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.

Name: Murray Timpson

Organisation (if applicable):

Responses to discussion points

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

Response:
* No. The requirements appears broad and requires further clarification regarding acceptable learning. The process appears complicated and of detriment to a holder if they are not clear on the expectations. A simple process is required - maximum hours per type of learning with no other restrictions (e.g. maximum hours per attendance or percentage of learning).
* Considering that the New Zealand competency scheme was only initiated in Janaury 2016, it may be in haste to undertake such a scheme. It is recommended some prudence is required to ensure it has been tested for a number of years before formal rollout in NSW. Perhaps this can be achieved by a transition rollout instead before a formal rollout?
* Public comment response time has been insufficient to allow adequate consideration - due to the January holiday period and public holidays.

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

Response:
* Yes, however further information detailing each area may be required to clarify each topic. This may be achieved by an Appendix.

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

Response:
* The formal hour requirements for all roles are not practical to achieve. The typical holder would not have an opportunity every year to "present" or "publish papers". In addition he/she would not have the time to complete "tertiary qualifications" or "formal training" as well as their full time role. This leaves the holder to attend meetings, seminars/workshops, or conferences to achieve their required hours. Hence it would be difficult and impractical to achieve.
* It is recommended that there is the claimable hours do not have a maximum per attendance. For example, a holder should be able to claim attendance for a full conference rather than a portion. A maximum should only apply on total hours for a type of learning - not attendance. A maximum per attendance makes it difficult once again to practically achieve the hours required and also to administer.
* Appendix B requirements are too stringent. This information is not readily available prior to such courses.
* Section 3 of the table in Section 8.1 refers to Appendix A. Suggest this should instead state Appendix B.

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

Response:
* Considering the proposed criteria for formal claimable hours is restrictive (refer to comments in Section 3a), it is recommended the percentage split should be 50% for each instead.

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 - response
* No. Whilst the areas of competence are integral for the holder, they are not readily available for the holder to learn per the informal or formal processes outlined. For example, it would be difficult for a holder to achieve the required hours per year per area of competence through conferences, workshops etc... They are not readily available. It is suggested the area of competences are broaded and number of hours required are reduced.

b) over five years? - response
* The statement "minimum of 25% of required hours must be earned from topics directly subject related to the area of specialisation" requires further explanation and with examples provided to ensure clarity amongst holders.

5. Are the requirements for certificate holders in the MOC scheme reasonable and practical?
Response: * Suggest a formal yearly review process which allows the holder to ascertain whether they are meeting the requirements. Otherwise the holder may believe they are meeting the requirements and then be informed at the 5 year period that they have not met the requirements of which it will be too late. * Recommend a process for which if a holder has personal issues (e.g. family, leave etc - due to compassionate reasons) that stop them from completing the requirements for an extended time (e.g. maximum of 3 months continuous), he/she may apply for an extension. The requirement may be is that they are still employed during t... period.

6a. Are the record keeping requirements for certificate holders to satisfy in the MOC scheme reasonable and
Response: * Suggest the Engineers Australia Charted e-records be recognised as an acceptable log book. Otherwise the holder may have to administer two registers. * Could the Department create a register similar to that of Engineer's Australia so that there is no ambiguity. * To ensure consistancy and clarity of expectations, it is suggested the scheme includes examples of "evidence" for each type of formal and informal learning. For example, it may be difficult to provide evidence for informal learning.

6b. Are the governance processes proposed by the department adequate to ensure compliance with the MOC scheme by practising certificate holders?
Response: * A 5% audit approach is impractical. A formal approach is required each year to allow the holder to ascertain whether they are meeting the requirements or not - please see comment in Point 5 above. The proposed scheme may result in a large amount of holders finding themselves not meeting the requirements at the 5 year p( )d. * The informal learning types are broad. This will result in various interpretations by holders and Department auditors. It is recommended further criteria, examples of definitions are provided in Appendix format.