



اوتوريٽي كيشان كسلامتن
كصيتن دان عالم سكيتر
Safety, Health and Environment
National Authority

FREQUENTLY ASKED QUESTIONS: HSE PERFORMANCE REPORTING UNDER BUSINESS REPORTING PORTAL

- 1. Is it a legal requirement under the Workplace Safety and Health Order, 2009 (WSHO, 2009) for companies to report HSE performance to the Safety, Health and Environment National Authority (SHENA)?**

Currently, there is no specific requirement under the law for companies to submit HSE performance report. However, under the WSH (Incident Reporting) Regulations, 2014, Employers or Occupiers of workplaces are required to report work-related fatalities, serious injuries, occupational illness, dangerous occurrence, and major accidents to SHENA. The regulations further states that the Employers and Occupiers shall keep records of such incidents and provide the extracts of the records as/when required by the Authority (SHENA).

- 2. As a company under the oil & gas sector, we are already obliged to submit HSE report to the Petroleum Authority (PA). Why is SHENA asking for the same report? Is this not a duplication of efforts?**

The HSE performance data required by SHENA is not the same information as requested by PA. Furthermore, PA requires submission of performance data from the main oil & gas operators, which include combined figures and statistics for each operator and its contractors, whereas SHENA requires the individual statistical data from each company/contractor.

- 3. What is/are the benefit(s) for companies to report HSE performance via the Business Reporting Portal?**

For individual companies, benefits of actively compiling and publishing their own HSE performance data under the platform include:

- Building a good reputation as a company that is responsible, caring and trustworthy.
- Elevating the company profile as one that is committed to monitoring and improving their HSE performance which adds value and competitive advantage for business opportunities and attractive employment prospects.
- Ensuring continuous improvement in its HSE performance by utilising the available data for reviews and studies to prevent further and more severe injuries with an economic profit by avoiding loss of hours from injuries.
- Actively contribute to national data collection of HSE performance and potentially influence future policy-making and initiatives towards HSE improvement.



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4. What is the frequency for reporting and is there a specific reporting cycle or deadline to update the data?

The data is to be updated on a monthly basis and submission or data input is to be done by the middle (15th) of the following month. The data input into the system should take less than 10 minutes given the information is readily compiled beforehand.

5. When are we required to start reporting onto the HSE performance reporting system?

The system has gone online since late last year. Companies are expected to start reporting now and retrospectively backtrack the data input from January 2022.

6. Will SHENA verify the data reported by companies and what is the mechanism for the verification?

SHENA will not verify the reported data as it is submitted into the system. The companies themselves should ensure the accuracy and validity of the information. However, some verifications may be carried out during regulatory enforcement activities conducted by SHENA, or after conducting an analysis of the collective data, e.g. on an annual basis. In these cases, if there is discrepancy in the data, SHENA may request the company to provide further information or supporting documents.

7. In the event that the company accidentally inputs the wrong figures, what is the formal process to carry out corrections?

The current system allows data that has been previously reported to be changed at any time by the authorised user(s). However, if companies do make amendments to figures from previous months, please alert SHENA via info@shena.gov.bn for our records.



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8. Since data on the HSE performance reporting system can be amended any time even historical data from previous years, how will this affect the data integrity of the system?

The Business Reporting (BR) Portal allows companies to access and update company's data at any time and currently the Ministry of Finance and Economy has no plans to lock the data field of previous year(s); this is to allow room for companies that is new to the BR portal to report data for previous year(s).

Data that has been submitted by companies will be save periodically by BR Admin for reference and data will be over-ridden by the latest data reported by companies. Hence, there should be no issues with data integrity of the system as the data is saved on a weekly basis.

9. In terms of confidentiality, how secure is the data submitted and who can access the information?

The individual company's data stored in the system is secured from any tampering as it is only accessible to the authorised company representatives for data entry and viewing. Only nominated individuals from the Authority are granted access to view this information. However, the Authority may share some extracts of the data to other agencies for regulatory purposes as deemed relevant.

10. Will SHENA request consent from the respective company prior to sharing of information to other agencies?

SHENA does not intend to request for any consent from respective companies to share their HSE information to other agencies. We are not disclosing any sensitive information like personal information, companies' proprietary data, etc. The information here consists of numbers representing companies' performance measures, which should be made available and widely published/displayed by the companies to demonstrate their commitments on HSE.

11. What will the collected HSE information submitted by the companies to SHENA be used for?

Apart from SHENA, the HSE performance data may be shared with other relevant authorities and government agencies for a number of reasons, such as but not limited to:



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- Selection of bid list during tendering process.
- Cross-referencing of information among agencies.
- Potential recognition and/or awards in future.

For SHENA, the collective information will be reviewed and analysed to identify areas of concerns and potential gaps in legislation/ guidance which may lead to specific focused initiatives being introduced. The data could also influence updates to the National HSE Themes and strategic actions to be carried out in order to realise the national aspiration towards Wawasan 2035.

12. Will there be any regulatory or legal action taken against companies who do not submit the HSE performance data to SHENA under the Business Reporting Portal?

As mentioned above, currently there is no specific legal clause which mandates companies to submit HSE performance reporting to SHENA under the Business Reporting Portal hence no legal action will be taken. However, companies are strongly encouraged to actively participate in the initiative in working together towards improving HSE standards not only within the company but also nationally through provision of accurate HSE performance data and analyses ensuring focused and strategic policy-making and national initiatives.

13. Are the exposure hours only related to radiation equipment usage?

Exposure hours are not necessarily be related to radiation equipment or any other equipment, but time spent doing work which is generally divided into two parts - employees working in the office; and those working in field (frontline).

14. If the employee is working both in the office and in the field, which column should be filled under “exposure hours”?

The man hours should be logged accordingly i.e. the time at office should be logged under office hours and time in the field as frontline hours. However, if a regular office staff goes out to the field for occasional short visits or inspections, then in principle all his/her work (exposure) hours should still be categorised as office hours.



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15. What is the definition of frontliner?

Frontline staff are those who are primarily working in the field on a regular or shift-work pattern and executing operational work/duties, as opposed to those who are office based in the support functions of the organisation.

16. Should attachment students be included in our exposure hours and any incidents reported?

Companies are responsible for the safety and well-being of attachment students as per the duties under the Workplace Safety and Health Order, 2009 and should be included in the reported data under the system.

17. Is working from home considered as exposure hours within the HSE performance reporting system?

Working from Home within the set working hours should be included within the exposure hours.

18. If the company is dormant or has no on-going projects, are they still required to report to the HSE performance reporting system?

If the company is dormant in terms of operations, i.e. without on-going activities, but maintains minimal administrative work in the office, then the HSE performance reporting would still be relevant, where an incident may still occur that should be recorded and reported to the system. If a company is totally dormant, i.e. inactive, then obviously there would be zero data to report.

19. Are companies expected to report data for their sub-contractors as well?

For this reporting system SHENA requires the data of the individual company to be reported, without the inclusion of the performance of their sub-contractors. The sub-contractors should be carrying out their own reporting. This is to allow for a more accurate representation of HSE performance of all companies across all industry sectors, rather than having those contractors and sub-contractors 'hidden' behind their clients or main contractors. The main companies (clients or main contractors), however, may maintain their own reporting system including the (sub)contractors and SHENA will not interfere with any of those arrangements



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20. If employees are injured outside of work hours, is this also required to be reported onto the HSE performance reporting system?

No, this should not be included in the data to be reported to the HSE performance reporting system since the incident occurs outside of work hours and not covered under the reported exposure hours.

21. Are companies also expected to report near-misses to SHENA via the HSE performance reporting system?

Near-misses are not considered a reportable incident under the Workplace Safety and Health (Incident Reporting) Regulations, 2014. However, if a specific near-miss is dealt with via an intervention process, then it is recordable under their intervention system, hence may be included in the HSE performance reporting.

22. Will SHENA remind companies to fill in data for the HSE performance reporting system?

Currently there are no plans from SHENA to send out monthly reminders to companies for filling in of data. Companies are expected to conduct their due diligence and ensure data is updated by the 15th of each consecutive month.

23. Confirmation of occupational disease is to be done by whom?

Occupational disease should be confirmed and declared by a professional or registered medical practitioner i.e. a person registered under the Medical Practitioners and Dentists Act (Chapter 12).

24. Since there are different intervention types and data across organisations, how will SHENA analyse the data reported via the HSE performance reporting system?

SHENA acknowledges that different organisations have different classifications under the intervention system, and it is up to them how they manage those and what they do with the data for their own study and analysis. However, the HSE performance reporting system only requires the actual number of interventions made, as an indication of the active implementation of the system.



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25. How can the HSE personnel update the data on the HSE performance reporting system if the account is held by the company's top management?

SHENA will not interfere in the internal arrangements of the company in relation to the designated person to update data into the Business Reporting (BR) Portal including the HSE performance monitoring system. The HSE personnel may share relevant data to the designated person for monthly updating of HSE performance. However, the company is expected to carry out their internal verification and validation process to ensure that the data submitted into the system is valid and accurate.

Currently, Business Reporting (BR) Portal has two types of user authorization access:

- i. HR Access — has access to all Business Reporting sections (from 1 to 7).
- ii. Admin Access — has access to Business Reporting sections **except for Section 4 – Employment** as it contains confidential employee data.

26. Is there a way to log in to the Business Reporting Portal as a company rather than an individual?

Currently, Business Reporting (BR) Portal requires owner, director and authorized personnel to log using individual e-Darussalam account to access the company account in BR Portal. This will enable BR Admin to keep track of people updating the company account in BR portal through their individual IC number.

27. How about companies who are not registered under Ministry of Finance and Economy or not under Business Reporting Portal?

The Ministry of Finance and Economy strongly encourages any individual or unregistered entity to register under Registry of Companies and Business Names (ROCBN). By law, all business entities must be registered under Registry of Companies and Business Names (ROCBN). ROCBN data will automatically be linked to BR portal and therefore the company account automatically be created under the Business Reporting (BR) Portal. If your registered business cannot be found or accessed under the BR Portal then there might be a technical issue, please email the BR Admin through br@mofe.gov.bn



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28. Will SHENA extract data from the HSE performance reporting system and share information to the public e.g. statistics based on industry types?

SHENA may extract and analyse the data and share this with other agencies for beneficial purposes. SHENA may also generate statistics and reports related to the national HSE performance across the different industries for general publication without divulging company name and details. This will be useful for companies to benchmark their current performance against the other companies within their industry.

29. Are there any plans on a recognition and award mechanism for companies based on the HSE performance reporting system?

SHENA is currently considering the feasibility of such national recognition and award mechanism in collaboration with other relevant agencies to incentivize continuous improvement in HSE performance among industries.