



Background

Drinking water suppliers across Australia currently choose whether or not to train their operators, to what standard they train them and how often the training is undertaken. Furthermore, if an organisation does train their staff to Certificate III in Water Operations this does not guarantee that the units of competency held are appropriate to the type of treatment process for which the operators are responsible. Consequently, this has led to a variation in standards and practices which has been highlighted by regulators and the industry as a potential public health risk.

A National Certification Framework to address the issue was considered a high priority in the National Water Skills Strategy (COAG, 2009) and \$250,000 was awarded to Government Skills Australia (GSA) in June 2011 from the *Raising National Water Standards* program run by the National Water Commission (Commission).

GSA utilised an industry based Steering Committee to guide the process and undertook consultation in two rounds of workshops across all jurisdictions, including representatives from nearly 100 organisations. Two documents were provided to the Commission in March 2012; a Final Report including 12 recommendations (see Attachment A) and a Proposed Certification Framework (see Attachment B). The key recommendations outlined in the report were that:

- certification is accepted as a preferred model and is implemented using a mandatory approach,
- an independent certification body is adopted over a self-certification model to ensure integrity, consistency and national portability, and
- all of the existing workforce will be required to comply with the requirements of this framework.

Benefits of defining a nationally consistent minimum standard were highlighted as; ensuring operators are appropriately trained, improving the national consistency of operator training, reducing the risk of events that may affect the quality and/or safety of drinking water, and providing greater assurance to water regulators and the community regarding the competency of operators.

Industry has continued to be supportive of what a Certification Framework could achieve. In November 2012, participants at the National Water Industry Skills Forum highlighted the implementation and industry adoption of the Proposed Certification Framework as a high priority for progressing nationally consistent training frameworks, and since the framework has been available on the Commission website in January 2013, it has been the 2nd most downloaded PDF document.

Furthermore, there are industry based projects currently underway that aim to address potential barriers for the Certification Framework raised in the report, these include:

- I. *Transitioning to Certification: Development of Recognition of Prior Learning (RPL) and Training Resources in the Water Industry* – a project funded by the NSW Department of Communities and the NWC to provide a robust RPL process that offers equity and justice to existing workers. Nearly complete with a final evaluation on the use of the tools due in May 2013.



- II. *WSAA Urban Water Workforce Development Project, Stage 4 – Expanding the Water Industry Trainer and Assessor Network* – funded under the Workforce Innovation Program (DSIRTE), this initiative builds on the work already underway in NSW with the Water Trainer and Assessor Network and takes it to a national platform. Due for completion in December 2013.

The 2009 COAG National Water Skills Strategy identified the responsibility of WIST or GSA to report on progress to the Department of Education, Employment and Workplace Relations (DEEWR). However, the implementation of either a mandatory or voluntary option will require engagement beyond the requested report on progress. Consequently, the Commission has developed this background and options paper for WIST to outline the steps and requirements associated with the identified pathways.

Two options are presented for WIST to consider:

- Option 1 - Seek approval for a mandatory approach and ownership by the National Occupational Licencing Authority
- Option 2 - Publish agreed National Guidelines either via relevant Commonwealth or jurisdiction government department, or nominated industry body to provide for voluntary adoption

Option 1 – Seek Approval for a Mandatory Approach and Ownership by the National Occupational Licencing Authority

A mandatory approach is the recommended option in the Final Report delivered by GSA as it ensures consistency with an agreed minimum skills and training standard and ensures that it reaches all drinking water suppliers, even the ones that have conflicting pressures in service delivery (i.e. local governments, regional / remote suppliers). A mandatory approach also provides improved community confidence in the safety of water and will allow for expansion of certification into other sections of the water supply and sewage network, if there is interest. It is envisaged that a mandatory approach will drive investment in the broader water training sector increasing the quality of content and delivery of training opportunities.

However, a mandatory approach will take time to implement and has costs associated with it. In line with the COAG Principles on Best Practice Regulation (2007) a cost benefit analysis (CBA) and a regulatory impact statement (RIS) are required. Early indications are that this would cost the agency charged with developing them approximately \$250,000. It is important to acknowledge that the RIS and CBA may in fact not support the desired outcome. Furthermore, if the CBA and RIS come back supporting regulation, seed funding for the certification owner to establish the processes and procedures for certification, until licence fees ensure self-funding arrangements, will be required. It is estimated that a timeline of up to 4 years would not be unrealistic for establishment of a national certification framework.

The Final Report provided by GSA suggests the National Health and Medical Research Council (NHMRC) as a suitable candidate for the role of independent certifying body, however the National Occupational Licensing Authority (NOLA) has recently been established and is a more logical choice for this role.



NOLA is an independent statutory authority established to develop and implement the National Occupational Licensing System. They are currently engaged with state and federal governments, industry associations and regulators within a variety of occupations, including electrical, plumbing and gas fitting and refrigeration and air-conditioning mechanics.

There is interest and scope from NOLA to include operators of drinking water treatment facilities for inclusion in the second wave of national licences, currently scheduled for implementation in 2014, or as part of a subsequent wave. NOLA has also indicated that the development of certification arrangements for other industry skills, if pursued, could also be incorporated into their system. NOLA currently sits under and reports to the COAG Standing Council on Federal Financial Relations (SCFFR), which would need to approve the recommended ownership arrangements. Should the pathway be approved by SCFFR, NOLA has the capacity to produce both of the reports (CBA and RIS) required and would establish an Occupational Licensing Advisory Committee (OLAC) under its legislation to provide ongoing advice and direction, comprising representatives from the water industry and regulators.

Should this pathway be preferable, the Commission recommends that WIST write to the COAG Standing Council on Tertiary Education, Skills and Employment supporting the final recommendations of the report, advising them of the intention to approach the SCFFR to implement the framework through NOLA and seeking their support for this approach. It is also recommended that the COAG Standing Council on Environment and Water are copied in to the correspondence.

In writing to the Standing Councils, WIST should give consideration to the following:

1. The degree to which industry supports the mandatory approach and agreement from industry that this approach is still the preferred pathway. A clear statement from the utility sector and water service providers in regional Queensland and NSW would be important to indicate to COAG that adopting a mandatory model is unlikely to be controversial.
2. The potential for shared industry government funding arrangements for implementation.
3. The level of support for a broader skill certification arrangement in the long term, implemented under the NOLA framework.

Option 1 Summary

A mandatory pathway was the recommended approach in GSA's Final Report and provides the water sector with many benefits including confidence in public health, but it is both costly (more than \$250,000) and lengthy (up to 4 years) and requires continued industry support.

The National Occupational Licensing Authority is ideally suited as the Certification Framework owner and a pathway for approval through COAG has been outlined.

If approved, a cost benefit analysis and regulatory impact statement are required for governments to support a mandatory approach. There is a chance that these may not support the desired outcome.

Seed funding will also be required until licence fees ensure self-funding arrangements occur.



Option 2 – Publish Agreed National Guidelines either via relevant Commonwealth or Jurisdiction Government Department, or Nominated Industry Body to Provide for Voluntary Adoption

WIST may wish to consider the option of publishing national guidelines in partnership with either a Commonwealth or jurisdictional government department or relevant industry body. The precedent for this exists in many forms and may be suitable either as an interim step, offsetting the length of time that a mandatory process will take, or as a finalised product for industry adoption.

The NHMRC Water Quality Advisory Committee has long highlighted the need for increased attention on skills and training for operators of drinking water treatment facilities, and whilst not consulted directly as part of this process, it is likely that the NHMRC could be interested in publishing a document that runs alongside the Australian Drinking Water Guidelines. At the same time, there are examples of industry bodies like the Water Services Association of Australia publishing ‘best practice guidelines’ for industry, providing another option that WIST may like to consider.

With either scenario, WIST would need to approach the suggested publishing body and ask for their support.

- In the case of the NHMRC, once approved by the NHMRC CEO, a 9-step Guideline Publication Process is initiated involving the establishment of a working committee, technical and writing specialists, public consultations, and eventual sign off by the NHMRC Council. The NHMRC Guideline Publication Process can take up to 2 years but aligned with the ADWG, would culminate in a robust document ready for jurisdictional uptake, if desired.
- If an organisation like WSAA is approached, consultation would be required to establish the pathway for implementation, and this has not yet occurred.

In either case it will be an important component of the voluntary approach to allow for sufficient engagement of industry and governments to ensure that any additional cost of compliance is not burdensome.

Option 2 will not deliver on the training and certification arrangements considered necessary in the Final Report recommendations by GSA. There is no guarantee of any uptake across the sector, and if uptake does occur, it may be inconsistent across jurisdictions and may not reach the drinking water suppliers where it’s really needed. However, should this option be pursued there may be the potential to leverage uptake through reporting on whether an organisation is adhering to the document within the National Performance Reports for Urban Water published by the Commission.

In deciding on the preferred approach to the development of national guidelines WIST may wish to consider

1. The most appropriate body to develop and host the guidelines.
2. The degree to which WIST members could support the development and implementation of the guidelines.



Option 2 Summary

A number of organisations could develop and publish the voluntary guidelines, and existing processes will ensure a robust approach that includes industry and government consultation.

A voluntary approach does not require the same amount of financial support, and would take less time to deliver a document that could be used by the sector.

National scale adoption across Australia is unlikely, undermining its capacity to reduce risk to public health.

Conclusion

The Commission has outlined and presented two potential options for consideration by WIST and encourages a discussion around the following questions:

1. Which pathway is the preferred option – mandatory or voluntary?
2. If mandatory, suggestions on funding arrangements for implementation
3. If voluntary, clarification on which body would be most suitable, and
4. Decisions made on responsibilities for progressing implementation, timeframes and potential intermediate funding arrangements.

The Commission will work with WIST to report to DEEWR on progress and preferred options and assist with the approach to the parties responsible for the preferred implementation option. It is important for WIST to acknowledge that while the Commission was the funding body for the development of the draft certification framework it does not have the capacity or the mandate to administer its implementation.

The Commission would like to thank and acknowledge the work of Government Skills Australia and the Steering Committee in delivering a comprehensive Final Report and Proposed Certification Framework.

Attachments

A: Project Final Report

B: Proposed National Certification Framework for Operators within Drinking Water Treatment Systems