

Compliance priority report

Training and competence – surface and underground coal mines

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Executive summary

A crucial part of the NSW Resources Regulator's *Incident prevention strategy* involves compliance priority programs for mines and petroleum sites. This involves proactively assessing a topic that is an emerging risk across the industry, that is driven primarily from incident data as well as evolving industry trends. Although these topics may also be contained within the Resources Regulator planned inspection programs, the aim of compliance priority programs is to gather further information and knowledge about how the industry is managing and controlling a specific issue.

This report summarises the assessment findings from the compliance priority program which targeted training and competence and covered 40 mines (both surface and underground) during the period from January 2022 to April 2022. Several key elements were assessed as part of this program and included:

- onboard training requirements
- unsupervised training
- assessment process
- intake rates of new trainees
- trainer qualifications and competencies

Legislative requirements and published guidance relating to training and competence are listed in Appendix A.

Key findings

The results from this assessment program were generally considered to be satisfactory and the majority of mines could demonstrate a robust training program for workers. Some key findings included:

- mines documented systems detailing the training requirements for workers, from those new to the industry through to broadly experienced operators
- the arrangements for operators to be deemed competent to operate plant unaccompanied varied significantly across the sector. More specifically, this varied in terms of the time spent accompanied by a trainer beforehand and the complexity of tasks being undertaken while accompanied.
- the majority of mines used competency-based theory and practical assessments and documented systems of record retention that were accessible and comprehensive
- mines were conscious of the need to limit the number of trainees within discrete workgroups, however there was a wide variance in the documented acceptable proportion of inexperienced to experienced operators at individual mines across the sector. At the time of writing, many mines reported challenges of recruitment and retention of workers for all roles.
- most mines have documented requirements for the qualifications of their trainers and assessors and retain documented evidence of those qualifications.

Recommendations

Many mines could not readily provide details about how they determined what was an acceptable time under direct supervision for each item of mobile equipment. The best practice systems assessed included specific hours of operation required under direct supervision, together with specific activities having to be conducted under direct supervision, during both day and night times.

Documented records of completing these training activities should also be retained.

Specifically for open cut coal mines, practical training of rear dump truck operation should include the trainee being exposed to wet roads under controlled conditions while under direct supervision, so that they may experience loss of traction without unduly elevated risk. Trainees should also be accompanied during their initial exposure to truck operation in the night, as spatial awareness can be significantly impaired without daylight and other challenges, such as fatigue, may be more prevalent.

Notices issued

Of the 40 sites assessed under the inspection program, 3 separate mines were issued notices relating to training and competence, while some mines were issued notices in relation to other matters. For the purposes of this report, contraventions related to other matters have been removed from the analysis. The notices issued for training and competence were examined in detail and Table 1 below lists the notices issued by type and details.

Table 1: Notices issued for the compliance priority program – training and competence – surface and underground coal

NOTICE TYPE	TOTAL ISSUED	NUMBER OF MINES
s.195 prohibition notice	-	-
s.191 improvement notice	2	2
s.23 notice of concerns	1	1
Total	3	3

Table 2 summarises the type of contraventions.

Table 2: Notices issued - prevalence of categories of concern

IDENTIFIED CONCERN CATEGORIES
Absence of a verification process targeted at ensuring that operator training is effective, and equipment is being operated safely and to the site standards.
Review the site appointment of crane operators and riggers to determine if retraining, or training of additional personnel, is required
Mobile plant operator training package and assessment for LHDs did not specifically address all the check items of the operator pre use inspection sheet

Further information

For more information on safety assessment programs, the findings outlined in this report, or other mine safety information, please contact the NSW Resources Regulator:

CONTACT TYPE	CONTACT DETAILS
Email	cau@regional.nsw.gov.au
Incident reporting	To report an incident or injury call 1300 814 609 or log in to the Regulator Portal
Website	www.resourcesregulator.nsw.gov.au/
Address	NSW Resources Regulator 516 High Street Maitland NSW 2320

Appendix A

Legislative requirements and published guidance relating to training and competence

The following is a list of certain legislative requirements for the management of training risks referred to in this report, as provided by the applicable regulations and acts.

- Clause 104: Duty to provide information, training and instruction – WHS (Mines and Petroleum Sites) Regulation 2014
- Clause 107: Review of information, training and instruction – WHS (Mines and Petroleum Sites) Regulation 2014
- Clause 108: Record of training – WHS (Mines and Petroleum Sites) Regulation 2014
- Section 19 (3) (f): Primary duty of care – *Work Health and Safety Act 2011*