BoatSafe Management Standard

December 2017

Creative Commons information

Contents

Effective date

This policy will take effect from the 1 December 2017.

1.   Introduction

The BoatSafe scheme provides for competency based training and assessment for the licensing of recreational ship and personal watercraft operators.

If the Department of Transport and Main Roads (the department) is satisfied that a corporation or an individual can meet entry requirements, an authority is issued under the *Transport Operations (Marine Safety) Regulation 2016* (The Regulation) for the BoatSafe Training Organisation (BTO) to conduct BoatSafe training and assessment. The entity must also be compliant with the Regulation.

The BTO must comply with the *BoatSafe Management Standard; BoatSafe RMDL Competency Standard; BoatSafe PWCL Competency Standard* and *PWC Consistent Assessment Process* (where applicable), which are imposed as a condition of their authority.

A formal audit process measures the BTO's ongoing compliance with these standards. Details of the audit process can be found in the *BoatSafe Audit Framework*.

The BTO is accountable under this authority for its operation and the performance of all BoatSafe Training Providers (BTPs) it engages.

2.   Terms and abbreviations

Term, abbreviations and acronyms	Definition
BTO	BoatSafe Training Organisation
BTP	BoatSafe Training Provider
PWCL	Personal Watercraft Licence
RMDL	Recreational Marine Driver Licence
RPL	Recognised Prior Learning
SOC	Statement of Competency
The Regulation	*Transport Operations (Marine Safety) Regulation 2016*
The department	Department of Transport and Main Roads
TOMSA	*Transport Operations (Marine Safety) Act 1994*

3.   Business operations

3.1   The BTO must have a documented code of practice that applies to all persons associated with the business that includes as a minimum, all the elements of this standard.

3.2   Every client of the BTO must be given information about the BoatSafe course before it begins, or at the start of the course. This information must contain:

    3.2.1   fees and charges for the course

    3.2.2   refund policy

    3.2.3   grievance policy

    3.2.4   course information, including outcomes and expectations.

3.3   The BTO must inform the department of any changes in ownership arrangements or management of a BTO holding an authority.

3.4   The BTO, and all persons engaged by the BTO, must not intimidate, abuse, insult, harass or otherwise cause distress to any client or former client.

3.5   The BTO, and all persons engaged by the BTO, must avoid any conflict of interest between personal interests and obligations under the authority.

3.6   The BTO must not recruit nor seek to recruit departmental staff for their operation in any capacity.

3.7   The BTO, and all persons engaged by the BTO, must not engage in conduct that brings the BoatSafe scheme, another BTO or the department into disrepute.

3.8   Without limiting clause 3.7, a BTO and all persons engaged by the BTO shall not publish defamatory matter about another BTO, BTP or departmental employee as defined by the Defamation Act 2005 (Queensland) without a lawful defence as set out in that Act.

3.9   Information relevant to BoatSafe sent to BTOs by the department must be disseminated to all BTPs engaged by the BTO in a timely fashion.

3.10   The BTO must maintain an active email address for the purpose of receiving information from the department.

3.11   Regular reviews of training must be conducted by the BTO, and these will be documented as part of a continual improvement strategy by the BTO.

3.12   The BTO must establish a documented procedure to monitor the courses conducted by all BTPs engaged by it to assure compliance with the requirements of the code of practice, the *BoatSafe Management Standard; BoatSafe RMDL Competency Standard; BoatSafe PWCL Competency Standard* and *PWC Consistent Assessment Process.*

3.13   The BTO must have public liability insurance commensurate with the scale of their operation.

4.   Administration

The BTO must disclose to the department as soon as practicable, any change in the operation or management of the organisation that could be grounds for the suspension or cancellation of the authority under sections 154 or 163 of The Regulation.

5.   Records for BTPs

The BTO will keep a file for each BTP they engage to deliver training and assessment under their authority. These files must contain the following information:

5.1   A declaration signed by the BTP that they have read, understood and agree to be bound by the terms of the code of practice of their BTO.

5.2   A disclosure signed by the BTP that details any offences committed under the laws of the Commonwealth or State of Queensland including the *Transport Operations (Marine Safety) Act 1994 (TOMSA).*

5.3   Copies of marine qualifications held.

5.4   Copies of training and assessment qualifications.

5.5   A copy of a current first aid certificate.

5.6   The BTP's documented relevant experience.

5.7   A record of staff attendance at a staff training program run by the BTO on how to conduct a BoatSafe course.

6.   Medical fitness of candidates

The TOMSA sets out the general safety obligations for those who own and operate vessels within Queensland waters.

Certain medical conditions pose a risk to the safe operation of a vessel. Where a Recreational Marine Driver Licence (RMDL) or a Personal Watercraft Licence (PWCL) candidate has a medical condition that may affect the safe operation of a vessel, the department will determine if the licence candidate is suitable to hold the licence and if any operating conditions should be imposed.

Attachment A - Licence Candidate Medical Fitness sets out the department's requirements for determining the medical fitness of candidates for RMDL and PWCL.

7.   Training records

The BTO must have procedures for documenting the delivery of training and assessment of BoatSafe courses. They must keep a file for each course they deliver and it must contain the following information:

7.1   The date of the course and the location where it was delivered.

7.2   The registration details of the vessel used to deliver the course.

7.3   A copy of the vessel's log for the duration of the course.

7.4   A list of course participants with their contact details and their Statement of Competence (SOC) number.

7.5   The completed assessment documents (the department's Common Assessment Tool (CAT)) of all course participants, for both written and practical segments.

7.6   Completed client course evaluation forms.

7.7   For each PWCL candidate, a completed and signed *PWC Consistent Assessment Process* (CAP) assessment record (a comparable electronic version is acceptable).

The BTO must ensure the security of the CAT when conducting training and assessment.

8.   Records management requirements

8.1   The BTO must have a system in place to ensure that all files are kept in a safe and secure manner for a period of 3 years. Any record should be able to be retrieved and presented within 5 working days if requested by the department.

8.2   Records may be kept in an electronic format only if they can be accessed easily by the department and the BTO has a process for ensuring data quality and integrity and records are backed up.

8.3   The BTO must have a system in place to ensure the safe and secure storage of unused SOCs, and for the storage of completed books as these documents must be accounted for at all times.

8.4   A BTO must immediately report to the department the loss of any SOC books or the department's CAT.

9. Management of BTPs

The BTO must ensure that each BTP they employ:

9.1 Conducts courses that comply with the *BoatSafe RMDL Competency Standard; BoatSafe PWCL Competency Standard* and *PWC Consistent Assessment Process,* has appropriate marine qualifications and has the appropriate training and assessment qualifications.

9.2 Conducts training and assessment activities compliant with the BTO's code of practice and the authority from the department.

9.3 Maintains any documentation relating to training and assessment of BoatSafe as directed by the BTO.

9.4 Only signs SOCs when they are satisfied that a candidate has met all the theoretical and practical components of the *BoatSafe RMDL Competency Standard; BoatSafe PWCL Competency Standard* and *PWC Consistent Assessment Process* (as applicable).

9.5 Only signs SOCs attesting to a person's proficiency when they are satisfied that the person is capable of operating a recreational ship in a safe and responsible manner.

10. Roles and responsibilities of trainee trainers and BTO administrative staff

In order to improve capacity of BTO's to recruit and develop competent trainers and assessors, a BoatSafe 'trainee trainer' role has been developed. Also the role of BTP administrative staff has been clarified.

A BoatSafe 'trainee trainer' is a person who is not currently listed as an endorsed BTP on the "schedule" attached to the BTO's authority, but is undergoing training with the intent of becoming endorsed.

BTOs must inform the department of the names, qualifications and experience of trainee trainers and maintain records as required under the BoatSafe Scheme. This information must be communicated to the department by email or **in writing and prior to** the trainee trainer's participation in any BoatSafe training and assessment activities.

BTO's must ensure trainee trainers possess the following prior to participation in training and assessment activities for PWCL:

- a Coxswain's commercial marine licence (minimum qualification);and

- a Personal Watercraft Licence.

The requirement for a Certificate IV in Workplace Training and Assessment during the trainee trainers training and development phase is not mandatory. However, the BTP must maintain direct supervision of trainee trainers engaged in training and assessment activities in the training room and the on-water environment. Although trainee trainers may deliver and assess individual BoatSafe Course units, the BTP at all times remains accountable for the sufficiency of the training and assessment processes that lead to the issuing of a SOC.

Administrative staff may supervise and mark theory (written) examinations (CAT) but only when model marking/answer sheets are used. Under no circumstance may administration staff train and assess candidates.

Administrative staff who hold a RMDL or in addition a PWCL Licence may provide general information to licence candidates relative to the licence that they (the administrative officer) hold. BTOs must ensure that when carrying out this function, they do not exceed the limit of their knowledge or authority to do so.

11.   Assessment of candidates

The BTO is required to only use the department's CAT and ensure:

11.1   All assessment instruments for each course are retained. This may be electronic but needs to be easily retrievable.

11.2   All candidates are to undertake a practical assessment of proficiency. For PWC only, this must be conducted as per the *PWC Consistent Assessment Process* to ensure learners are consistently assessed. Each PWC licence candidate must have a completed and signed, CAP assessment record.

11.3   RMDL practical training and assessment times must conform with the following (based on the number of candidates on board the training ship):

1st person	40 minutes	The 40 minutes contains an allowance for 20 minutes of pre-departure briefing and checks for the group irrespective of the number of people in the group. If there is more than one practical group of candidates organised for the day, and they are all present at the same time for the pre-departure briefing, the 20 minutes allowed for the pre-departure briefing and checks need not be repeated for each separate group.
2nd to 5th person	20 minutes extra per person	
6th person or more	10 minutes extra per person	
These times are minimums and it is expected that practical delivery and assessment may take longer to determine a candidate's competency.		

11.4   PWC practical training and assessment times must conform with the following guidelines:

1st person	(30) minutes	The (30) minutes contains an allowance for (10) minutes of pre-departure briefing and checks for the group irrespective of the number of people in the group. If there is more than one practical group of candidates organised for the day, and they are all present at the same time for the pre-departure briefing, the (10) minutes allowed for the pre-departure briefing and checks need not be repeated for each separate group.
2nd or more	(20) minutes extra per person	
These times are guidelines and it is expected that practical delivery and assessment may in some cases take longer to determine a candidate's competency.		
All candidates are required to demonstrate their competency to the BTP by meeting the requirements of the CAP, regardless of any previous stated experience.		
All licence candidates must have a completed and signed CAP Assessment Record.		

11.5 A commercially certified vessel, appropriate for training for a recreational licence (for example a vessel with a Certificate of Operation for a Class 2E) must be used for on water training and assessment. For further details on vessels used for training and assessment, refer to the *BoatSafe Manual*.

11.6 At the completion of training and assessment, candidates must be provided with a course evaluation form and given the opportunity to provide feedback about the conduct of training and assessment to the BTP and BTO.

12. Non-English speaking candidates / literacy & numeracy support

Licence candidates with limited or no English skills may attend a BoatSafe course. All licence candidates must still be assessed and deemed competent by the BTP as per the requirements of the BoatSafe Competency Standards.

The BTP must be able to identify, for each licence candidate, any additional support required and this support must be made available, either directly or via arrangements with a third party.

Each BTO should have a process in place to identify any support licence candidates may need prior to their enrolment or commencement in the BoatSafe course.

At minimum, support should include:

- Identifying particular requirements such as literacy, numeracy, English language or physical equipment learners would need to complete a course
- Developing strategies to make support available where gaps are identified

It is the responsibility of the BTP during training and assessment, to determine if the licence candidate has reached or is able to reach, the required level of competency.

12.1 Non English speaking candidates

If English is not the licence candidate's first language and if in the opinion of the BTP the candidate is having difficulty understanding the course content or the assessment process, the BTP should advise the licence candidate to consider contacting a translator accredited with the National Authority for Translators and Interpreters (http://www.naati.com.au/) (NAATI).

In the event the licence candidate uses an interpreter, the interpreter must sign the Interpreter Declaration (attachment B).

While it is not recommended, in the event that the licence candidate may want to use a friend or family member to act as an interpreter, the decision to accept a friend or family member is at the discretion of the BTP. The person acting as an interpreter must still sign the Interpreter Declaration (attachment B).

12.2 Literacy & numeracy support

If the BTP has a licence candidate who lacks the required literacy or numeracy skills to achieve competency, the BTP may consider using (but not limited to) the following options:

- Providing a further detailed explanation to clarify a point
- Providing visual tools, technology or tutorials to help explain the point
- Using simple language to help further explain the point
- Using examples they can relate to in their local environment.

While the BTP has discretion to what assistance is provided, if any, if in the opinion of the BTP the licence candidate is unable to demonstrate the required competencies, the BTP must not issue the licence candidate a SOC.

The BTP should advise the licence candidate what areas they have not demonstrated competency, what steps they can take to achieve competency and that they have the option to attend a further BoatSafe course with the same or a different BTO.

13. Training and assessment facilities for BTOs

The BTO should ensure that the BTP conducts the theory component of BoatSafe training in a suitable training environment.

A suitable training environment can be either a room or an external location. If an outside location is used, the BTO must ensure there is adequate shade, seating and workspaces available for their candidates. There must also be adequate supplies of drinking water and toilet facilities available.

14. Alternative training delivery

The department will consider alternative training tools or methods such as on-line delivery, for theory components of the *BoatSafe RMDL Competency Standard* and *BoatSafe PWCL Competency Standard*. Such alternative tools or methods must be approved by the department prior to its use:

13.1 The holder of the approval is required to conduct regular reviews on its alternative training package to ensure it meets the requirements of the BoatSafe Management Standards and legislation.

13.2 The holder of the approval must seek and be granted approval from the department, before any changes concerning the course content are implemented to the current version of the alternative training package. Changes concerning formatting of the alternative training package do not require the department's approval.

13.3 BTOs using an approved alternative training package, are required to conduct a written assessment of the licence applicant using the department's CATs to ensure there is consistency in the assessment of all licence applicants.

13.4 A BTP seeking to provide training and assessment using an alternative training package must be nominated as a BTP for a BTO who is offering this alternative training package.

An approval is granted for a period of three years.

The department reserves the right to impose additional conditions and amend, suspend or cancel the approval.

Attachment A – Licence Candidate Medical Fitness

The BTO must ensure all licence candidates undertaking a BoatSafe course or applying for Recognised Prior Learning (RPL) complete a *Recreational marine driver licence and personal watercraft licence - medical fitness disclosure statement*, which can be downloaded from the department's website (www.tmr.qld.gov.au), before enrolment. Candidates are required to declare any medical condition that may impact their ability to safely operate a vessel.

A candidate who discloses a medical condition may, on agreement with the BTP, continue the BoatSafe training and assessment. On successful completion of the training and assessment the BTO must send the candidate's SOC to the department.

The BTP must provide a candidate who discloses a medical condition with information on the medical fitness review process. The BTO and BTP are not permitted to request details of the candidate's medical condition.

Where a candidate discloses a medical condition, the BTO must forward the candidate's contact information to the department within 2 working days. Wherever possible, the department will make medical fitness determinations in consultation with qualified health professionals.

Medical Conditions

The following provides some examples of medical conditions which may affect the safe operation of a vessel:

- vision impairment
- hearing impairment
- cardiovascular condition
- psychiatric conditions
- musculoskeletal conditions that impede mobility or agility
- neurological disorders
- respiratory disorders
- dementia or Alzheimer's disease
- insulin dependent diabetes mellitus
- moderate or severe sleep disorders.

Procedure to determine medical fitness

Step	Process
1	Licence candidate completes the *Recreational marine driver licence and personal watercraft licence - medical fitness disclosure statement* prior to participation in BoatSafe training or the BTO may provide the form at enrolment. It is the BTO's responsibility to ensure this statement is completed.
2	Where the candidate indicates on the Medical Fitness Disclosure Statement that they have a medical condition, the BTP will advise the candidate that: - Their medical fitness with be reviewed by the department. - They are not required to disclose the specific nature of their medical condition to the BTO or BTP. - Their contact information will be given to the department. - The department will contact them to explain the medical fitness review process. - They may participate in the BoatSafe training and Assessment, if agreed to by the BTP, however on successful completion, the SOC will be given to the department.

3	The BTO/BTP forwards the candidate's contact information to the department within 2 working days.
4	If the candidate successfully completes the BoatSafe training and assessment the BTO/BTP forwards the candidate's SOC to the department at: BoatSafe Scheme Administrator, PO Box 673 | Fortitude Valley Qld 4006
5	The department will place a text restriction on the candidate's driver licence record. This will alert the departmental Customer Service Officers that the person is undergoing a medical fitness review and is not eligible for the granting of an RMDL or PWCL.
6	The department will give the candidate an RMDL/PWCL Medical Fitness Questionnaire for the candidate's nominated health professional to complete and sign or other document as appropriate to their condition. The department will also give the candidate an RMDL/PWCL form F2334 that can be downloaded from the website. Both documents are to be completed and returned to the department by email to boatsafe@tmr.qld.gov.au.
7	The department will review the completed RMDL/PWCL Medical Fitness Questionnaire and advise the candidate and BTP of the outcome of the review. The outcome may be a recommendation to: • grant an RMDL/PWCL without conditions • grant an RMDL/PWCL subject to conditions • refuse to grant an RMDL/PWCL.
8	If the recommendation is to grant the licence without conditions, the department will: • Return the RMDL/PWCL Licence Application (F2334) and SOC to the candidate. The candidate may attend any Customer Service Centre (CSC) to apply for the RMDL or PWCL. • Remove the text restriction from the candidate's driver licence record. If the recommendation is to grant the licence with conditions, the department will: • Forward the RMDL/PWCL Licence Application (F2334) and SOC and a letter detailing the licence conditions to the candidate's nominated departmental CSC. The candidate must attend the nominated CSC to apply for the RMDL or PWCL. • Will update the text restriction on the candidate's driver licence record. If the recommendation is to refuse the licence application, the department will • Advise the candidate or guardian in writing and provide information regarding their right to appeal. • Update the text restriction on the candidate's driver licence record. • Retain the RMDL/PWCL Licence Application (F2334) and SOC.

Record Keeping

BTOs/BTPs are to retain all Medical Fitness Disclosure Statements and copies of written advices received from the department regarding licence candidate medical fitness as a part of the BTO's/BTP's records management system.

To preserve the candidate's privacy, the department will retain the RMDL/PWCL Medical Fitness Questionnaire.

Attachment B – Translator/Interpreter Declaration

The BTO must ensure all licence candidates undertaking a Boatsafe course engaging the services of a Translator/Interpreter must have a completed Translator/Interpreter declaration form.

The Translator/Interpreter declaration form can be downloaded from the department's website (www.tmr.qld.gov.au)