

## 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](mailto:consult.minesafety@industry.nsw.gov.au)  
Submissions must be received by the due date of Monday 1 February 2016.

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**Organisation (if applicable): Individual Response**

### Responses to discussion points

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

Response: I agree that a scheme should be in place, however per year, the hours seem to be excessive for what types of learning can be claimed. For those in a rural/remote setting the cost of obtaining such hours to maintain competence would be significant; ie travel, accommodation, leave from work etc. In the current financial climate are companies really expected to expend this amount of money on their workforce to maintain certificates? If individuals were forced to pay for this themselves I believe a lot would not bother and consider leaving the role due to the excessive financial burden. Also, is the level of change in the industry so great that these yearly requirements need to be so high? Is the frequency really such that 24 hours of learning per year is needed? Maybe a reduced level of hours, or over more years is more reasonable. Persons working at a mine who have their managers certificate, but not working as a manager, should be considered as well. Their employer may not think it is necessary for them to attend formal leading and maintain their competence. If this is the case the financial burden of maintaining their certificate will fall upon the individual. This may cost anywhere up to \$20,000+ per year or more to be able to maintain their certificate. This is not reasonable or practical. The intent of the scheme should be to promote the correct application of the legislation and ensure that all people with practising certificates are using them in a safe manner on their mine site. You do not want the scheme to drive people away from holding a certificate due to the time and effort needed every year just to maintain it. This would be especially significant if a persons employer elected NOT to pay for the cost of maintaining a certificate and the financial burden fell upon the individual.

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

The areas of competence are wide and varied which allow a certificate holder to select appropriately for their field. The legislation seems OK, as does emergency management. Leadership should really take place on a mine-site level. If personnel are in a role already that requires a practising certificate, there is already a leadership quality seen in them by their employer. They have almost certainly been through some form of leadership training on site in their role. Does this need to be there?

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

The hours claimable for attending workshops and conferences should be made greater due to the effort that is made to attend these. Anything that involves travel should have more weighting to assist those working in rural/remote settings, or interstate.

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

More hours for informal learning and a drop in formal learning hours should be considered. Certificate holders living in rural/remote areas would need to make a lot more time available (and a spend a lot more time away from work) to attend workshops/conferences in capital cities/regional areas compared to those on the NSW east coast for example.

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 - The hours are very excessive for a yearly basis. There may only be one relevant conference per year etc to go to and the cost to get these hours up would be large. A person can't be expected to be able to attend several of the formal learning types considered every year. It would be a large business impact, as well as a significant financial burden, both personally and to the business.

b) over five years? - Again, the hours are excessive. A reduced number of hours should be considered and more of a focus on quality of competence rather than a number of ways that the hours can be achieved. Maybe a mandatory workshop on the areas once every two years, and offer them through-out NSW to allow rural/remote certificate holders to attend. This workshop may cover legislation, technology advancements etc. What may also be considered is focussed online learning/workshops, concentrating on key issues of change etc in the industry?

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

Response: The requirements seem reasonable however the hours to meet these requirements should be reduced. Consideration should be given to certificate holders who will renew on a pro-rata basis where there may not be a formal learning opportunity for the applicable part of that year, ie at the discretion of the Board etc. For those who don't meet the requirements maybe a smaller refresher examination is done, not a complete written and oral examination as per the first time you sit the exam.

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

Response: The department should have a template log book so all data recorded by the certificate holders is the same. Records should be kept by the individual and sent to the department at the end of each year. A reminder letter would be a good idea.

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

Response: I think the proposed process will satisfy the requirement to manage compliance of the scheme, however the proposed number of hours should be reduced. For persons working in rural/remote areas and travelling from interstate, the financial burden will be significant. Both the individual and their employer (where applicable) will need to expend a lot of energy, cost and time to meet the proposed hours/learning types.