



**Australian Government**

**Radiation Health and Safety Advisory Council**

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**ADVICE TO THE CEO ARPANSA**

**REVIEW OF THE EFFICIENCY AND EFFECTIVENESS OF THE  
NATIONAL DIRECTORY FOR RADIATION PROTECTION –  
EDITION 1 (NDRP)**

**4 September 2008**

# **ADVICE TO THE CEO OF ARPANSA ON A REVIEW OF THE EFFICIENCY AND EFFECTIVENESS OF THE NATIONAL DIRECTORY FOR RADIATION PROTECTION-EDITION 1**

## **INTRODUCTION**

Following a letter from the Chairman of the Radiation Health Committee (RHC) on 4 April 2007, Council agreed at its April 2007 meeting to undertake a review of the efficiency and effectiveness of the National Directory for Radiation Protection, Edition 1 (NDRP). A review of this type to be held after 3 years operation had been agreed during the initial development process of the NDRP. In considering this, the RHC felt that an independent review by Council would be preferable to an RHC review of its own work. It was agreed the review should be conducted as part of Council's consideration of progress towards national uniformity in radiation protection.

The review which was concluded at Council's August 2008 meeting followed a process as outlined.

## **STATUS OF IMPLEMENTATION OF NATIONAL DIRECTORY FOR RADIATION PROTECTION-EDITION 1**

NDRP was published in August 2004, with a conditional endorsement from Ministers, subject to additional cost-benefit analysis being undertaken to meet the requirements of all jurisdictions. The additional cost-benefit analysis was undertaken in 2005, with Ministers endorsing the analysis as meeting the requirements of all jurisdictions. A number of jurisdictions are currently in the process of amending legislation to implement requirements consistent with the NDRP.

## **TERMS OF REFERENCE FOR THE REVIEW**

Council was requested to:

1. Provide a report to the CEO of ARPANSA and the Chair of RHC reviewing the efficiency and effectiveness of the NDRP.
2. The report should examine:
  - the progress in implementation of NDRP within each jurisdiction
  - the likely time frame before consistency with NDRP can be achieved and
  - any barriers to implementation that are being experienced

## **METHODOLOGY FOR UNDERTAKING THE REVIEW**

A consultant, Couch and Associates Pty Ltd, was engaged in December 2007 to assist in the collection and analysis of information from jurisdictions, and to prepare a comprehensive report to Council with his conclusions.

A questionnaire to be used by the consultant was developed by Council, to seek relevant information on implementation of the NDRP and any barriers to implementation being experienced.

The Chair advised RHC on 27 August 2007 that Council would undertake the review. Heads of the appropriate Department in each jurisdiction were also advised of the review through correspondence from the Chair on 7 December 2007. They were also informed that the consultant would contact RHC members to liaise with the jurisdictions.

Data was collected from all jurisdictions over the period until February 2008. An additional set of supplementary questions were forwarded to jurisdictions to further assist the consultant in development of his report

The consultant provided an initial draft report for discussion with the Chair and Secretariat on 18 March 2008. Further consultation was undertaken with jurisdictions on the approach taken in analysing the questionnaire results prior to a draft final report being presented to Council by the consultant at the April 2008 meeting.

Following the April 2008 meeting, relevant sections of the report were forwarded to all jurisdictions to enable confirmation of the factual data for each jurisdiction being presented in the report.

The final consultant's report now being forwarded to the CEO ARPANSA and RHC was presented to the Chair on 24 June 2008.

## **CONCLUSIONS OF CONSULTANT'S FINAL REPORT**

The consultant's principal finding was that there is with some critical qualifications, effective alignment between jurisdictions' regulatory frameworks and the NDRP (Edition 1) provisions.

The findings suggested to the consultant that while the NDRP (in Edition 1 form) may have significantly led jurisdictions' regulatory improvements, it has to a degree also accommodated retention of considerable variability in their regulatory approaches. In this regard, the NDRP, its implementation by jurisdictions and responses from jurisdictions in this review, highlight:

- a high level of but still incomplete alignment between jurisdictions' regulatory frameworks for radiation protection and the NDRP,
- a considerable lack of uniformity in jurisdictions' regulatory approaches and
- concerns of key stakeholders about the NDRP process itself.

The complete consultant's report is at attachment B

## **COUNCIL CONCLUSIONS**

Having considered the consultant's review and following discussion at the meeting of 8 August 2008, Council advises as follows:

- Council notes that the intention of the NDRP is not to have uniform legislation, only uniform outcomes. The Codes supporting the NDRP are also an important part of the uniformity process. Council regards the NDRP as a valuable document used by jurisdictions to guide their regulatory approach. The NDRP also gives weight to approaches to government requesting regulatory change.
- Council concludes the NDRP is an effective and pragmatic document that has been a catalyst for changes to improve uniformity and that much progress has been made by jurisdictions since its publication.
- Council considers that while the NDRP process was the best that could be achieved at the time, it has not necessarily been the most efficient. The model should be reviewed at an appropriate time to ensure that more efficient regulatory processes for improving uniformity can be developed in the future.
- Council has identified the time frame to produce NDRP changes as a major concern. It has now been informed of action agreed by RHC to overcome this difficulty. Council also notes that regulatory impact assessment requirements have changed since publication of the NDRP and that this has contributed to extending timelines in producing amendments. Council understands the NDRP process will now provide for items to be progressed as individual amendments rather than being compiled into a consolidated edition. This will allow straightforward items to progress quickly and not be held up by items requiring more complex regulatory impact assessment. Council supports these changes of process in any future development of the NDRP.

## **CONCLUDING REMARKS**

Council acknowledges the extensive work undertaken by the Radiation Health Committee in development of the NDRP, and the commitment to future work on this important document.

Council also acknowledges the assistance of the various State and Territory regulatory bodies throughout the review process. Their commitment to providing information and responding to questions at various stages of the review was appreciated.