

WALES/CYMRU

Our Ref: AJR/JDC

14 June 2018

Mr Graeme Francis
Committee Clerk at National Assembly for Wales
Petitions Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

Dear Mr Francis

Reference Petition: P-05-811 Stop Using Worker Certification on Welsh Government Projects

We are writing to you as the listed point of contact for correspondence to the Petitions Committee at the National Assembly for Wales.

Unite the Union have had the above petition brought to our attention regarding the Construction Skills Certification Scheme (CSCS), and an article supporting the position of the petition by the free market think tank the Institute of Economic Affairs (IEA).

Unite believe that the petition and IEA article are misguided, and would ask that you therefore pass on our following to the Petitions Committee regarding the petition in question.

The CSCS scheme is a not-for-profit limited company, being an industry led initiative with the support of, and established by, the Employers' Associations and Trade Unions. The administration of the core CSCS scheme is undertaken by CITB. Furthermore, other established industry skills certification schemes in specialist trades and occupations exist as partner card schemes to the CSCS which also carry the CSCS logo. (e.g. CPCS in plant, CISRS for Scaffolders, JIB/SJIB ECS for Electricians, etc.), with such schemes periodically and objectively demonstrating to CSCS that they meet the requirements and standards laid down by their respective industries.

Importantly, it should be noted that the core CSCS scheme recognises the legacy qualifications of those who undertook industry apprenticeships to qualify in their trade prior to Vocational Qualifications (NVQs, SVQs, and CQFW, RQF, QCF and SCQF equivalents) being embedded in the frameworks. Those individuals do not have to undertake an NVQ, and to say otherwise is incorrect.

A blue or gold CSCS card is issued to skilled workers, who have the demonstrable skills, knowledge, training and experience in their relevant occupational discipline/trade. For example, Blue Craft or Gold Advanced Craft cards are issued to those who have achieved either:

- A construction related NVQ or SVQ at Level 2 (Craft) or Level 3 (Advanced Craft) in the relevant occupation being certified; **or**
- An apprenticeship which included the achievement of a City and Guilds Craft Certificate (CSCS will require a copy of the City and Guilds (or SCOTVEC (SQA)) certificate and evidence of apprenticeship completion with the original employer).; **or**
- Where a full construction related NVQ or SVQ does not exist but a trade specific unit has been passed, particularly for some highly specialised niche occupations.

CSCS have also mapped other historical equivalent qualifications. For workers whom may have lost their apprenticeship and/or City & Guilds certification due to the passage of time, both CITB and City & Guilds hold extensive archive records, enabling individuals to apply for duplicates of their previously achieved qualifications and apprenticeship completion records, thus enabling them to proceed with the CSCS application process.

Furthermore, 'Grandfather Rights', also known as Industry Accreditation, whereby experienced but part-qualified or unqualified individuals applied for a card was discontinued by the construction industry as part of the process of moving towards a goal of achieving a qualified workforce based on objectivity, skills, knowledge, training, experience, qualifications and health and safety awareness. Conversely 'Grandfather Rights' had inherent issues, not least subjective employer testimonials. In its place the objective NVQ/SVQ assessment system enables experienced workers and mature candidates to be assessed, so that their skills, knowledge, training and experience are then objectively accredited by a quality assured and recognised awarding organisation.

Unite's construction members work across the total construction, engineering, energy and infrastructure industrial process, serving the built environment we all rely upon. They are therefore rightly proud of the skills, knowledge, training, experience and qualifications that they have gained, not least through industry recognised apprenticeships or equivalent adult craft training programmes. This is through hard work and study, meeting the industry and National Occupational Standards (NOS).

Therefore, our construction members repeatedly and understandably voice through their branches, national and regional sector committees, their concerns and frustration that people who have not met the established national and industry standards are able to use occupational titles, describing themselves as 'Joiners', 'Plumbers', 'Electricians' and so on, when clearly those individuals are not. In what is such a highly skilled and safety critical industry, Unite maintain that this should not continue to be the case, and that specifying occupational registration as a requirement is essential and not just an option, meeting the industry and National Occupational Standards under the CSCS and its partner schemes.

The CSCS card costs £30 and the CITB Health, Safety and Environment test costs £19.50, these then being valid for 5 years. Unite do not believe that these basic charges are onerous on the industry.

Furthermore, in-scope employers, SMEs and bona fide sole traders have access to the CITB grant system under the levy, and moreover, many micro businesses, small businesses and sole traders are exempt from paying the levy as their turnover does not meet the threshold, but are still eligible for financial support in training costs. However, notwithstanding this, the term 'self-employed' in the UK construction industry is a significant issue.

You will no doubt be aware that Unite has consistently campaigned for direct employment and against the endemic bogus and false self-employment in the UK construction industry and the wider economy. Decisive action needs to be taken by the UK Government and HMRC on the issue of employment status throughout the United Kingdom.

Furthermore, Unite believe that alongside eliminating bogus self-employment and circumvention of employment rights, that CITB funding should be made much more accessible to individual workers, in what is a peripatetic industry characterised by poor job security and market failure in long term investment in employee skills. Without such action many workers will continue to be the victims of having to fund their own training and assessment costs, effectively a 'job tax' on them, this must be addressed, and only can be effectively by addressing the scandal of false self-employment.

As a consequence the progressive steps undertaken by the Welsh Government, including specifying CSCS on public projects, and through the 2015 *Procurement Advice Note (PAN) for the Public Sector in Wales: Employment Practices on publicly funded projects*, and strengthened by the Code of Practice: Ethical Employment in Supply Chains, outlawing precarious employment practices, zero hours contracts and blacklisting on Welsh public sector contracts, are a significant step forward in addressing such issues. It should also be noted that the ReAct scheme in Wales which assists people affected by redundancy, including access to vocational training grants, is a commendable initiative that the UK as a whole can learn from.

In the interests of protecting the hard won skills and safety of workers on construction sites, qualifying the workforce, recognising and accrediting their skills, knowledge, training and experience, Unite the Union call for the continued support of the CSCS scheme on construction projects in Wales.

If you have any questions regarding the above, please do not hesitate to contact us.

Yours sincerely



Andy Richards
Wales Secretary/Ysgrifennydd Cymru