



MASTER BUILDERS
A U S T R A L I A

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Future Skills Organisation

Submission made by email
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Response to BSB Training Package: Safe and Respectful Workplaces Unit of Competency

Introduction

Master Builders Australia Ltd ('Master Builders') takes this opportunity to provide its response to the request for feedback on the BSB Training Package: Safe and Respectful Workplaces Unit of Competency.

This review looks at the following documents, in light of legislative changes to both the *Fair Work Act 2009* (Cth) (the FW Act) and the *Work Health and Safety Regulations 2011* (Cth) ('WHS Regulations'):

- ▶ Safe and Respectful Workplace Practices Unit of Competency ('the Unit');
- ▶ Qualifications template; and
- ▶ BSB Training Package Companion Volume Implementation Guide ('CVIG').

It is understood that this project will update the BSB30719 Certificate III in Work, Health and Safety to include the abovementioned Unit of Competency as an elective. It is also noted that there will be further work in relation to the training material following this consultation.

Background – who are we?

Master Builders is the nation's peak building and construction industry association, which was federated on a national basis in 1890. Master Builders' Members are the Master Builder State and Territory Associations. Over 130 years, the Master Builders network has grown to more than 32,000 businesses nationwide, including the top 100 construction companies. Master Builders is the only industry association representing all three sectors: residential, commercial, and civil construction. For noting, the membership contingent is made up predominantly of small and medium-sized enterprises.

Master Builders' vision is for a profitable and sustainable building and construction industry. Master Builders appreciates the opportunity to provide feedback on matters that are relevant to our industry for the purposes of ensuring suitability and sustainability of practices but to also hold fast to our vision for the industry.

In responding to this consultation, Master Builders seeks to ensure that the views of the building and construction industry are put forward on the basis that the training is practical and realistic, but also takes into account industry-specific intricacies for the purposes of ensuring that training is relevant but also so that there are no unintended consequences for the industry as a result of the training itself.

Master Builders would welcome further discussion on these matters should the Department wish to engage.

General Feedback

Master Builders supports clear and concise information and training being made available for industry participants.

Of importance in the delivery of the training and the training materials alike, the following industry priorities must also be taken into account:

- ▶ Clear role delineation;
- ▶ Practical, assessable competencies;
- ▶ Avoidance of scope creep into HR/legal functions, or where this cannot be avoided, acknowledgment of the cross-over;
- ▶ National consistency; and
- ▶ Realistic implementation expectations.

The unit should enhance WHS capability in line with recent legislative changes without creating ambiguity regarding compliance accountability or expectations (legal or otherwise) of the learner once training has been completed. It is also important that the significance of the legislative changes is reflected in this training and for the training to be transferable across all industries, with careful consideration being given to the scope and wording used throughout the training materials.

Review existing WHS units to prevent duplication, ensure consistency, and align with the broader Certificate III in Work Health and Safety.

Master Builders now provides the following points on the documents subject to this training package update:

Qualification Template

- ▶ Master Builders notes that the Packaging Rules provide that there must be five (5) elective units, three (3) of which must come from the listed elective units and the remaining two (2) to be chosen from any currently endorsed Training Package qualification or accredited course at the **same Australian Qualifications Framework (AQF) level**. Alternatively, if not listed, one (1) unit from a Certificate II or Certificate IV from any currently endorsed Training Package qualification or accredited course.
- ▶ Master Builders supports the introduction of this unit to address psychosocial risks and promote respectful behaviours, in line with recent updates to the model WHS laws and Fair Work Act provisions on sexual harassment. However, delivery must remain focused on worker-level awareness, prevention, and escalation rather than specialist compliance or management functions
- ▶ It is recommended that the Packaging Rules be amended to allow for a minimum (3) and maximum of five (5) units to be chosen from the list of elective units. This flexibility would better

accommodate industry-specific needs (e.g., in construction, where time constraints and site-based roles limit elective options) while ensuring core safe/respectful content is covered.

- ▶ It is also noted that some of the wording throughout the Qualification Template potentially requires the provision of a definition (or reference to a document containing a definition). It is crucial that this is also considerate of industry-specific scenarios.
- ▶ Where there is inconsistency in the wording – including application of definitions – this can be detrimental for the learner and must be avoided to avoid unintended compliance risks for both the training provider and the learner.

Unit of Competency - Template

- ▶ Master Builders generally agrees with the wording of the Outcomes field in this document; however, it emphasises that refinement is required to ensure clarity of scope and role boundaries – the reasons are discussed below.
- ▶ It is also important that what are intended to be 'generic terms' are clearly defined to avoid unintended expansion into alternate roles. One example might be the term 'active intervention' emphasising the scope and boundaries of this term so that it does not crossover into investigative or disciplinary functions, where the learner might not be placed. Also, clarification of 'access support services' must be broadened to refer to the escalation requirement rather than the actual provision of support.
- ▶ Similar clarification is needed for terms such as 'contribute to psychosocial risk assessment' (S6) and 'identify and respond to systemic factors' (S7), which should be explicitly limited to worker-level recognition, reporting, and escalation of hazards, not conducting formal risk assessments, developing control measures, or analysing organisational/systemic issues, which remain the responsibility of WHS specialists or management.
- ▶ Any references to legislation must be 'nationally neutral' where possible and not reference particular State or Territory legislation. Further to this, consideration must also be given to the wording 'apply legislative knowledge...' to ensure that there is no misconception that the training and the application of training does not provide a legal function.
- ▶ In particular, the statement that individuals contribute to meeting the organisation's Positive Duty' should be rephrased to avoid implying that workers hold or discharge this duty (which sits with the PCBU/employer under the *Sex Discrimination Act 1984 (Cth)*). Instead, emphasise that learners support organisational compliance through awareness, respectful behaviour, and following workplace processes.
- ▶ It is crucial that the appropriate WHS risk methodology is identified and applied in this training to ensure consistency with the existing WHS requirements. This also applies to ensuring that any documentation and reporting discussed during in this training avoids duplication of processes across both the WHS and human resource management frameworks. Master Builders strongly encourages all training to be clear and consistent with applicable legislative frameworks.
- ▶ Assessments should prioritise simulated workplace scenarios relevant to entry-level or supervisory roles in high-risk industries like construction (e.g., site inductions, team interactions, or reporting incidents), using practical tools like role-plays or case studies rather than theoretical essays.



Companion Volume Implementation Guide (CVIG)

- ▶ Master Builders agrees that the CVIG was clearly presented and navigation of this document was clear and easy for the user. Some suggested changes would ensure consistency and clarify the information being delivered. These points are elaborated on below.
- ▶ Update references to reflect the final unit code, qualification template, and any new legislative citations (e.g., model WHS Regulations on psychosocial hazards).
- ▶ Include industry-specific guidance or examples (e.g., for construction: addressing remote site dynamics, FIFO workforce vulnerabilities, or subcontractor interactions) to aid RTOs in contextualisation without prescribing rigid content.
- ▶ Provide clear advice on integration with existing BSBWHS units to minimise overlap (e.g., cross-referencing BSBWHS311 or similar)

Master Builders welcomes further discussions in relation to this response, where required, to provide clarification or to further elaborate on discuss further. We would also be open to meeting with you, either virtually or in-person, as part of this process to discuss these responses, if required.