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## IN OTHER NEWS

### SUPERVISION AND QUALIFICATIONS

Supervision is a prime example of the legislation and regulations imposing barriers on practitioners in the industry.

The situation exists where the Board have gazetted the requirement for two qualifications and one of those qualifications, tradesman registration imposed a period of supervision for two years and then the sitting of a further registration exam to reach certifying registration.

There is no training pathway to achieve certifying status. This leaves a situation where, for example, a tradesman registered person could be doing ventilation for the two years and then sit the Certifying Registration exam and qualify in all things plumbing even though the have not done any plumbing over that two year period.

There is no offence for a registered tradesman not being supervised however

## THE FEDERATION VISION (continued)



The truth and the alternate truths are the subject of this week's vision from the Federation.

Let's cast our minds back to one of the dark days in our industry, the day when retrospective legislation was imposed on the plumbers, gasfitters and drainlayers to make legal that which was illegal. The legislation was passed and implemented after the then Minister of Building and Construction said that if the Plumbers Gasfitters and Drainlayers Board had to pay money back to the industry it would bankrupt the Board. We had trouble believing that at the time and did ask ourselves - was this true or an alternate truth to meet the government's and the Board's needs at the time?

It was massive overkill at the time and will be an issue that will haunt the Government and the PGDB for an eternity. Unfortunately we really are the "David" to the Government and Board's Goliath.

We've used the Official Information Act recently and found what we consider to be a prime example where partial truths are told and the legislation is used to hide the truth.

Here's what we mean. When the Board effectively gave the Federation the "Don't Come Monday" letter from the Stakeholder Liaison Group due to the fact they claimed we had no members, Wal Gordon telephoned the Board CE/Registrar and asked where the information about the Federation not having any membership came from and the response was that it was from the Regulation Review Committee transcript. Then it was stated it may have been from someone's handwritten notes.

We followed up with the RRC and they said they don't keep a written transcript, just a video. We got a copy of the video and there was NO mention in there from us that we had no membership.

recently the Board have prosecuted Certifiers for not supervising tradesman registered practitioners.

The Certifiers didn't ask for this supervisory role and it has been imposed on them by the regulations and legislation even though they haven't, and are not currently being trained in supervision, it is just presumed they know what to do.

We have seen quotes in reports along the lines of *as a certifier they should have known or it is common industry practice.*

Not every certifier is good at training or supervision, yet they are being held accountable due to regulations imposed on a Tradesman Registered practitioner.

This imposes barriers on practitioners in the industry as some do not want the supervisory role after a person has theoretically qualified at Tradesman level so they don't employ staff to save themselves the problems.

You would have to ask if the supervisory discipline is legal where the regulation is imposed for one class of people but yet another class is held responsible for the supervision or lack of supervision. Simple solution is one qualification and decent training where apprentices qualify workplace competent.

A lot has been said about the difficulty in getting young people into the industry but

We thought we would follow up, as it is so blatantly untrue, so an Official Information Act Request was submitted to the Board. Here is the response:

*Thank you for your request under the Official Information Act of 12 October 2019 in relation to information about the removal of the Plumbers, Gasfitters and Drainlayers Federation from the Stakeholder Liaison Group (SLG). You have requested the following information:*

*1. Copies of any notes from any person in attendance for item 6 Stakeholder Liaison Group. This includes and electronic recordings.*

***Please find attached a copy of the notes from the Board meeting taken by the staff member who provides secretariat services to the Board for meetings.***

*2. Copies of any information provided regarding Federation membership which was used in discussion in the resolution to remove the Federation from the SLG.*

***There is no such information.***

*3. The name of the person who put forward/supplied the information claiming the Federation did not have any members and any notes/documents used to support the claim used in the meeting.*

***The Board relied on information that you provided at a SLG meeting. In response to a question from Mr Leen, you confirmed that the Federation has no members. This comment was heard by the Board members attending that meeting and the Board's Chief Executive. That comment was discussed by the Board when considering the meeting item.***

*4. The name of the Board member that proposed the motion/resolution to no longer include the option of two people from the Federation*

***The motion was moved by Barry Willcox.***

*5. The name of the Board member that seconded to the motion/resolution to no longer include the option of two people from the Federation*

***The motion was seconded by Ken Douglas.***

*6. The names of the Board members that voted in support of the motion/resolution to no longer include the option of two people from the Federation*

***This resolution was passed with no vote against it being recorded.***

*7. The names of the Board members that voted against the motion/resolution to no longer include the option of two people from the Federation*

all the practitioners we have spoken to have never had difficulty getting apprentice, the problem has been getting people with a good work ethic but the biggest issue for not taking on apprentices seems to be the lack of trust in the apprenticeship scheme, the commitment and the cost.

Yet again it falls on trust. If practitioners don't trust the system they won't engage with it.

If the regulation of the industry is sensed to be one sided then the industry won't engage with it.

If the industry doesn't trust the ITO (Skills) they won't be supportive of its initiatives.

We realise a lot will say this is not the industry view.

When we mention the industry we say so to encapsulate all those in the industry that support our way of thinking.

We are not making false claims about the entire industry or a percentage figure we claim to represent but more about practitioners that are like mind thinkers.

The Board have taken the stance that the Federation doesn't have any members so this implies we represent no-one in the industry.

We know there are thousands of practitioners, we know there are suppliers, we know there are other interested parties such as training providers and government agencies but we don't know what way

***This resolution was passed with no vote against it being recorded.***

*8. The name of the person who drafted the letter for Mr Jackson's signature.*

***An initial draft of the letter to the Federation was prepared by the Chief Executive for the Chairperson's approval.***

The above response didn't really answer all our questions, so an additional OIA request was submitted by email on 5 November 2019. Here is the Registrar/Boards response:

*In answer to your questions in your email of 5 November 2019:*

*1. What was the name of the person who brought up the subject of the Federation not having any membership at the Board meeting?*

***We don't hold this information because we have no record of who raised it and I cannot recall.***

*2. What was the question asked by Mr Leen?*

***To the best of my recollection the question from Mr Leen was to the effect "You don't have any members Wal, do you?" to which the reply was "No we don't."***

So it looks like when the initial claims couldn't be substantiated the Board looked for another reason to not have the Federation as part of the group, and a throwaway comment made by Wal Gordon, in response to an attempted joke by John Leen has been used as the reason.

It's claimed it was heard by Board members who were at the SLG meeting and the Chief Executive. It's later claimed that they can't recall who brought the subject at the Board meeting, but they CAN remember the question being asked by Mr Leen at the SLG meeting. Six Board members, the CE and support staff and no one can recall who brought the subject up. This is incredible.

The comment on the day of the meeting was to our recollection an attempt at humour by John Leen which Wal Gordon flippantly responded. To say the comment was confirmation of no membership as a response to a question is certainly a stretch of the imagination.

We ask the questions "was the action taken by the Board taken with reasonable care or was the action taken in bad faith?" Even though the Board are aware of the facts they have made no attempt to contact the Federation to correct the situation.

You might ask why we care about effectively being expelled from this group. Well we had high hopes that this group could be a feeder group for some sort of full industry governance – a place where all the membership groups, and those that don't belong to either membership group could exchange ideas and come up with an

everyone thinks and we don't know who represents who.

What we do know is there are practitioners who think like the Federation members but their numbers are falsely claimed by others to help influence the government.

We know influence is being used to push for self certification but is it really what is best for the industry based on current qualifications?

These are questions you need to ask yourself? Are we better off having a two tier system where we have Certifiers signing of work they haven't visited, supervising people in a different part of the country – or a one tier system where registered people ARE responsible for their own work, where they can employ apprentices and we don't have the complex supervision requirements that seem as stretchy as elastic and costly to police and enforce – all money which is coming out of your disciplinary levy.

Let us know your thoughts on this.

industry" opinion that could be passed on to Government. Sure we weren't always going to agree with each other all the time – but there was a pretty broad base of people from all areas of the industry attending this meeting.

It could, with the goodwill of the participants, morphed into an Industry Governance Board – separate to the regulatory board. Game playing isn't our style, and if there was a problem with the way we participated then it would have been good if a frank conversation could have been had between the Board and the Federation. No such conversation took place – instead we have this "reason" of no membership used to remove us. It simply isn't acceptable that a legal regulator body would play what we consider to be schoolyard games over something that is quite serious and has implications for every one of our members.

The Federation's vision would be a Board and secretariat that we could believe without hesitation. We have to say that isn't the case at present, and in fact the relationship has gone back to what it was several years ago. The biggest shame is sometimes where there are alternative views and robust discussion the best decisions are made.

#### THAT'S IT FOR THE YEAR

Another year has passed and most can all look forward to a holiday break. The Federation Executive Committee would like to thank all Federation members and others for their continued support and contributions which help keep everyone informed about industry issues.

Special thanks go to everyone who helps with the Fellow Practitioner as it is a valuable tool in the fight for fairness in the regulation of the industry.

Until next year keep safe and well.

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