

Briefing for the Petitions Committee

Y Pwyllgor Deisebau | 1 Mai 2018

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Research Briefing:

Petition number: **P-05-811**

Petition title: **Stop Using Worker Certification on Welsh Government Projects**

We call on the National Assembly of Wales to urge the Welsh Government to stop using and promoting worker certification on Welsh Government contracts.

Worker certification is a privatised occupational licensing scheme.

- 1) It is undemocratic and circumvents the principles of our common laws. (Grandfather rights)
- 2) It puts the cost of training & qualifications onto workers, especially self-employed and agency employment workers who have little chance of grants or funding.
- 3) It reduces the chances of upward mobility for the poorest in society.
- 4) It prevents worker mobility, at a time when we need a flexible workforce.
- 5) It allows corporate interests to have control over the entire workforce of our economic sectors, increasing costs of small businesses & sub contractors.
- 6) It promotes rent seeking, meaning that consumers pay more for products & services.
- 7) It reduces productivity.
- 8) It is prolific and will spread to all economic sectors.
- 9) It can create conflicts of interest.
- 10) There is no evidence that worker certification improves quality or standard of workmanship.
- 11) Experience, skill and knowledge reduce health and safety risks, these can be achieved and proven without qualifications.
- 12) It increases the cost of public projects.
- 13) If an industry needs qualification requirements then our democratically elected government should create legislation.

1. Worker certification schemes

One of the most common work certification scheme in the UK is the Construction Skills Certification Scheme (CSCS). CSCS cards provide proof that individuals working on construction sites have the required training and qualifications for the type of work they carry out.

There are [a number of Construction Skills Certification Scheme \(CSCS\) cards](#) available. Depending on which card is needed, **there may be different requirements in terms of required qualifications**. The CSCS card website has [a 'card finder' tool](#) which allows people to **establish what card is suitable for their career choice** and what qualifications are needed to obtain it.

Holding a CSCS card is [not a legislative requirement](#). It is entirely up to the principal contractor or client whether workers are required to hold a card before they are allowed on site. However, most principal contractors and major house builders require construction workers on their sites to hold a valid CSCS card.

In order to get any CSCS card an applicant has to first complete a [CITB Health, safety and environment test](#). Again, **there are different tests available** depending on an applicant's chosen career path. The CSCS website has more detail on how to choose the right test, either through its card finder tool or through [an online video](#).

CSCS cards cost £30 and the separate **CITB Health, safety and environment test costs £19.50**. There are organisations that offer card application services. The CITB recommends that

If you are being charged more than £30 for a card or £19.50 for a CITB Health, safety & environment test, check that you understand what additional services you will receive.

The cost of training to support people to pass the test is determined by the numerous training companies delivering training and will vary depending on who is delivering the training and where in the UK the course is delivered.

2. The Welsh Government's view

The Welsh Government's letter to the Committee notes that it

adopts the SQuID approach to supplier selection which allows consideration of an optional question regarding the Construction Skills Certification Scheme (CSCS), or any equivalent certification system. In practice, this means that an assessment is made of each construction project to determine whether the nature of the project should require contractors to confirm that their workforce is CSCS certified.

The letter goes on to note that the Welsh Government is 'always keen that procurement approaches are reviewed' and that it 'will monitor the development of the petition' to see if there are any alternative ways to ensuring worker safety.

2.1 Supplier qualification information database (SQuID)

The [Supplier qualification information database \(SQuID\)](#) is a tool built into the National Procurement Website, www.Sell2Wales.gov.uk and consists of three elements. A [Welsh Government introduction to the SQuID](#) highlights that these three elements comprise

First, a set of the SQuID questions. Second, a database of suppliers' answers stored for re-use. Third, a tool for buyers to generate a selection questionnaire using a risk-based wizard, for each procurement project.

The idea is that working together these elements deliver a number of benefits:

- Increased efficiency for both suppliers and buyers, by allowing standard questions and answers to be stored for future use, by keeping the number of questions to a minimum, and also by encouraging buyers only to seek information from suppliers if they can be clear about exactly how the information will be used.
- Greater standardisation of the selection stage, whilst also allowing for tailoring of questions to meet the individual requirements of each procurement.
- Increased transparency of the selection process and how responses will be evaluated – so that suppliers are able to work out easily whether or not they wish to bid for a particular opportunity, how to optimise their proposal and how to present it in an effective way.
- An open, fair and transparent process for all – resulting in improved opportunities for SMEs and local businesses to compete on an equal footing as a result of a carefully considered question set that removes some of any unnecessary barriers to entry for them.

The SQuID is designed to help buyers to balance the management of risks (of failure to deliver) with relevant and proportional questioning. A small scale, short-term contract where the costs and other risks of failure are low will require a comparatively light touch and therefore more efficient procurement exercise.

The current SQuID system was updated on 26 February 2015, in response to the introduction of the UK Government's [Public Contracts Regulations 2015](#).

3. Other information

The petitioner has co-authored a published article, through the Institute of Economic Affairs, entitled [‘Voluntary’ worker certification is occupational licensing by stealth](#), which relates to the concerns raised in this petition.

Every effort is made to ensure that the information contained in this briefing is correct at the time of publication. Readers should be aware that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.