

The Tasmanian Traineeship & Apprenticeship Committee (TTAC) **Policy 3 – Supervision under a training contract**. The policy outlines the supervision requirements for training contracts and provides clear advice to employers and supervisors concerning their obligations in relation to the supervision of apprentices/trainees in delivering relevant, appropriate training and providing a safe work environment. Please see the below policy:

TTAC Policy 3: Supervision under a training contract

- 3.1 Supervision under a training contract is the oversight of training on the worksite provided to an apprentice/trainee learning under a training contract. Supervision includes oversight by the supervising person of the work of the trainee or apprentice for the purposes of:
 - 3.1.1 directing, demonstrating, monitoring and checking the apprentice or trainee in a way that is appropriate to the apprentice's or trainee's level of competency and to the level of competency required under the relevant qualification; and
 - 3.1.2 ensuring they have the capacity to respond in an emergency situation.
- 3.2 The training contract obligations require that an employer must provide appropriate facilities and experienced people to facilitate the training and supervise the apprentice or trainee while at work. In accordance with the National Code of Good Practice for Australian Apprenticeships, the employer is to provide the apprentice or trainee with a suitably skilled and/or qualified nominated supervisor.
- 3.3 An effective workplace supervisor:
 - a) supports a safe and supportive workplace;
 - b) integrates learning tasks into work activities based on the Training Plan;
 - c) manages safety and production risks while training;
 - d) acts as a role model;
 - e) meets with the Registered Training Organisation (RTO) regularly (a minimum of twice per year) to ensure effective training delivery and assessment practices, and to review progress through the Training Plan;
 - f) promotes independence and self-direction in learning;
 - g) manages the apprentice or trainee's training needs and motivation;
 - h) provides regular feedback and encouragement;
 - i) maintains records of progress, for example regular reporting of progress against the Training Plan; and
 - j) helps the apprentice or trainee develop problem solving and general employability skills.
- 3.4 For the purposes of this policy, there are three levels of accountability for supervision:

3.4.1 **Employer** – ultimately responsible for compliance with this policy as a signatory to the training contract;

3.4.2 **Nominated supervisor** (may be the same person as the employer) – responsible for coordinating the day-to-day supervision of an apprentice/trainee; and

3.4.3 **Work task supervisor** (may be the same person as the nominated supervisor and/or the employer) – oversees and trains the apprentice/trainee as they perform their work and holds the relevant skills and/or qualifications to do so.

The following two sections outline the responsibilities of the nominated supervisor and the work task supervisor.

NOMINATED SUPERVISOR

3.5 The nominated supervisor is responsible for the supervision of the on the job training provided to an apprentice or trainee.

3.6 The nominated supervisor must be either:

- the employer, who is a party to the training contract; or
- a person who is directly employed by the employer.

3.7 The nominated supervisor must be named in the Training Plan.

3.8 The nominated supervisor must ensure that:

- (1) The apprentice/trainee knows at all times who their work task supervisor is;;
- (2) The work task supervisor holds the relevant skills and/or qualifications and is competent and experienced in the activities in which they are providing training and instruction (as per 13.10 below);
- (3) The work task supervisor knows their roles and responsibilities in training the apprentice/trainee and has a clear understanding of the tasks and competencies required for the training;
- (4) Work allocated to the apprentice/trainee reflects the trade and vocational competencies in the qualification being delivered by the Registered Training Organisation (RTO); and
- (5) Work allocated to the apprentice/trainee reflects their appropriate current skill level and level of competence, and is commensurate with the stage of progress that the apprentice/trainee has attained as per their Training Plan.

WORK TASK SUPERVISOR

3.9 The work task supervisor is responsible for the supervision of the apprentice/trainee as they perform their work task.

3.10 The work task supervisor is required to:

- a. Hold a relevant qualification which is aligned to the occupation in which the apprentice or trainee is engaged; or
- b. Have sufficient experience, knowledge and skills in that vocational occupation area to be able to meet the competencies required in that qualification, if they were to be assessed.

3.11 The person responsible for the supervision of an apprentice or trainee may change over the term of the apprenticeship or traineeship dependent on the skills and competencies in which the apprentice or trainee is being trained at a point in time, and the apprentice or trainee's skill level.

GENERAL REQUIREMENTS

- 3.12 In the case of a Group Training Organisation (GTO), the nominated supervisor (who must be an employee of the GTO) is responsible for the supervision conducted by the work task supervisor at the host employer.
- 3.13 In the case of sub-contracted works, the nominated supervisor (who must be a direct employee of the employer) is responsible for the supervision conducted by the work task supervisor at the sub-contractor.
- 3.14 Any changes in the nominated supervisor must be reflected in the Training Plan as part of the reviews conducted two times annually.
- 3.15 A supervisor must not be an apprentice or trainee (in the same trade or vocation).
Apprentices or trainees may, however, provide peer support to other apprentices or trainees.

LEVEL OF SUPERVISION

- 3.16 The level of supervision provided is to ensure the safety of the apprentice or trainee and others in the workplace, and support the successful achievement of the relevant competencies for each individual apprentice or trainee within their qualification.
- 3.17 An apprentice or trainee must not undertake any task unsupervised for which they have not been deemed competent by the training provider and/or which is subject to the supervision requirements set by the appropriate authority (have regard to the considerations in 13.18).
- 3.18 In determining whether supervision should be direct or indirect, employers must consider the following:
- (a) Industry supervision standards and codes of practice, for example the Occupational Licensing (Supervision of Prescribed Work) Code of Practice 2019 or equivalent;
 - (b) Occupational risk, including the safety of the apprentice or trainee in regard to the work being conducted;
 - (c) The training package requirements for that qualification and the structure of the workplace; and
 - (d) The previous relevant work experience, stage of training and level of competency of the apprentice or trainee.
- 3.19 If either or both parties have concerns with the level of supervision being provided, then the level of supervision should be reviewed and agreed by both parties.

Relevant legislation and Codes of practice

- 3.20 In addition to the training contract obligations in relation to supervision, it is the employer's responsibility to ensure that they are aware of, and comply with, the relevant rules and regulations in relation to safety. The key requirements in relation to supervision are included in, but are not limited to, the:
- (a) *Occupation Licensing Act 2005* (Tas) – ensures that contractors, practitioners and other persons engaged in certain occupations, trades or callings are appropriately qualified, licensed or regulated to perform their work safely and in accordance with established benchmarks, to promote safety, to provide for the investigation of incidents in those activities;
 - (b) *Occupational Licensing (Supervision of Prescribed Work) Code of Practice 2019* (Tas) – established subject to section 53 of the Occupational Licensing Act. The Code, issued by Consumer Building

and Occupational Services (CBOS) sets minimum standards for the supervision of those required to be supervised in the performance of prescribed work in relation to;

- (i) Electrical work,
- (ii) Cable jointing and linework,
- (iii) Plumbing work, and
- (iv) Gas-fitting work.

The requirements in relation to these types of work must be complied with over and above any general requirement in relation to supervision; and

- (c) *Work, Health and Safety Act 2012* (Tas) – legislation that secures the health, safety and welfare of persons at work and for related purposes.

- 3.21 The employer must be able to demonstrate, when requested by relevant authorities, that supervision is available and provided in a manner that is suitable to the relevant training package, regulation and licensing requirements, and that is compliant with any relevant industrial awards covering employment conditions.

Relevant authorities include, but are not limited to, the Tasmanian Traineeships and Apprenticeships Committee (TTAC); Worksafe Tasmania; Consumer, Building and Occupational Services (CBOS); FairWork Australia.

- 3.22 TTAC may request a Supervision Plan from an employer if considered appropriate.
- 3.23 Section 34 of the *Training and Workplace Development Act 2013* provides that parties to a training contract must comply with the terms of that contract.
- 3.24 This Policy does not override the legislative requirements of other relevant legislative requirements.

For further information please visit

[https://www.skills.tas.gov.au/data/assets/pdf_file/0009/275805/TTAC Policies and Guidelines - MARCH 2022.pdf](https://www.skills.tas.gov.au/data/assets/pdf_file/0009/275805/TTAC_Policies_and_Guidelines_-_MARCH_2022.pdf)