

Minutes

MEETING	Mining Competence Board		
MEETING NO.	1 for 2015	DATE	10 June 2015
LOCATION	Bela Room – Crowne Plaza Newcastle	TIME	9.03am – 10:05am
ATTENDEES	Bryan Davis (Chairman), Mick Cairney (NSWMC), Nickolas Strong (NSWMC), Andy Honeysett (CFMEU), Keith Shaw (CFMEU), Leanne Parker (CCAA), Glenn Seton (AWU), Jenny Nash (NSW T&I), Rob Regan (NSW T&I) <i>NSW T&I Secretariat:</i> John Flint, Andrew Palmer, Anna Kneath, Darlene Vincent <i>Observers from NSW T&I:</i> Bill Barraclough, John Moss, Cynthia Erskine, Tracey-Lee Smith. Tony Linnane and Karen Feeney arrived at the end of the meeting, prior to the Strategic Planning Session	APOLOGIES	Doug Revette (NSW T&I)
PREPARED BY	Andrew Palmer		

Welcome and preliminary business

No.	Item	Status
1.1	The Chairman welcomed members and asked for any apologies. Doug Revette arrived in person later to indicate he was unable to attend as an observer.	Noted.
1.2	The Chairman asked members if they had a conflict of interest to declare. No declarations were made.	No conflicts of interest declared.
1.3	The minutes of the previous meeting 13 October 2014 in attachment 1 were accepted without amendment.	Minutes accepted.
1.4	Actions arising from previous meeting were considered in attachment 2. Bryan indicated that all the actions were being completed through agenda items for the meeting or in the strategic planning session to follow. The Board agreed.	Action items are being completed through the meeting agenda and strategic planning session.
1.5	Correspondence received was considered in attachments 3 and 3A for an email received from Casey Howse, Electrical Superintendent, CBH Resources (Broken Hill Operations) suggesting a new certificate of competence for electrical engineer (metalliferous).	Secretariat to write to Casey Howse to indicate the Board is considering the issues, noting he can pursue the Engineers Australia option.

No.	Item	Status
	<p>The Board noted that schedule 10 of the WHS (Mines) legislation requires a person to hold a coal certificate of competence for electrical engineering manager or meet the Engineers Australia registration/competency requirements. It was also noted that the certificate option requires the person to have coal mining experience which is a barrier for only metalliferous mines experienced engineers. The alternative path through Engineers Australia Board is available for them. Statutory functions, their competency requirements and any gaps, are being considered as part of the strategic plan, along with other functions that may be considered safety critical.</p> <p>John Flint advised that Rob Regan has in writing appointed Bill Barraclough as his delegate to the Mining Competence Board. Rob has also offered John Moss as a Technical Advisor to the Board for the metalliferous mines and extractives industries sectors.</p>	<p>Instrument of delegation by Rob Regan noted and members agreed that John Moss as an advisor would be an asset for the Board.</p>

This meeting

No.	Item	Status
2.	<p>For update and discussion and/or decision</p> <p>2.1 – Summary of work by former competence boards</p> <p>Andrew Palmer introduced attachments 4 and 4A, in particular the recommendations for how the previous work of the Coal Competence and Metalliferous Mines and Extractive Industries Boards could be used now. The Board accepted the following recommendations, but with the additional actions requested (as noted):</p> <ul style="list-style-type: none"> a) that the draft maintenance of competence guidelines be used as a starting point for the development of a new scheme by the Department; b) support the Department to have discussions with ASQA to assure the quality of RTOs to deliver training to the mining sector. <p>2.2 Status briefing report on department review of certificate of competence functions and requirements</p> <p>Andrew provided an overview of attachments 5 and 5A that relate to the two discussion papers released on changes proposed to certificates. The Board agreed to the following recommendations, but with amendment to the transition period for all changes to be a minimum of 12 months, unless identified by the regulator as an exception requiring a longer period:</p> <ul style="list-style-type: none"> a) Note that none of the changes from the two discussion papers have been effected except for: <ul style="list-style-type: none"> i) open book legislation papers for the Open Cut Examiner, Open Cut Manager, Underground and Above Ground Mine Production Manager examinations, 	<p>Secretariat to keep the Board informed of progress with the:</p> <ul style="list-style-type: none"> a) recommendations for actioning the previous work, b) development of the training course for mine safety and health representatives, including the schedule for piloting the package, <p>as standing agenda items.</p> <p>Status report recommendations to be implemented by the regulator with a minimum 12 month transition period, unless the regulator decides by exception for a longer period, in which case it will report back to the Board.</p>

No.	Item	Status
	<ul style="list-style-type: none"> <li data-bbox="253 244 1283 304">ii) 60% pass mark for each examination paper for coal (and metalliferous & extractive industries) certificates of competence, with a 3 year credit. <li data-bbox="215 323 1335 416">b) Note the only significant difference between the Coal and MEICB Boards' discussion papers was for an underground mine supervisor for metalliferous mines be established. In the WHS (Mines) Regulation this position has been established and requires a practising certificate; <li data-bbox="215 435 1261 496">c) The Board endorse the Department specifying the appropriate units of competence for emergency preparedness required for applicants for all certificates of competence; <li data-bbox="215 515 1249 576">d) The Board supports that a first aid unit of competence is required for all certificates of competence with validity of six (6) months from the date of application, and; <ul style="list-style-type: none"> <li data-bbox="253 595 1361 671">i) the Board supports the Department reviewing whether applicants for mine managers certificates of competence should not be required to have a first aid unit of competence and consult with the Board on the outcomes; <li data-bbox="215 691 1346 783">e) Agrees with the Department continuing to develop work on determining equivalency of alternative qualifications submitted for prerequisites for certificates of competence and where relevant for other statutory functions; <li data-bbox="215 802 1290 863">f) The Board consider associated non-technical skills (ANTS) during their strategic planning session, as part of responding to the Minister's request; <li data-bbox="215 882 1346 975">g) The Board endorse the Department reviewing requirements for the demonstration of experience and evidence required for a certificate of competence, and consult with the Board on the outcomes; <li data-bbox="215 994 1361 1054">h) The Board supports the Department to consult with the examination panels on the examination requirements for certificates of competence and consult with the Board on the outcomes; <li data-bbox="215 1074 1357 1166">i) The Board supports the Department to review the current framework for assessing candidates, including the competency standards for examiners, and report back to the Board so as to consult on the outcomes; <li data-bbox="215 1185 1346 1246">j) The Board supports all changes to certificate of competence requirements by the Department have a minimum 12 month transition. 	

No.	Item	Status
	<p>2.3 – Amended draft charter for Board</p> <p>John Flint introduced attachments 6 and 6A for the revised Charter. Changes had been effected as requested at the last meeting and additional improvements identified by the Secretariat. The Board asked that further amendments be made to the document and be emailed out for consideration out of sessions.</p>	<p>Make the following changes to the draft Charter and recirculate for approval out of sessions:</p> <p>a) Membership: refer to independents as advisors</p> <p>b) Responsibilities of Chair: for ensuring MCB complies with legislation, aided by the Secretariat</p> <p>c) Duties of chair: in their absence, the Board would vote for a member to chair the meeting</p>
3.	<p>Business for noting</p> <p>3.1 Update on Australasian Mining Competency Advisory Council (AMCAC)</p> <p>Andrew Palmer outlined attachment 7 on the current status of establishing AMCAC. The Board discussed who may be their two representatives to attend future AMCAC meetings, in addition to the Chief Inspector for NSW Trade & Investment. It was agreed for an employer and employee representative to be nominated by the Board when nominations are called for.</p>	<p>Secretariat to call for a nomination of an employer and an employee representative from the Board upon commencement of AMCAC.</p>
4.	<p>Other Business</p> <p>Bryan enquired whether the Board has a budget. John Flint advised it has with the present budget covering the cost of the Secretariat, the independent Board members and limited resources to engage consultants. He will prepare a draft budget by the end of this calendar year for the following financial year and indicated the Board may request additional funds in order to carry out its strategic plan.</p>	
5.	<p>Close meeting 10.05am</p>	

Strategic Planning Session (10.25am to 2.15pm)

No.	Item	Status
1.	<p>Planning session introduction and presentations</p> <p>Presentations were provided by Secretariat staff members on the following topics:</p> <p>1.1 Outline of WHS (Mines) legislation for statutory functions (including new Certificate of Competence and Practising Certificates),</p> <p>1.2 Conflict of interest for Board members (identifying and declaring them),</p> <p>1.3 Status of previous boards' work (Coal, Metalliferous Mines & Extractives Industries),</p> <p>1.4 Minister for Industry, Resources and Energy letter outlining priorities for the Board.</p>	<p>Noted that Board will be consulted by the Department on proposed Practising Certificate System, including whether individuals receiving a higher level management position certificate (eg. Manager) are automatically included as being able to practice in lower level positions such as OCE (CFMEU concern).</p>

No.	Item	Status
2.	<p>‘What’s on the horizon?’</p> <p>Facilitated session where members identified potential factors impacting on the proposed 5 year strategic plan. The Board then identified opportunities and risks for the plan, and voted on the most important priorities to be addressed in the planning.</p>	<p>The risks, opportunities, factors impacting the plan are to be typed up and distributed to the Board by the Secretariat within 2 weeks.</p>
3.	<p>Strategic planning</p> <p>The Board considered the Vision and Objectives in the draft Charter as to adopting a modified version for the Strategic Plan. The outcomes from discussions were recorded and to be actioned by the Secretariat.</p> <p>The Board then workshopped the following three themes that emerged from the previous session for issues to be addressed in the strategic plan and identified objectives for each:</p> <p>1. Communication 2. Competencies 3. Emerging issues</p>	<p>The outcomes from discussions on an amended Vision and Objectives for the Strategic Plan, and objectives to address strategic themes, is to be circulated to the Board within 2 weeks by the Secretariat</p> <p>Draft 5 year strategic plan to 2020 to be circulated to the Board out of session, with the view to it being endorsed at the next meeting.</p>
4.	<p>Next meeting</p>	<p>2 September 2015, 10am to 1pm at a location in the Hunter Valley.</p>