

Public Safety Appeal Board

Activity Plan
2011-14

Chair's Message

Dear Minister:

I am pleased to submit this Activity Plan for the activities of the Public Safety Appeal Board (the "Board") for the fiscal years 2011-14. This plan is prepared in compliance with the *Transparency and Accountability Act* pursuant to which the Board has been categorized as a Category 3 government entity and which requires the Board to prepare a performance-based activity plan. In developing this plan, the Board has considered the strategic directions of the Minister of Service NL. The Board is accountable for the preparation of this plan and for the achievement of its objectives.

The Board was not active until the appointment of its members in September 2011. The Board's primary objectives are the fair and efficient processing of appeals and the rendering of decisions which are clear, consistent and in accordance with the *Public Safety Act* and its associated regulations. I look forward to achieving these objectives throughout the 2011-14 planning period.

Regards,



Robert G. Forbes, P. Eng.

Overview

The Board is established under subsection 25(1) of the *Public Safety Act* (the “Act”) to hear appeals from persons who may be aggrieved by a decision of one of the Chief Inspectors related to the operations of various technical safety systems (e.g. electrical; boilers/pressure vessels; elevating devices). The Board, after hearing an appeal, may confirm, revoke or vary the notice, order, decision or action of the Chief Inspector. The Board comprises five members appointed by the Lieutenant-Governor in Council, upon recommendation by the Minister, and meets only when an appeal has been filed pursuant to section 26 of the Act.

Mandate

The Board is an independent, quasi-judicial body which has the function of hearing and adjudicating an appeal. It meets when it has received an appeal pursuant to section 26 of the Act and is empowered to uphold, revise and/or revoke an order or action by the Chief Inspector. Decisions by the Board are based on review of the written and oral submissions and documents. The Board’s decisions may be appealed to the courts.

Values

In order for the Board to fairly administer its mandate, it is important that a high level of trust and confidence in the independence of the Board be maintained. The Board promotes two values: independence and objectivity. The action statements below speak to how the values are reflected in the conduct of the Board.

Independence: It is important that the Board maintain and be perceived by its clients to have complete independence from the Chief Inspector of Service NL in making its decisions.

Objectivity: The Board will provide services to the public with integrity and fairness. The Board will commit to dealing with all clients in an equitable and unbiased manner.

Primary Clients

The Board’s clients are the manufacturers and operators of various systems such as electrical, boilers and pressure vessels and compressed gas, elevating devices, and amusement rides who believe they have been aggrieved by a decision of the Chief Inspector.

Vision

The Board has adopted Service NL's vision for this planning cycle, which is as follows: People in Newfoundland and Labrador living and working in healthy and safe environments with access to efficient and responsive programs and services.

Mission

The Board has adopted Service NL's mission for this planning cycle, which is as follows: By March 31, 2014, Service NL will have enhanced program and service delivery through improved standards and regulatory processes that promote living and working in a healthy, fair and safe environment.

For the full mission statement, including measures and indicators please refer to Service NL's 2011-14 strategic plan available online at:
<http://www.servicenl.gov.nl.ca/publications>

The Board contributes to Service NL's mission by ensuring that the regulation of public safety is carried out in a fair and consistent manner, through the provision of an appeal mechanism in relation to decisions of the Chief Inspectors under the *Public Safety Act*, pursuant to its mandate.

Objectives

The following objectives represent the annual focus of the Board and include performance measurement information (i.e. measures and indicators) to assist the entity and the public in monitoring and evaluating success. The Board's principal function is adjudicative. The Chair and the members fulfill this function.

Objective One: By 2012, 2013, and 2014, the Public Safety Appeal Board will have processed all appeals it has received in accordance with the requirements of the Act.

Measure: All appeals processed.

Indicators:

- Notice of appeal forwarded from chief inspector to chairperson within 30 days of receipt of appeal.
- Appellant given at least 10 days notice regarding hearing of appeal.
- Appeals commenced not more than 90 days after notice in writing has been received by the chairperson under subsection 26(2).
- Appeal considered and decided in a timely manner.
- Decision of appeal communicated to relevant parties in a timely manner.