July 2024

Evaluation of practising certificate maintenance of competence scheme

Summary of themes from stakeholder feedback

Online survey responses

- Online survey answers were numeric or on a sliding scale for questions 1 – 9. Text answers were provided to Question 10 regarding potential improvements of the MoC scheme
- Online survey respondents = 73
    - 92% are practicing certificate holders
    - 44 respondents work in coal, 12 quarrying, 12 metal, one training organisation, three other.

Written submissions

- Written submissions were free text
- NSW Resources received 6 in scope written submissions from:
    1. Glencore Coal Assets
    2. Bloomfield Group
    3. Coal Services
    4. Mine Managers Association
    5. Develop Mining
    6. An individual

Summary table

The below summary table provides:

- for the online survey responses:
    - a percentage response for each question
    - for question 5, the strongly agree and somewhat agree responses are combined and presented as a "yes" figure; and the strongly disagree and somewhat disagree responses are combined and presented as a "no" figure .

    Note: The survey percentages do not always add up to 100% as a neutral response is not reported except for question 5. Survey responses agreeing with the question are highlighted green.

- for the written submissions:

  — a summary of the range of responses given

  the summary points for the written submissions may conflict with each other, as they are examples of responses from different respondents.

Table 1: Summary of responses on MoC scheme

Statement / Question	Summary of responses
1. It is important to have consistency in approaches to MoC criteria across relevant Australian jurisdictions	**Online survey** The survey responses are 45% yes; 26% no **Written submissions** - consistency is seen as important between mining states, however not essential. Useful for companies operating across borders - consistency provides a minimum standard between jurisdictions - the scheme should not be made more complex to align with more stringent schemes in other jurisdictions - compliance with other schemes should be recognised (e.g., Engineers Australia; Qld; NZ).

2. The current MoC scheme keeps practising certificate holders up to date with respect to their competencies	**Online survey**
	The survey responses are 51% no; 10% yes
	Written submissions
	   - supporting comments indicate the scheme encourages PC holder to keep up to date in different areas of mine health and safety. - other themes indicate the scheme;
	  i. is difficult for people not in a full time statutory role
	  ii. does not focus enough on specific mining hazards,
	  iii. does not reward those already doing a statutory function and
	  iv. does not focus on learning outcomes (instead it focuses on hours of learning).

3. The current MoC requirements strike the right balance between administrative requirements and	**Online survey** The survey responses are 68% no; 4% yes **Written submissions** The scheme does not have the right balance: - it is too complex and some sites engage external assistance - it requires significant recordkeeping and the retention of

Statement / Question	Summary of responses
the scheme's safety benefits	evidence and the hours consumed outweigh the benefit • it requires hitting multiple areas of learning, multiple types of learning and different restrictions that leads to confusion.
4. The hours of learning over the five-year period are attainable for each of the types of practising certificates.	**Online survey** The survey responses are 47% no; <mark>17% yes</mark> **Written submissions** The hours of learning: • are attainable for those doing a statutory function full time as they have opportunities. • are difficult to attain for those not carrying out the statutory function to access learning hours although they are probably the individuals needing MoC the most.
5. The MoC scheme provide sufficient flexibility for practicing certificate holders to achieve the scheme's objectives? For example, with respect to:	See below…
a. the number hours needed to meet MoC requirements?	**Online survey** The survey responses are 37.5% disagree; 20.8% neutral; <mark>41.6% agree</mark> Note: The percentage agree response for this question is different to the percentage response in question 4 above. **Written submissions** • supporting themes indicate the flexibility of the scheme means it is attainable to achieve the hours • detracting themes indicate because of the flexibility it makes the scheme complex and difficult for some to achieve the hours in the correct areas of learning.
b. the staggered learning approach. (i.e.; the restrictions on the number of hours that can be claimed in a year	**Online survey** The survey responses are 47.9% disagree; 14.1% neutral; <mark>38.1% agree</mark> **Written submissions** The staggered learning approach: • has support as it ensures learning is not undertaken in a rush

Statement / Question	Summary of responses
and the requirement to undertake learning in at least 3 of the 3 years)	• at the end of the five years • has no justification behind the requirements with a maximum of 30% a year and there needs to be a process to consider exceptions • restricts hours of learning that can take place due to the annual caps.
c. the requirement to undertake learning in the 3 specified areas? (8 sub areas), including the minimum/maximum hours for each area?	**Online survey** The survey responses are 47.9% disagree; 18.3% neutral; ==33.8% agree== **Written submissions** The requirements over the areas of learning: • provide a breadth of learning that is currently required for PC holders to maintain competence is supported • is too complex with the mix of mandated areas of learning, making record keeping for compliance and learning plans difficult • should ensure the focus should be on safe mining methods, principal hazards, and legislation • should have fewer or merged areas of learning • is confusing due to the minimums and maximums.
d. the compulsory requirement to undertake a minimum of 7 hours of learning from disasters?	**Online survey** The survey responses are 36.6% disagree; 15.5% neutral; ==47.8% agree== **Written submissions** Compulsory learning from disasters: • should be retained. It needs to be updated and not solely focus on disasters, include fatalities • should have different streams for managers and supervisors • should become part of emergency management and not be compulsory.
e. the proportions of formal and informal learning and the caps on the hours for each?	**Online survey** The survey responses are 45.7% disagree; 27.1% neutral; ==27.1% agree== **Written submissions** The proportion of formal to informal learning: • has some support to retain a mix formal and informal learning as part of the scheme as it provides variety

Statement / Question	Summary of responses
	• ratio is wrong as those not carrying out a statutory function have difficulty accessing informal learning • should not be capped hours on formal / informal learning • need to be reviewed or dispensed with. Managers need to do 80 hours formal learning which too much.
f. the allowable types of learning activities?	**Online survey** The survey responses are 43.6% disagree; 22.5% neutral; <mark style="background-color:#00ff00">33.8% agree</mark> **Written submissions** The allowable types of formal and informal learning: • enables a variety in the types of learning, both formal and informal • should include more opportunities for informal learning on the job than currently exists • should include credit for doing the statutory function • should have more types of formal learning allowable • needs to be reviewed as the variety could be broadened.
g. the caps on hours placed on types of learning activities each year?	**Online survey** The survey responses are 56.3% disagree; 14.1% neutral; <mark style="background-color:#00ff00">29.5% agree</mark> **Written submissions** The caps restricting hours of learning: • should have restrictions on formal learning for seminars removed • should include more credit for on the job learning or made more flexible • are confusing and there are too many limits annually and need to be made more flexible over the five years • make recordkeeping complex.
6. It is appropriate to not allow a carryover of excess hours from when a practising certificate is renewed after five years	**Online survey** The survey responses are 69% no; <mark style="background-color:#00ff00">13% yes</mark> **Written submissions** • allowing the carryover into the first year of excess hours is supported to provide an incentive to keep learning.

Statement / Question	Summary of responses
7. It is easy is it to access the formal and informal learning opportunities required to meet the learning hours.	**Online survey** The survey responses are 74% no; 4% yes **Written submissions** Access to formal and informal learning opportunities: • is not easy for those not working full time in a statutory role • is not adequate for quality formal learning opportunities. What is formal learning should be reviewed • is not adequate for informal learning opportunities as more credit should be given to on the job learning.
8. How easy and efficient is it to record your hours of learning?	**Online survey** • Not asked online **Written submissions** Record keeping is not easy or efficient: • the Regulator's spreadsheet is difficult use and track hours, while the Coal Services app has glitches • some sites employ outside resources to assist in record keeping as PC holders find it difficult • the complexity makes recording hours and keeping evidence time consuming. It is difficult to ascertain if a PC holder is compliant • the Regulator needs to be more open regarding technical non-compliance and record keeping.

9. The Regulator provides sufficient support, guidance and oversight.	**Online survey**
	The survey responses are 81% no; 5% yes
	Written submissions
	• The Regulator should be providing;
	  i. more support for record keeping with a modern app or spreadsheet
	  ii. more formal learning opportunities such as webinars and online packages
	  iii. better and specific guidance targeted at varying statutory functions.
	• Releasing staff at the same time for formal face to face training can be difficult so online webinars and courses would enable a staggered release.