

# Skills Standard 5

## Supervision

This Standard relates to the requirements for the training and supervision of apprentices and trainees in the workplace in accordance with the South Australian Skills Act 2008 (the SAS Act).

The primary purpose of the Training Contract system is to ensure the provision of quality training for apprentices and trainees while they undertake employment relevant to the trade or declared vocation.

Appropriate and effective supervision is a key element in achieving this purpose. It is intended to create minimum standards that all employers must meet, to develop apprentices' and trainees' skills, knowledge, and experience to a standard where they can work safely, confidently and effectively in their occupation, trade or declared vocation. This includes setting maximum supervision ratios and defining what types of supervision can be used.

### Governance arrangements

Under the *SAS Act*, the South Australian Skills Commission (the Commission) (or its delegate) is responsible for the regulation of the apprenticeship and traineeship system. To this end, it is empowered to:

- register an employer to train a person in a Training Contract for a period of up to 5 years
- renew an employer's registration for a period of up to 5 years
- vary, suspend, or cancel an employer's registration, at any time during the period the registration is in force.

### Compliance with the Standard

#### 5.1 Supervision of apprentices and trainees

5.1.1 Supervision is the oversight and coordination of on-job training provided to an apprentice or trainee learning a trade or declared vocation.

5.1.2 Employers are responsible for ensuring an apprentice or trainee:

- a) is supervised
- b) receives on-job training by a skilled or qualified person in the competencies laid out in the agreed Training Plan
- c) is provided with work relevant and appropriate to the trade or declared vocation.

5.1.3 If an employer delegates or assigns the responsibility of supervising or providing on-job training to any staff member, or a contractor, the employer must make sure that the staff member or contractor understands these requirements and adheres to them.

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5.1.4 Employers are responsible for ensuring that supervisors:

- a) have not been convicted of an indictable offence under a law of the Commonwealth or any Australian state or territory, where these offences have been disclosed to the employer
- b) have an aptitude for and interest in training others
- c) have the relevant technical skill and qualifications and good understanding of the trade or declared vocation
- d) are competent and experienced in the activities in which they will be providing training and instruction
- e) do not supervise more apprentices or trainees than is permitted by the supervision ratios specified in this Standard
- f) use the correct supervision type in accordance with this Standard
- g) are not themselves an apprentice or trainee, unless Commission approval for this to occur has been obtained.

### 5.2 Provision of on-job training

5.2.1 The employer appointed to provide on-job training to an apprentice or trainee must meet specific quality standards of training.

5.2.2 While providing on-job training in a task to an apprentice or trainee, employers must ensure that they, or the nominated supervisor:

- a) formally induct the apprentice(s) or trainee(s) into the workplace
- b) give clear instructions, and set clear expectations, about what the apprentice or trainee is being asked to complete, and to what standard
- c) explain how the task relates to other tasks undertaken in the trade/declared vocation
- d) discuss safety issues connected to the task before the apprentice or trainees commences the task
- e) break down the task into a step-by-step process
- f) demonstrate how the task is performed, and explain its steps while the apprentice or trainee observes
- g) observe the apprentice or trainee while they attempt the task
- h) provide opportunities for the apprentice or trainee to practice the task
- i) provide feedback about what they did well and what they need to do differently
- j) coach the apprentice or trainee to develop their confidence in performing the task

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- k) routinely check the apprentice or trainee's subsequent work in that task
- l) provide positive constructive feedback that assists the apprentice or trainee to become proficient in the task.

### 5.3 Supervision ratios

- 5.3.1 Some apprentices or trainees need more supervision than others. To make sure that all apprentices or trainees are adequately supervised, employers must not exceed the supervision ratios that apply to them.
- 5.3.2 There are different supervision ratios, depending on the 'prescribed supervision level' for the trade or vocation which is published in the [Traineeship and Apprenticeship Pathways \(TAP\) Schedule](#). Employers must refer to the schedule, to find the prescribed supervision level that applies to the apprentices or trainees they employ.
- 5.3.3 If an employer employs apprentices or trainees with different prescribed supervision levels, then they must use the supervision ratio for the highest of those levels.
- 5.3.4 The table below sets out the supervision ratios that employers must not exceed and is drawn from the Traineeship and Apprenticeship Pathways (TAP) Schedule.

| SUPERVISION LEVEL RATING | MAXIMUM SUPERVISION RATIO  |
|--------------------------|--|
| <b>HIGH</b>              | <b>1:3</b><br>A single supervisor may not supervise any more than 3 apprentices or trainees at any one time.   |
| <b>MEDIUM</b>            | <b>1:6</b><br>A single supervisor may not supervise any more than 6 apprentices or trainees at any one time.   |
| <b>LOW</b>               | <b>1:10</b><br>A single supervisor may not supervise any more than 10 apprentices or trainees at any one time. |

- 5.3.5 An employer must not exceed these supervision ratios unless they have applied for and received written approval from the Commission to do so (and they must also comply with any conditions set out in that written approval). Application form is available at [mySkillsSA](#).

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### 5.4 Types of supervision

In determining the appropriate type of supervision, refer to clause 5.5 of this Standard.

#### 5.4.1 An apprentice or trainee's supervision may be:

- a) direct
- b) indirect; and/or
- c) in some special circumstances, remote.

The default type of supervision is direct supervision, which must be provided until an employer can demonstrate that they have assessed the apprentice or trainee as being able to work under indirect supervision in relation to a task. Remote supervision cannot occur without the written approval of the Commission.

#### 5.4.2 If an apprentice or trainee is carrying out work requiring a high-risk work licence under the Work Health and Safety Regulations 2012 (SA), the:

- a) apprentice must be enrolled in the applicable course to obtain that high-risk work licence
- b) employer must make sure the apprentice is under the direct supervision of a person who holds a high-risk work licence of the same class, until the apprentice has successfully passed the high-risk work licence assessment.

#### Direct Supervision

#### 5.4.3 Direct supervision means that the apprentice or trainee's supervisor (a person qualified or experienced in the apprentice or trainee's trade or declared vocation) is:

- a) physically able to see and hear the apprentice or trainee; and
- b) physically present in the workplace with them (i.e. they must not provide supervision electronically by phone, radio or webcam); and
- c) working with them to provide training and instruction on a given task; and
- d) accessible to them at all times on site and available to respond to their issues as they arise, or answer questions.

#### Indirect Supervision

#### 5.4.4 An employer may provide indirect supervision for an apprentice or trainee performing a task if:

- a) It is reasonable in the circumstances and has regard for any health and safety risks to the apprentice or trainee undertaking the task independently; and
- b) before the task is undertaken, the employer can demonstrate that a supervisor has assessed the apprentice or trainee as having the required skills, technical knowledge and experience to safely, correctly, effectively and autonomously perform the task without risk to their safety or the safety of others.

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5.4.5 Indirect supervision means that:

- a) before the apprentice or trainee commences a work task under indirect supervision for the first time, the supervisor must discuss and plan that task with them in person; and
- b) while the apprentice or trainee is performing a task:
  - i. the supervisor must intermittently observe the apprentice or trainee to ensure that the task is being completed safely and to a satisfactory standard; or
  - ii. if working separately from their supervisor intermittently or temporarily (for example, attending a job at a client's premises), the apprentice or trainee must be able to communicate with their supervisor via telephone, radio, webcam or other technology; and
- c) if the supervisor leaves the worksite for any reason (for example, to take a lunch break), the apprentice or trainee is not engaged on a task for which direct supervision is required and/or that is a high-risk task.

### Remote Supervision

5.4.6 Remote supervision, where a supervisor is not present at the site where the apprentice or trainee is working, is prohibited unless the Commission has given its written approval. An application for remote supervision should only be made where:

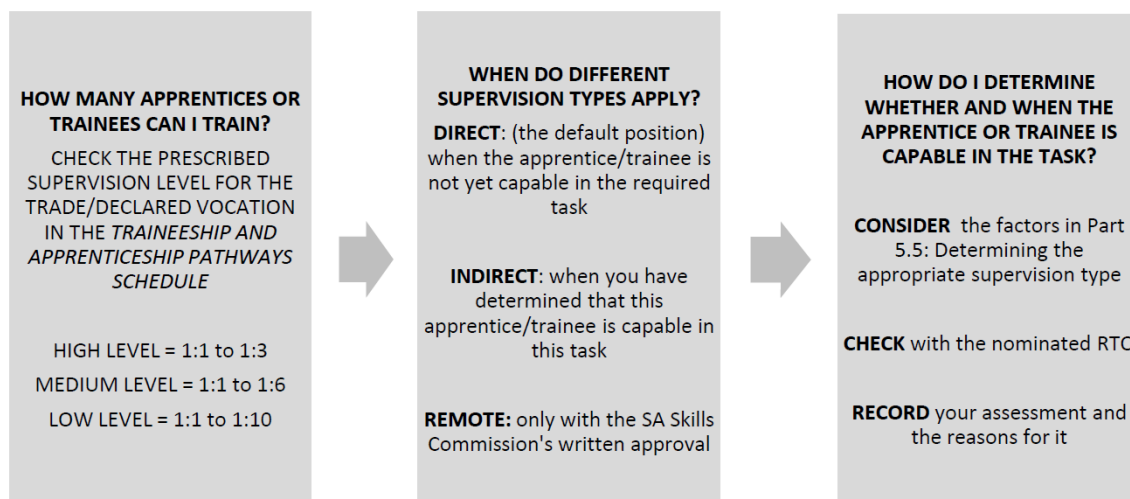
- a) the apprentice or trainee is geographically remote from their supervisor; and
- b) the apprentice or trainee's separation from their supervisor is not intermittent or of a temporary nature (in this situation, indirect supervision may be appropriate); and
- c) the apprentice or trainee is able to communicate with their supervisor via telephone, radio, webcam or other technology; and
- d) the supervisor (or another suitably qualified supervisor) can attend the apprentice or trainee's physical location within a reasonable time if an issue arises.

5.4.7 An employer must record all periods of work that an apprentice or trainee undertakes under remote supervision and maintain appropriate records, to demonstrate obligations in the *SAS Act*, *South Australian Skills Regulations 2021* (the *Regulations*) and [Standard 14: Record Keeping](#) have been met.

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Table 2: How to determine the type of supervision required



### 5.5 Determining whether direct or indirect supervision is the appropriate supervision type

- 5.5.1 Employers are required to use direct supervision until they have made an assessment about the task, and about the apprentice or trainee, which permits them to use indirect supervision.
- 5.5.2 The type of supervision provided at any given time must be consistent with the purpose of developing an apprentice's or trainees' skills, knowledge and experience such that, upon completion, they can work confidently, effectively and safely in the trade or vocation in which they are being trained according to their Training Contract.
- 5.5.3 Employers should start from the assumption that an apprentice or trainee has minimal or no capability or awareness of the work to be undertaken or the risks associated with it. They should only depart from that assumption if they can see (either from their work, or from some evidence of previous training) that the apprentice or trainee has some relevant prior knowledge or experience.
- 5.5.4 To avoid any uncertainty, in relation to tasks or activities undertaken, direct supervision must be provided where an apprentice or trainee is attempting or undertaking activities or tasks they have not previously performed.
- 5.5.5 For apprentices and trainees who commence an apprenticeship or traineeship while they are at school, or are otherwise under 18 years of age, a presumption should be made in favour of constant and direct supervision, unless a risk assessment determines otherwise. However, this presumption only applies for that part of the Training Contract served while the student is at school, or under 18 years of age, and not for the full duration of the Training Contract.

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5.5.6 Indirect supervision by an employer is only permitted:

- a) where the task/activity is not inherently dangerous or hazardous
- b) where the apprentice or trainee has:
  - i. been provided with on-job training and instruction relevant to the task in the workplace
  - ii. been provided with training relevant to the task by the Nominated Training Organisation (NTO)
  - iii. routinely performed the task or activity proficiently and safely under supervision
  - iv. demonstrated the ability to understand when to seek guidance and support.

5.5.7 In determining whether supervision can progress from direct supervision to indirect supervision, employers must consider the tasks/activities the apprentice or trainee is to undertake, before considering the following factors, in consultation with the apprentice or trainee's NTO:

- a) any accepted industry supervision standards and Codes of Practice (for example, the [National Electrical and Communications Association's Guidelines](#) for the Supervision of Apprentices/Trainees in the Electrical, Electricity Supply, Refrigeration, Instrumentation, Electronics, and Communications Declared Vocations)
- b) the apprentice or trainee's age and maturity
- c) whether the apprentice or trainee is a new or existing worker
- d) the complexity of the task
- e) whether the task is new to the apprentice or trainee
- f) the apprentice or trainee's level of experience in performing the task
- g) the apprentice or trainee's level of skill in performing the task
- h) the apprentice or trainee's level of confidence in performing the task
- i) the apprentice or trainee's willingness to seek guidance and support when required
- j) the workplace, health and safety risks involved in performing the task
- k) the training risks associated with the worksite and the task arising from:
  - i. characteristics of people (for example, co-workers, clients, customers, patients) with whom they will be interacting
  - ii. the tools, machinery, equipment and materials to be used

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- iii. characteristics of animals with which they will be working or may encounter
    - iv. the environment in which they are working.
  - l) for apprentices or trainees with a disability, any additional supervision or other supports to ensure the apprentice or trainee can undertake their task/s effectively and safely.
- 5.5.8 An employer must be able to demonstrate that they made their assessment of the apprentice or trainee, and the task, before permitting indirect supervision, and maintain appropriate records to demonstrate that the obligations in the SAS Act, Regulations and [Standard 14: Record Keeping](#) have been met.
- 5.5.9 Some apprentices or trainees will be in greater need of direct supervision. A supervisor may find themselves with some apprentices or trainees who require direct supervision, and others who they have assessed as requiring indirect supervision. In such situations:
- a) the supervisor's supervision ratio remains unchanged, however
  - b) the supervisor may simultaneously provide direct supervision of apprentices or trainees who require it, while at the same time permitting indirect supervision of those apprentices or trainees who have been assessed as capable of performing the relevant task under indirect supervision.
- 5.5.10 The supervisor's duties for direct and indirect supervision will remain the same.
- 5.6 Approved exemptions and variations**
- 5.6.1 Employers may apply to the Commission for:
- a) approval to exceed the maximum supervision ratio applicable to them (Low, Medium or High)
  - b) approval to provide remote supervision for an individual apprentice or trainee.
- 5.6.2 Employers must make their application via [mySkillsSA](#) to request to exceed supervision ratios.
- 5.6.3 Employers applying for approval to exceed the maximum supervision ratio must:
- a) state their reasons for wishing to exceed the maximum supervision ratio (including the rationale for engaging additional apprentices or trainees instead of additional tradespersons or qualified persons)
  - b) demonstrate how appropriate supervision will be maintained under an alternative ratio regime
  - c) demonstrate how they would manage on-job training under an alternative ratio regime

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- d) demonstrate how they would mitigate the risks associated with their type of work under an alternative ratio regime
- e) demonstrate that they have a good completion rate at or above the South Australian average for that trade or declared vocation
- f) provide evidence to substantiate their application.

5.6.4 Industry sectors and Industry Skills Councils may apply in writing to the Commission for a variation, including a strengthening or relaxation, of existing supervision ratios for specific occupational areas. Each application will require evidence to support the proposed variation and will be considered on its merits by the Commission. If the Commission approves an application by an industry sector or Industry Skills Council, it will publish the decision (including any conditions attaching to the decision) on its website.