

# Conditions to the Agreement for Registered Training Organisations 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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# Contents

<b>1.</b>	<b>Definitions and interpretation</b>	<b>4</b>	5.8.	Administration	16
1.1.	Definitions	4	5.8.1.	Third parties	16
<b>2.</b>	<b>Introduction</b>	<b>8</b>	5.8.2.	Record keeping	16
2.1.	Privacy and confidentiality	8	5.8.3.	Reporting	17
<b>3.</b>	<b>Commencement</b>	<b>9</b>	5.9.	Audit, investigation and compliance	17
<b>4.</b>	<b>Professional and ethical behaviour</b>	<b>9</b>	5.10.	Consequences of non-compliance	17
<b>5.</b>	<b>Principal conditions of approval</b>	<b>10</b>	5.10.1.	Costs relating to error, non-compliance, suspension, termination or cancellation	17
5.1.	Responsibility to notify	10	<b>6.</b>	<b>Advertising and copyright</b>	<b>18</b>
5.2.	The online environment (OLE)	10	6.1.	Advertising	18
5.3.	Candidates	11	6.2.	Copyright	18
5.3.1.	Enrolment and Evidence of Identity (EOI)	11	6.3.	NSW Government and Regulator logos	18
5.3.2.	Candidate declaration	11	6.4.	Audit and self-audit	18
5.3.3.	Candidate Exemption requests	11	6.5.	SafeWork NSW website	18
5.3.4.	Language, Literacy and Numeracy (LLN)	12	<b>7.</b>	<b>SafeWork NSW forms</b>	<b>19</b>
5.4.	Notification of scheduled training	12	<b>Appendix 1 – Code of conduct</b>	<b>20</b>	
5.5.	Trainers	12	<b>Appendix 2 – Evidence of identity</b>	<b>24</b>	
5.6.	Training and assessment	13	<b>Attachment 1 – Points for EOI documents</b>	<b>25</b>	
5.6.1.	HRW Training	13			
5.6.2.	Third parties	13			
5.6.3.	Candidate evaluation	13			
5.6.4.	HRW Training assessment	13			
5.7.	HRWL assessments	13			
5.7.1.	HRWL Assessors	13			
5.7.2.	Pre-assessment	14			
5.7.3.	Candidate readiness for HRWL Assessment	14			
5.7.4.	Partial and Cumulative Assessments	15			
5.7.5.	Reassessment	15			
5.7.6.	Post HRWL Assessment administration	15			
5.7.7.	Certification	15			
5.7.8.	After delivering training and assessment	16			

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# 1. Definitions and interpretation

## 1.1. Definitions

In these Conditions to the Agreement for Registered Training Organisations 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 the Regulator to a person who meets the requirements of Part 4.5 of the WHS Regulation to conduct HRWL Assessments in NSW.
Agreement	The agreement executed by the Regulator and the RTO that incorporates these Conditions.
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 assessment and provided to the Candidate at the conclusion of each occasion of assessment showing the Candidate's details and the Candidate's HRWL Assessment component outcome(s).
Assessment Summary (AS)	A record completed by a HRWL Assessor of a Candidate's details and the Candidate's HRWL Assessment outcomes.
Approved Training Course (ATC)	The specified Vocational Education and Training (VET) course(s) that an RTO is approved to deliver in NSW by the Regulator.
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>
Authorisation Card	The authorisation document issued to a person to lawfully carry out the work which the person is authorised by the Regulator to carry out (e.g. for HRW, a HRW Licence).
Authorised Officer (AO)	A party nominated by the RTO who is: <ol style="list-style-type: none"><li>1. authorised to act on behalf of the RTO in relation to the Agreement, and</li><li>2. a current RTO contact listed on the <a href="http://www.training.gov.au">www.training.gov.au</a> website.</li></ol>
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.
Competent	The assessment outcome when a Candidate has satisfactorily completed the required components of the NAI for the HRWL class being assessed.

Term	Meaning
Confidential Information	All information, in any medium, designated by a disclosing party as confidential information, or which a recipient party ought reasonably to have known is confidential information of the disclosing party.
Conditions	The <i>Conditions to the Agreement for Registered Training Organisations to conduct High Risk Work Licence Assessments in NSW under the Work Health and Safety Regulation 2017 [NSW]</i> .
Connected Delivery	Real time services delivery by live video streaming/conferencing, using platforms such as Skype, Microsoft Teams or Zoom, that provides for: <ul style="list-style-type: none"> <li>• verification of each individual learner's Evidence of Identity (EOI) separate from training delivery</li> <li>• interaction between and the active participation of the trainer(s) and learner(s); and</li> <li>• learner assessment through direct observation and verbal assessment.</li> </ul> Connected delivery must not include: <ul style="list-style-type: none"> <li>• any pre-training</li> <li>• self-paced learning; or</li> <li>• pre-recorded trainer videos or teaching course content (note this does not include identified supporting educational videos e.g. showing construction sites).</li> </ul>
Cumulative Assessment	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.
Face-to-Face	Training service delivery where the trainer and learner are physically located together, with the training delivered live and in real-time, allowing for direct teacher/learner interaction and active participation.
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 RTOs	The Regulator <i>Guide for RTOs Delivering Training and Assessment Services in NSW</i> under the Work Health and Safety Regulation 2017 [NSW] to assist RTOs understand and meet their obligations under the Agreement entered into with the Regulator 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 in one or more of the HRW licence classes prescribed in Schedule 4 of the Regulation, <i>High risk work licences – competency requirements</i> .
HRW Training	The specified VET course or Unit of Competency (UoC) training and assessment delivered by the RTO for the purposes of Part 4.5 of the Regulation, High Risk Work (HRW).
HRWL Assessment	An assessment conducted to the national requirements by a Regulator accredited HRWL Assessor to determine a Candidate's competency to apply for and be granted a licence in a class of HRW.
HRWL Assessor	A person accredited by the Regulator under Part 4.5 of the Regulation to conduct HRWL Assessments in the HRWL class or classes for which that person is accredited.
Independent Commission Against Corruption (ICAC)	The <i>Independent Commission Against Corruption Act 1988</i> established the ICAC as an independent agency to protect the public interest, prevent breaches of public trust and guide the conduct of Public Officials in the NSW public sector.
Non-compliance	When an RTO is found to be in breach of the Agreement, including the Conditions.

Term	Meaning
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.
Online delivery	Training services delivery through a portal or web-based learning management system (LMS) that has no substantive real-time: <ul style="list-style-type: none"> <li>interaction between the trainer(s) and learner(s); nor</li> <li>learner assessment through direct observation and verbal assessment.</li> </ul>
Online Environment (OLE)	The online portal, or any other Regulator nominated digital management system, that RTOs must access and use to manage the scheduling, notification and/or lodgement of their Approved Training Courses and/or assessments.
Partial Assessment	A RTO notified HRWL Assessment that is planned to be completed in parts over more than one day, but not more than seven days and on no more than three occasions.
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>the <i>Privacy and Personal Information Protection Act 1998 (NSW)</i></li> <li>the <i>Privacy Act 1988 (Cth)</i></li> <li>the <i>Health Records and Information Privacy Act 2002 (NSW)</i></li> <li>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>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 <u><i>Government Sector Employment Act (GSE) 2013</i></u> .
Reassessment	A further HRWL Assessment of a Candidate that 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>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>has entered into an Agreement with the Regulator to deliver training and assessment.</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 the Regulator's representatives.
Services	The delivery of learning activities to Candidates, being both training and assessment, for each of an RTOs Approved Training Courses.
Statement of Attainment (SOA)	The Nationally Recognised Training statement issued to a person by the RTO that certifies the person has satisfied the requirements of the unit/s of competency specified in the statement.

Term	Meaning
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.
TACS	Training Accreditation and Compliance Services – a business unit within SafeWork NSW that manages authorisations and third party providers.
Training and Assessment Strategy (TAS)	The method and approach adopted by an RTO and approved by ASQA with respect to training and assessment designed to enable learners to meet the requirements of the training package or accredited course.
Trainer	RTO personnel who are nominated to and approved as a Trainer in writing by the Regulator and are engaged by the RTO to deliver training.
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; and</li> <li>2. in the case of HRW, apply to undertake a HRWL Assessment.</li> </ol>
WHS	Means: <ol style="list-style-type: none"> <li>1. Work Health and Safety; or</li> <li>2. Occupational Health and Safety.</li> </ol>

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## 2. Introduction

The Conditions form part of the SafeWork NSW Agreement with RTOs to conduct HRWL Assessments in NSW (the Agreement).

These Conditions should be read in conjunction with:

- a. the Agreement; and
- b. the *Conditions of accreditation for HRWL Assessors to conduct HRWL Assessments in NSW under the Work Health and Safety Regulation 2017 [NSW]*.

### 2.1. Privacy and confidentiality

RTOs are bound by privacy legislation and must adhere to all relevant legislation. All information related to Candidates is to be kept confidential at all times and kept in a secure manner.

Information related to Candidates, such as personal details and training and assessment records, may only be disclosed to other persons with written authority from the Regulator. Under no circumstances may health information be obtained and relayed to the Regulator unless explicitly requested and the individuals' approval is obtained.

Candidate information may be disclosed if the law requires the disclosure or when there is reason to believe that the use or disclosure is reasonably necessary for:

- Reducing or preventing a serious or imminent threat to an individual's life, health or safety, or preventing a serious threat to public health or safety
- Preventing, detecting, investigating, prosecuting or punishing of criminal offences and other breaches of the law that attracts a penalty
- Protection of public revenue
- Preventing, detecting, investigating or remedying of seriously improper conduct or prescribed conduct
- The preparation or conduct of proceedings before any court or tribunal.

Further information on privacy legislation can be found at: [www.ipc.nsw.gov.au/privacy/nsw-privacy-laws](http://www.ipc.nsw.gov.au/privacy/nsw-privacy-laws)



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## 3. Commencement

The Conditions commence on 1 October 2022.

## 4. Professional and ethical behaviour

1. The RTO must demonstrate high standards of professional and ethical behaviour.

All RTO Personnel, including representatives, Trainers and HRWL Assessors, have previously been found to be Public Officials by the Independent Commission Against Corruption (ICAC).

All Public Officials should be aware of and meet the NSW Government's ethical behaviour requirements as described in the NSW Public Service Commission's publication 'Behaving Ethically', which is available at: <https://www.psc.nsw.gov.au/workplace-culture/behaving-ethically>

To demonstrate high standards of professional and ethical behaviour, the Agreement requires the RTO to comply with the Code of Conduct at Appendix 1.

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# 5. Principal conditions of approval

2. The RTO must maintain their scope of registration with ASQA for the delivery of an Approved Training Course.
3. The RTO must comply with the *National Vocational Education and Training Regulator Act 2011* (the NVR Act), including the fit and proper person requirements in that Act, the ASQA Standards and all related requirements and directives.
4. The RTO must comply with all components of the Vocational Education and Training (VET) Quality Framework including the:
  - a. Standards for Registered Training Organisations 2015 (ASQA Standards)
  - b. Australian Qualifications Framework
  - c. Fit and Proper Person Requirements
  - d. Financial Viability Risk Assessment Requirements 2011 (FVRA Requirements)
  - e. Data Provision Requirements 2012
  - f. Additional requirements for RTOs offering VET courses with additional licensing requirements.
  - e. of any Trainer who is identified as being suspended or cancelled as a WHS/OHS and/or VET services provider in any Australian jurisdiction
  - f. of any court conviction against the RTO, its directors, Authorised Officers or Trainers in Australia for a WHS/OHS offence
  - g. of any criminal offence of the RTO, its directors, Authorised Officers or Trainers
  - h. of any suspected fraudulent or corrupt behaviour associated with the services as well as any reasonable suspicion or belief that the training and assessment process may be compromised by a Trainer, HRWL Assessor or Candidate
  - i. of any attempted bribe or offer of a gift by any party in the delivery of the services
  - j. of any identified breach of this Agreement by the RTO, its directors, Authorised Officers or Trainers.
6. The RTO must notify the Regulator in writing within 14 days of:

## 5.1. Responsibility to notify

5. The RTO must notify the Regulator of any events which may compromise, or impact upon, the RTO's ability to deliver the Services to the required standard. The RTO must immediately notify the Regulator:
  - a. if the RTO ceases or intends to cease business
  - b. if the RTO's approval as a registered training organisation with ASQA or with any equivalent Australian state or territory authority is cancelled or suspended
  - c. of any action taken or required to be taken by ASQA for the RTO to comply with the NVR Act
  - d. if the RTO, or any of its directors or Authorised Officers have or has had an approval to deliver WHS/occupational health and safety (OHS) authorisation services suspended, terminated or cancelled in another Australian jurisdiction

- a. any change of business ownership
- b. any change of RTO address, contact details and/or registered business name or trading name
- c. any change of Authorised Officer(s); or
- d. any RTO Personnel who is no longer approved by the RTO to use the OLE.

## 5.2. The online environment (OLE)

7. The RTO must use the Regulator's OLE, or any other Regulator nominated digital management system.
8. The RTO must comply with the OLE user guide requirements and any terms and conditions of access
9. The RTO must provide sufficient training and instruction in the use of the OLE to all RTO personnel issued with a user identification (login).

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10. The RTO must validate and enter all OLE data accurately and in a timely manner, including to avoid missing notification deadlines and prevent data entry errors, to minimise impacts on authorisations.

## 5.3. Candidates

### 5.3.1. Enrolment and Evidence of Identity (EOI)

11. The RTO must not enrol a Candidate for HRW Training unless that person will be 18 years of age or over on the day the Candidate undertakes a HRWL Assessment.
12. The RTO must comply with the EOI requirements, complete an EOI check for each Candidate prior to training commencing and confirm that the Candidate provides the necessary EOI documentation as set out at Appendix 2.
13. The RTO must enter the EOI information in the OLE as required and/or complete and retain the EOI Form. The EOI form must be provided to the Regulator, if requested, during an audit or in response to a complaint or compliance related issue.

### 5.3.2. Candidate declaration

14. Prior to enrolment in HRW Training (or before coordinating a separate HRWL Assessment), the RTO must have the Candidate enrolling declare if the Candidate:
  - a. has had a WHS authorisation suspended or cancelled (expired authorisations are excluded) by any Australian certifying authority within the last five years
  - b. has previously been convicted or entered into an enforceable undertaking under the WHS Act or WHS Regulation in NSW or a WHS law in another Australian jurisdiction
  - c. has a residential address outside of NSW
  - d. is hearing impaired and requires a registered Auslan interpreter for a HRWL Assessment
  - e. is an accredited HRWL Assessor.
15. If a Candidate declares 'Yes' to any of the statements in Condition 14 above, the RTO must seek an exemption approval from the Regulator to enrol and/or assess the Candidate (see section 5.3.3).
16. If the Regulator grants approval for the RTO to train/assess a Candidate with a previously suspended or cancelled authorisation or a previous WHS law conviction or enforceable

undertaking, the RTO must provide this approval to the Trainer and/or HRWL Assessor prior to the HRW Training or HRWL Assessment commencing.

### 5.3.3. Candidate Exemption requests

17. Prior to delivering HRW Training or coordinating a HRWL Assessment, the RTO must complete any Candidate Exemption requirements.
18. The RTO must make any required Candidate exemption request in writing by email to [tacs@safework.nsw.gov.au](mailto:tacs@safework.nsw.gov.au).
19. The RTO Candidate exemption request must include the following information for the relevant Candidate exemption to be considered by the Regulator.
  - a. A WHS authorisation suspended or cancelled:
    - i. the authorisation that was suspended/cancelled
    - ii. the Australian jurisdiction in which the authorisation was suspended/cancelled
  - b. WHS law conviction/enforceable undertaking:
    - i. the Australian jurisdiction; and
    - ii. the law that was breached; and
    - iii. if a conviction, the date of conviction; and/or
    - iv. if an enforceable undertaking, the undertaking entered into.
  - c. Has a residential address outside of NSW:
    - i. the full name, date of birth and residential address as listed on the Candidate's driver's licence or other EOI document(s); and
    - ii. the reason(s) why the Candidate should be trained/assessed in NSW.
  - d. Is hearing impaired – seek an exemption not less than 10 days prior to a HRWL Assessment occurring by providing:
    - i. the Candidate's full name;
    - ii. the proposed Auslan Interpreters name, and registration/certification number;
    - iii. the date, time and class of the proposed HRWL Assessment; and
    - iv. a statement as to whether the Candidate holds a driver's licence.
  - e. Is an accredited HRWL Assessor – seek an exemption not less than 10 days prior to a HRWL Assessment occurring by providing:
    - i. the Candidate's full name; and
    - ii. the Candidate's HRWL assessor number.

20. If the Regulator approves an RTO Candidate exemption request:
- the Regulator will provide a written approval notification including an exemption number to the RTO; and
  - the RTO must provide the Regulator's written approval to the HRWL Assessor conducting the Candidate's assessment prior to the HRWL Assessment commencing; and
  - for interstate Candidates, the RTO/HRWL Assessor must provide a copy of the Regulator's written approval to the Candidate.

**Note:** The Regulator's written approval will enable the interstate Candidate to present their interstate EOI at Australia Post to apply for a NSW HRWL.

21. If the Regulator refuses the RTO exemption request, the RTO will be notified in writing and must not commence training or assessment of the Candidate.

### 5.3.4. Language, Literacy and Numeracy (LLN)

22. The RTO must determine if a Candidate meets the minimum course LLN levels and, if necessary, provide or refer the Candidate to appropriate LLN support services.
23. A Candidate's LLN competency must be assessed and any special needs identified prior to the commencement of training so that any LLN or special needs can be addressed and provided for during both the HRW Training and the HRWL Assessment.

## 5.4. Notification of scheduled training

24. *\* Deferred* – The RTO must notify any scheduled HRW Training course via the OLE or other Regulator nominated digital management system at least seven (7) calendar days before the scheduled training commences.
25. *\* Deferred* – The RTO notification must accurately enter the details of the scheduled HRW Training course, including, but not limited to, the:
- Approved Training Course (i.e. by HRWL class)
  - Course date (or dates if multiple sessions)

- Course start and finish times (or multiple times for multiple sessions)
- Training location/venue
- Trainer
- Number of Candidates; and
- for Online or Connected Delivery knowledge training modes only, enter into the 'Comments' field:
  - the delivery mode i.e. 'Online' or 'Connected Delivery'
  - the number of individually scheduled sessions within the course (i.e. 1 or more)
  - the number of Candidates attending the course or each scheduled session in the course; and
  - operable weblinks and any passwords required for the Regulator to access the training delivery system and the training course for audit and verification purposes.

26. *\* Deferred* – If there is any variation to the initial notification of scheduled HRW Training, the RTO must update the scheduled training details at least 48 hours prior to the training commencing.

27. *\* Deferred* – The RTO must update any notification accurately so that it reflects any/all changes prior to the HRW Training commencing.

28. *\* Deferred* – The RTO must not proceed with scheduled HRW Training if there is an outstanding exemption against the training, unless the exemption arises as a result of a variation to training on a weekend or public holiday.

## 5.5. Trainers

29. *\* Deferred* – The RTO must:

- nominate and seek the written approval of the Regulator for a person to be a Trainer
- only use a Trainer approved by the Regulator to deliver HRW Training for the RTO
- notify the Regulator in writing within 14 days of:
  - any Trainer who is no longer authorised by the RTO to deliver HRW Training; or
  - any change to a Trainer's contact details; and
- ensure that all Trainers, at all relevant times, satisfy all requirements set out in the Agreement.

30. \* *Deferred* – The RTO must only nominate a person for Regulator consideration as a Trainer who meets the minimum relevant Approved Training Course requirements and any other minimum requirements specified by the Regulator.

31. \* *Deferred* – The RTO must only use approved Trainers to deliver a training course.

32. \* *Deferred* – Trainers must have a copy of the Conditions available at the time of delivery of HRW Training. The Conditions may be in electronic form provided they can be easily accessed and consulted.

c. be provided with or be advised how to obtain any supporting resources, in a suitable form, and/or equipment required to be effectively trained in all of the course components delivered in Connected Delivery mode.

37. The RTO must ensure the maximum number of Candidates attending any one scheduled training course, or individual session therein, does not exceed:

- a. 20 persons for Face-to-Face delivery; and
- b. 10 persons for Connected Delivery.

38. \* *Deleted*

## 5.6. Training and assessment

33. The RTO must deliver all Approved Training Course (ATC) related training and assessment to meet the requirements of the Regulator, the relevant Unit of Competency (UoC) and ASQA.

### 5.6.1. HRW Training

34. The RTO must deliver UoC training and assessment (HRW Training) in accordance with the relevant RTO Training and Assessment Strategy (TAS), which is to be revised by the RTO from time to time and submitted to the Regulator on request, and the Regulators requirements. Face-to-Face delivery is the preferred training delivery mode. HRW Training delivery may include a suitable mix of Online, Connected Delivery and Face-to-Face modes.

**Note:** Notwithstanding what may be included within or required by a UoC and/or the related RTO TAS regarding a HRWL Assessment forming part of VET requirements, a HRWL Assessment is a process distinctly separate from HRW Training and which is administered under the WHS Regulation.

35. The RTO must deliver Face-to-Face training and supervision for all practical HRW Training components, including, but not limited to, plant operation and/or construction.

36. The RTO must provide adequate resources for Candidates to effectively participate in the all HRW Training activities. For Online or Connected Delivery, and prior to course commencement, the Candidates must:

- a. have a suitable learning environment, including any hardware and software necessary to complete the training
- b. be provided with suitable technical support so that any technical issues arising can be identified, logged and resolved in a timely fashion; and

### 5.6.2. Third parties

39. \* *Deferred* – The RTO must seek the Regulator's approval to engage and/or use third parties to deliver any HRW Training services. Third parties include all parties not directly associated with the Agreement, including but not limited to contractors and parties to a partnership agreement (i.e. who are not part of or directly employed by the business).

40. The RTO is liable for all acts or omissions of any approved third parties as if they were the acts or omissions of the RTO.

### 5.6.3. Candidate evaluation

41. The RTO must provide each Candidate with a training evaluation form and request the form be completed by the Candidate and returned the RTO for analysis. RTOs may use their own form.

### 5.6.4. HRW Training assessment

42. All UoC assessments conducted as part of the HRW Training must be delivered to meet the requirements of ASQA, the UoC and the Regulator.

43. All UoC assessments must be coordinated by a trainer and conducted separately from the HRWL Assessments required by the Regulator.

## 5.7. HRWL assessments

44. The RTO must notify, coordinate and support the conduct of the separately notified and conducted HRWL Assessments as required.

### 5.7.1. HRWL Assessors

45. The RTO must apply in writing to the Regulator for approval to affiliate with one or more HRWL Assessors who will conduct the HRWL Assessments.



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46. The RTO must have approved affiliated HRWL Assessors prior to delivering any HRW Training.
  47. The RTO must only arrange for an affiliated HRWL Assessor to conduct a HRWL Assessment:
    - a. in NSW; and
    - b. in the RTOs ATCs (i.e. the HRWL class/es in which the RTO is approved to deliver HRW Training and HRWL Assessments); and
    - c. in the HRWL class/es in which the HRWL Assessor is accredited to conduct HRWL Assessments.

### 5.7.2. Pre-assessment

48. The RTO must notify of a scheduled HRWL Assessment, including all parts of a Partial Assessment and any Reassessment, in the Regulator's OLE system at least 48 hours prior to the start of the assessment.
49. If there is a variation to a HRWL Assessment notification, the RTO must update the assessment details via the OLE system at least 48 hours prior to the assessment commencing. The updated notification must accurately reflect all changes and the assessment must not proceed if there is an outstanding exemption against it unless the exemption arises as a result of a variation to assessment on a weekend or public holiday.
50. The RTO must not allocate nor allow a HRWL Assessor to assess a Candidate for a HRWL class where the Assessor has trained that Candidate for the same HRWL class.
51. Prior to each HRWL Assessment, the RTO must confirm that the resources required to conduct the HRWL Assessment in the relevant HRWL class:
  - a. are readily available and safe for use, including, but not limited to, the site/venue, plant, equipment, and/or materials; and
  - b. are compliant and meet the full requirements to conduct the HRWL Assessment as prescribed for the relevant HRWL class in the Guide for Assessors and/or the NAI.
52. Prior to each HRWL Assessment, the RTO must provide timely written notification to the HRWL Assessor including, but not limited to:
  - a. a copy of the Application for Assessment Notification issued from the OLE; and
  - b. for Partial Assessments, the associated Assessment Notification/s; and

- c. the total number of Candidates to be assessed; and
- d. the full name of each Candidate to be assessed; and
- e. evidence for each Candidate that the Candidate is ready for assessment (see 5.7.3); and
- f. suitable evidence that the resources required to conduct the HRWL Assessment (see Conditions 51(a) and 51(b) above) have been determined as available, safe for use and compliant.

53. The RTO must not alter or amend any Safe Work Australia documentation provided for HRWL assessments, such as the Candidate version of the relevant NAI, including but not limited to adding pages, removing pages, adding logos or business names/details, changing wording or striking out questions.

### 5.7.3. Candidate readiness for HRWL Assessment

54. The RTO must inform and provide the HRWL Assessor evidence of a Candidate's enrolment in an ATC and their readiness for a HRWL Assessment.
55. Prior to each HRWL Assessment and for each Candidate the RTO must provide to the HRWL Assessor a copy of the Candidate's Statement of Training Completion (STC) or an alternate and relevant formal communication that includes:
  - a. Evidence of the Candidate's enrolment in a specified VET course:
    - i. RTO name
    - ii. RTO's approval number as issued by the Regulator
    - iii. Specified VET course (Unit of Competency)
    - iv. Candidate's full name
    - v. Candidate's full residential address
    - vi. Date of the Candidate's course enrolment
  - b. Evidence of the Candidate's readiness for a HRWL Assessment:
    - vii. Date(s) the HRW Training UoC assessment(s) was completed (multiple dates if completed over multiple sessions)
    - viii. HRW Training UoC assessment outcome(s) (i.e. that the Candidate has satisfied the specified VET course (UoC) requirements and is deemed competent to undertake the HRWL Assessment); and

- ix. copies of any Candidate Exemptions approved in writing by the Regulator.
- c. Any other required information:
  - x. LLN or any other additional support the Candidate might require to undertake the HRWL Assessment, including but not limited to any need for a verbal knowledge assessment.

#### 5.7.4. Partial and Cumulative Assessments

- 56. All assessment components for Partial and Cumulative Assessments must be completed on no more than three occasions with the full assessment completed within seven (7) days of the first date of assessment.
- 57. The RTO must notify a separate HRWL Assessment for each part of a Partial or Cumulative Assessment via the OLE, including to insert at least the following information in the assessment notification 'Comments' free text field:
  - a. the HRWL Assessment component (i.e. knowledge, and/or calculations and/or performance); and
  - b. any other special arrangements made for that component of the HRWL Assessment.
- 58. If a Cumulative Assessment is required, the RTO must seek an exemption to vary the original HRWL Assessment notification within 48 hrs of the need being identified.
- 59. If a Partial or Cumulative Assessment cannot be completed within seven (7) days, the RTO must contact the Regulator, by email to [tacs@safework.nsw.gov.au](mailto:tacs@safework.nsw.gov.au), to request an exemption to vary the relevant HRWL Assessment notification.

#### 5.7.5. Reassessment

- 60. Prior to notifying a Reassessment, the RTO must confirm that:
  - a. at least 48 hours have passed since the original Assessment Summary (AS) form was issued by the HRWL Assessor; and
  - b. not more than 90 days has passed since the original AS form was issued; and
  - c. the Candidate can provide the original AS form issued by the HRWL Assessor.

#### 5.7.6. Post HRWL Assessment administration

- 61. The RTO must not allow a Candidate to retain their original National Assessment Instrument (NAI) paper(s).
- 62. The RTO must not provide a Candidate with a copy of an NAI or their completed NAI paper(s) after undertaking or attempting a HRWL Assessment.
- 63. \* *Deferred* – The RTO must post-notify the HRWL Assessment outcome for each Candidate, being Competent or Not Yet Competent, in the OLE or other Regulator nominated digital management system within seven (7) days of the completion of the HRWL Assessment.

#### 5.7.7. Certification

- 64. The RTO must issue all relevant certification to any successful or unsuccessful Candidate as required, including a Statement of Training Completion (STC), but only if a STC is used to comply with Condition 55, and/or a Statement of Attainment (SOA).
- 65. If the RTO issues a STC, the STC must be in a suitable form and provided to a Candidate within five (5) business days of their successful completion of the HRW Training. The STC will certify that the Candidate:
  - a. is enrolled in a specified VET course (UoC) of HRW Training; and
  - b. has been assessed as competent against the relevant UoC; and
  - c. is ready to undertake a HRWL Assessment.
- 66. If the RTO issues a STC, the RTO must create and use its own STC and the STC must include:
  - a. a unique STC identification number
  - b. the RTO's name
  - c. the RTO's approval number as issued by the Regulator
  - d. the specified VET course (Unit of Competency) by code and name
  - e. the Candidate's full name
  - f. the Candidate's full address
  - g. the date of the Candidate's course enrolment
  - h. the date(s) the Candidate was assessed against the UoC
  - i. a statement that the Candidate has been assessed against the listed UoC and has been found competent
  - j. the date of STC issue; and
  - k. the signature of an authorised RTO representative.

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67. The RTO must keep a record of all STCs and SOAs issued in a form that can be easily retrieved on request by the Regulator.

### 5.7.8. After delivering training and assessment

68. The RTO must complete all required training and assessment administrative requirements, including in the OLE or any other Regulator nominated digital management system.
69. The RTO must create, keep and retain a record of all training and assessment for each Candidate.

## 5.8. Administration

### 5.8.1. Third parties

70. Where a third party is approved by the Regulator to deliver HRW Training services, or part of the services, on behalf of the RTO, the RTO must implement suitable third party management arrangements. The arrangement may be, for example, in the form of an agreement acceptable to ASQA, so that the third party complies with the Agreement as if it were the RTO, including, but not limited to:
- a. service delivery administration and record keeping
  - b. regular third party reporting to the RTO; and
  - c. regular third party service delivery auditing and verification by the RTO.

### 5.8.2. Record keeping

71. The RTO must keep and maintain training records as required by ASQA and the Agreement and these must be made available to the Regulator on request.
72. The RTO must keep and maintain training records for at least 5 years from the date of STC issue or the date the Candidate successfully completed the HRW training, including:
- a. electronic copies of training course and/or assessment notifications via the OLE
  - b. electronic copies of training and/or assessment variations via the OLE
  - c. records of training dates, courses and documentary evidence of the dates that each Candidate was in attendance at notified training (e.g. attendance sheets)
  - d. Candidate details and the number of Candidates who completed the training and/or assessment

- e. any Candidate HRW Training Recognised Prior Learning (RPL) applications and related documents
  - f. Candidate pre-requisite evidence sighted prior to training commencing, including EOI (if applicable)
  - g. approvals from the Regulator for all exemptions to these conditions
  - h. Candidate assessments
  - i. Candidate certification, including any STCs and SOAs issued
  - j. Candidate evaluation forms
  - k. changes of Candidate mailing address
  - l. any other relevant correspondence with the Regulator
  - m. any other forms relevant to the delivery of the ATC; and
  - n. all other records required by the ASQA Standards.
73. For any Online training delivery, the RTO must keep and retain system records showing the learner's:
- a. system access dates and times
  - b. system resources available and accessed
  - c. assessment submissions; and
  - d. assessment outcomes.
74. For any Connected Delivery training sessions, the RTO must keep and retain training system outputs that:
- a. verify a learner was present during and for the duration of each individual training session; and
  - b. identify any instances of individual learner non-presence during each training session.
75. The RTO must keep and maintain HRWL Assessment records for at least 5 years from the date of a Candidate's HRWL Assessment (or if not undertaken, the date of STC issue or the date the Candidate successfully completed the HRW training), including but not limited to:
- a. Candidate Exemption Requests and the related Regulator approval/refusal
  - b. a Candidate's completed application form to undertake a HRWL Assessment
  - c. a Candidate's original completed NAI papers for each HRWL class assessed
  - d. a Candidate's green copy of an issued Notice of Satisfactory Assessment/Assessment Summary (NSA/AS) form
  - e. a copy of a Candidate's AIAS form (only where applicable).



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76. The RTO must keep all records and HRWL Assessment related documents secure and in a format that is accessible upon request by the Regulator.
77. The RTO's training and HRWL Assessment records, including notification forms, record of training forms, and applicant details, must be kept securely so as to prevent loss or damage through theft, fire or flooding or to prevent access that would enable alteration or use by other persons.
78. In the event RTO training or HRWL Assessment records are lost, stolen, destroyed or damaged, the RTO must advise the Regulator in writing as soon as possible with details of what occurred and the specific records affected.

### 5.8.3. Reporting

79. The RTO must provide the Regulator reports, as may be required by the Regulator, in an electronic format that is suitable to the Regulator, which may include but is not limited to:
- Microsoft products, such as Word, Excel, and PowerPoint
  - Adobe products, such as Acrobat
  - Common scanned (graphic) file types (e.g. jpeg); and
  - HTML based products.

## 5.9. Audit, investigation and compliance

80. The Regulator will undertake RTO audit/ verification activities and investigate any allegation made or complaint received against the RTO, including for:
- inappropriate, discriminatory or corrupt behaviour; and
  - inappropriate or discriminatory comment or publication.
81. \* *Deferred* – Where an RTO uses Connected Delivery, the RTO must provide for and allow the Regulator to access the delivery system and any individual training course and/or session for delivery verification purposes. The RTO must provide all necessary system connectivity and access to the Regulator to allow this to occur.
82. The Regulator SafeWork NSW may share information regarding the RTO, its Trainers, affiliated HRWL Assessors and any approved third parties with ASQA, State Training Authorities (STA) and other Australian jurisdiction WHS regulators.

83. If the RTO does not comply with the Agreement, including the Conditions, compliance action will be taken by the Regulator, with the consequences to be determined by the type, frequency and severity of the RTO Non-compliance.

## 5.10. Consequences of non-compliance

84. Depending on the severity of the RTO Non-compliance, Regulator compliance action will be taken as set out in the Penalties section of the Agreement. Regulator action may range from a direction to the RTO to propose or take specific action to the suspension or cancellation of the RTO's Agreement.
85. New RTO applications to deliver services in NSW may be immediately refused if the RTO or any related party has a history of Non-compliance or has had any relevant services agreement, approval or authorisation suspended, terminated or cancelled in any Australian jurisdiction within the previous five years.

### 5.10.1. Costs relating to error, non-compliance, suspension, termination or cancellation

86. The RTO will bear the cost of any additional services required by the Regulator to meet the requirements of the Agreement, including these Conditions, which may include any Candidate re-training and/or reassessment required to be provided by another RTO and/or HRWL Assessor.
87. The RTO will bear the cost of any additional action required by the Regulator as a result of RTO OLE data entry error, including the provision of additional or replacement Authorisation Cards to a Candidate.

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# 6. Advertising and copyright

## 6.1. Advertising

- 88. RTO advertising, promotion and publicity must not be misleading or ambiguous.
- 89. Any advertising, promotion, publicity or other RTO material claiming that the RTO has Regulator approval or authorisation must refer to the RTO's name as entered into the Agreement with
- 90. The RTO must not claim or advertise that the RTO, or its Representatives, are Regulator approved or authorised:
  - a. when they are not; or
  - b. while approval is pending; or
  - c. prior to entering an Agreement.
- 91. Any advertising, promotion or publicity carried out by an approved RTO third party, including contracted Trainer's, must not carry the claim to be approved or authorised by the Regulator. The third party may only refer to their affiliation with the Regulator approved or authorised RTO with whom they are affiliated.
- 92. Interstate RTOs must obtain approval or authorisation from the Regulator before advertising services in NSW.
- 93. New RTO applications to deliver services in NSW may be immediately refused if the RTO or any related party has undertaken inappropriate advertising.

## 6.2. Copyright

- 94. The use of any Regulator and/or Safe Work Australia material is protected by the *Copyright Act 1968* (Copyright Act). Unless otherwise approved by the Regulator in writing, Regulator material may only be downloaded, displayed, printed or reproduced, without amendment, for personal, in-house or non-commercial use.
- 95. Other use of the Regulator material, including alteration, transmission or reproduction for commercial use is permitted only with written permission from the Regulator. A copyright request application is available on the SafeWork NSW website.

## 6.3. NSW Government and Regulator logos

- 96. The NSW Government and Regulator logos are registered trademarks. These logos must only be reproduced by non-government organisations that have requested and received written approval from the Regulator
- 97. The RTO must not use Regulator or other NSW Government branding to promote individual service providers for competitive advantage.

## 6.4. Audit and self-audit

- 98. Advertising and publicity material produced and used by RTOs, including Trainers, and any approved third parties may be subject to an audit against the advertising requirements and the Agreement. Non-compliance will be regarded as a non-compliance by the RTO under the Agreement.
- 99. RTOs should undertake regular self-auditing, including to check that their own and any approved third party advertising and publicity material is fully compliant with ASQA and the Regulator's requirements.

## 6.5. SafeWork NSW website

- 100. Written consent is required from the Regulator for an RTO to include links to the Regulator's website in any advertising and publicity material or on any web page associated with RTO services delivery.

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# 7. SafeWork NSW forms

101. All applicable Regulator forms are to be used by the RTO, including their Trainers and affiliated HRWL Assessors, for training and assessment delivery and services administration.
102. All forms are available on the Regulator's website at [www.safework.nsw.gov.au](http://www.safework.nsw.gov.au) or by contacting SafeWork NSW.

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# Appendix 1 – Code of conduct

The Code of Conduct (the Code) outlines the professional and ethical standards expected of an RTO when dealing with others, including other Regulator approved or accredited parties (e.g. accredited HRWL Assessors), students, Candidates, members of the public and Regulator staff.

The Code details the minimum acceptable standard of behaviour and ethical decision making required, and has been developed in accordance with the following principles of ethical decision-making:

- integrity
- trust
- service; and
- accountability.

The Code provides guidance to assist RTO representatives and personnel when deciding on the appropriate course of action in more difficult situations. However, it is not possible for the Code to describe all the circumstances that may require the exercise of professional and ethical behaviour.

When considering a proposed action or decision in difficult situations, RTO personnel should be guided by the relevant NSW Government guidance, the Code and with consideration of the following:

- Is the action/decision lawful?
- Is the action/decision consistent with the spirit and intent of the Code and other Regulator materials?
- Can the action/decision be justified – to the Regulator or an independent person?

RTO Personnel are to consider what facts or evidence is available regarding a matter then only take all relevant facts into consideration when taking action or making a decision.

All Services are to be delivered to the relevant performance standards, which may be described in:

- Vocational Education and Training (VET) legislation, standards and guidelines
- the Agreement; and
- the standards of professionalism prescribed in the Code.

## Professional and ethical behaviour

The RTO is to demonstrate professional and ethical behaviour and be fair, honest and impartial at all times when delivering the Services and represent and promote the Regulator's initiatives in a positive manner when dealing with Candidates, members of the public, and the Regulator's representatives.

RTO personnel, including Authorised Officers, Trainers, affiliated HRWL Assessors and staff, are to behave in a professional manner at all times. Ethical behaviour means that RTOs are fair, honest and impartial at all times when dealing with the Regulator, Candidates and other persons.

RTOs and their personnel are to professionally represent the Regulator and promote the Regulator's initiatives in a positive manner at all times, are not to make any adverse, derogatory or controversial comments about the Regulator or the Regulator's activities.

## Fraud and corruption

The RTO is to report any fraudulent or corrupt behaviour associated with the Services to the Regulator.

Section 8 of the *Independent Commission Against Corruption Act 1988* (ICAC Act) defines corrupt conduct as:

- a. any conduct of any person (whether or not a Public Official) that adversely affects, or that could adversely affect, either directly or indirectly, the honest or impartial exercise of official functions by any Public Official, any group or body of Public Officials or any public authority; or
- b. any conduct of a Public Official that constitutes or involves the dishonest or partial exercise of any of his or her official functions; or
- c. any conduct of a Public Official or former Public Official that constitutes or involves a breach of public trust; or

- d. any conduct of a Public Official or former Public Official that involves the misuse of information or material that he or she has acquired in the course of his or her official functions, whether or not for his or her benefit or for the benefit of any other person.

RTOs and their personnel have an obligation to the community to conduct business diligently, efficiently, honestly, impartially and with integrity. They are to act in a manner to maintain public confidence and trust. Unethical or improper behaviour or any form of corruption is not acceptable.

RTOs and their personnel are to immediately report to the Regulator any behaviour, including any suspicion or belief of behaviour, that they become aware of that is associated with any training or assessment activity and is:

- fraudulent or corrupt behaviour; or
- in breach of the Agreement and/or the Conditions.

Any information reported to the Regulator will be treated confidentially.

## Bribes, gifts and benefits

A bribe is any offer of money, gift, service or a benefit that is offered to persuade a person to act contrary to the requirements, including the Agreement.

RTOs are not to accept any bribe, gift, hospitality, travel, benefits or favours for services associated with the delivery of the Services that may directly or indirectly influence, or appear to influence, the RTOs ability to act other than in accordance with their obligations.

The RTO is to manage any attempted bribe or offer of a gift by any party in the delivery of the Services and in accordance with the RTOs relevant organisational policy.

## Collusion

Collusion is defined as two or more parties cooperating or conspiring to mislead or deceive others. Examples of collusion may include, but is not limited to the following:

- the RTO providing a Candidate with a copy of approved assessment materials, prior to a HRWL Assessment
- the RTO intentionally deeming a Candidate competent for the purposes of generating future business opportunities with a PCBU; or

- a Trainer or HRWL Assessor intentionally deeming a Candidate not competent for the purposes of requiring them to be re-trained and/or assessed by another RTO.

## Competence

The Regulator enters into an Agreement with the RTO with the expectation the RTO will uphold high levels of professional expertise as is required by VET standards, the Conditions and the Code. All RTO personnel, including Trainers and HRWL Assessors, are to maintain the required qualifications, vocational competencies, and current industry skills and knowledge to deliver the Services. The Regulator may suspend or terminate the Agreement if there is evidence this requirement is not met.

## Conflict of interest

A conflict of interest is a situation where there is potential for the RTO to be influenced, or be seen to be influenced, by a personal interest in delivering the Services.

Sound judgement is to be used to avoid conflict of interest. If there is a conflict or potential conflict of interest associated with any part of delivering the Services, service delivery is not to proceed. If you are unsure if there is a perceived or actual conflict of interest, contact the TACS team.

Examples of possible and/or perceived conflict of interests could include delivering Services for:

- friends and relatives
- businesses in which the RTO, their Personnel, family or friends have an interest
- personal beliefs or attitudes that can influence providing services impartially
- any financial or other personal interest that could directly or indirectly influence or compromise the RTO delivery of the Services; or
- disclosing sensitive or confidential information gained through RTO status with the Regulator to another organisation or person.

## Dangerous or unsafe work practices

The RTO is not to deliver the Services if there is an uncontrolled health and safety risk.

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## Discrimination

The RTO is to comply with NSW anti-discrimination legislation when delivering the Services. The RTO is not to discriminate against any person on any grounds covered by anti-discrimination legislation (such as sex, marital status, pregnancy, age, race, ethnic or national origin, disability, sexual preference, sexual harassment, religion or political belief).

## Drugs and alcohol

The capacity of an RTO or their personnel to exercise sound judgement is not to be impaired by the use of alcohol, drugs or other substances. RTO personnel are not to deliver the Services if under the influence of alcohol, drugs or substances.

The RTO is not to deliver Services to a Candidate if there is evidence that the Candidate is under the influence of alcohol, drugs or substances.

A breach of this requirement will result in immediate termination of an Agreement.

## False declarations

The RTO is not to make false or misleading declarations, either verbally or in writing, in the delivery of the Services.

False or misleading declarations could include, but is not limited to:

- falsifying information
- omitting information
- providing incorrect information on plant used for a HRWL Assessment
- providing incorrect information regarding a training and/or HRWL Assessment venue; or
- falsifying or altering a Candidate's answers, training records, residential address or HRWL Assessment results.

The RTO is not to deliver the Services if they know, suspect or reasonably believe that any information provided by the Candidate may be false or misleading.

## Participation in briefing sessions

The Regulator may request that RTOs attend briefing sessions and undertake ongoing training and development activities designed as part of professional development. The Regulator will advise if these events are compulsory and will provide RTOs with reasonable notice.

## Privacy and confidentiality

The RTO is to manage privacy matters so that the Regulator is able to meet its obligations set out in the:

- privacy statement; and
- privacy management plan.

If the RTO uses a training or assessment facility where security cameras are installed and video/digital recordings are made and kept, the camera(s) are to be positioned or other means used so that the content of any confidential Safe Work Australia or Regulator supplied material(s) cannot and is not recorded in detail.

## Public comment

The RTO is not to make public comments that appear to be an official comment on behalf of the Regulator or the NSW Government

As members of the community, all RTOs have the right to take part in public debate on issues of public concern. However, RTOs are to be careful that public comments do not appear to be an official comment on behalf of the Regulator or the NSW Government.

If elected or nominated as a spokesperson for a professional or community association, RTOs are entitled to make public comments about relevant issues relative to their role but not in the capacity as a Regulator approved RTO. RTOs making such statements are to clearly acknowledge that those comments are made on behalf of that association and not the Regulator.

## Unreasonable behaviour

Unreasonable or obstructive behaviour is not acceptable and such behaviour could compromise the health, safety and security of Candidates, the Regulator's staff or RTO personnel.

Examples of unacceptable behaviour include, but are not limited to:

- Acts of aggression, verbal or written abuse.
- Derogatory, racist, or defamatory remarks.
- Harassment, intimidation, or physical violence.
- Rude, confronting and threatening correspondence.
- Threats of harm to self or others, direct or indirect threats with a weapon or threats to damage property, including bomb threats.
- Stalking (in person or online).
- Emotional manipulation.



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- Persistent or continued contact with the Regulator's staff after being informed that a matter has been deemed resolved and/or concluded.
  - Implied or continual allegations of wrongdoing by the Regulator's staff members where no evidence can be provided.
  - Demanding that the Regulator's staff members issue correspondence to other RTOs or the public in support of their own views or opinions.
  - Incitement and/or collusion with other RTOs to digress from the Code, the Conditions or the Regulators directives.
  - Adverse, derogatory or controversial comments about the Regulator, the Regulator's representatives or the Regulator's activities.
  - Constant or continual critiquing of Regulator published or supplied information.
  - Incessant demands that the Regulator change or amend practices that are not agreed with by the individual.
  - Frivolous and/or vexatious enquiries of and/or communications to the Regulator.
  - Allegations or complaints against competitors that cannot be substantiated with evidence.

The Regulator has a zero-tolerance policy towards any harm, abuse, bullying or threats directed at members of the public, Candidates or its staff. Obstructive and unreasonable behaviour may result in an Agreement being suspended or terminated.

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# Appendix 2 – Evidence of identity

A Candidate must be able to prove their identity before they are trained or assessed by providing a minimum of 100 points of EOI. This is to confirm that the person who is trained and assessed is the same person who, if deemed competent, is issued with the relevant authorisation document by the Regulator.

- a. The RTO 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.
- 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.

**Note:** For a HRWL Assessment, the Candidate must provide a current NSW residential address. If the Candidate does not reside in NSW, the RTO must seek written approval from the Regulator prior to enrolling the Candidate in a specified VET course (UoC) for HRW (see also Candidate Exemption Requests).

- 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 utility bill, this can be accepted.

- 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.

\* 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



