

Ref: MO5147

08 September 2005

The Director

Standing Committee on Social Issues - Inquiry into the
Funeral Industry

Legislative Council

Parliament House

Macquarie Street, Sydney NSW 2000

To Whom It May Concern,

Accredited Training Underpinning Regulatory Frameworks.

Service Skills Australia understands that the NSW Inquiry into the Funeral Services Industry is interested to receive information on how accredited training programs are used by industry and government to underpin regulatory frameworks.

We are only too happy to provide this information. Service Skills Australia is the Industry Skills Council for the Australian service industries. Skills Councils are the recognised peak national bodies providing advice on industry training and skills development needs to government and industry.

Service Skills represents the interests of almost 640,000 businesses across sectors including retail and wholesale, sport, fitness, community recreation, outdoor recreation, travel, tours, meetings and events, accommodation, restaurants and catering, caravans, hairdressing, beauty, floristry, community pharmacy and funeral services

Please find attached to this letter Service Skills submission.

If you have any queries, please feel free to contact me at Service Skills Australia on 02 8243 1200.

Yours sincerely,

The Industry Skills Council for the Service Industries



SERVICE SKILLS

The Industry Skills Council
for the Service Industries

**Service Industries Skills Council
ABN 37 107 591 864**

**Level 10, 171 Clarence St
Sydney NSW 2000**

GPO Box 4194

Sydney NSW 2001

Tel: +61 2 8243 1200

Fax: +61 2 8243 1299

www.serviceskills.com.au

info@serviceskills.com.au

Kit McMahon

Industry Specialist – Wholesale, Retail and Personal Services

The Industry Skills Council for the Service Industries



Service Skills Australia – Submission to the Standing Committee on Social Issues. Inquiry into the Funeral Industry

In Australia there is a range of ways that training is used as a base to regulate industries and business.

The type of training that is used to do this is accredited. Accreditation can occur via the regulations/legislation referring to a particular course that employees need to have completed. The course can be: –

- a) Part of the AQTF framework and is based upon a unit of competence, a group of units of competence and/or a complete qualification from an endorsed Training Package that has been approved by all State and Territory Governments and by the Commonwealth Government. This course is delivered by a Registered Training Organisation who is audited under the Australian Qualifications and Training Framework (AQTF). This implies that the participants of the course have completed some type of assessment process and been marked as competent against nationally endorsed standards by a trained and qualified assessor. It also implies that they have participated in some training OR been recognised for their current skills against these same nationally recognised units of competence.
- b) Not be part of the AQTF framework but still required by the State Government/Regulator before licence can be granted to move into the particular field. Often these courses are still based on the same national units of competence as (a), but may not explicitly be part of the AQTF framework.
- c) A combination of a) and b)

Sometimes, it may not be a regulator that requires the training to occur. Other times, the requirement may actually be driven by specific firms/enterprises where employees are asked to complete competency based training (and be marked as competent in the units/modules) before they can commence work in certain areas. In some cases Union Agreements with employers state a required level of training before someone can commence work. In these cases

We would like to provide you with some examples of these scenarios.

The Industry Skills Council for the Service Industries



The Industry Skills Council for the Service Industries



Hospitality and Tourism – Responsible Service of Alcohol.

Across Australia State Governments have ensured that the skills and knowledge of bar staff are suitable for working in a club or bar by legally requiring that these staff and/or potential staff to complete recognised qualifications. In NSW this is commonly called the Responsible Service of Alcohol (RSA) Course.¹ This course is based upon the Unit of Competence THHFB09B Provide responsible service of alcohol from the Tourism and Hospitality Training Package.

This unit of competence stipulates the required underpinning knowledge, skills and performance criteria required by all staff involved in the sale, supply or promotion of alcohol. The unit was developed through extensive industry consultation and is endorsed by State and Federal Governments. This unit forms the basis of Responsible Service of Alcohol courses that are approved by the NSW Liquor Administration Board.

The NSW liquor laws require a Liquor Administration Board approved Responsible Service of Alcohol course to be completed by:

- all liquor licensees and club secretaries;
- all people involved in the retail sale, supply or service of liquor in licensed venues. This includes promotional staff, club directors, and volunteers serving liquor under a function licence. The training requirements do not apply to employees of wholesale, brewer and some vigneron licences; and
- from **1 March 2005**, security officers working at licensed venues.

The course can only be provided by those providers who are approved by the Liquor Administration Board.

What is an Approved Provider of RSA Training?

Those providers approved to deliver RSA training in NSW have been approved by the NSW Liquor Administration Board as meeting the following criteria:

- Are an approved Registered Training Organisation
- Have paid the required fees to the Board
- The program being delivered:

¹ This information is taken from the NSW Department of Gaming and Racing Website http://www.dgr.nsw.gov.au/HTML/LIQUOR/course_requirements.html

- Covers the stipulated 5 learning outcomes including ensuring adequate coverage of harm minimisation
- Is a minimum of six hours in duration, excluding breaks and student assessment.
- The trainers delivering and assessing the program must have at least five years managerial experience in a hotel or registered club in New South Wales, or such other experience the Board considers being equivalent and holding a certificate IV in Training and Workplace Assessment.
- The approved RTO is prohibited from allowing its course to be marketed or conducted by a third party, while the course must be conducted over a minimum of six hours with a student:trainer ratio of no greater than 30:1.
- The RTO meets the required administration provisions of the board

Interstate Transfer

While the NSW Liquor Administration Board recognises training that has been approved by interstate liquor licensing authorities, an individual who has completed an RSA course from another state must still complete a bridging course on the NSW liquor laws. This approach recognises that, while there are common elements to RSA training undertaken across all Australian States and Territories e.g. standard drink and health related information, State laws to vary. The bridging course (delivered by TAFE NSW) focuses on the relevant harm minimisation provisions of the NSW liquor laws.

These harm minimisation provisions, as well as other aspects of the NSW liquor laws, can differ from those liquor laws applying in other Australian jurisdictions. For instance, the NSW liquor laws contain licensing arrangements unique to the NSW environment. Also, under the NSW liquor laws, there is a Director of Liquor and Gaming who has similar enforcement powers to the Police Commissioner.

Child Care Industry

The Child Care industry has a range of measures and systems in place to assure the community of the quality of the care of our children, and to ensure the safety and well being of those children in care in our child care centres. One aspect of this system is to require that certain levels of child care worker have completed accredited training. The current range of Child Care qualifications that are approved by the NSW Children's Services Qualifications Committee are a range of vocational education and training qualifications, degrees and qualifications from tertiary institutions/universities and qualifications that are no longer part of the Australian National Training Framework.²

The following regulations for required training levels of Child Care Workers come from the NSW Children's Services Qualifications Committee Information Bulletin 18.1.05 and is based upon the 2004 Children' Services Regulation NSW. Overarching the stipulated qualification requirements are the NSW requirements for Ratios of Staff to Children.

Not all staff working with children requires qualifications for employment in children's services. If employees or potential employees have experience and/or formal training in early childhood they may be eligible for employment in an early childhood service.

Individuals must hold *approved early childhood qualifications* if they want to work in an early childhood service as an;

- Authorised Supervisor
- Teaching Staff Member
- Qualified Staff Member for children under 2 years

Approved early childhood qualification means either:

- those qualifications which are specified in the Children's Services Regulation 2004,

OR

- other qualifications approved by the Minister.

An approved list of qualifications has been established by the NSW Children's Services Qualifications Committee. The role of the NSW Children's Services Qualifications Committee (CSQC) is to assess

² Some staff in the child care sector has qualifications such as the Associate Diploma in Social Sciences (Child Studies). This pre-1996 qualification is still approved by the Committee to ensure its usefulness for industry.

individual applications and recommend to the Office of Child Care, Department of Community Services, the approval of qualifications and training submitted by individual applicants.

Only early childhood qualifications, as outlined in the regulation can be approved for these positions.

There are three positions defined in the Regulations. These positions require early childhood qualifications.

1. Authorised Supervisor as required by the regulation

- (i) a degree or diploma in early childhood education from a university following a course with a duration (on full-time basis) of not less than 3 years, OR
- (ii) a Child Care Certificate, a Certificate of Child Care Studies or an Associate Diploma of Social Science (Child Studies) from a registered training organisation; OR
- (iii) a diploma of Community Services (Children’s Services) from a registered training organisation, being a diploma as part of which the person has successfully completed a course unit in administration and a course unit in service management, OR
- (iv) another approved qualification, AND

Has 12 months full time experience or its equivalent in part-time experience (gained after obtaining, or after obtaining, the qualifications referred to above) in providing a relevant children’s service as a member of the primary contact staff.

2. Teaching Staff Member

A degree or diploma in early childhood education from a university following a course with duration (on full-time basis) of not less than 3 years

OR

Other approved qualifications or other approved training.

3. Qualified Staff Member for Children Under 2 Years Old

- (a) Enrolled nurse (mother craft) within the meaning of the NSW Nurses Act 1991 or an enrolled nurse within the meaning of that Act who has obtained
 - (i) a Certificate IV from a College of Technical and Further Education on completion of a course in Parenthood, or
 - (ii) a Certificate III from a registered training organisation on completion of a course in Children’s Services, or

- (b) Registered nurse within the meaning of the NSW Nurses Act 1991 with previous work experience in providing a child care service, or
- (c) Has obtained:
 - (i) Child Care Certificate or Certificate of Child Care Studies or an Associate Diploma of Social Science (Child Studies) from a TAFE establishment, or
 - (ii) a Diploma of Community Services (Children’s Services) from a registered training organisation, or
- (d) Has some other approved qualification.

Blue Card Training in the Transport and Distribution Industry

“Blue Card” training is a passport system of training based upon the Transport and Distribution Training Package. The program uses the Level I OH&S Competency Standard TDT F1 97B – Follow OH&S Procedures as its signature entry point and compels organisations that use it to familiarise themselves with and follow occupational Health and Safety Procedures.

The Bluecard Program seeks to ensure that employees understand their duty of care obligations. Where employees have not been inducted or trained in a new or existing workplace, a person competent at the F1 level has the diligence to seek that information, procedure and policy from their supervisors or employers.

Bluecard training is not designed to replace site specific training, workplace training on safety or vehicle operations cargo handling or specialised equipment training

The Bluecard Program is delivered by approved Registered Training Organisations who comply with the program requirements. (That is the Transport and Distribution Units of Competencies are on their scope of registration.) They deliver a set program curriculum and assess competence using the programs tools and their own assessment systems as per the AQTF standards.

Whereas the previous two training examples have been compelled upon employees by government regulation, Bluecard is an example of an employee/employer driven training initiative. In this case, there are examples of Bluecard training being written into the Enterprise Agreements/Awards of transport and distribution workers.

A possible approach for the Funeral Industry

In NSW there are a number of regulations that determine the behaviour and conduct of members of the funeral industry. These are:

- The Public Health Act 1991
- Public Health (Disposal of Bodies) Regulation 2002

These two documents regulate the handling of bodies both by funeral industry professionals and by members of the public. The regulation expresses rules rather than explaining how the deceased are to be disposed. The regulations control:

- premises and facilities for handling bodies
- waste disposal
- handling of bodies including embalming, viewing, the use of body bags and storage of bodies
- restriction of burials
- exhumations
- crematories and cremations; and
- maintenance of registers ³

In addition to the Health Acts the Funeral Funds Act 1979 regulates the activities of entities and persons conducting funeral fund business in New South Wales. The Act has been reviewed since 1979 and new legislative changes are scheduled to come into force on 30 November 2004. Organisations are also required to comply with the Corporations Act and associated Fair Trading Legislation.

At present there is the NSW Funeral Industry are required to self-regulate with no enforced regulation – apart from the risk of fine and imprisonment if one does not comply with the laws.

Accredited Training to Regulate the NSW Funeral Industry – National Funeral Services Training Package.

The current parliamentary review in NSW has highlighted some potential issues with this current system.

³ Taken from the NSW Dept of Health Website - <http://www.health.nsw.gov.au/public-health/ehb/general/funeral/funeral.html>

The NSW Government and the NSW Funeral Industry may consider a system that increases regulation on a model as per the previous three examples. That is, licensing and regulation of the industry via an accredited training framework.

This accredited training framework would ideally be based upon the set of competencies in the Funeral Services Training Package. This package - that is endorsed by the Commonwealth and State Governments - has been developed by industry and, will be continuously improved and reviewed by industry. This package therefore represents an approved set of standards to which the framework can be based upon.

This approach could be tailored on the basis of the core practices of a person who works in the Funeral Industry.

Option One - The removal and transfer of a deceased person to a declared Crematoria and Cemetery Site

The NSW Government may consider legislating that all those individuals that work at any time on a Crematoria or Cemetery site be required to demonstrate their competence in a set range of skills and knowledge as determined by Industry. These people could include:

- Grave Diggers and Crematoria Staff – of both private and public Crematoria and Cemetery sites
- Funeral Directors and/or their staff who enter and use the Crematoria and Cemetery Sites
- Mortuary Staff who are required to use the site
- Monumental Stonemasons who are required to enter the site to work on masonry and headstones in the cemetery.

Ideally, the industry would identify the core set of skills required to work in this site. Typically the core requirements for this group of people at a cemetery would include:

- OH&S skills and knowledge
- Infection Control and Personal Protection Equipment
- Customer service
- Funeral Services Documentation and Procedures
- Funeral Services Industry Ethics and Protocols

These knowledge and skill areas would represent the basic requirements that anyone working in and/or dealing with a Crematoria and Cemetery would need to know to ensure regulatory compliance.

The exact requirements could be stipulated on the basis of your role within the industry. For instance, a person employed as a Grave digger may be required to complete a program based upon the following units of competence.

- Perform Grave Probes (WFSBCR310A)
- Prepare for Gravedigging (WFSBCR311A)
- Perform manual Gravedigging (WFSBCR312A)
- Perform Gravedigging using Machinery (WFSBCR313A)
- Backfill and Make Good Graves (WFSBCR314A)
- Perform a Grave Collapse Consolidation (WFSBCR315A)
- Re-open a Grave (WFSBCR316A)
- Perform Exhumations (WFSBCR317A)

Option Two – Working at and with a Mortuary

Currently there are no national requirements to work in a mortuary as an embalmer or a mortuary technician.

The peak body for embalmers and mortuary technicians is the Australian Institute of Embalmers (AIE) who can provide further information on the current requirements of this group in the Funeral Services Industry.

The core criteria for membership to the AIE centers around the qualifications that the individual carries from Australia, (Certificate IV in Funeral Services (Embalming)) or from overseas. (Such as the Britain or New Zealand). In the case where the individual carries an overseas qualification, they are required to conduct a practical examination to one of the directors of the AIE. This membership model could be used by Governments to assist in the regulation and licensing of this part of the sector.

Option Three – Funeral Directors

As with the previous two stages, the NSW Parliament may also regulate the skills and knowledge required by Funeral Directors to practice in NSW. As with Crematoria, Cemetery and Mortuary staff, there are a range of competencies under the following skill/knowledge areas that may be used to regulate the practice of staff.

- Customer Service

The Industry Skills Council for the Service Industries



- Funeral Services Documentation
- Ethical Behaviour
- Quality Processes and Procedures
- Transfer of deceased persons (including interstate and international repatriations)
- Funeral Coordination
- Management Practices

Such units for a funeral director may include the current “core units of competence” for the Certificate IV in Funeral Services. These are:

- WFSCCR101A Communicate appropriately with colleagues and clients
- WFSCCR102A Deal with grief and trauma
- BSXFMI407A Manage quality customer service
- WFSPCS101A Work effectively in the Funeral Services Industry
- WRRO.3B Provide a safe working environment
- WFSPMG301A Coordinate a team
- WFSPMG401A Supervise staff
- BSXFMI411A Contribute to the development of a workplace learning environment

PLUS – Any additional units with regard to their work at a mortuary or in cemetery/crematoria.

Delivering the Accreditation – Involving the Provider

As with the three examples that this submission introduced, the NSW Parliament could regulate that the existing RTO network (as approved under the AQTF) could be the primary driver by which this training is implemented.

RTO’s are required under their quality framework to provide learning and assessment services and these services (and their accompanying administrative procedures) are checked by qualified teams of auditors.

Approval by the Government to work in any of the sites as described above may require the individual to present to the government the original copy of their accredited certificate from their recently completed training program by the registered training organisation.

Ensuring Relevance of the Training Standards

The efficacy and currency of the training standards would be ensured by the Skill Council responsible for the training package – in this case Service Skills Australia.

The Industry Skills Council for the Service Industries



Our activity is directly audited and monitored by the Commonwealth Government (DEST) and we are audited on our practice and efficiency at meeting industries need and involving industry in our work and practice.

Recommendations for Further Action

Following on from this submission Service Skills Australia would welcome any further and more detailed discussion that the Inquiry would like to have about accredited training and regulation frameworks.

We believe that the next best steps in this process would be to conduct further consultation with industry to ensure that the units and process that are selected for regulation meet the needs of industry now, and in the future. A consultation process would also benefit engagement by industry in the regulation process and work to bring all sectors of the industry along the continual improvement journey.