



HOW TO BECOME AN APPROVED PROVIDER OF HEALTH AND SAFETY REPRESENTATIVE TRAINING



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Introduction

The Work Health and Safety Act 2011 (ACT) entitles Health and Safety Representatives (HSRs) to undertake approved training.

All HSR training must be delivered by a provider approved by WorkSafe ACT. When considering applications for approval, WorkSafe ACT will have regard to:

- The content and quality of the course, including its relevance to HSR functions/powers,
- The provider's capacity and capability, and
- The qualifications, knowledge and experience of proposed trainers.

Training Development Resources

WorkSafe ACT uses nationally agreed Training Development Resources to guide the approval of HSR training providers and the development of HSR training courses.

These resources include:

- Underpinning principles for the design and delivery of HSR training; and
- Learning outcomes for the initial and refresher courses.

See the link on the WorkSafe ACT health and safety representative webpage for the "*Underpinning Principles and Learning Outcomes - WorkSafe ACT*" for the full text of the Underpinning Principles and Learning Outcomes referenced in this guide.

Purpose

This guide assists training providers to:

- Apply for approval to conduct initial and refresher HSR training in the ACT
- Develop HSR training that complies with approval requirements
- It covers:
 - + Application requirements
 - + Required content and mapping
 - + Trainer qualifications
 - + Ongoing compliance and monitoring
 - + Audit and renewal processes



Part 1: The approval process

An application must include the proposed course content and be made to WorkSafe ACT for approval to deliver the following HSR training:

- Initial HSR training which must be a minimum of 35 hours face-to-face training over a period of five days; and/or
- Refresher HSR training which must be a minimum of seven hours face-to-face training over a period of one day.

Approval to deliver refresher HSR training can only be sought by providers who have been approved to deliver initial HSR training.

Who can apply?

An organisation, company, or sole trader may apply to deliver initial and/or refresher HSR training in the ACT.

All applicants must:

- Demonstrate sufficient resources, governance, and quality systems to deliver high-quality training and comply with all approval conditions (evidence may be requested as part of the approval process), including:
 - + Appropriate physical or virtual training facilities;
 - + Adequate administrative support for application processing, records management, and participant communications;
 - + Secure IT systems for delivering and storing training materials and participant data
 - + Processes for quality assurance, compliance, and audit readiness.
 - + Submit all required documentation, and trainer qualifications, as part of the application process.

Note: To ensure ongoing quality, WorkSafe ACT will implement regular audits and monitoring for all approved providers.

Fees

At this stage no fees apply to HSR Training Course approval.



What should be submitted?

Applicants must submit:

- A completed application form (see the link on the WorkSafe ACT health and safety representative webpage)
- All proposed course materials, including:
 - + Course slides, and trainer notes/guide
 - + Course timetable and session plans
 - + Participant exercises, activities, and supplementary materials
 - + Evaluation processes and forms
 - + Sample certificate of attendance
- Evidence of trainer qualifications (certified by a justice of the peace)
 - + Certificate IV WHS as a minimum
 - + Certificate IV in Training and Assessment
- Evidence of trainer experience in WHS, through a curriculum vitae (CV)

How will the application be assessed?

Applications are assessed on:

- Alignment with underpinning principles and learning outcomes
- Quality and relevance of training materials
- Trainer qualification and experience

WorkSafe ACT may request further information and will provide procedural fairness in all assessments. If an approval is refused, applicants will be notified and given the opportunity to provide additional information before a final decision is made.

Period of approval

Approval is granted for up to five years, provided the provider continues to meet all approval conditions. Audits may occur at any time.



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

Providers seeking approval in multiple jurisdictions should apply first in the jurisdiction where most training will occur and then seek mutual recognition as applicable. Approval in one jurisdiction does not guarantee approval in others.

Process for approval to apply for training in more than one jurisdiction:

STEP 1:

Submit an application to become an approved provider in the jurisdiction in which the applicant will be delivering the majority of training courses.



STEP 2:

WHS regulator will assess application and make a decision to grant approval (or otherwise). If application is approved, successful applicant will be notified in writing. Move to **step 3**.

Note: Obtaining approval to provide HSR training in one jurisdiction does NOT guarantee that approval to conduct training in another jurisdiction will be granted.



STEP 3:

Submit an application in the State, Territory or Commonwealth in which the applicant intends to operate.

Include information about any application, assessment and approval to conduct training that has been granted in another jurisdiction.

Note: Application to gain approved provider status may attract fees and charges for administrative purposes in each jurisdiction in which an applicant applies.



Part 2: Trainer qualifications

The following material sets out the required qualifications, knowledge and experience of the person or people who will be delivering the training for the applicant following approval.

All trainers must meet the requirements set out below:

- Hold a current Certificate IV in Training and Assessment (TAE40122 or TAE 40116, or equivalent certification)
- Have at least two years' relevant WHS experience
- Hold relevant tertiary or vocational WHS qualifications, such as a Certificate IV or higher
- Be able to demonstrate current industry and legislative knowledge relevant to HSR powers and functions (e.g., through CV, recent work experience, or recent WHS professional development activities).
 - + Provide a brief statement or log outlining relevant professional development activities undertaken in the past 12 months (e.g., attending WHS seminars, regulatory updates, formal study).

Note: All trainers must be approved by WorkSafe ACT.

Process for Existing Approved Providers to Add New Trainers

If an existing approved provider wishes to add a new trainer, they must:

- Submit a request to WorkSafe ACT before the trainer delivers any HSR training.
- Include with their request:
 - + The trainer's full name and contact details
 - + Certified copies of relevant qualifications (e.g. TAE40122 or equivalent)
 - + Current CV detailing at least two years' WHS experience (or relevant tertiary/vocational qualification)
- Await written approval from WorkSafe ACT prior to delivery of any training by the new trainer
- Keep a current record of all approved trainers and notify WorkSafe ACT of any subsequent changes

Note: All nominated trainers must be approved by WorkSafe ACT before delivering any HSR training. Non-compliance may result in suspension or cancellation of provider approval.



Part 3: Requirements for approval of a course of training

All course materials must:

- Be mapped to the underpinning principles and learning outcomes
- Meet the minimum duration (initial: 35 hours/5 days; refresher: 7 hours/1 day)
- Be based on adult learning principles and real workplace contexts
- Use activity-based and inclusive methods
- Include provision of the current WHS Act to all participants

Part 4: Conditions of approval

In addition to the requirements outlined in Parts 2 and 3 above, the following conditions of approval (and ongoing approval) also apply.

Approved providers must:

- Only use trainers approved by WorkSafe ACT
- Not sub-contract or on-sell their approval
- Issue Certificates of Attendance within 10 working days
- Provide evaluation forms to all participants and be able to produce these in a WorkSafe ACT HSR course provider audit
- Maintain all required records for seven years (attendance, certificates, evaluations, complaints)
- Only use WorkSafe ACT logo with written permission
- Undergo audits as required
- Comply with all relevant legislation and guidance

In addition to the general conditions of approval outlined in this part of the document, WorkSafe ACT may also impose additional specific conditions in relation to training providers, trainers or course requirements that are deemed to be necessary by the regulator. Prior to varying or imposing any specific conditions, the training provider will be notified and provided with an opportunity to make submissions before a final decision is made.

For information about post-approval monitoring arrangements and the consequences of not complying with any specific or general condition of approval, refer to Part 5 of this document.

4.1 Governance

Approved training providers must:



- a. Issue a Certificate of Attendance to each participant who completes the approved HSR initial or refresher training within 10 working days of completion. Certificates of Attendance must contain the following information (as a minimum):
 - i. the name of the approved HSR training course;
 - ii. the participant's full name, as per the registration details;
 - iii. all date(s) of training;
 - iv. the name of the trainer;
 - v. the approved training provider's name and, if applicable, registered business name, ABN and WHS regulator approval number;
 - vi. a unique identifying number and the signature of an authorised person of the training provider (for example, the Chief Executive or authorised officer);
 - vii. the logo of WorkSafe ACT in the jurisdiction in which the approved training took place (where the WHS regulator has approved the use of the logo in writing);
 - viii. a statement that the course and delivering organisation are approved by the WHS regulator in the jurisdiction that the training took place; and
 - ix. the date of issue of the Certificate.

The person conducting a business or undertaking who has released a worker to attend HSR training may request and must then be provided with certification that the participant attended all training sessions.

4.2 Interaction with WorkSafe ACT

An approved training provider must:

- Co-operate with any reasonable requirements of WorkSafe ACT in relation to ongoing monitoring and quality assurance of the approved course and in relation to individual trainers (e.g., notification of future course dates if required for audit/quality assurance purposes).
- Notify WorkSafe ACT in writing within 14 days of any change to the details of the approved training provider (including administrative personnel) and its trainers or substantial changes to course content or delivery method.
- Provide accurate and timely annual reporting on information as required by WorkSafe ACT including any substantial changes/additions to the approved training, number of HSRs trained and certificates of attendance issued, notification of course delivery schedules (if required), and any other matters that may be requested in writing by WorkSafe ACT.



- Provide assistance when WorkSafe ACT is conducting an investigation into any complaints received; and act with due diligence and in a manner that is consistent with WorkSafe ACT's requirements.

4.3 Record Keeping

An approved training provider must maintain a register of all certificates of attendance issued, including the following documents for inspection by WorkSafe ACT for seven years:

- Records of all course training dates
- Participant enrolment or registration forms
- Documentary evidence of the dates that each participant attended approved HSR training
- Records of all Certificates of Attendance (with unique identifying numbers)
- Participant evaluation forms
- Any other relevant correspondence between itself and the regulator(s)

4.4 Accuracy and Integrity of Marketing

An approved training provider must:

- Ensure that the relevant information is provided to HSRs so that they are aware of their legislative entitlements regarding selection of an approved training course
- Ensure that its marketing and advertising of approved HSR courses is accurate and consistent with its approval by the regulator(s)
- Only use WorkSafe ACT's logo with the consent of WorkSafe ACT and in accordance with any conditions of use as specified in relation to the provision of approved HSR training

4.5 Strategies to Provide Quality Approved HSR Training

An approved training provider must:

- Ensure that all training is delivered either face-to-face or via instructor-led online delivery, in line with the underpinning principles; where online delivery is used, participant engagement, real-time interactivity, and verification of attendance/participation must be to the same standard as in-person training
- Ensure that the initial five-day training course is commenced and completed by training participants within a six-month period



- Ensure that the facilities, equipment and training materials to be used are consistent with the delivery requirements contained in the approved course and meet work health and safety requirements
- Ensure the continuing development of trainers in work health and safety currency and trainer competence
- Have defined processes in place to ensure that its course materials remain current and technically accurate for the duration of its approval period
- Ensure all participants are given access to the current online version of the WHS Act and are provided with guidance on how to access the latest version

4.6 Strategies to Adhere to the Principles of Access and Equity and to Maximise Outcomes

An approved training provider must:

- Have a mechanism in place to ensure HSRs receive training and support services that meet their individual needs (e.g., preference for online delivery, can be accommodated where practicable) in line with adult learning principles
- Have a transparent and accessible process available to address HSR concerns that will ensure complaints about the administration and/or delivery of the approved course a HSR attended are addressed effectively and efficiently
- Ensure the maximum number of participants attending each training date does not exceed 20
- Have a mechanism in place to ensure that those who have completed the training are able to be provided with a replacement Certificate of Attendance, if required, on request

4.7 Audit and Investigation

An approved training provider must cooperate with and assist WorkSafe ACT staff:

- When a WorkSafe ACT staffer wishes to observe and monitor the delivery of training to ensure quality and integrity
- In any systematic audit and review of the conduct of the approved training provider to ensure compliance with the conditions of approval
- During any investigation resulting from an allegation or a complaint
- In relation to any reasonable request for further information or assistance



Part 5: Application for renewal of approved provider status

Providers must apply for renewal at least three months prior to their five-year expiry. Approval continues during the five-year approval period unless non-compliance is identified.

Part 6: Compliance monitoring and enforcement

Providers may be audited annually or as required.

Failure to comply may result in suspension or cancellation of approval, with written notice and the right to respond before a final decision is made.