

John Sleigh

Personal submission

I am the holder of a NSW 1st, 2nd and 3rd class certificates of competency for coal mining, that have been recognised in Queensland. I have 50 years' experience in and around the industry in NSW and Queensland. I have served on exam panels in NSW (1980s), Qld (2010 – 2015) and New Zealand (2015). I have a Graduate Diploma in Adult and Vocational Learning from UTS (2008). I have participated in the Mine Managers Association Continuing Professional Development program and have been a member of the committee that brought MMAA CPD seminars to Queensland since 2012.

I can enlarge on these points, if requested.

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

The statement in section 10:

Persons who do not satisfy the requirements of the MOC scheme must undertake and pass the written and oral examinations for the relevant certificate of competence required for the practising certificate, before their practising certificate will be renewed.

means that the criteria for success are based on a random audit of a small sample after participation has been completed. The other continuing professional development programs for NSW professionals that I could find on the web do not have anything like such a stringent compliance requirement. This includes those nominated in the discussion paper, nurses and engineers.

Because of the cyclical and international nature of the industry, there is a need for professionals to be able to return to the industry after a break, with provision to refresh rather than totally requalify.

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

The subject matter listed in s 6.1.1. of the discussion paper does not align with either the subjects examined in the competency exams, the prerequisites for sitting for the exam or the principal hazards and controls set out in the legislation.

I believe that it should follow one of those. Any of these establishes a reasonable and practical standard of competency that must be maintained.

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

Where a major item has to be performed at the mine and a record must be submitted to the regulator it should not also require those involved to attend training. For example, the submission of a second workings plan will require active involvement by a number of technical specialists and sign off by others. If the plan is accepted, then then credit should be given to those involved, who will inevitably have refreshed their knowledge.

Other examples include development or review of hazard or control management plans or submission of significant incident reports. A major installation such as a main fan, a ventilation shaft or a new longwall would all require technical assessment by a significant team.

Individuals who contribute to the development of codes of practice also deserve credit. They may seek assistance from peers at the mine or in their company or region. Participation in examination panels also deserves credit.

For any such credit, a claim should be made to the administrator nominating all contributors at the time of submission.

The requirement for qualifications in adult education is unrealistic. Many university lecturers do not hold such qualifications, so would be excluded from accreditation. Others gained their qualification many years ago. How will the holders of these qualifications maintain their competency?

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

If the operational activities are approved, then the time spent should be credited. An alternative is to allocate a fixed number of points for the completion of an activity. The points allocated to the scheme for emergency exercises, visits to other mines (field trips), mentoring or reading are not realistic. The learning from all of these is likely to far more than attendance at conferences or training sessions.

An internal report following a significant incident may be more comprehensive than an externally presented one. The learning would probably be superior as it would not be treated as "it couldn't happen here."

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

Allocation of 2 hours for reading or mentoring is unrealistic. An effective manager does more every week, if not every day. It is the outcome that matters. Preparation of management plans, submission of reports and delivery of presentations are more easily measured. Perhaps the best test of mentoring is the candidate's success at examinations.

b) over five years?

There is a need to be able to return to the industry after a gap overseas, interstate, in another part of the company or for personal reasons.

The penalty in section 10 for non-compliance is inappropriate in this case. A concentrated program should be an option to refresh a qualification.

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

The more important question is "are they beneficial?"

Credit for real achievements is both reasonable and practical. Attendance at seminars because points have to be gained is neither.

The 1 in 20 chance that you may be audited is not a satisfactory way to monitor the scheme. Processes need to be approved and the amount of credit awarded must be known before the activity is undertaken. Then the audit checks whether the claims were valid.

The way the scheme is originally proposed, there is a risk that it will create a dash for points, without any beneficial effect.

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

If the points are clearly defined in advance, then a double check system where the provider and the candidate can be cross checked will provide a simple, but easily audited system, that is both reasonable and pract.

If there is no advance accreditation, then the audit may become focussed on the suitability of the program rather than effort to comply. This would be unreasonable if the audit is part of a compliance check initiated for other purposes, such as a potential prosecution.