

Accreditation policy

ADDITIONAL CLASS APPLICATIONS –
High Risk Work Licence Assessor

Contents

Introduction	4
Policy statement	4
Using this policy	4
1. Why you need accreditation	4
2. Who may apply?	4
3. Accreditation requirements	5
3.1. HRWL	5
3.2. National police check and probity questions	5
3.3. Training and assessment qualification	6
3.4. Training and/or assessment experience	6
3.5. Operational experience in the class of HRW	6
3.6. Online module – Ethical conduct and professional behaviour	7
3.7. HRW class knowledge examination	7
3.8. Standards for RTO's 2015 requirements	8
4. Granting or refusing accreditation	8
4.1. SafeWork NSW decision	8
4.2. Mapping of accreditation requirements to Regulation	8
5. Application process	9
5.1. Number of classes per application	9
5.2. Fees	9
5.3. Application stages	9
5.4. Application parts	9
5.5. Application acceptance	10
5.6. Requests for additional information	10
5.7. Contacting your Referees	10
5.8. Application timeline	10
5.9. Application refunds	10

Introduction

The accreditation of Assessors provides a consistently high standard of assessment of persons seeking to apply for a high risk work licence (HRWL).

A HRWL authorises a person to carry out specified classes of high risk work (HRW). It provides assurance to persons conducting a business or undertaking (PCBUs), industry and the community that an individual has the necessary skills and knowledge to perform the work competently, which in turn contributes to the safety of NSW workplaces.

Before applying to SafeWork NSW (the Regulator) for a HRWL, a person must be assessed and deemed competent by an accredited HRWL Assessor.

Policy statement

This policy outlines the mandatory requirements, which must be met for accreditation to be granted by the Regulator with regard to the *Work Health and Safety Regulation 2017* (the Regulation).

The accreditation requirements are a combination of items, explicit in the Regulation, or as mandated by the Regulator in this policy.

The requirements are directly mapped to the matters set out in the Regulation – specifically R118(2)(a)(i), (ii) and (iii). Refer Section 4.2 of this policy for further details.

Using this policy

This policy will assist a HRWL Assessor (the applicant) seeking to add an additional class to their existing accreditation in NSW.

It is recommended that you read this document, in full, prior to completing and submitting your additional class application.

Throughout this document, you will see references to relevant clauses within the Regulation. These clauses will be represented in the following way:

Clause 118 of the Regulation = [R118]

1. Why you need accreditation

A HRWL assessment can only be conducted in NSW by an SafeWork NSW Accredited Assessor.

The Regulation provides that a person who is not an accredited assessor must not conduct an assessment or issue a notice of satisfactory assessment or in any other way hold themselves out to be an accredited assessor [R113].

Under Section 43 of the *Work Health and Safety Act 2011* (the Act) it is an offence to carry out work if the Regulation requires the person carrying out the work to be authorised and the person is not so authorised.

Accreditation is by class of HRW. You can only conduct assessments in a class or classes you are accredited for.

After obtaining initial accreditation, a HRWL Assessor may apply to the Regulator to add additional classes to their accreditation.

2. Who may apply?

Only individuals may apply for accreditation as an assessor [R115] and [R118(6)].

An applicant for accreditation must be at least 18 years of age [R118(6)].

3. Accreditation requirements

As a current HRWL Assessor in NSW, you will have already met the following three (3) requirements:

- Training and/or assessment qualification.
- Online module for ethical conduct and professional behaviour.
- National police check and probity questions.

These requirements will have been deemed as satisfied during:

- a previous application by you for new accreditation, or
- an application for renewal of your assessor accreditation, or
- a previously completed mandatory assessor training activity.

These requirements will therefore not form part of the additional class application process but will form part of the application decision (refer to Section 4.1) and are explained in this section for your information.

3.1. HRWL

You must hold a current HRW operator's licence for the class of HRW you are applying for accreditation in.

An encompassed class on your HRW licence, that is part of a hierarchy of classes, will be accepted. For example, the class of Vehicle Loading Crane (CV) is encompassed in the licence class Slewing mobile crane—with a capacity up to 20 tonnes (C2). If you hold a HRW licence in the class of C2, you may use your HRWL to apply for accreditation in the class of CV.

See Schedule 3 of the [Regulation](#) for classes of HRW and encompassment.

This requirement is mandated by the Regulation [R118(6)(b)] and enables SafeWork NSW to establish that you are qualified to conduct the competency assessment to which the application relates [R118(2)(a)(i)].

Important note: to demonstrate sufficient operational experience (see section 3.5) SafeWork NSW requires you to have held the HRW class on your operator's licence for at least two (2) years in the last ten (10) years.

3.2. National police check and probity questions

National Police Check

Following Independent Commission Against Corruption (ICAC) initiated reforms resulting from the June 2004 *'Report on investigation into safety certification and training in the NSW construction industry'*, you are required to provide consent to SafeWork NSW to a National Police Check.

This consent authorises SafeWork NSW to conduct a National Police Check on you, to determine if you are suitable to conduct services as a HRWL Assessor in NSW. Strict privacy requirements are adhered to and there are exemptions as to what convictions SafeWork NSW may access.

A criminal record will not automatically lead to a refusal of your application however, this requirement contributes towards SafeWork NSW being satisfied you are able to ensure compliance with any conditions that will apply to your accreditation [R118(2)(a)(iii)].

Your application may be refused if you have been convicted of any offence under Australia workplace health and safety legislation [R119] or any criminal offence (R118(3)) within the past ten (10) years.

Probity questions

You must answer a series of probity questions [R119]. The questions relate to:

- matters related to work health and safety; and
- the delivery of training and/or assessment services; and
- matters related to a previously held HRWL Assessor Accreditation.

This requirement contributes towards SafeWork NSW being satisfied that you are able to ensure compliance with any conditions that will apply to your accreditation [R118(2)(a)(iii)].

3.3. Training and assessment qualification

You must hold a current and relevant training and assessment qualification which meets the requirements set out in Clause 1.15 of the Standards for Registered Training Organisations (RTOs) 2015 (RTO Standards).

This requirement is mandated by the Regulation [R118(6)(a)] and enables SafeWork NSW to establish that you are qualified to conduct the competency assessment to which the application relates [R118(2)(a)(i)].

3.4. Training and/or assessment experience

You must be able to demonstrate training and/or assessment experience that has occurred within the last 12 months.

You must provide **one** of the below:

- a. evidence that you have conducted three (3) HRWL assessments in the last 12 months, either in NSW or another jurisdiction within Australia

OR

- b. evidence of training and/or assessment experience that has occurred within the last 12 months.

If you select (b) from above, your experience must be able to be validated with a referee.

This requirement enables SafeWork NSW to establish that you have current knowledge and skills in vocational training and learning (Clause 1.13(c) of the RTO Standards) and are qualified to conduct the competency assessment to which the application relates [R118(2)(a)(i)].

3.5. Operational experience in the class of HRW

You must be able to demonstrate operational experience that meets the following:

- a minimum of two (2) years' experience that is within the last ten (10) years; and
- a minimum of 35 hours of experience that is within the last 2 years; and
- shows a broad scope of operational experience relevant to the HRW class.

For the purpose of Assessor Accreditation, Operational Experience is

- a. work that requires the person to hold the relevant HRW licence class in order to perform such work, AND
- b. made up of relevant tasks and/or activities across a range of work within the class of HRW.

For example, forklift operational experience may include driving a forklift within a safe work zone, loading and unloading items from a truck, transporting the loads to specific destinations, and placing loads into safe and compliant racking.

For some classes of HRW, operational experience may also include activities that support another person's operation of HRW plant and equipment. This means doing things like directing an operator, inspecting equipment prior to and after use, and ensuring other operator's perform work in accordance with safety protocols.

Scope of operational experience

The scope of your operational experience is an important consideration for SafeWork NSW. Scope means the extent of your experience in the relevant HRW. You should describe the range of the operational work you have undertaken. This means telling us about a variety of activities, tasks and jobs to best show how broad your experience is.

If SafeWork NSW considers your experience is too narrow or limited, your application will be refused.

Operational experience from a Vocational Education and Training (VET) setting

SafeWork NSW will not accept experience only gained within a VET setting for the purposes of granting accreditation. Operational experience gained within a VET setting (i.e. delivering training for an RTO) occurs in a controlled environment and does not require a person to demonstrate a breadth of skill or practical activity such as they would encounter if they were using the equipment or machinery in an operational work environment. As such, operational experience gained only within a VET setting is too narrow in scope for consideration by SafeWork NSW.

Use of HRW plant and/or equipment while delivering training or assessing is **not considered operational experience**. For example, driving a forklift to a designated training area for a training course is not operational experience.

Operational experience which can be validated

Your experience must be able to be validated with your referees.

This requirement enables SafeWork NSW to establish that you hold sufficient, current, and required knowledge and skills about HRW plant and equipment, necessary for a HRWL Accredited Assessor to competently conduct an assessment [R118(2)(a)(ii)].

3.6. Online module – Ethical conduct and professional behaviour

You must successfully complete an online module for Ethical Conduct and Professional Behaviour. The pass mark is 90%.

You will have a maximum of three (3) attempts to achieve the required pass mark.

If you fail to achieve a mark of 90% or greater following three attempts, your application will be refused.

An invitation and access instructions will be emailed to you so you can access the internet-based learning platform and complete both the training and assessment components.

This requirement contributes towards SafeWork NSW being satisfied that you are able to conduct the competency assessment to which the application relates competently [R118(2)(a)(ii)] and are able to ensure compliance with any conditions that will apply to your accreditation [R118(2)(a)(iii)].

3.7. HRW class knowledge examination

You must satisfactorily complete a HRW class specific written knowledge exam. The pass mark is 100%.

You will be offered one re-sit of the exam if you fail to pass on your first attempt, but only if the mark achieved is greater than or equal to 80%.

If you fail to achieve a mark of 80% or greater on your first attempt, your application will be refused.

The knowledge exam takes place using Microsoft Teams and is completed in real time. You will be provided with an allocated date and time to undertake the exam.

This requirement enables SafeWork NSW to establish you hold sufficient, current, and required knowledge about HRW plant and equipment, necessary for a HRWL Accredited Assessor to competently conduct an assessment [R118(2)(a)(ii)] and are able to ensure compliance with any conditions that will apply to your accreditation [R118(2)(a)(iii)].

3.8. Standards for RTO's 2015 requirements

You must demonstrate that you hold competencies, skills and knowledge in accordance with the RTO Standards [R118(6)(a)].

SafeWork NSW will determine you meet these requirements via the assessment of other accreditation requirements as follows:

RTO Standards requirement:	SafeWork NSW accreditation requirement:
1. Relevant vocational competencies at least to the level being assessed	HRWL in the relevant class (see section 3.1) Note: where the licence class is encompassed, you must supply a Statement of Attainment for the relevant UOC)
2. Current industry skills directly relevant to the assessment being undertaken;	Operational Experience (see section 3.5)
3. Current knowledge and skills in vocational training and learning that informs your training and assessment	Training and/or Assessment Experience (see section 3.4)

4. Granting or refusing accreditation

4.1. SafeWork NSW decision

In deciding to grant accreditation, SafeWork NSW must be satisfied of the following matters.

Specifically, that you are:

- qualified to conduct the competency assessment to which the application relates [R118(2)(a)(i)], **and**
- able to conduct the competency assessment to which the application relates competently [R118(2)(a)(ii)], **and**
- able to ensure compliance with any conditions that will apply to the accreditation [R118(2)(a)(iii)].

If SafeWork NSW is not satisfied of one or more of the above matters, your application will be refused.

4.2. Mapping of accreditation requirements to Regulation

The table below shows the mapping of accreditation requirements to Regulation matters in order for SafeWork NSW to determine whether or not to grant accreditation.

Table 1. Mapping of requirements to Regulation matters

Requirement	Qualified to conduct competency assessment R118(2)(a)(i)	Able to conduct the competency assessment R118(2)(a)(ii)	Able to ensure compliance with any conditions accreditation R118(2)(a)(iii)
Current HRWL in relevant class	✓		
National police check and probity questions			✓
Training and/or assessment qualification	✓		
Training and/or assessment experience	✓		
Operational experience in the class of HRW		✓	
Online module for ethical conduct and professional behaviour		✓	✓
HRW class knowledge exam		✓	✓
Standards for Registered Training Organisations 2015 (RTO Standards) requirements	✓		

5. Application process

5.1. Number of classes per application

You can apply for additional accreditation in one (1) class of HRW.

You may have two (2) active applications at any one time.

5.2. Fees

You must pay the relevant application fee [R116(3)].

The SafeWork NSW Fee Schedule is available at <https://www.safework.nsw.gov.au/resource-library/licence-and-registrations/licensing-fees>

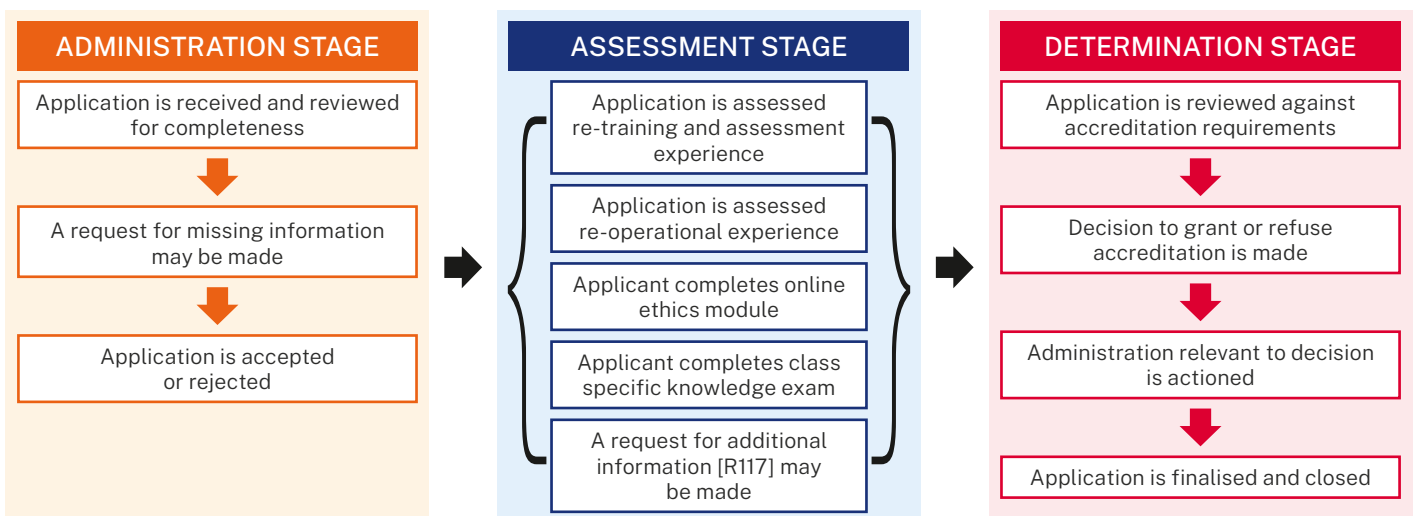
Payment of the application fee is via the SafeWork NSW payment portal. You can pay using a credit card or PayPal.

5.3. Application stages

Your application will progress through three (3) keys stages:

1. Administration
2. Assessment
3. Determination

A range of activities are conducted at each stage – see diagram below.



5.4. Application parts

The application process has two parts:

Part 1: Written Application

You must complete the relevant application form and submit it along with supporting evidence for review [R116(1)].

Part 2: Applicant Assessment

You must successfully complete a written HRW class-specific knowledge exam.

5.5. Application acceptance

An application for accreditation must be made in the manner and form required by the Regulator [R116(1)].

Your application must be on the relevant form, correctly completed, contain all of the required information and supporting evidence, and be accompanied by payment of the correct fee. The 'How to apply' manual available on the SafeWork NSW website provides instructions on how to complete and submit an application. Applications must be emailed to tacs@safework.nsw.gov.au

Your application will be reviewed when received. If it is **complete**, your application will be accepted for assessment, and you will be notified via email.

If it is deemed to be **incomplete**, you will be given an opportunity to rectify your application. SafeWork NSW will advise you of actions you must complete by a specified date. If you do not complete the actions as required, your application will not be accepted on the basis that it does not meet the manner and form requirements of the regulator. You may be issued with a partial refund in this case.

5.6. Requests for additional information

Once your application has progressed to the assessment stage, SafeWork NSW may request additional information [R117] where your application does not contain sufficient information to enable a decision whether or not to grant accreditation.

The request will specify a timeframe in which you must supply the information.

If you supply the information by the required date, your application will proceed.

If you do not supply the information by the required date, your application is taken to be withdrawn [R117(3)] and will not proceed. A withdrawn application is not eligible for internal review or a refund.

5.7. Contacting your Referees

SafeWork NSW will contact your referees to discuss your experience as part of the application assessment process.

If SafeWork NSW is unable to verify your experience, your application will be refused.

5.8. Application timeline

Your application will take approximately ten (10) weeks to be assessed and finalised in instances where the application is deemed complete and there are no requests for further information. This includes the assessments you must undertake.

Note: This processing time is indicative only and is based on SafeWork NSW receiving a complete application from you, and you completing the required assessments in the timeframes we require. If we ask for additional information from you, or you need more time to complete your assessments, this will extend the time it takes to finalise your application.

5.9. Application refunds

Application rejected as incomplete (not accepted by SafeWork NSW)

You will receive a partial refund if your application is deemed incomplete and not accepted during the administration stage. The refund will be 75% of the fee.

Application withdrawn by you

You will receive a partial refund if you withdraw your application by making a written request to do so. If the withdrawal occurs prior to the application progressing to assessment stage, the refund will be 75% of the fee.

If you withdraw your application after the assessment stage, no refund is applicable

Application withdrawn under R117(3)

If you fail to supply requested additional information during the assessment stage by the due date, your application is “taken to be withdrawn” per R117(3) and no refund is applicable.

Disclaimer

This publication may contain information about the regulation and enforcement of work health and safety legislation in NSW. It may include some of your obligations under some of the legislation that SafeWork NSW administers. To ensure you comply with your legal obligations you must refer to the appropriate legislation.

Information on the latest laws can be checked by visiting the NSW legislation website www.legislation.nsw.gov.au

This publication does not represent a comprehensive statement of the law as it applies to particular problems or to individuals or as a substitute for legal advice. You should seek independent legal advice if you need assistance on the application of the law to your situation.

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