

# Conditions of Accreditation for High Risk Work Licence Assessors to Conduct High Risk Work Licence Assessments in NSW under the *Work Health and Safety Regulation 2017* [NSW]

Effective from 1 October 2022

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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.

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# 1. Definitions and interpretation

## 1.1. Definitions

In these *Conditions of Accreditation for Assessors to Conduct High Risk Work Licence Assessments in NSW under the Work Health and Safety Regulation 2017 [NSW]* (the Conditions), the terms below have the following meaning:

Term	Meaning
Accreditation	An authorisation provided by SafeWork NSW to a person who meets the requirements of Part 4.5 of the WHS Regulation to conduct HRWL Assessments in NSW.
ASQA	The Australian Skills Quality Authority or any equivalent national regulator for vocational education and training (VET).
ASQA Standards	The Standards for Registered Training Organisations (RTOs) 2015 available at <a href="http://www.asqa.gov.au/about/australias-vet-sector/standards-for-registered-training-organisations-%28rtos%29-2015.html">http://www.asqa.gov.au/about/australias-vet-sector/standards-for-registered-training-organisations-%28rtos%29-2015.html</a>
Assessment Instrument Assessment Summary (AIAS)	A record, available in the Safe Work Australia Guide for Assessors and each NAI, that is completed by a HRWL Assessor when conducting a Partial or Cumulative HRWL Assessment to provide to the Candidate at the conclusion of each day of assessment showing the Candidate's details and the Candidate's HRWL Assessment outcome(s) for each assessment component.
Assessment Summary (AS)	A record completed by a HRWL Assessor of a Candidate's details and the Candidate's HRWL Assessment outcomes.
Assistant	A person who holds the relevant HRWL for rigging, dogging or crane operation and assists a HRWL Assessor conduct a HRWL Assessment.
Bribe	A Public Official receiving or being offered an undue reward in order to influence that person's performance of their duty and to act contrary to accepted rules of honesty and integrity.
CA1 Form	The Candidate form to apply for a HRWL Assessment available at <a href="#"><u>Assessment by a SafeWork NSW Accredited Assessor for a National Licence to Perform High Risk Work – Application</u></a> .
Calculations Assessment	The component of the NAI that assesses a Candidate's competency to perform the calculations required to undertake the specified HRW safely.
Candidate	A person who is: <ol style="list-style-type: none"><li>1. enrolled, trained and assessed by an RTO in an Approved Training Course; and/or</li><li>2. assessed by a HRWL Assessor for the purpose of obtaining a HRWL.</li></ol>
Certificate of Competency	The certificate issued by the RTO to a Candidate that certifies the Candidate has successfully completed the relevant Approved Training Course, either in the form of a Statement of Attainment or as otherwise specified.
Collusion	A secret agreement for a fraudulent purpose.
Competent	The assessment outcome when a Candidate has satisfactorily completed the required components of the NAI for the HRWL class being assessed.

Term	Meaning
Compliance Notice	An administrative notice issued by SafeWork NSW to a HRWL Assessor for a Non-compliance with the Conditions where the Non-compliance can be rectified.
Conditions	The <i>Conditions of Accreditation for HRWL Assessors to conduct HRWL assessments in NSW under the Work Health and Safety Regulation 2017 [NSW]</i> .
Conflict of Interest	The private interests of a Public Official come into, or can be perceived to come into, conflict with their duty to act in the public interest.
Corrupt Conduct	Deliberate or intentional wrongdoing by or involving a Public Official (not negligence or a mistake).
Cumulative Assessments	A RTO notified HRWL Assessment where circumstances arise that are beyond the control of the HRWL Assessor and/or Candidate and which cause the HRWL Assessment to be completed in parts over more than one day, but not more than seven days and on no more than three occasions.
Fraud	An intentional dishonest act or omission done with the purpose of deceiving.
Gift	Something offered to or received by a Public Official for a fraudulent purpose.
Guide for Assessors	The Safe Work Australia nationally mandated guide for HRWL Assessors (and RTOs) to promote and achieve national consistency of HRWL Assessments.
Guide for HRWL Assessors	SafeWork NSW <i>Guide for HRWL Assessors Conducting HRWL Assessments in NSW</i> to assist HRWL Assessors understand and meet their obligations under the Regulation and Conditions.
Guide for RTOs	SafeWork NSW <i>Guide for RTOs Delivering Training and Assessment Services in NSW under the Work Health and Safety Regulation 2017 [NSW]</i> to assist RTOs understand and meet their obligations under the Agreement entered into with SafeWork NSW to deliver the services in NSW.
High Risk Work (HRW)	The scheduled high risk work as prescribed in Schedule 3 of the Regulation, <i>High risk work licences and classes of high risk work</i> .
High Risk Work Licence (HRWL)	A licence issued under Part 4.5 of the WHS Regulation for one or more of the HRW licence classes prescribed in Schedule 4 of the Regulation, <i>High risk work licences – competency requirements</i> .
HRWL Assessment (Assessment)	An assessment conducted to the national requirements by a SafeWork NSW accredited HRWL Assessor to determine a Candidate's competency to apply for and be granted a licence in a class of HRW.
HRWL Assessor (Assessor)	A person accredited by SafeWork NSW under Part 4.5 of the Regulation to conduct HRWL Assessments in the HRWL class or classes for which that person is accredited.
Knowledge Assessment	The component of the NAI that assesses a Candidate's knowledge required to undertake the specified HRW safely.
National Assessment Instrument (NAI)	The confidential mandated national assessment instrument published by Safe Work Australia for a HRWL Assessor to assess and determine a Candidate's competency to apply for and be granted a licence in a class of HRW.
Non-compliance	Where a HRWL Assessor is found to be in breach of the Conditions.
Not Yet Competent	The assessment outcome when a Candidate has not satisfactorily completed one or more components of the NAI (i.e. Knowledge and/or Calculations and/or Performance).
Notice of Satisfactory Assessment (NSA)	The certification provided by a HRWL Assessor to a Candidate who has successfully completed a HRWL Assessment and which is used by the Candidate to apply for a HRWL in the licence class assessed.
NSA/AS	The Notice of Satisfactory Assessment/Assessment Summary form.

Term	Meaning
Online Environment (OLE)	The online portal that RTOs must access and use to manage the scheduling, notification and/or lodgement of their Approved Training Courses and/or assessments.
Partial Assessment	An RTO notified HRWL Assessment that is planned to be conducted in parts over more than one day, but not more than seven days and on no more than three occasions.
Performance Assessment	The component of the NAI that assesses the Candidate's competency to perform the specified HRW to the required standard.
Person Conducting a Business or Undertaking (PCBU)	Means as defined in section 5 of the <i>Work Health and Safety Act 2011 [NSW]</i> .
Personal Information	Has the same meaning in the Privacy Laws.
Privacy Laws	Means: <ol style="list-style-type: none"> <li>1. the <i>Privacy and Personal Information Protection Act 1998 (NSW)</i></li> <li>2. the <i>Privacy Act 1988 (Cth)</i></li> <li>3. the <i>Health Records and Information Privacy Act 2002 (NSW)</i></li> <li>4. any applicable codes of conduct or directions issued under the <i>Privacy and Personal Information Protection Act 1998 (NSW)</i>, the <i>Privacy Act 1988 (Cth)</i>, or the <i>Health Records and Information Privacy Act 2002 (NSW)</i>; and</li> <li>5. all other applicable laws relating to Personal Information.</li> </ol>
Public Official	Means as defined in section 3 of the <i>Independent Commission Against Corruption Act 1988 [NSW]</i> , being an individual having public official functions or acting in a public official capacity.
Public Service Commission (PSC)	A NSW Government agency that supports the Public Service Commissioner to carrying out their functions under the <i>Government Sector Employment Act (GSE) 2013</i> .
Reassessment	A further HRWL Assessment of a Candidate who has previously been deemed to be 'Not Yet Competent' in one or more components of the NAI (i.e. Knowledge and/or Calculations and/or Performance).
Registered Training Organisation (RTO)	An organisation that: <ol style="list-style-type: none"> <li>1. is listed as a registered training organisation on the National Register established under the <i>National Vocational Education and Training Regulator Act 2011 (Cth)</i>; and</li> <li>2. has entered into an Agreement with SafeWork NSW to deliver training and conduct assessments.</li> </ol>
Regulation	The <i>Work Health and Safety Regulation 2017 [NSW]</i> , including any amendments.
Regulator	SafeWork NSW or any equivalent NSW regulator for work health and safety (WHS), including SafeWork NSW's representatives.
RTO Conditions	The <i>Conditions for Registered Training Organisations delivering HRW Training and HRWL Assessments in NSW under the Work Health and Safety Regulation 2017 [NSW]</i> .
Statement of Attainment (SOA)	The Nationally Recognised Training statement issued to a person by an RTO that certifies the person has satisfied the requirements of the unit/s of competency specified in the statement.
Statement of Training Completion (STC)	A document provided by the RTO to a HRW Training Candidate to certify the Candidate has successfully completed the class of HRW Training and is deemed competent to undertake a HRWL Assessment.
Training	The training and assessment delivered by an RTO to enable a Candidate to be trained and assessed against a unit or units of competency and, if determined to be competent: <ol style="list-style-type: none"> <li>1. be issued a Certificate of Competency; or</li> <li>2. in the case of HRW, apply to undertake a HRWL Assessment.</li> </ol>

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## 2. Introduction

Part 4.5 of the *Work Health and Safety Regulation 2017 [NSW]* (the Regulation), requires a person wishing to perform prescribed high risk work (HRW) to be appropriately trained and assessed as competent before they can apply to SafeWork NSW for a HRW licence (HRWL).

SafeWork NSW accredits HRWL Assessors under Part 4.5, Division 2, of the Regulation to achieve a consistently high standard of assessment of persons who wish to apply for a HRWL.

The Conditions are imposed on an accreditation under clause 121 of the WHS Regulation, which provides for SafeWork NSW to impose conditions on the accreditation of a HRWL Assessor.

A HRWL Assessor (an Assessor) must comply with the Regulation and the Conditions.

The objective of the above requirements is to promote government, industry, Candidate and public confidence in the HRWL Assessment, application and grant process, and to protect the health and safety of workers and other people.

The Conditions should be read in conjunction with:

- the national *Guide for Assessors* and NAIs published by Safe Work Australia
- SafeWork NSW's *Guide for HRWL Assessors Conducting HRWL Assessments in NSW*, as may be amended from time to time; and
- any additional conditions SafeWork NSW has imposed on an Assessor's Accreditation.

It is an offence under Section 45 of the *Work Health and Safety Act 2011 [NSW]* (the Act) for an Assessor to fail to comply with a condition of their Accreditation.

SafeWork NSW may suspend or cancel an Assessor's Accreditation under clause 134 of the Regulation if the Assessor:

- is no longer qualified to conduct a HRWL Assessment (an Assessment) specified in the assessor's accreditation document
- is not able to conduct an Assessment competently
- has failed to comply with a condition imposed on their accreditation

- in their application for the grant or renewal of accreditation or on request by SafeWork NSW for additional information:
  - a. gave information that was false or misleading in a material particular; or
  - b. failed to give any material information that should have been given in that application or on that request.

In addition to the Act, the Regulation and the Conditions, an Assessor may have other responsibilities and obligations under the following legislation:

- *Work Health and Safety Act 2011* (WHS Act)
- *Work Health and Safety Regulation 2017* (WHS Regulation)
- *Privacy and Personal Information Protection Act 1998* (PPIP Act)
- *Anti-Discrimination Act 1977* (AD Act)
- *State Records Act 1998* (SR Act)
- *Independent Commission Against Corruption Act 1988* (ICAC Act)
- *Vocational Education and Training Regulator Act 2011* (VETR Act).
- *Copyright Act 1968* (Copyright Act).

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# 3. Commencement

The Conditions commence on 1 October 2022.

## 4. Code of conduct

### 4.1. Ethical and professional behaviour

1. An Assessor must demonstrate professional behaviour, be fair, honest and impartial at all times in their role as an Assessor, and promote SafeWork NSW and its initiatives in a positive manner, including when dealing with licence Candidates, members of the public, RTOs and SafeWork NSW.
2. An Assessor must deliver all HRWL Assessment services to the performance standards described in the Conditions, the mandated National Assessment Instruments (NAIs) and National Assessment Instruments Guide for Assessors (Volumes 1 & 2 if applicable).

### 4.2. Fraud and corruption

3. An Assessor must immediately report to SafeWork NSW any:
  - a. fraudulent or Corrupt Conduct associated with any HRWL Assessment; or
  - b. behaviour they become aware of by any other person that is contrary to the Conditions; or
  - c. any suspicion or reasonable belief that an assessment process may be or has been compromised, including due to Assessment administration by an RTO or another Assessor, or misconduct by a Trainer or Candidate.

### 4.3. Bribes and gifts

4. An Assessor must not accept any Bribe or Gift and must immediately report any attempted Bribe first to the Police and then to SafeWork NSW in writing, with details including the Police event number, the date, time, location, what occurred, the person(s) involved and what was said or done.
5. An Assessor must immediately terminate an Assessment if the Assessor is offered a Bribe by any party prior to or during an Assessment.

### 4.4. Collusion

6. An Assessor must not collude with an RTO, an Assessment Candidate, the Candidates' Person Conducting a Business or Undertaking (PCBU), or any other party regarding an Assessment or its outcome.

### 4.5. Conflict of interest

7. An Assessor must not conduct an Assessment if there is a conflict or perceived conflict of interest associated with any part of the process for a Candidate to obtain a HRWL.

### 4.6. Dangerous or unsafe work practices

8. An Assessor must not conduct an Assessment in a manner that compromises the health and safety of a Candidate or others.



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## 4.7. Drugs and alcohol

9. An Assessor must not conduct an Assessment if there is evidence that a Candidate is impaired by any alcohol, drugs or substances.

## 4.8. Discrimination

10. An Assessor must comply with NSW anti-discrimination legislation when conducting an Assessment and related activities.

## 4.9. False declarations

11. An Assessor must not make false or misleading declarations, either verbally or in writing, while performing their role as an Assessor or during the delivery of assessment services more generally. It is an offence under Section 268 of the WHS Act for a person to give false or misleading information.

## 4.10. Privacy and confidentiality

12. An Assessor must not act or engage in any practice:
  - a. that would breach any of the Assessor's obligations under Privacy Laws; or
  - b. which if done or engaged in by SafeWork NSW, would breach any of SafeWork NSW's obligations, under any Privacy Laws.
13. An Assessor must keep all Candidate Personal Information confidential and in a secure manner. Assessors may only disclose Candidate Personal Information, such as personal details and Assessment records, to other persons as prescribed by law.
14. Assessors must not obtain and relay Candidate health information to SafeWork NSW unless explicitly requested by SafeWork NSW and the Candidates' approval is obtained.

## 4.11. Public comment

15. An Assessor must not make public comments that appear to be an official comment on behalf of SafeWork NSW or the NSW Government.

## 4.12. Unreasonable behaviour

16. An Assessor must not engage in obstructive or unreasonable behaviour. It is an offence under Sections 188 and 190 of the WHS Act for a person to intentionally hinder or obstruct an inspector or to directly or indirectly assault, threaten or intimidate, or attempt to assault, threaten, or intimidate, an inspector or a person assisting an inspector.

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# 5. Operational requirements

## 5.1. Accreditation

17. An Assessor must maintain the required qualifications, vocational education and training competencies and current industry operator skills and knowledge, as per the ASQA Standards and SafeWork NSW's Assessor accreditation application requirements, for their Accreditation to remain current and to conduct an Assessment in NSW.
18. An Assessor must attend SafeWork NSW information and training sessions if advised by SafeWork NSW that the sessions are mandatory.
19. An Assessor must only conduct an Assessment in NSW using their NSW Accreditation and NSW HRWL Assessment administrative materials.
20. An Assessor must not conduct an Assessment:
  - a. in NSW using an accreditation granted or materials provided by another Australian jurisdictional regulator; or
  - b. in another Australian jurisdiction using an accreditation granted or materials provided by SafeWork NSW.
21. An Assessor must have their SafeWork NSW Accredited Assessor Photo ID card available at all HRWL Assessments and only conduct an Assessment in a HRWL Class for which they hold NSW Accreditation.
22. An Assessor must notify SafeWork NSW within 14 days of any:
  - a. change to their contact details; and
  - b. events or substantial change that might compromise or impact the Assessor's ability to conduct HRWL Assessments to the required standard.
23. To be eligible for renewal, an Assessor must conduct at least nine (9) separately notified HRWL Assessments within each 3-year Accreditation period.

## 5.2. RTOs

24. An Assessor must be affiliated with one or more SafeWork NSW approved HRW RTOs for whom the Assessor can conduct HRWL Assessments.

## 5.3. Copyright

25. An Assessor must not amend Safe Work Australia or SafeWork NSW copyrighted material without written permission from SafeWork NSW.

## 5.4. NSA/AS books and forms

26. An Assessor must keep all allocated NSA/AS books safe and secure, the books can only be used and completed by the Assessor, and the books must remain under the control of the Assessor at all times.
27. An Assessor is the only person authorised to issue an NSA/AS from their allocated book and must not sign and issue an NSA/AS unless the HRWL Assessment has been undertaken in accordance with the Regulation, the Conditions, the relevant NAI and the Guide for Assessors.
28. In the event of the surrender or expiry of Accreditation, an Assessor must within 21 days:
  - a. securely return to SafeWork NSW:
    - i. any unused NSA/AS books; and
    - ii. any partially used NSA/AS books, and
    - iii. their accredited Assessor photo ID card; and
  - b. destroy all hard copies and/or delete all soft copies of any Assessor and Candidate NAIs; and
  - c. advise SafeWork NSW in writing that the above has occurred.

**Note:** The Assessor must retain all other records as required by the Conditions.

## 5.5. Pre-assessment

29. An Assessor must review the evidence provided by the RTO, prior to commencing an RTO notified Assessment, to confirm that:
  - a. the Candidate is enrolled in the recognised course of training for the class of HRWL to be assessed

- b. the Candidate has been assessed against the relevant Unit of Competency and is deemed competent to undertake a HRWL Assessment
  - c. the RTO has confirmed all of the resources required to conduct an Assessment in the class of HRWL are readily available and safe for use, including the site/venue, plant, equipment, and/or materials; and
  - d. the Assessor is able to make this information available to SafeWork NSW if so requested.
30. Prior to commencing an Assessment, an Assessor must confirm the site/venue, plant, equipment, and/or materials available for the Assessment meet the requirements prescribed in the relevant NAI and the Guide for Assessors.
31. An Assessor must not conduct an Assessment if the RTO does not provide the evidence required to complete Condition 29 or if the full Assessment requirements cannot be met.
32. An Assessor must not conduct an Assessment if they know, suspect or reasonably believe that any information provided by the Candidate, RTO or trainer in support of their application for an Assessment may be false or misleading.
33. An Assessor must immediately report any false or misleading information received to SafeWork NSW.
34. An Assessor must not assess the following persons:
- a. immediate relatives
  - b. persons under the age of 18 years
  - c. a Candidate who cannot speak and/or complete the Assessment in the English language; or
  - d. a Candidate applying for a Reassessment if the original AS form is dated greater than 90 days prior.
35. An Assessor must not assess the following persons without a written Candidate exemption approval from SafeWork NSW<sup>1</sup>:
- a. an interstate resident
  - b. another Assessor
  - c. a hearing-impaired Candidate; or
  - d. a Candidate for an HRWL class where they have trained that Candidate for that same HRWL class.
36. An Assessor must not use a language interpreter for an Assessment (excepting in the case of a hearing-impaired Candidate).

## 5.6. Assessment administration and EOI

37. An Assessor must have in their possession at the time of Assessment all relevant and sufficient Assessment administration documentation.
38. An Assessor must not collect the prescribed SafeWork NSW HRWL application fee from a Candidate.
39. An Assessor must have a Candidate complete the relevant sections of a CA1 form and then complete the Assessor sections immediately prior to commencing an Assessment.
40. An Assessor must:
- a. verify the Candidate's identity against SafeWork NSW's Evidence of Identity (EOI) requirements and record and confirm sighting the Candidate's EOI documents on the CA1 Form
  - b. only accept original EOI documents from a Candidate that satisfy the EOI requirements and total at least 100 points (see Appendix 1, Attachment 1)
  - c. not take copies of any Candidate EOI documents; and
  - d. after verification, return all Candidate EOI documents to the Candidate.
41. An Assessor must not amend the Candidate version of an NAI in any way, including but not limited to adding questions, removing questions, changing wording or striking out questions unless otherwise directed by SafeWork NSW.

## 5.7. Conducting an assessment – general

**Note:** see also Section 5.14, Conducting a Reassessment.

42. An Assessor must only use a person who holds the relevant HRWL as an Assistant for rigging, dogging or crane Assessments and the Assistant must not be the person who trained the Candidate in the class of HRW being assessed.

**Example:** an Assistant operating a C6 crane for a dogging assessment must hold a C6 HRWL and must not be the person who trained the Candidate in the class of dogging.

<sup>1</sup> the RTO must, prior to the Assessment, provide the Assessor with a Candidate exemption approval letter issued by SafeWork NSW.

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43. An Assessor must immediately terminate an Assessment if the Assessor identifies that an activity being undertaken by a Candidate during an Assessment is unsafe or poses an immediate risk to a person's health and safety. If an Assessor terminates an Assessment for health and safety reasons, the Assessor must immediately report to SafeWork NSW in writing the date, time, location, what occurred, the persons involved and what was said or done.
  44. An Assessor, or the assessor's Assistant, must not assist a Candidate in any part of an Assessment including:
    - a. asking leading questions during a knowledge question clarification process; or
    - b. providing the answer to one or more questions during the Assessment; or
    - c. prompting a Candidate during a performance Assessment.
  45. An Assessor must be present during each component of the Assessment, being knowledge, calculations and performance, and appropriately supervise all Candidates being assessed and any Candidates who are present but not engaged in assessment.

## 5.8. Conducting an assessment – knowledge and calculations components

46. An Assessor must conduct a full Knowledge Assessment and full Calculations Assessment in the prescribed manner as set out in the relevant NAI and the Guide for Assessors.
47. An Assessor must provide a Candidate with a copy of the Candidate version of the relevant NAI immediately prior to that component being assessed.
48. An Assessor must supervise and position Candidates so they cannot copy from one another during a Knowledge or Calculations Assessment.
49. An Assessor must not allow Candidates to have access to reference materials or items that contain answers or formulas, or any other documents relating to an Assessment during the Knowledge and Calculation component(s) of an Assessment.

## 5.9. Conducting an assessment – performance component

50. An Assessor must conduct a full Performance Assessment in the prescribed manner as set out in the relevant NAI and the Guide for Assessors.
51. An Assessor must conduct a Performance Assessment one Candidate at a time, except in cases where the NAI allows for teams of Candidates.
52. An Assessor must supervise and conduct a Performance Assessment in a manner that does not allow other Candidates to obtain an unfair advantage or influence the Candidate undertaking the Assessment.

## 5.10. Marking assessments

53. An Assessor must mark assessment components on the day of the Assessment and as soon as practicable after the Assessment has been completed.
54. An Assessor can commence marking Knowledge and Calculations assessment papers of Candidates who have finished these assessment components before all Candidates have finished, but the Assessor must be in the same room as and supervise any Candidates that are still completing the assessment component.
55. An Assessor must only deem a Candidate competent for each written assessment component where the Candidate has answered the required NAI Knowledge and/or Calculations questions correctly.
56. An Assessor must only mark a Candidate's Knowledge assessment answer as correct if it is comparable to the acceptable answers provided in the Assessor version of the NAI.
57. For Knowledge Assessments, Assessors may only ask a Candidate at the end of the Assessment, questions to clarify any responses that are not answered in full or clearly articulated. That is, the Assessor may only seek clarification from a Candidate where a reasonable person would not consider the answer correct as the answer does not correctly cover all key areas of the required response.
58. An Assessor must only mark a Candidate's Calculation assessment answer as correct if the Candidate:

- a. answer is the same as the acceptable answers provided in the Assessor version of the NAI; and
  - b. has shown the formula used and the correct metric unit for weight or measurement.
59. Clarification must not be sought for answers that are clearly incorrect and an Assessor must only seek verbal clarification from a Candidate (as may be required):
- a. after all Candidates have completed the assessment component; and
  - b. in an area where the Candidate's responses cannot be heard by other Candidates.
60. During clarification, the Assessor or Candidate must not cross out the Candidate's original answer. The Assessor must note in the margin that verbal clarification was sought for that specific question.
61. During clarification, the Assessor must record the Candidate's verbal response on the Candidate's NAI in writing exactly as stated by the Candidate, initial the response and have the Candidate initial the response.
62. For the Performance component, an Assessor must only mark a Candidate as Competent if the Candidate satisfactorily performs all tasks to the required standard per the relevant NAI.

## 5.11. Partial and cumulative assessments

63. Assessors must conduct Partial or Cumulative Assessments, which occur over more than one day, on no more than three occasions and within seven days of the first date of Assessment.
64. An Assessor must issue the Candidate with an Safe Work Australia Assessment Instrument Assessment Summary (AIAS) when completing each occasion of a Partial or Cumulative Assessment and retain a copy of the AIAS in their records.
65. An Assessor must complete an NSA/AS form for a Candidate on the final occasion of a Partial or Cumulative Assessment, recording the full Assessment outcome. The Assessor must record that either a Partial or Cumulative Assessment was conducted in the Section B 'Comments' field on the NSA/AS form.

## 5.12. Assessment NSA/AS administration

66. An Assessor must accurately complete all parts of the NSA/AS form for each Candidate for whom a full HRWL Assessment (being the knowledge, applicable calculations, and performance assessment components) is conducted in NSW.
67. An Assessor must not enter any details on the NSA/AS form until a Candidate has completed the full Assessment, excepting for entering the Candidate's name and the details of another person where that person is assisting the Assessor with the Assessment.

**Example:** a crane operator is assisting with a dogging Assessment – enter the Candidate's name in Section A and the person assisting fields in Section B (being the Name of other person assisting and the Assistant's signature, telephone number, HRWL number and Class of HRWL) on the NSA/AS form.

68. On the day an Assessment is concluded, an Assessor must:
- a. witness the Candidate sign and date the Candidate's declaration on the completed NSA/AS form; and
  - b. issue either the complete NSA or AS form as appropriate.

## 5.13. Reissuing an NSA/AS

69. An Assessor must only issue a Candidate a replacement NSA or AS form within the following timeframes:
- a. replacement NSA:
    - i. can only be issued within 60 days from the original date of NSA issue; and
    - ii. is only valid for 60 days from the original date of issue of the NSA.
  - b. replacement AS:
    - i. can only be issued within 90 days from the original date of AS issue; and
    - ii. is only valid for 90 days from the original date of issue of the AS.
70. The Candidate must sign the replacement NSA or AS form in the presence of the Assessor on the date of reissue.

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## 5.14. Conducting a reassessment

71. An Assessor must:
- a. only conduct a Reassessment of a Candidate if
    - i. the Candidate provides their original AS form – a Reassessment must not proceed if the originally completed AS cannot be provided; and
    - ii. at least 48 hours have passed since the issue of the original AS form;
  - b. not conduct a Reassessment if more than 90 days has passed from the issue of the original AS form.
72. To conduct a Reassessment and determine if a Candidate previously deemed Not Yet Competent is now Competent, an Assessor must decide whether to reassess:
- a. the whole of the relevant HRWL Assessment component(s) deemed Not Yet Competent (i.e. Knowledge and/or Calculations and/or Performance); or
  - b. only the incorrectly answered questions within the Knowledge and/or Calculations component(s) and/or the task(s) not performed to the required standard within the Performance component.

**Note:** If the Reassessment is to be conducted by the same Assessor who conducted the original Assessment and the Candidate has lost the original AS form, the Assessor may refer to the yellow copy of the AS form held in the Assessor's NSA/AS book, if available.

## 5.15. Post assessment administration

73. An Assessor must, within 14 days of completing an Assessment, provide to the notifying RTO the:
- a. green copy of the NSA or AS form (as applicable); and
  - b. original completed Candidate application for HRWL Assessment (CA1 Form); and
  - c. completed Candidate NAI materials for each HRWL Assessment undertaken.

## 5.16. Audit and verification

74. An Assessor must participate in and fully cooperate with SafeWork NSW's audit and verification of the Assessor's HRWL Assessment activity.

## 5.17. Records

75. An Assessor must securely retain all Assessment records, including any used and/or partially used NSA/AS books, for a minimum of 5 years from the date of the last recorded HRWL Assessment in that book unless otherwise notified by SafeWork NSW.

**Note:** An Assessor may lawfully and securely dispose of used NSA/AS books after 5 years.

76. An Assessor must make all HRWL Assessment administration materials and records, including their NSA/AS book(s), available to SafeWork NSW for audit or verification purposes, to assist with a compliance matter or investigation, or for any other reasonable purpose as requested by SafeWork NSW.

## 5.18. Compliance action

77. An Assessor must respond to a Compliance Notice issued by SafeWork NSW in the specified timeframe.

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# 6. SafeWork NSW forms

78. All applicable SafeWork NSW forms are to be used by an Assessor or the affiliated RTO for training and assessment delivery and administration. All forms are available on SafeWork NSW's website at [www.safework.nsw.gov.au](http://www.safework.nsw.gov.au) or by contacting SafeWork NSW.

## Appendix 1 – Evidence of identity

A Candidate is to provide a minimum of 100 points of EOI to confirm that the person who is trained and/or assessed is the same person who, if deemed competent, is issued with the relevant authorisation document by SafeWork NSW.

- a. The RTO or HRWL Assessor must not allow any person that does not provide a minimum 100 points of EOI, as outlined in the EOI table at Attachment 1, to commence training or undertake a HRWL Assessment.
- b. Within the combination of EOI documents, the Candidate must be able to show their:
  - i. full name
  - ii. photo
  - iii. date of birth
  - iv. current NSW residential address; and
  - v. signature.
- ii. Be in the same name  
Unless accompanied by a document issued by a Registry of Births, Deaths and Marriages verifying the change of name.
- iii. Include the Candidate's full name. Initials are not to be accepted.
- iv. Be in English  
Unless accompanied by an English translation issued by a National Accreditation Authority for Translations and Interpreters (NAATI) accredited translator.

**Note:** If a HRWL Candidate does not have a NSW residential address, the RTO must seek written approval from SafeWork NSW prior to enrolling the Candidate in a specified VET course (UoC) for HRW and provide the approval to the Assessor prior to the HRWL Assessment. The approval letter will enable the Candidate to present their interstate EOI at Australia Post to apply for a NSW HRWL.

- c. All EOI documentation must:
  - i. Be originals\*  
Photocopied or certified documents are not to be accepted. If the document was issued to the Candidate electronically, for example a NSW driver's licence, this can be accepted.

\* In terms of original documents:

- For a Birth Certificate, Marriage Certificate, or Change of Name Certificate, 'original' means a certificate issued by a Registry of Births, Deaths and Marriages.
- For bank statements, credit cards and savings account cards issued by an overseas institution, these can only be accepted if the:
  1. issuing institution has representation in Australia; and
  2. statement or card is in English.
- For documents issued to the Candidate electronically, for example a utility bill or bank statement, the digital version can be accepted.

# Attachment 1 – Points for EOI documents

## EOI Table

Document type	Document	Points
<b>Primary documents</b> Only use ONE document	Australian Birth Certificate/card issued by the Registrar of Births Deaths and Marriages	70
	Passport – Australian or international (current or expired within last two years, but not cancelled)	70
	Australian citizenship certificate	70
<b>Secondary documents</b> 1. Allowed to use a combination of secondary documents. 2. If you want to use more than one credit and savings account card (up to a maximum of two), they must be from different financial institutions. 3. Documents provided MUST contain the participant's full name, NOT initials.	Current Australian driver's licence	40
	Current Australian learner driver's licence/permit	40
	Current Australian boat operator's photo licence (Note: only the Personal Watercraft Licence (PWC) is issued in NSW with a photo and is acceptable. The NSW non-photo boat licence is not acceptable).	40
	Current NSW firearms photo licence	40
	Current Australian high risk work photo licence	40
	Current state/territory proof of age or photo card (e.g. a NSW RMS issued photo card)	40
	Australian defence or Police photo ID card	40
	Department of Veterans Affairs card	25
	Current Centrelink card	25
	Property (council) rates notice	25
	Property lease agreement	25
	Home insurance papers	25
	Utility bills – e.g. water, electricity, gas	25
	Telephone account	25
	Current Medicare card	25
Current motor vehicle registration or insurance papers	25	
Credit/savings cards/bank statements	25	
<b>Correctional facility</b>	For inmates of a correctional centre an arrangement exists between SafeWork NSW and NSW Corrective Services to accept additional forms of EOI as listed below. This additional EOI ONLY applies to Correctional Centre inmates who are being assessed in a correctional facility under the <i>High Risk Work Licence</i> authorisation regime.	
	Correctional centre inmate MIN photo card	40
	Correctional centre inmate MIN card	5
	Letter of verification from NSW Corrective Services	25



