

Public comment response template to Discussion Paper: Maintenance of Competence for Practising Certificates

Please send submissions by email to consult.minesafety@industry.nsw.gov.au
Submissions must be received by the due date of Monday 1 February 2016.

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Organisation (if applicable): Mine Ventilation Society of Australia

Responses to discussion points

1. Is the proposed model for the MOC scheme suitable for application for practising certificate holders in NSW?

Response: Yes, I believe that the specific case by case statutory ticket holders / practicing certificate criteria should be maintained by industry group peers. This should breed continuity within the specific fraternity of practitioners and maintain relevance as legislative changes are encountered moving forward. Professional Societies like the Mine Ventilation Society of Australia should form part of the system with a certain amount of credits being allocated for active membership and participation. There is some concern that the conference material are less than adequate to ensure knowledge remain current and some direction on which conferences and qualifications will be acceptable to make up the points would be beneficial.

2. Are the areas of competence and their topics suitable and cover the areas adequately?

Response: Yes, I believe that the list is very broad, comprehensive and allows for specific requirements to be set by the industry for the industry and the relevant respondent. With specific regard to the 'Formal' learning hours, one key point that is mentioned is the 'Industry meetings'. It would be of great benefit to all sectors of the mining industry as a whole if being an active / committee member of an organisation that provides support to the specific fraternity of practitioners was a pre-requisite of compliance. This would allow for industry members to share information and provide benefit to each other for the improvement / reassessment of codes of practice. Should the Society be awarded responsibility in ensuring the knowledge base of their members are kept up to date it would act as an extension of the regulator and serve a common goal in ensuring the health and safety of all workers in the underground environment.

3a. Are the types of formal and informal learning with their maximum claimable hours suitable?

Response: The proposed criteria of 'Formal' and 'Informal' hours is very broad and will allow individuals to extend their specific knowledge into different tangents for the improvement of themselves and the industry. Speaking on behalf of someone who has recently completed tertiary studies, compiled and presented an industry technical paper, works fulltime (M-F) 50+ hrs per week and sits on an active industry committee. I believe that the allowable hours for point 4 in the formal learning should be more reflective of the real participation required in such groups. This will help to breed more ownership into specific key groups, which will also benefit the industry as a whole. Occupation related societies can play an integral part in the governance and execution of such a system and should be included by mention in the regulations. It will ensure active participation and interest is upheld within the specific career.

3b. Is the percentage split between the minimum number of formal hours (66%) against a maximum of 33% for informal hours appropriate?

Response: Yes I believe that the proportion of usable / claimable hours is justified. Who will be responsible for the review / audit? Will they be industry peers or legislators? The MVSA (Mine Ventilation Society of Australia) strongly believe that it should be prescribed that membership to the relevant Society is a prerequisite and that active participation must be upheld to ensure knowledge and skill gaps do not become a reality posing risk in the work place. The MVSA would be very interested in forming a partnership with the legislator to ensure the health and safety of all workers by actively engaging and improving knowledge/skills.

4. Are the numbers of learning hours for each practising certificate and areas of competence appropriate to maintain competence a) per year b) over five years?

a) per year - response. The specific overall number of hours is an acceptable level for a calendar / fiscal year. The specifics of the criteria for each practicing certificate is yet to be set. This meaning, that a dedicated 'yes' or 'no' recognised structure / RTO's list is still required to be distributed. The focus will have to be on the quality of exposure and growth gained by following the RTO guideline to ensure the person remains "competent" to perform a task.

b) over five years? - response. The specific overall number of hours is an acceptable level for the period in question. As previously mentioned; the specifics of the criteria for each practicing certificate is yet to be set. A chartered electrical engineer is expected to do 300 hours per five year period. Some of the roles should be reviewed and I believe in particular the Ventilation Officers (Engineer/Technician) role should be allocated more hours taking into consideration the importance of the role and the direct impact it has on Safety and health.

5. Are the requirements for certificate holders in the MOC scheme reasonable and practical?

Response: The MVSA believe that the hours for the Ventilation officer should be increased to allow for the certainty of competence and currency. We believe that it would serve the industry and its partners as a whole if it was an obligation (mandatory / voluntary) for practitioners to be an active contributor to industry groups which are being operated by industry peers for the benefit of OH&S so as to maintain compliance with legislative requirements and assimilate ownership.

6a. Are the record keeping requirements for certificate holders to satisfy in the MOC scheme reasonable and practical?

Response: Yes, who will be responsible for the distribution of the Log books? Will the certificate holders be responsible for uploading these onto an electronic database? How will individual situations be managed if the set hours are not met on a yearly basis due to circumstances, but they are completely fulfilled over the five year period? The MVSA believe they can fill some of the gap in this area by working closely with the legislator to ensure the active governance and compliance.

6b. Are the governance processes proposed by the department adequate to ensure compliance with the MOC scheme by practising certificate holders?

Response: The criteria requires clarification to enable individuals to be on the correct path, rather than potentially wasting precious time, money and effort trying to achieve industry compliance. We would like to see a list of roles that will be potentially affected by the MOC scheme. There is no mention of the metalliferous ventilation fraternity and how will this change the normal status-quo? I believe the roles should be included from all parts of the mining industry and not only reserved to coal or hard rock. Mining is a high risk activity which will require diligence through each role and to ensure the appointed responsible persons are up for the task there should be a clearly defined guidelines to be complied with. The Mine Ventilation Society of Australia believes that it is of utmost importance to include the professional societies and make use of the various bodies to assist with management and upkeep of the practicing members.