-2:ed-4:v1:en>

⁵ <https://stats.oecd.org/glossary/detail.asp?ID=5119#:~:text=Clarity%20refers%20to%20the%20data's,is%20provided%20by%20National%20Statistical>

⁶ Ibid

⁷ Canadian Standards on Assurance Engagements (“CSAE”), as issued by the Chartered Professional Accountants (“CPA”) Canada

The engagement was restricted to assessing the design and operating controls for three 'in scope' data disclosure, noted below, reported in the PSR during the period of May 1, 2021 to April 30, 2022:

- The risk of injury and fatality;
- Observed injury burden; and,
- Incidents and near misses.

As the review was restricted to assessing controls over the identified 'in scope' data disclosures the conclusions cannot be extended to TSSA's entire internal control systems over the accuracy of other disclosures in the PSR.

In examining the above data disclosures, MNP LLP considered the following criteria as agreed upon with TSSA management who are responsible for overseeing and reporting the public safety information included within the PSR:

- Data disclosures are clearly defined.
- Defined methods exist for calculating and documenting data disclosures outputs.
- Documented guidance or procedures exist for data gathering, input and analysis for the data disclosures.
- Defined parameters are applied around data extraction from operating systems/data bases for the data disclosures.
- Assigned tasks and controls around quality assurance exist and are clearly documented for each of the disclosures.

In developing its conclusion, MNP LLP performed document reviews, met with key internal stakeholders, and reviewed select evidence against the criteria noted above to determine whether appropriate controls existed and were applied to ensure accuracy and completeness of reporting. This work, along with my own discussions with key stakeholders, has strengthened my confidence in the accuracy of the "in scope" data disclosures.

Therefore, I conclude that based on the limited procedures performed and evidence obtained assessing the accuracy and completeness of 'in scope' data disclosures, no matter(s) has come to my attention that causes me to believe that the underlying subject matter does not conform, in all significant respects, with the applicable criteria.

Conclusion on Quality and Clarity of Disclosures

With respect to my independent review of the quality and clarity of the data used in the PSR for the period of May 1, 2021 to April 30, 2022, I included in scope the same data disclosures as reviewed by MNP LLP in their limited assurance engagement:

- The risk of injury and fatality;
- Observed injury burden; and,
- Incidents and near misses.

As there are no applicable auditing standards that provide specific assurance on data quality and clarity, my assessment of quality and clarity was conducted with reference to the Performance Reporting Principles For

the British Columbia Public Sector⁸ (“Reporting Principles”). The Reporting Principles are considered a good fit for the review of quality and clarity of data in the PSR as they provide guidance on performance reporting to the public.

In consultation with Internal Audit and MNP, I selected three principles from the Reporting Principles that appeared to be the most relevant in evaluating data quality and clarity in the PSR. These guided the criteria and activities in reviewing the clarity and quality of data disclosures.

- Reporting Principle 2⁹ Link Goals and Results

Public performance reporting should identify and explain the organization’s goals, objectives, and strategies and how the results relate to them.

- Reporting Principle 6¹⁰ Provide Comparative Information

Public performance reporting should provide comparative information about past and expected future performance and about the performance of similar organizations when it would significantly enhance a reader’s ability to use the information being reported.

- Reporting Principle 7¹¹ Present credible information, fairly interpreted

Public performance reporting should be credible – that is, based on quantitative and qualitative information that is fairly interpreted and presented, based on the best judgement of those reporting.

My review considered the following criteria that were agreed upon with TSSA management in assessing the quality and clarity of the selected data disclosures against the above principles:

- The target audience for the PSR understands the link between the TSSA goals /objectives and the data disclosures as reported for each of the three safety programs.
- The data disclosures used in the PSR are generally accepted and used within the regulated technologies, devices, and industries.
- Sufficient information is provided on the data disclosures to judge performance (relative to the past, others, or standards/benchmarks/best practices).
- Any year over year data inconsistencies for the data disclosures are explained.
- Relevant information for the data disclosures is offered to put results into context.
- The data disclosures are presented in a format and using language that helps the reader appreciate its significance.

In arriving at my conclusion as to the quality and clarity of selected data disclosures I performed document reviews and met with key internal stakeholders. Where processes were formalized or controls existed, I reviewed their design and operating effectiveness. One of the most important perspectives of quality and clarity is how data is viewed by the reader. Soliciting feedback from the targeted audiences during the fiscal year was instrumental in increasing my confidence that the data disclosures met the criteria noted above. In executing the review, I complied with ethical requirements and standards as required by the Institute of Internal Auditors.

⁸ Performance Reporting Principles for the British Columbia Public Sector, issued by the Province of British Columbia and the Office of the Auditor General of British Columbia, November 2003

⁹ Ibid

¹⁰ Ibid

¹¹ Ibid

Therefore, I conclude with respect to the quality and clarity of 'in scope' disclosures, based on the results of the limited work that I completed, no matter(s) has come to my attention that causes me to believe that the underlying subject matter does not conform in all significant respects, to the applicable criteria.

Status Update for FY21 Management Action Plan

My report on the review of the FY21 PSR provided seven recommendations for which TSSA management developed an action plan. Recommendations focused on action to further strengthen the quality, clarity, and accuracy of future disclosures in the PSR. In reviewing the FY22 PSR I followed up on the status of management’s action plan.

During FY22 TSSA closed the outstanding recommendation from the SRO review of the FY20 PSR and closed four of the seven recommendations from the SRO review of the FY21 PSR.

Details of the recommendations and the status on management’s action plan are provided in Appendix A: Details of FY20 and FY21 Recommendations and Status Update.

FY22 PSR Observations and Recommendations

Progress continues to be made in strengthening the reliability of the data disclosures in the PSR.

Controls confirming the accuracy and completeness of the data disclosure were strengthened throughout fiscal year 2022. For example, the effectiveness of the quarterly reviews of data increased during the fiscal year and minimized the risk that a data set at a point in time may not be accurate.

The FY22 version of the Public Safety report was enhanced to better align with the reader’s ability to use the information reported. Audience consultations during FY22 validated that improvements in the FY21 version of the PSR were making a difference and provided valuable suggestions for continuing to strengthen the report. The consultations were instrumental in enhancing the clarity and quality of the PSR.

Detailed observations and recommendations were discussed with management which, in my professional judgement, are of significance for management’s consideration to further strengthen the quality, clarity and accuracy of future disclosures in the PSR report.

The observations, recommendations, and management’s response are provided below.

Observation #1: Enhancing Quality Control Activities.

Data Attributes ¹²		
Q	A	C
	✓	

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.

Recommendation:

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

¹² Data attributes include “Q” for quality, “A” for accuracy and “C” for clarity.

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 Management Response:

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.

Observation #2: Connecting Action and Data.

Data Attributes		
Q	A	C
✓		

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

Recommendation:

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 Management Response:

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.

Observation #3: Strengthening Audience Engagement.

Data Attributes		
Q	A	C
✓		

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.

Recommendation:

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.

Appendix A: Details of FY20 and FY21 Recommendations and Status Update

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

Update on FY20 Outstanding Recommendation

At the end of FY21, one recommendation from my review of the FY20 PSR remained open. Details are as follows:

Recommendation #1: Audience Definition

It is recommended that steps be taken in FY21 to clearly identify the primary reader for the PSR and actively solicit their feedback to confirm the objectives of the PSR and audience needs are being met.

Rationale

As the quality and value of a report can only be determined by the intended readers it is critical to ensure a primary audience is identified and that their feedback is sought. When that clarity is missing it will continue to be a challenge to deliver a report in an appropriate format with the correct level of information. There is a risk that the needs of the audience are not satisfied and the quality and value of the report in the eyes of the reader are diminished.

TSSA Response and Action

TSSA acknowledges that the State of Public Safety Report is produced with multiple audiences in mind and that having a clear main audience would help improve the focus.

Action: By FY21 Q4, TSSA will determine the main audience for the State of Public Safety Report. Once the audience is defined, in FY22 a plan will be developed to focus the report to that audience for the FY23 edition of the report.

Status – Closed

During FY21 management identified two primary audiences for the Public Safety Report, as follows:

- Government of Ontario (through Ministry of Public and Business Service Delivery (“MPBSD”), and
- Authorization Holders (regulated parties).

The ability to focus the content to regulated entities was evident in the language and content in the Case Studies and Director's messages in the FY21 edition of the PSR.

During FY22 TSSA held focus groups with Advisory Councils and met with MPBSD to gather feedback on the clarity and value of the PSR. Key enhancements were identified to improve the clarity of content and increase the value of the PSR to the primary audiences.

Update on FY21 Recommendations

Recommendation #1: Strengthening Quality and Clarity of PSR

In seeking feedback from the identified targeted audiences of the PSR it is recommended that TSSA confirm that changes made in FY21 enhanced the quality and clarity of the report for the readers.

Rationale

Reader comments on the impact of changes made for FY21 will provide important guidance for continuing with current changes and providing suggestions for future improvements.

TSSA Response and Action

TSSA concurs that seeking feedback from the identified targeted audience will enhance the quality and clarity of the report for the readers.

Action: TSSA will conduct meetings to gather input and feedback from MPBSD and Advisory Councils on the impact of the FY21 changes to the report as well as other areas.

Status – Closed

TSSA conducted meetings to gather input and feedback from MPBSD and Advisory Councils on the impact of the recent changes to the report as well as other areas. The feedback was generally positive and recognized that recent changes have improved the clarity of the report: specifically, the inclusion of case studies; the use of visuals and infographics and the Director’s messages.

MPBSD and Advisory Councils provided suggestions that could further enhance the Public Safety Report. TSSA has carefully reviewed all the feedback received and incorporated key enhancements in the FY22 edition of the report such as improved consistency of the format for each program area, plainer language in describing the meaning and calculation of the Risk of Injury and Fatality metric, and clearly identifying data availability limits.

Recommendation #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.

Rationale

The RIF is an abstract, sophisticated metric, used to predict future risk based on past performance. It is unique to TSSA, and it is not known if it is easily understood or used by the audiences of the PSR. Without confirming the usefulness of the RIF to the PSR audience there is a risk that the effort invested in the calculation and presentation of the RIF is wasted.

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 are doing. The next TSSA strategic plan will be released in FY24 and will introduce new organizational safety metrics. A further review of the RIF will be completed before then, and changes made to align with strategic plan.

Recommendation #3: Impact of COVID-19 Pandemic on Comparable Data

It is recommended that TSSA begin to consider how data trends may be affected for fiscal year 2022 and the next few years and what additional context will be needed for readers to correctly interpret the data trends. It may be helpful to look to other regulators for guidance in determining a suitable approach for TSSA.

Rationale

It is expected that the impact of restrictions on device usage because of COVID will continue into FY22 and may have longer term impacts yet to be determined. Understanding the impacts on data and its presentation will be necessary in future reports to provide quality data to readers.

TSSA Response and Action

TSSA recognizes that government mandated closures of many of the sectors and industries that TSSA regulates have resulted in fewer incidents and near-misses.

Action: The next edition of the PSR will include a disclosure on the impact of COVID closures on 10-year trends and analysis. TSSA will consult with other regulators facing similar issues with their disclosures.

Status – Closed

TSSA consulted with several other regulators and has assessed the impact of the COVID-19 pandemic on comparable data in the PSR. Information was added to the FY22 PSR to provide readers with an explanation of the factors impacting trend analysis.

Recommendation #4: Strengthening Quarterly Quality Reviews

Quarterly reviews over datasets informing PSR reporting should be fully completed in a timely manner to help ensure data (at that point in time) is as accurate as possible and to reduce the level of effort required to review data at the end of the reporting year.

Formal signoffs capturing the quarterly review of safety data by Statutory Directors for their respective program areas should be documented to formally capture any insights they may have and to identify any concerns over the data itself.

Rationale

Should quarterly reviews not be completed or performed in a timely manner, there is a risk that a data set at a point in time needed to identify trends or inform decision making may not be accurate. Furthermore, there is a risk that if data sets are not adequately reviewed throughout the year, the level of effort required to ensure all data is accurate and the review of any unusual results may impede efficiency and effectiveness of PSRM and operations staff.

TSSA Response and Action

TSSA recognizes the importance of reviewing data in a timely manner to identify trends and inform decision making.

Action: TSSA will continue to roll out and strengthen quality control processes as part of a Quality Management System.

Status – Closed

Quarterly meetings have been strengthened during FY22 and take place approximately 2 weeks following the end of the quarter. The data owners / management and Statutory Directors validate data sign off on the results by email following the meeting.

Recommendation #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 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.

Rationale

Improved tracking of near misses would provide the TSSA with an opportunity to better identify safety trends and provide training in areas where near misses are increasing or clustering.

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 – Open

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. TSSA will continue work in this area in FY23 by exploring options to implement a uniform definition or enhance the data collection in other ways. Completion date is targeted as FY24.

Recommendation #6: Strengthening Incident Reporting

There is an opportunity for the TSSA to enhance transparency of PSR disclosures by including additional information on incidents under investigation each year, including the incident date and indicating data can be subject to change in the future. In addition, when data and trends for prior periods are restated, a

supplementary disclosure should be provided outlining the changes to the re-stated data for transparency purposes.

Rationale

In cases where there is an injury or fatality which requires an investigation, it may be several months before the root cause analysis to identify the cause of the injury or fatality is completed. These occurrences are reported in the PSR based on the date of their occurrence once a resolution has been reached. Therefore, previously reported incident data may be restated to reflect updates on incidents which occurred in a prior year(s). To date, supplementary information related to such restatements has not been included in the PSR to help the reader understand any changes to the RIF and Observed Injury Burden calculations for restated/current results.

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 and strengthen the language used to identify and explain changes in the data for transparency purposes. In addition, for greater transparency, TSSA will include the number of occurrences that have not yet been closed or are under investigation

Status – Closed

In the FY21 PSR, TSSA augmented the disclosures to further explain any information about incidents under investigation and changes to reported data from previous editions. Additional enhancements were made to identify open and closed incidents and near-misses in the FY22 report.

Recommendation #7: Strengthening Quality and Timeliness of Incident Reporting

While annual training is conducted for Spills Action Centre (“SAC”) 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, the 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.

Rationale

The TSSA has a SLA in place with the SAC operated by the Ministry of the Environment Conservation and Parks. The agreement outlines the terms of telecommunications and response coordination support to be provided in reporting incidents to TSSA. It was observed that there are no key performance indicators within the agreement to help measure the performance of the SAC.

There is a risk that without adequate measures in place to assess the quality and timeliness of incidents reported, TSSA's ability to respond and report on incidents may be impaired.

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 - Open

In negotiating the new SLA, the SAC did not agree to performance indicators and a signed agreement remains outstanding due to ongoing capacity issues at the SAC. TSSA revised the SAC 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. Further attention is expected to be paid to the data received from SAC as the Data Governance Program Framework is executed over the next few years.