



Guide

Conditions of accreditation as an assessor for high risk work licence

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Version: 2

Publish date: September 2020

Section 1 - Introduction

A licence to perform high risk work (HRWL) is part of a national system which authorises individuals to carry out particular classes of work.

To obtain a HRWL under the Work Health and Safety (National Uniform Legislation) Regulations 2011 (the WHS Regulations), a person must be trained in accordance with the applicable unit of competency (UOC) by a Registered Training Organisation (RTO) and be assessed as competent against the applicable national assessment instrument (NAI) by an assessor who is accredited by the work health and safety regulator (the regulator).

The *Conditions of accreditation as an assessor for high risk work licence* (the conditions), is issued in accordance with Regulation 121 of the WHS Regulations. The regulator may amend, add or revoke any of these conditions by supplying a written copy of the amended conditions to an accredited assessor's last known place of business or residence or by sending an electronic copy to the most recent email address provided to NT WorkSafe.

In accordance with section 45 of the *Work Health and Safety (National Uniform Legislation) Act 2011* (the WHS Act) you are required to comply with these conditions.

Failure to conduct yourself in accordance with these conditions constitutes an offence which carries a maximum penalty of \$20,000 for an individual or \$100,000 for a body corporate.

The regulator may also suspend or cancel your accreditation if you:

- are no longer qualified (e.g. no longer hold a valid HRWL)
- are unable to conduct assessments competently
- are unable to comply with these conditions
- provide false or misleading information
- fail to give information upon request.

You must therefore be familiar with the conditions and understand the requirements before conducting assessments or undertaking assessment administrative requirements.

If you require further clarification on any of the matters referred to in this document, please contact NT WorkSafe Permissioning and Advisory Services team by phoning 1800 019 115 or via email ntworksafe@nt.gov.au.

Section 2 - General requirements

1. Before conducting any assessments in the Northern Territory you must first be accredited by NT WorkSafe for the class of licence that you are assessing.
2. When conducting assessments or undertaking assessment administrative tasks you must comply with the requirements of the applicable UOC, the mandated NAI issued by Safe Work Australia and any RTO requirements.
3. Before conducting an assessment you must formally align with an RTO. The relevant form must be completed by either you or the RTO and submitted to NT WorkSafe. Forms are available at www.worksafe.nt.gov.au.
4. The regulator will issue you an accreditation document that is valid for three (3) years, subject to renewal, unless cancelled earlier. This document must be kept and made available for inspection under the WHS Act.
5. You must notify NT WorkSafe as soon as possible if the accreditation document is lost, stolen or destroyed. An application for a replacement document must include a declaration describing the circumstances in which the original document was lost, stolen or destroyed and include the relevant fee.
6. You must notify NT WorkSafe of any changes to your personal details within 14 days after becoming aware of the change, including changes to an aligned RTO.
7. Accreditation by NT WorkSafe only permits you to conduct assessments within the Northern Territory.
8. All assessors must conduct a minimum of nine (9) assessments in any of their accredited class(es), per three (3) year accreditation period, unless otherwise agreed upon with NT WorkSafe prior to renewal.

Conduct as an assessor

9. As an accredited assessor you must conduct yourself diligently, efficiently, honestly, impartially and with integrity. Unethical or improper behaviours or any form of corruption is not acceptable and must immediately be reported to NT WorkSafe Permissioning and Advisory Services team by phoning 1800 019 115 or via email ntworksafe@nt.gov.au.

You must not:

- a. collude with a candidate, an RTO or anyone else regarding a HRWL assessment. This includes demanding or accepting bribes, gifts, or other inducements or benefits that may directly or indirectly influence or appear to influence your ability to act impartially. This applies to you and anyone connected or associated with you.
- b. provide a copy of the NAI or part thereof or any model answers to any person other than to a candidate, in the ordinary course of an assessment or to the RTO for record keeping purposes.
- c. make false or misleading declarations in your dealings with NT WorkSafe, including but not limited to:
 - falsifying information on plant details
 - falsifying a candidate's answers

- signing an assessment summary without first conducting a full assessment of a candidate's competence.
- d. fail to disclose any actual or potential conflicts of interest involving an assessment to NT WorkSafe Permissioning and Advisory Services team.
- e. carry out an assessment if you reasonably believe that any information provided by the candidate or the RTO may be false or misleading.
- f. conduct an assessment on the following persons:
- immediate relatives
 - business partners
 - persons under the age of 18 years
 - candidates who cannot speak and/or understand the English language or
 - another assessor (without prior written approval from NT WorkSafe).
- g. conduct an assessment if you are under, or if you reasonably believe that the candidate is under the influence of alcohol, illicit drugs or substances.
10. If you become aware at any time before or during an assessment that a candidate has or has had access to:
- a. The original, imitation, reproduction or duplicate of the applicable NAI, NAI Addendum or part thereof in any form including hard copy, electronic or audio (other than where a candidate has previously unsuccessfully undertaken the assessment); or
 - b. the acceptable responses to questions in the applicable NAI or any part thereof, or NAI Addendum in any form including hard copy, electronic or audio.
- You must immediately terminate the assessment and write a detailed record of what occurred, including the name of the candidate, the time, location and exactly what was observed and said. You must inform the candidate that it will be reported to NT WorkSafe. You must immediately report the matter to NT WorkSafe Permissioning and Advisory Services team by phoning 1800 019 115 or via email ntworksafe@nt.gov.au.
11. You must not appoint any other person or agent to conduct any assessment activity for which you are approved, including the supervision and marking of assessments.
12. You must advise NT WorkSafe, in writing immediately, if:
- a. you are convicted of an offence against the WHS Act or the WHS Regulations or against a corresponding WHS law
 - b. your accreditation as an assessor for any class of high risk work is suspended or cancelled by the regulator in any other corresponding WHS jurisdiction
 - c. you are disqualified from applying for an accreditation as an assessor by the regulator in any other corresponding WHS jurisdiction
 - d. an application for accreditation as an assessor for any class of high risk work is refused by the regulator in any other corresponding WHS jurisdiction
 - e. any HRWL held by you is suspended or cancelled

- f. you enter into an enforceable undertaking with the regulator in the Northern Territory or in any other corresponding WHS jurisdiction
- g. any improvement, prohibition, or infringement notice is issued against you by an inspector in the Northern Territory or any other corresponding WHS jurisdiction.

Section 3 - Before conducting any assessment

Before conducting an assessment you must:

13. Sight and verify evidence of candidate's identity. If a candidate is unable to provide formal identification, contact NT WorkSafe Permissioning and Advisory Services team by phoning 1800 019 115 or via email ntworksafe@nt.gov.au.
14. Ensure that the RTO on whose behalf you intend to conduct the assessment has current scope of registration under the VET legislation to conduct the course relevant to the class of high risk work being assessed. If unsure, you should check www.training.gov.au.
15. Before conducting a knowledge and/or calculations assessment the assessor must ensure that the candidate:
 - has completed training in accordance with the relevant unit of competency delivered by an RTO
 - has achieved a standard whereby they are ready to undertake the mandated assessment.
16. Before conducting a performance assessment the assessor must ensure that the candidate:
 - has obtained a successful result in both the knowledge and calculations assessments.

Section 4 - Conducting assessments

General

17. You must ensure you have the correct and relevant version of the NAI for the HRWL class for which you are conducting the assessment.
18. You must ensure that you have a comprehensive understanding of the NAI assessment requirements and that all assessments are conducted in accordance with those requirements.
19. During an assessment, you must be in the same location, within sight and sound of the candidate/s, for the entire duration of the assessment process.
20. You must ensure that all resources required for the applicable NAI are readily available including plant and equipment in safe working order and compliant with relevant legislation and appropriately licenced assistants.
21. You must maintain evidence of the required/appropriate resources used in the assessment (e.g. photos, invoice of plant hire, lease agreement, etc.)
22. If it is identified during an assessment that a work practice being undertaken by the candidate is unsafe or poses an immediate risk to a person's safety, the assessment must be stopped immediately. You must advise the authorised representative of the RTO,

employer, supervisor or other appropriate person at the workplace that the assessment has ceased.

23. You must not assist the candidate with the assessment. For example, you cannot prompt or provide answers or act as a dogger during a crane assessment.
24. A candidate must not have available for their reference any answers, formulas, drawings, diagrams or other documents relating to the assessment at any stage during the knowledge and/or calculations assessment.
25. You must not conduct a performance assessment at the same time as a calculations assessment or knowledge assessment.

Knowledge assessments and calculation assessments

26. You must ensure that candidates are positioned so they are unable to copy or cheat during the knowledge assessment and, if applicable, the calculations assessment.
27. The knowledge assessment and, if applicable, the calculations assessment is to be completed solely by the candidate, without any assistance from any other person.
28. Where appropriate, only knowledge assessments may be conducted orally, but must not be conducted:
 - while you are conducting other assessments; and
 - in a location where other candidates are able to hear the questions or answers

You must record the candidate's answers immediately on the assessment paper, exactly as stated and the candidate must sign the NAI. You must note 'oral assessment' on top of the front page of the assessment.

29. You must be the person who marks the knowledge assessment and/or calculations assessment.
30. Each question must be marked with a tick (if correct) or a cross (if incorrect). You must ensure that answers provided by the candidate reflects the substance of the acceptable response in the applicable NAI before marking it as correct.
31. Clarification may be sought from the candidate for partially correct answers by asking additional questions. You must:
 - not cross out the candidate's original answer
 - note in the margin that oral clarification was sought for that specific question
 - record the candidate response exactly as stated by the candidate, initial the response and have the candidate initial also and
 - not conduct clarification and general verbal feedback within sight and hearing of other candidates.
32. The answers provided by the candidate in the calculations assessment must show the formula, full working calculations as to how the answers were achieved and the correct metric unit of weight (e.g. kg or t) or measurements (e.g. mm or m). The candidate must also include an answer to all questions, not just supply the formula.

Performance assessments

33. A full performance assessment must be conducted in the prescribed manner, as set out in the relevant NAI.
34. You must be present at all times during the performance assessment, and be in a position to observe and communicate with the candidate. The candidate must be aware of your location at all times during the assessment.
35. Performance assessments must be conducted one candidate at a time, except for certain tasks in the scaffolding and/or rigging assessments. In cases of scaffolding and/or rigging assessments, each candidate must demonstrate competence in each prescribed task, as required by the applicable NAI.
36. You must mark each item on the performance assessment checklist with a tick (if correct), a cross (if incorrect) or N/A (if not applicable) (if permitted by the applicable NAI), during the assessment.
37. You must use a separate performance assessment checklist for each assessment, including candidates undertaking a reassessment.
38. You must not prompt the applicant for answers or responses in any part of the performance assessment. An example of prompting may include the assessor asking during the pre-operational checks: 'Would you check the brakes before using the forklift?' or 'What fluids would you check for?'

Reassessments

39. Candidates undertaking a reassessment within two (2) calendar months of the initial assessment are only required to complete those parts of the assessment for which they were unable to demonstrate competency (knowledge, calculations and/or performance). Candidates undertaking reassessment two (2) calendar months after the initial assessment must undertake the entire assessment (knowledge, calculations and performance). All reassessments must be undertaken within 12 months.

Recognition of prior learning

40. Recognition of prior learning (RPL) only relates to training provided by the RTO. A full assessment (knowledge, calculations and performance) is required on **all** occasions in accordance with the Assessor Guide. RPL may, however, be applied by the RTO to some or all of the training against the Unit of Competency (UOC).

Section 5 – Post assessment administration

41. You must provide candidates who have successfully completed all the required assessments for a HRWL class with an assessment report.
42. You must not collect a fee for lodgement of an application for a HRWL on behalf of the candidate or undertake to lodge the application on their behalf, unless prior arrangements have been made with NT WorkSafe.

Section 6 – Record keeping

43. You must submit a half-yearly activity report which summarise the assessments conducted during that period. The return shall be in the format provided by NT WorkSafe
 - a return for 1 January to 30 June by no later than 31 July, and
 - a return for 1 July to 31 December by no later than 31 January.
44. You must ensure that all training assessment records are kept and made available for review if requested for a period of not less than two years. In addition you should ensure that copies of all training records and assessment records are provided to the aligned RTO on whose behalf the assessment was conducted.
45. You must make available, upon request of an inspector or NT WorkSafe representative, any training and/or assessment records for any candidate undertaking assessment or who has previously been assessed by you.