

CITF Act Review Issues Paper – 31 January 2023

On behalf of CCF SA Board:

Board Members:	Role
Charles Hatcher (CH)	President & Secretary
Tim Bishop (TB)	Vice President & Hon. Treasurer
Paul Davison (PD)	Director
Gerard Beltrame (GB)	Director
John McMichael (JM)	Director
Simon Abrahams (SA)	Director
Sharon Van Kempen (SVK)	Director
Kerry Yeates (KY)	Director
Stephen Fines-Phillips (SFP)	Director
Natasha Hemmerling (NH)	Board observer
Peter Tan (PT)	Board observer

CITB composition, administration and operation

Concerning the amendments made to the Act by the Construction Industry Training Fund (Board) Amendment Act 2019:

How effective is the CITB, as currently comprised and administered, in attaining the objects of the CITF Act through the exercise of its functions and power (as outlined in Sections 11 and 12 of the CITF Act)?

1. The Act should include Objects so that the Board's purpose and priority for the administration of the Fund is clearer. This should include that the Fund should be applied to addressing skills shortages, upskilling and entry level training as supported by data and evidence available to the Board.

What opportunities exist to support the achievement of these objects in relation to:

- The composition of the CITB
 - The staffing of the organisation
 - Other governance or operational arrangements
2. The Act should require the appointment of Board members to have a greater balance of employer and employee perspectives than is presently the case.

3. The expression of interest process for Board appointees should remain, but the Minister should not be compelled to utilise this if the Minister is satisfied that good reason exists not to.

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4. The Act should require the appointment of a Board member with extensive knowledge of training policy and the contemporary training landscape.

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5. The Act should require that the Minister ensure that through appointments to the Board, members collectively bring sufficient expertise in the building and construction industry, legal and financial skills. Consideration should also be given to promoting diversity in making appointments to the Board.

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6. The appointment of Deputy Members should be reserved only for members appointed due to a specific skill set

7. The ability for the Presiding Member to exercise a casting vote should remain.

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14. If an activity would ordinarily be captured by Schedule 1 of the Act and the activity is maintenance or repair work carried out by a self-employed person or an employee for the benefit of his or her employer, where the principal business activity of the self-employed person or employer is not in the building and construction industry, this activity should not be excluded from building or construction work for the purposes of the Act. (For example, maintenance or repair work performed by employees of a council would be leviable activity – as is the case presently if such work is contracted out.) [See Schedule 1(2)(a) of the Act]

15. If an activity would ordinarily be captured by Schedule 1 of the Act, the fact that it is associated with mining and petroleum activity should no longer automatically be grounds for exemption. Exemption should apply when associated with core resources operations or other specified activities. (For example, earthworks and building activity associated with the construction or maintenance of roads, tracks, or airstrips would be leviable activity. However, if WA's exemptions were mirrored, then work associated with resource exploration, unsealed haul road tracks etc. would continue to be excluded) [See Schedule 1(15) of the Act]

Is the current levy collection method effective?

16. The levy should be calculated by reference to employee data not by project value to enable a similar quantum of funds to be collected via a more streamlined process.

17. If the levy is still to be calculated by project value, the definition of project owner should be changed so that the levy is payable by the landowner or head lessee rather than the current definition of project owner.

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18. The Civil sector should remain as part of the CITF Act scheme.

19. Planning for allocation of the Fund should be revised to better utilise available funds for the Civil sector, including in relation to attraction and retention initiatives; and short courses which equip Civil sector workers to work in other sectors when there is a downturn in civil construction activity.

Are there alternative collection methods that would improve levy collection?

24. The CITB should increase the resources devoted to education and compliance.

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27. The CITB should allocate funding to administration activities such as research, data analysis, education and compliance.

Training plans

What impact does the requirement under Section 32(1) for the CITB to produce a training plan on an annual basis have on:

- longer term workforce planning
 - addressing longer term skills and workforce requirements
 - investment in multi-year projects or programs?
28. Government and the CITB should develop processes that facilitate information and market intelligence sharing in the formative stage of the development of a Training Plan.

29. The annual planning cycle should be replaced by four-year rolling reviews of the overall strategic direction developed through the CITB's investment decisions, with capacity for annual adjustments and reallocation of funds.

Consideration of other models to support industry outcomes

Are there any other models for supporting industry training and workforce development outcomes that the reviewer recommends to assist the Construction Industry Training Board achieve its objectives?

Additional Information

This is an opportunity to provide additional feedback on the CITF Act that has not been addressed in the Issues Paper and Terms of Reference.

General civil industry employer feedback shared with the CCF SA Board:

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- 2.
- 3.

endorsing/approving the courses, percentage funded and number of places they would fund annually.”