

Mandatory safety training requirements – consultation paper

11 January 2018



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The Department of Environment, Land, Water and Planning develops policy for the [Victorian Energy Upgrades](#) program. The program provides incentives for Victorian households and organisations to make energy efficiency improvements that save money on their energy bills and reduce Victoria's greenhouse gas emissions

The Essential Services Commission administers the program as the 'Victorian Energy Efficiency Target scheme' under the *Victorian Energy Efficiency Target Act 2007*.

For more information, visit veet.vic.gov.au.

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Introduction

Purpose

The Essential Services Commission (the commission) is seeking feedback from accredited persons, industry stakeholders and other relevant parties about proposed changes to the VEET scheme's mandatory safety training requirements.

Background

The commission is responsible for administering the *Victorian Energy Efficiency Target Act* (the Act), *Victorian Efficiency Target Regulations 2008* (the Principal Regulations), *Victorian Energy Efficiency Target (Project-Based Activities) Regulations 2017* (the PBA Regulations) and the *Victorian Energy Efficiency Target Guidelines* (the Guidelines). The Act makes the commission responsible for administering the Victorian Energy Efficiency Target (VEET) scheme (also known as the Victorian Energy Upgrades program).

The commission recognises that completing prescribed activities under the scheme can create occupational health and safety (OH&S) risks for accredited persons, installers and consumers. Section 10 (1)(c) of the Principal Regulations specifies that prescribed activities need to be undertaken in accordance with OH&S legislation. Additionally, the Guidelines provide the commission with the powers to specify units of competency for persons undertaking certain prescribed activities. These units of competency are known as mandatory safety training (MST) requirements.

All installers must have completed the required MST requirements (with the exception of fully qualified and licensed electricians and plumbers, and registered builders) if they wish to undertake prescribed activities under Schedules 13, 14, 15, 17, 21 or 26 of the VEET scheme. Accredited persons have to make sure the details of the electricians, plumbers and builders in their employ undertaking these activities are up-to-date in their account on the VEET website (www.veet.vic.gov.au).

The MST framework is reviewed regularly to ensure VEET risk management processes are adequate and the specified units of competency are current.

Risk review outcome

The commission recently carried out its regular risk review of VEET prescribed activities assessing the risk and safety management processes and frameworks. As part of the review, the commission undertook a comprehensive assessment of the OH&S risks associated with VEET activities.

The review provided the commission with a number of recommendations for proposed changes to its MST framework and requirements. The commission has in part responded to these recommendations by publishing a new explanatory note. The explanatory note provides detailed information about the safety and training obligations on accredited persons and installers completing prescribed activities in the VEET scheme. You can access the [Explanatory note – safety, risks and training obligations](#) from the VEET website.

The risk review also recommended three changes to the VEET scheme's MST framework. The purpose of this paper is to advise accredited persons and other interested parties of these recommended changes to the MST framework and to seek your feedback on the proposed changes. We recognise that adoption of these recommended changes may impact your organisation. Accordingly, we would like to seek your views on the need for and likely benefit of the proposed changes and how they would impact on your business.

Appendix A provides details of our current MST requirements.

Appendix B provides details of the expired MST units for the scheme.

Proposed changes to MST requirements

The risk review recommended the following three changes to the VEET scheme's MST framework and requirements.

Proposal 1: New installers must have current MST units

Employers have a duty to protect the health and safety of employees while at work by providing and maintaining a working environment that is safe and without risks to health. Risks must be eliminated or reduced as far as reasonably practicable by ensuring that installers have up-to-date and industry-relevant information and training.

To achieve this, the commission is proposing that all new installers (i.e. installers new to the VEET scheme with the exception of fully qualified and licensed electricians and plumbers, and registered builders) must have completed the current MST units to satisfy relevant prescribed activities' MST requirements. This means that installers will not be able to satisfy the MST requirements by having completed any superseded MST units.

Consultation questions:

1. Do you believe this proposed requirement is needed? Please provide a rationale for your answer.
2. What are the potential impacts for your organisation of implementing this proposed requirement? What are the potential benefits for your organisation of implementing this proposed requirement?

Proposal 2: Installers must have updated working at heights training

Working at heights was identified as a major safety risk. A fall from any height can leave employees with permanent and debilitating injuries. The risk of serious injury or death from a fall increases significantly when working at heights over two metres.

The commission requires installers to complete working at heights training for Schedules 13, 14, 15 (except 15D), 21A and 21B. At present, around 90 per cent of all VEET approved installers do not hold one of the two currently approved MST units for working at heights (CPCCCM2010 or RIIWHS204D). Given that training units are updated and replaced to reflect current industry standards and expectations, there is a risk that many VEET installers have not been provided with up-to-date instruction, information and training needed to work at heights.

To mitigate this risk, the commission is proposing that all installers must complete a current working at heights training unit every two years.

Consultation questions:

3. Do you believe this proposed requirement is needed? Please provide a rationale for your answer.
4. What are the potential impacts for your organisation of implementing this proposed requirement? What are the potential benefits for your organisation of implementing this proposed requirement?
5. How would this proposed requirement affect your safety risk management and mitigation strategies?

Proposal 3: Installers with superseded units to complete replacement units within a fixed transition period

Risks were identified for installers who hold qualifications from superseded MST units, notably related to units for OH&S, working at heights and retrofitting for energy and water. Superseded training units do not adequately represent the current needs of industry or current needs of the installer. When a unit of competency is superseded or discontinued, it is a clear indication that industry needs have changed to the extent that the previous unit of competency is no longer suitable. Given the high risks involved with installers conducting works under the VEET scheme, it is important that installers obtain competencies and qualifications that most closely represent the current skill needs of industry.

To mitigate this risk, the commission is proposing that all installers with superseded MST units will have to complete the replacement unit within a 12 month transition period. A 12 month fixed transitional period is consistent with the general direction for transitional periods as per the standard applied by registered training organisations. However, in certain circumstances, the commission may choose to amend this transitional period based on the extent and impact of the changes made to the content of the unit.

Consultation questions:

6. Do you believe this proposed requirement is needed? Please provide a rationale for your answer.
7. What are the potential impacts for your organisation of implementing this proposed requirement? What are the potential benefits for your organisation of implementing this proposed requirement?

Transition from current requirements

Should one or more of the above proposals be adopted, we expect to publish the new MST requirements in February 2018. We propose that a transition period of six months be provided for installers to comply with the new requirements. Stakeholders will be given advance notice of the exact date of commencement of the new requirements via the VEET website in an email to all VEET stakeholders.

Submission

Stakeholders are invited to provide submissions on the proposed requirements to the commission. This document is publicly available on the commission's website at www.esc.vic.gov.au and on the VEET website at www.veet.vic.gov.au.

The consultation will be open for two weeks. Submissions must be received no later than 5:00 PM on **26 January 2018**, in electronic format if possible.

Our general approach is that submissions will be published on our website, except for any information that is commercially sensitive or confidential. Submissions should clearly identify which information is sensitive or confidential and accompanied by a request that it not be made publicly available.

Electronic submissions should be made via email to veet@esc.vic.gov.au and contain the following subject line: 'Consultation submission – Changes to VEET mandatory safety training requirements'.

Submissions by mail should be addressed to:

Essential Services Commission
Victorian Energy Efficiency Target Scheme
Level 37
2 Lonsdale Street
Melbourne VIC 3000

Should you require further information, please contact veet@esc.vic.gov.au or (03) 9032 1310.

Appendix A – Current MST requirements

The tables on the following pages detail the MST requirements for activities in the residential sector (Table 1) and in the non-residential sector (Table 2). Units of competency that make up the MST requirements have been placed into one of three groups:

- **Group A** – units relating to health and safety risks and OH&S requirements
- **Group B** – units relating to energy and water efficiency retrofits
- **Group C** – units relating to working at heights.

These groups allow installers to have choice in the unit that they complete to satisfy each aspect of the MST requirements.

Table 1: Residential sector mandatory safety training requirements

Mandatory safety training units – residential sector							
Activities and Schedules	GROUP A			GROUP B	GROUP C		
	VU21858 Minimise health and safety risk when retrofitting for energy and water efficiency	CPCCOHS2001A Apply OHS requirements, policies & procedures in the construction industry	CPCPCM2043A Carry out WHS requirements	VU21859 Undertake retrofitting to improve energy and water efficiency	CPCCCM2010 Work safely on scaffolding higher than two metres	RIIWHS204D Work safely at heights	
Residential	External window activities (Schedules 13, 14)	Installer required to complete one of the above three units,			the above unit, and	one of the above two units.	
	Weather sealing (Schedules 15A, 15B, 15C, 15E, 15F, 15G, 15H)	Installer required to complete one of the above three units,			the above unit, and	one of the above two units.	
	Shower rose (Schedule 17)	Installer required to complete one of the above three units,			and the above unit.	<i>Not required</i>	
	Incandescent lighting replacement (Schedules 21A, 21B)	Installer required to complete one of the above three units,			the above unit, and	one of the above two units.	
	Pool pumps (Schedule 26)	Installer required to complete one of the above three units,			and the above unit.	<i>Not required</i>	
	Weather sealing (Schedule 15D)	<i>Electricians licensed by ESV</i>					
	Incandescent lighting replacement (Schedules 21C, 21D, 21E, 21F)	<i>Electricians licensed by ESV</i>					

Table 2: Non-residential sector mandatory safety training requirements

Mandatory safety training units – non-residential sector							
Activities and Schedules		GROUP A			GROUP B	GROUP C	
		VU21858 Minimise health and safety risk when retrofitting for energy and water efficiency	CPCCOHS2001A Apply OHS requirements, policies & procedures in the construction industry	CPCPCM2043A Carry out WHS requirements	VU21859 Undertake retrofitting to improve energy and water efficiency	CPCCCM2010 Work safely on scaffolding higher than two metres	RIIWH204D Work safely at heights
Non-residential	External window activities (Schedules 13, 14)	Installer required to complete one of the above three units,			the above unit, and	one of the above two units.	
	Shower rose (Schedule 17)	Installer required to complete one of the above three units,			and the above unit.	<i>Not required</i>	
	Incandescent lighting replacement (Schedules 21A, 21B)	Installer required to complete one of the above three units,			the above unit, and	one of the above two units.	
	Pool pumps (Schedule 26)	Installer required to complete one of the above three units,			and the above unit.	<i>Not required</i>	
	Incandescent lighting replacement (Schedules 21C, 21D, 21E, 21F)	<i>Electricians licensed by ESV</i>					
	Lighting upgrade (building based and non-building based) activities (Schedule 34)	<i>Electricians licensed by ESV</i>					

Appendix B – Expired MST requirements

The following table provides details of the expired MST units for the scheme. The 'expiry date' indicates the last date on which an installer could have completed the unit and been able to use it as evidence to meet our MST requirements.

Unit	Unit Details	Group	Sector	Expiry Date
VU20781	Minimise health and safety risk when retrofitting homes for energy and water efficiency	A	Residential Non-residential	31/12/2017
CPCPCM2023A	Carry out OHS requirements	A	Residential Non-residential	01/07/2017
CPCPCM2003A	Carry out OHS requirements	A	Residential Non-residential	20/07/2016
CPCCOHS1001A	Work safely in the construction industry	A	Residential Non-residential	31/01/2012
VU20790	Undertake retrofitting to improve energy and water efficiency	B	Residential Non-residential	31/12/2017
VPAU381	Undertake retrofitting to improve energy and water efficiency	B	Residential Non-residential	31/12/2017
CPCCCM2010B	Work safely at heights	C	Residential Non-residential	08/09/2016
CPCCCM2010A	Work safely at heights	C	Residential Non-residential	06/02/2013
CPCCCM1006A	Work safely at heights	C	Residential Non-residential	18/05/2011