

POLICY AND PROCEDURE

Review of certificate of competence assessment outcome

Policy statement

This policy provides a process for candidates to seek a review of assessment outcomes of examinations for certificates of competence under the *Work Health and Safety (Mines and Petroleum Sites) Act 2013* and the *Work Health and Safety (Mines and Petroleum Sites) Regulation 2014*.

The Resources Regulator administers examination assessments for certificates of competence on behalf of the NSW Mining and Petroleum Competence Board (the Board).

This policy applies to all candidates undergoing assessment for certificates of competence.

The review of assessment depends on the Resources Regulator being able to reproduce the original marking conditions. This may not be possible where the candidate has been assessed by a panel or the assessment contains an oral component. For reviews in these cases, the Resources Regulator and the Board will check that the marks are correct and have been totalled correctly.

Purpose and principles

The purpose of this policy is to ensure a fair, timely, efficient and transparent review process for candidates seeking a review of assessment outcomes of examinations for certificates of competence.

Key requirements

Notification of examination outcomes

1. At the completion of an exam event, examination panel members will compile their comments on the candidate's overall performance within 14 days of the examination. These comments are to be inserted into the notification of examination outcomes and the examination panel's report.
2. The Resources Regulator's Mining Competencies and Authorisations unit will advise candidates of the notification of examination outcome with general comments by the examination panel for the examination.

Review if within five marks of pass mark

3. If a candidate achieves a mark within five marks of the pass mark for a written examination paper, their paper will be reviewed by the examination panel to confirm the marks awarded are correct.

Feedback on the assessment outcome

4. A candidate may seek feedback on their original assessment outcome from the Mining Competencies and Authorisations Unit (MCAU) by:
 - a. calling 02 4063 6461 or
 - b. emailing mca@planning.nsw.gov.au.
5. Any request for feedback must be made within 28 days of the date of being advised of the assessment outcome.
6. The MCAU will provide the examiner comments for the examination to the candidate, including information about any remarking of their assessment which the examination panel may have already undertaken.
7. If a candidate still seeks further feedback following receipt of their examiner comments for the examination from the MCAU, they may request verbal feedback from an examiner on their original assessment outcome. Any request must be:
 - a. received within 5 working days of receiving the examiner comments from the MCAU
 - b. in writing and contain reasons why additional feedback from an examiner is sought in addition to the feedback already supplied
 - c. emailed to mca@planning.nsw.gov.au
8. Requests for additional feedback will be considered by the examination panel convenor. A request for additional feedback may be declined by the examination panel convenor. The candidate will be provided with reasons why the request was declined.

Formal review of assessment outcome

9. After receiving verbal feedback from an examiner (or being advised that such a request has been declined), candidates may request a formal review of their assessment outcome for written examinations only.
10. When requesting a formal review of their assessment outcome, candidates must:
 - a. submit the request in writing to the MCAU using the form [Review of examination outcome](#)

- b. submit the request within 5 business days of receiving the verbal feedback (or being advised that such a request has been declined)
 - c. provide a reason why they believe their assessment outcome was deficient or in error
 - d. pay a fee of \$115. The fee will be refunded if the review results in an assessment outcome being amended in favour of the candidate. The fee may also be waived in exceptional circumstances.
11. The review will be carried out by a member of the relevant examination panel who did not participate in the original assessment.
 12. The review will be conducted within two months of receipt of the request.
 13. A formal review may confirm the original assessment outcome or result in an amendment of the assessment outcome.
 14. Candidates will be notified in writing of the outcome of their review.

Late submissions / requests

15. All information and requests for feedback or review must be made in accordance with the timelines stipulated above. In exceptional circumstances, and at its sole discretion, the Resources Regulator may choose to accept a submission or request outside of the timeframes stipulated.

Responsibilities

Manager, Mining Competencies and Authorisations

The Manager, Mining Competencies and Authorisations or their delegate, is responsible for:

- facilitating the processing of requests for examiner feedback and formal reviews of assessment outcomes in a timely manner
- determining whether late requests for examiner feedback or formal reviews are accepted or rejected
- determinations in respect of requests for reviews of assessment outcomes
- notifying candidates of deficiencies or problems with their requests
- waiving the fee for request for review of assessment outcome in exceptional circumstances.

Examination panel members

Examination panel members are responsible for, upon request, providing verbal feedback to candidates at their discretion and participating in formal reviews of assessment outcomes.

Candidates

Candidates are responsible for:

- submitting requests for examiner feedback, formal review or appeal within the set time frames
- ensuring that accompanying information and documents are accurate and complete
- providing any information requested by the examination panel or Resources Regulator.

Further information

For further information about this policy, contact the Mining Competencies and Authorisations Unit at mca@planning.nsw.gov.au or 02 4063 6461.

Related documents

Other documents that relate to this policy:

- [Form – Review of examination outcome](#) (PUB16/374/DOI)
- [Guide: Applying for examinations and statutory function certificates](#) (PUB16/335/DOI)

Approval

NAME	DATE	APPROVAL
ANDREW PALMER Manager, Mining Competences and Authorisations	19/05/2020	Approved in CM9
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Version control

VERSION NUMBER	DATE ISSUED	CHANGES
1.0	9 November 2011	Original
2.0	2016	Legislation and references updated in Department of Industry format
3.0	18 February 2019	Revised scope of policy
4.0	4 June 2020	Revised scope of policy, procedure and updates to reflect department name change

Document control

CONTROL	DESCRIPTION
Status	Approved
Date of approval	04/06/2020

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Document impact	Level 3
Final approver	Executive Director
Division	NSW Resources Regulator
Document owner	Director, Regulatory Programs
Branch	Regulatory Programs
Document location	EF19/4638 and KB0010356
Review date	Two years from approval
Version number	4.0

THIS DOCUMENT APPLIES TO

All Staff	Regulatory Operations	
Major Investigations	Regulatory Programs	✓
Mine Safety Inspectorate	✓ Mining Act Inspectorate	

Appendices

REF	DESCRIPTION
Appendix 1	Definitions

Appendix 1 – Definitions

WORD	DEFINITION
Applicant	A person applying for a certificate of competence under the <i>Work Health and Safety (Mines and Petroleum Sites) Act 2013</i> .
Candidate	A person who has applied for a certificate of competence in relation to a statutory function at a mine or petroleum site.
Certificate of competence	A certificate granted by the regulator which is evidence of competence in respect of a statutory function under the <i>Work Health and Safety (Mines and Petroleum Sites) Act 2013</i> .
Department	Department of Regional NSW
Examination panel	A group of examiners engaged as consultants by the board to undertake assessments of candidates on behalf of the board.