

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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Responses to discussion points

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

Response:

Recognition needs to be given for those practising certificate holders currently employed in a full time capacity using that certificate. For those that leave or are not employed in the industry for a period, there are not enough formal or informal opportunities to maintain their certificate.

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

Response:

Agree with the areas of competence and the topics included.
Distribution of hours across the areas of competence is not compatible with the volume of topics in each area.

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

Response:

The type of informal and formal learning is not suitable for the bulk of Statutory tickets. Delivering industry seminars/workshops, presenting papers, publication of learned/peer reviewed papers are not applicable to many levels for MOC such as Deputies and Undermanagers which make up the largest number of Statutory tickets.
The ratio of formal to informal learning is not practical having regard for the current availability of courses, conferences, seminars and workshops. There is also a lack of industry forums for the effective delivery of said presentations/papers.

Recommendation:

Site based training based in the areas of competence that are delivered by subject matter experts should be classified as formal training as per Figure 3, Point 3.

Further clarification is required between the definitions for seminars, workshops and conferences.

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

Response:

Company based training sessions such as legislation, principal mining hazards and site controls are classified as "informal" and therefore contribute to the smaller 33% component. It would be more appropriate if these were classed as formal hours.

Recommendation:

Site based training based upon the areas of competence that are delivered by subject matter experts should be classified as formal training as per Figure 3, Point 3.

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?

Response:

a) per year - response

This model requires more hours at training / seminars than can be claimed. For example NSW Minerals Council Safety Conference is 2 days for max claim of potentially 4hrs for the conference and then 6 hours for specific workshops.
We do not believe there are currently sufficient and relevant industry forums to allow 'all' practising certificate holders to achieve the required hours. The regulator provides an annual one day Electrical and a Mechanical Conference but does not provide a similar mining conference.

Recommendation:

Deputy:

Site based training based upon the areas of competence that are delivered by subject matter experts would be more relevant for maintaining this practising certificate than an industry conference or workshop.

Undermanager:

Learning hours for Undermanagers seem excessive when compared with the Mining engineering manager.

Other practising certificate:

Learning hours would be appropriate if informal training delivered by subject matter experts was included in the overall learning hours.

b) over five years? - response as above

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

Response:

As stated above there are limited industry forums / conferences to achieve the required hours so currently this is impractical. Given the current contraction of the the mining industry this is unlikely to improve in the near future. Company based training should be given more significance and these could be 'audited' by the Regulator as part of log book audits.
The current forums don't cater for the number of ticket holders in the industry, companies could not afford "all" ticket holders off at one time and site based training is likely to be more relevant than conferences and seminars.

Recommendation:

Site based training based upon the areas of competence that are delivered by site subject matter experts should be classified as formal training as per Figure 3, Point 3.

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

Response:

The record keeping requirements for the MOC scheme seem reasonable and practical.

Recommendation:

A standard format for record keeping needs to be supplied to assist operations.

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

Response:

We are not sure that 5% is a statistically viable sample size.

Recommendation:

Audit the Operations process of for maintaining competencies.