

SUMMARY OF CHANGES – GUIDELINES FOR CERTIFICATION OF COMPETENCY

Guideline 1.5

Guideline 1.5 stated:

“Operators permitting uncertified persons to undertake railway safety work risk being penalised under their accreditation.”

In November 2006, the Guidelines were amended to allow all railway operators to issue certificates of competency making the reference to accreditation redundant. Therefore, the Guidelines have been amended to refer to section 36 of the *Rail Safety Act 2002*.

Guideline 2.4

Guideline 2.4 lists a number of Australian Standards which must be taken into account in relation to systems used to certify competency. Reference to the *Rail Safety (Safety Management Systems) Guideline 2006* has been included.

Guideline 4.4

Guideline 4.4 stated:

“For an application for accreditation to satisfy the requirements of sections 10 and 39 of the Act it must, among other things, meet the criteria contained in Guideline 5.2.”

This requirement became redundant with the November 2006 amendment to the Guidelines so Guideline 4.4 has been deleted.

Guideline 4.6

Guideline 4.6 referred to section 11(4)(d) of the *Rail Safety Act 2002*. Section 11 of the Act has been repealed so Guideline 4.6 has been deleted.

Guideline 5.2

Guideline 5.2 stated:

“An organisation seeking to be an operator or an authorised third party issuing Certificates of Competency must meet the following criteria to the satisfaction of the ITSRR:

(a) Be an organisation that:

(i) Is a Registered Training Organisation meeting the requirements of the New South Wales Vocational Education Training Accreditation Board or an equivalent registering body in another State or Territory and registered to deliver the Units of Competency appropriate to the tasks performed by railway employees performing railway safety work,

Or

(ii) Has contracted with a Registered Training Organisation capable of exercising, and registered to exercise, this function on its behalf,

Or

(iii) Has implemented a training system prescribed by a manufacturer of rolling stock, plant or equipment where the certification being sought

relates to the operation of the same and the system is founded on risk management principles,

Or

(iv) Has implemented a training system accepted by the ITSRR where no Registered Training Organisation provides, or is likely to provide, training in the area of competency being sought. Authorisation under this subclause shall only be available to non-commercial operators,

(b) For the purposes of the practical assessment of the competencies of railway employees, employs or engages persons who each:

(i) Possess current qualifications in the competency or competencies being assessed, and

(ii) Possess a minimum of two years' practical experience in each competency being assessed, and

*(iii) **For training assessment:** possess a minimum of the three stated competencies from the Training and Assessment Training Package (TAA04) or is able to demonstrate equivalent competencies.*

***For training delivery:** possess the stated Certificate IV in Training and Assessment from the Training and Assessment Package (TAA04) or is able to demonstrate equivalent competencies.”*

The Guideline has been amended to list only criteria for third parties seeking authorisation to issue certificates of competency in Guideline 5.2.

These criteria are that the third party:

- is a Registered Training Organisation registered to deliver Units of Competency appropriate to the tasks performed by railway employees performing railway safety work, as set out in the current Guideline 5.2(a)(i); **and**
- has an arrangement with an operator of a railway to issue certificates of competency on behalf of that operator.

The training requirements which were listed in Guideline 5.2(a)(ii), (iii) and (iv) have been moved to Guideline 5.7. The qualifications which were listed in Guideline 5.2(b)(i) and (ii) have been moved to Guideline 5.4 and those listed in 5.2(b)(iii) to Guideline 5.3.

Guideline 5.3

Guideline 5.3 has been moved to Guideline 5.5.

Guideline 5.4

Guideline 5.4 has been moved to Guideline 5.6.

Guideline 5.4(a) stated that a certificate of competency “may be issued for any period up to, but not exceeding, five years”. Guideline 5.4(a) has been amended to include an additional statement that when the period for which the certificate has been issued expires, the certificate becomes invalid.

Guideline 5.4(f) stated:

“As a condition of issue, the issuer of a Certificate of Competency must require the recipient to produce it upon the request of an authorised officer, supervisor or responsible manager, whenever the Certificate holder is on duty for the purpose of carrying out railway safety work.”

Guideline 5.4(f) has been amended to reflect that recipients are only required to produce their certificate of competency when requested by an authorised officer.

Guideline 5.5

Guideline 5.5 previously stated that a lower level of identification is required of railway employees undertaking certain types of railway safety work when permitted by a regulation issued under section 117(4) of the *Rail Safety Act 2002*.

No regulation has been made under section 117(4) of the Act. Therefore relevant parts of Guideline 5.5 have been deleted. In addition, Guideline 5.5 has been moved to Guideline 5.7 which sets out the conditions for granting certification.

Guideline 5.6

Guideline 5.6, which relates to the lower level of identification referred to in Guideline 5.5, became redundant and has therefore been deleted.

Guideline 5.7

Guideline 5.7 (a) (ii) stated:

“Satisfying the minimum competency requirements set by an operator in a new competency standard for its own operations”,

The requirements set out in Guideline 5.7 (a)(ii) have been amended to refer to railway safety work and to require a person to meet the requirements of national units of competence where relevant units exist. In addition, Guideline 5.7 has been renumbered to become Guideline 5.8.

Guideline 5.8

Guideline 5.8 has been moved to Guideline 5.9.

Guideline 7.7

Guideline 7.7(b) referred to parameters set by ITSRR. This reference has been deleted as no parameters had been set

Guideline 7.11

Guideline 7.11(c) requires certificates of competency to include a photograph of the certificate holder. ITSRR has excused some heritage railway operators from this requirement. Therefore, Guideline 7.11(c) has been amended to allow ITSRR to exempt operators from this requirement.

Guideline 8.3

Guideline 8.3 referred to a requirement under section 11 of the *Rail Safety Act 2002*. Section 11 of the Act has been repealed so Guideline 8.3 has been deleted.