

Guide

How to become an approved provider of health and safety representative (HSR) training in the Northern Territory

Disclaimer

This publication contains information regarding work health and safety. It includes some of your obligations under the *Work Health and Safety (National Uniform Legislation) Act 2011* – the WHS Act – that NT WorkSafe administers. The information provided is a guide only and must be read in conjunction with the appropriate legislation to ensure you understand and comply with your legal obligations.

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Acronyms	Full form
HSR	Health and Safety Representative
WHS	Work Health and Safety

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Introduction

The entitlement of health and safety representatives (HSRs) to undertake a course of training is outlined in the *Work Health and Safety (National Uniform Legislation) Act 2011* – the WHS Act.

The WHS Act provides that the HSR training must be provided through a course of training that is approved by NT WorkSafe.

NT WorkSafe have developed and approved a standard five day HSR initial training course and a one day HSR refresher course for delivery in the Northern Territory by NT WorkSafe approved training providers.

As training can only be delivered to HSR's in the State, Territory or Commonwealth in which the approval has been granted, the NT WorkSafe course materials may only be delivered to elected HSRs, in the Northern Territory.

Purpose

This guide is intended to assist training providers apply for approval to conduct initial and refresher HSR training under the WHS Act.

This guide outlines the process of applying for approval to conduct HSR training.

All applicants and their trainers should read this guide and the conditions of approval prior to completing the application form to ensure they are able to comply.

How to apply?

An application must be made to NT WorkSafe for approval to deliver the following HSR training in the Northern Territory:

- initial HSR training which must be a minimum of 35 hours face-to-face training over a period of five days; and
- refresher HSR training which must be a minimum of seven hours face-to-face training over a period of one day.

Who can apply?

To be an approved training provider, the applicant must:

- be a training organisation, company or sole trader; and
- satisfy the requirements of the conditions of approval; and
- possess or have access to sufficient resources and infrastructure to undertake all administrative activities necessary to comply with all general and any specific conditions of approval.

What should be submitted?

- completed application form;
- documentation associated with verifying trainer qualifications and identity; and

- proposed marketing and enrolment information where NT WorkSafe would be mentioned and where reference is made to the legislative entitlement of HSRs to training.

A checklist is provided in the application form to assist applicants.

Fees

An application fee of \$1500 will be payable for approval. The NT WorkSafe approved course package includes facilitator guides, participant workbooks and PowerPoint slides. Approved training providers will receive the materials electronically.

Period of approval

Approval will be granted for a period of five years and will be subject to the approved HSR training provider continuing to satisfy all the conditions of approval including trainer qualifications and course requirements.

After the 5 year period the approval status will no longer be valid and a new application, together with the application fee of \$1500, will be required.

How will the application be assessed?

In assessing an application, NT WorkSafe may have regard to all relevant matters including the qualifications, knowledge and experience of the trainer(s) who will deliver the HSR training.

When assessing an application, NT WorkSafe may make enquiries to verify information provided by the applicant and take into consideration information provided by other relevant regulators (e.g. WHS regulators, Vocational Education and Training regulators). Assessment of an application by NT WorkSafe is conducted in line with procedural fairness requirements. As such, applicants will be provided with an opportunity to provide further information in relation to enquiries made by NT WorkSafe.

If after considering an application NT WorkSafe proposes to refuse to grant approval, the applicant will be notified and provided with a reasonable opportunity to provide any further information. Following receipt of further information or the expiration of the period within which the applicant was invited to provide further information, NT WorkSafe will make a final decision on the application. There is no appeal process provided for under the WHS Act in relation to an unsuccessful application. An internal review is however available.

Can applicants be approved to offer training in more than one jurisdiction?

An applicant must gain approval from NT WorkSafe prior to delivering HSR training in the Northern Territory

Applicants can be approved to deliver training in more than one State, Territory or the Commonwealth however, applicants must meet any specific requirements particular to any jurisdiction.

Applicants who wish to be approved to deliver training in more than one State, Territory or the Commonwealth, should make an initial application to the WHS regulator in the State, Territory or the

Commonwealth in which they intend to conduct the majority of HSR training or where their head office or registered business address is located.

Approval to deliver HSR training in one jurisdiction does not guarantee that approval will be given in another State, Territory or the Commonwealth.

The application, assessment and approval information, and any decisions regarding approval or otherwise of an applicant by NT WorkSafe may inform the assessment of an application undertaken in other jurisdictions.

Trainer qualifications

All trainers who wish to deliver HSR training in the Northern Territory must first be approved by NT WorkSafe.

All trainers must have:

- a minimum Certificate IV in Training and Assessment – TAE40116 or *equivalent; and
- a minimum of two years relevant experience in an occupation or work health and safety role; or
- relevant tertiary or vocational qualifications in a field related to occupational or work health and safety. For example, a Graduate Diploma of Occupational Health and Safety.

*Nominated trainers must demonstrate **one of the following credentials**:

Credential:

TAE40116 Certificate IV in Training and Assessment or its successor

or

Credential:

TAE40110 Certificate IV in Training and Assessment, **and** one of the following:

- TAELLN411 Address adult language, literacy and numeracy skills or its successor **or**
- TAELLN401A Address adult language, literacy and numeracy skills

and one of the following:

- TAEASS502 Design and develop assessment tools or its successor **or**
- TAEASS502A Design and develop assessment tools **or**
- TAEASS502B Design and develop assessment tools.

Once an application is approved, the training provider must ensure that their trainers have a thorough knowledge and understanding of the work health and safety legislative framework including the entitlements, functions, powers and protections of a HSR.

In addition, providers must ensure that their approved trainers undertake professional development activities that maintain the currency of their occupational or work health and safety industry experience and facilitation/training skill set.

A nominated trainer is a person employed by, contracted to, partnered with or affiliated with the training provider and who has been nominated by the training provider to deliver the HSR training if approved by NT WorkSafe.

Nominated trainers are required to declare any work health and safety disciplinary proceedings in any State or Territory i.e. suspensions, cancellations and court related matters.

Collection of personal information

Personal information collected by NT WorkSafe in connection with the application will be used to register, process and assess the application to verify the qualifications/experience of trainers and evaluate the application against the requirements contained in the guide.

In accordance with information sharing provisions contained in the WHS Act, WHS regulators may share information about HSR training providers. If a training provider seeks approval to deliver HSR training in more than one jurisdiction, WHS regulators may share information contained in an application or about the approval process with other WHS regulators.

NT WorkSafe will publish the applicant's contact details and training provider status on its website. If you do not provide all of the information required by NT WorkSafe, your application may not be processed.

Directions to the applicant

Prior to submitting an application please:

- read the guide on how to become an approved provider of HSR training (this document) and conditions of approval to ensure you are able to comply with all requirements;
- complete the application form and attach all requested documentation;
- ensure all nominated trainers meet the required trainer qualifications;
- ensure the Authorised Officer(s) signs the application;
- complete the application checklist; and
- forward the completed application to ntworksafe@nt.gov.au