

Appendix C – Template for public comment in response to discussion paper for Maintenance of Competence Scheme

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Responses to discussion points

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

This response by Pegasus Management Pty Ltd (Pegasus) only addresses discussion point 6b.

Pegasus is concerned that the proposed governance arrangements in the discussion paper fall considerably behind industry best practice. The proposal is that:

- *Evidence of all MOC activities undertaken during a five- year period are to be retained while ever the person holds a practising certificate for the statutory function. Evidence may include but not limited to certificates, a list of results, records of attendance, employer reports and receipts.*
- *The NSW Department of Industry (Mine Safety) will audit log books and evidence for those individuals renewing their practising certificate by selecting 5% each year for auditing.*
- *Randomly selected verification of log books and evidence will be undertaken by the department.*

We are suggesting that the governance arrangement adopted by the rail industry in the rail industry worker (RIW) program are a template for adoption by the mining industry.

The Rail Industry Worker program is owned and endorsed by the Australasian Railway Association (ARA) on behalf of its members to provide a single national competency management system for those working in rail. This industry led solution has been successfully implemented since March 2012, and ensures rail operators meet regulatory requirements and comply with the National Rail Safety Law.

By law, every contractor and staff member working on the rail network in any capacity must be able to provide proof of competency. The aim of competency management is to minimise the risk of untrained personnel carrying out any work on the Australian rail network. Management of an individual's records and skills sets, training and competencies, along with the production, distribution and control of associated unique competency cards are channelled through the industry leading safety management software, Onsite Track Easy (Onsite), a division of Pegasus.

Onsite is best-of-breed; web-based software that via strategically located hardware and a world class data storage function uses a universal photo identification to monitor staff and contractor access and movement. Onsite provides an accurate and

transparent record of all safety related information allowing a clear and accurate view of any exposure to risk.

Pegasus is suggesting that the mining industry can adopt a similar system to ensure full compliance by employees and their related companies with mining legislation. It will enable mining regulators to:

- View all evidence of all MOC activities undertaken at any time. Systems such as Onsite store all required competencies, including certificates, results, records of attendance, employer reports and receipts. The upload of data is completed online by the competency owner with minimal administration.
- With this information uploaded, the NSW Department of Industry (Mine Safety) can audit either the competencies or log books at any time, and need not be restricted to a 5% sample. We assume that number was selected due to cost, however an online audit that has specific reporting requirements can allow regulators to conduct 100% audits at any time at minimal cost.
- The randomly selection and verification of log books and evidence need no longer need to be undertaken every time by the department. Online audits can replace this requirement.

Pegasus completes these services for the rail industry, and various regulators have administrator access to our software to complete audits of rail operators. Within the mining industry there is already widespread use of systems such as Onsite Track Easy, for use in individual and company compliance by our mining clients. An extension of this to a system similar to that in practice in the rail industry would be relatively straight forward.

Pegasus would welcome discussion with the Department of Industry on issues raised in this proposal.