

Attn: Engineers Registration Team
Policy and Legislation Branch A
Building and Energy
Department of Mines, Industry Regulation and Safety
Locked bag 100, East Perth WA 6892
By email to: engineers@dmirs.wa.gov.au

Dear Engineers Registration Team

RE: Supporting Policies for Building Engineers' Registration – CONSULTATION DRAFT

Consult Australia welcomes the opportunity to contribute to the Department of Mines, Industry Regulation and Safety consultation on the proposed policies to support registration of building engineers in WA.

We have previously expressed reservations about the introduction of government registration schemes across Australia and the absence of effective automatic mutual recognition, with our key concern being the administrative and financial burden on businesses whose engineering staff work on projects across state and territory borders. Consult Australia continues to encourage the WA Government and other jurisdictions implementing engineering registration schemes to take every opportunity to promote the benefits of effective automatic mutual recognition in their discussions with the Federal Government and other state and territory governments. Consult Australia has drafting available to improve the current mutual recognition scheme and definition of 'home state' if needed.

Having reviewed the proposed policies to accompany the WA building engineers' registration scheme, we are particularly pleased to see that the WA Government has listened to industry on matters relating to professional indemnity insurance.

It is positive that the legislative requirements apply to businesses rather than individual practitioners. We appreciate that the policies supporting the legislation, especially on insurance, give guidance to industry on how to meet the requirements. Thank you for confirming in discussions with Consult Australia that where 'individual' is listed within the legislation this refers to sole traders rather than individual practitioners within larger businesses. As the Department recognises within the draft policy, professional indemnity insurance is a business tool to assist a consultant business pay for losses it is liable for.

Each consulting business has different business risks, which means that a one-size-fits-all insurance limit is not appropriate – pleasingly this is recognised in the policy document. We also strongly support the policy position whereby insurance adequacy is determined through a business declaration as opposed to a third-party judgement. As the Department appreciates, professional indemnity insurance policies are commercial in confidence.

We do remain concerned about the assessment framework proposed to assess the qualifications, experience and competency of engineers applying for registration in WA. As we noted in our submission to the Department in October 2022, the requirement to have either five years full-time experience in the previous seven years or the equivalent of ten years full-time experience in the 15 years prior to registration has implications for workforce diversity. While we understand this is based on existing registration schemes, the introduction of the new registration system provides an opportunity to make these schemes more reflective of contemporary workforce realities.

Many people experience the need to work part-time hours at different times in their career, whether it be for caring responsibilities, due to mental or physical health challenges, or simply a preference to work part-time. Assessing competency based on the number of hours worked in a role, with a requirement for a significant proportion of full-time work, is restrictive and outdated. A practitioner in engineering or other professional

occupations may in fact work part-time hours for their whole career without any adverse impact on the quality of their work, which is what registration is intended to ensure. Many businesses offer flexible working arrangements, reduced days, reduced hours, role sharing, and more. We are concerned that if this requirement for predominantly full-time work within the WA engineering registration scheme is not resolved to reflect the realities of the modern workplace, the likelihood of increasing diversity within our industry, promoting flexible work, and supporting the health and wellbeing of people will be negatively impacted.

Again, we appreciate the opportunity to provide input on the registration policy framework on behalf of our members, and we are particularly grateful to the Department for its willingness to engage with us through the consultation process. We would welcome opportunities for ongoing discussion on the issues raised in this submission, or to bring together practitioners from our member businesses to provide additional insight as the policy framework is finalised.

Yours sincerely,

A handwritten signature in cursive script that reads "ethunder".

Emma Thunder
WA Manager