

FCA NEWS

Donald Maclean tells us what the FCA has been up to lately – and adds an update on apprenticeships

The Forestry Contracting Association is active on many fronts. Here we have a brief resumé.

Online membership directory

The FCA is in the process of revamping its online directory. With the current directory not all members are entitled to have an entry, and those who do have only a simple lineage entry. The new version is a costly investment for the Association but will offer all members significantly increased exposure and they are to be encouraged to take full advantage of it to promote their business. It is hoped to be operational imminently.

Fuel supplements

At a meeting between the FCA, FES and the then Forestry Minister Michael Russell in March 2008 both organisations were instructed to agree a workable method of offsetting the impact of fuel price increases on the profitability of for-

estry contract work. In the event of 'failure to agree' the minister was to be informed so that he could arbitrate.

It was also made clear that neither FCA members nor FES staff were to use the agreed system as a means of increasing their profitability, and that, on request, they should be able to produce documentation to confirm that this was the case. Michael Russell also observed that it was inevitable that the agreement would not be perfectly accurate under all circumstances and a degree of 'swings and roundabouts' must be accepted by both sides.

Negotiations are continuing between the FCA and Forest Enterprise Scotland on a method of adjusting rates for contracts lasting more than one year.

At the time of writing (18/12/09) there are examples of where local agreements have been reached



Forestry Contracting Association UK Chairman Donald Maclean.

between FES and contractors. It is hoped that they will help to test the implications of any future UK-wide agreement.

In these instances the contractor had to provide evidence to allow comparison of price paid and fuel used over the review period. This was compared with the same data from the previous period and an adjustment made accordingly. There was no fixed formula and it was clear that the procedure was being used to gather hard evidence to allow FC to justify the increase to auditors.

Agreement has yet to be reached on the following points:

- The percentage fuel price-change that will trigger the supplement both upwards and downwards.
- A supplementary system for the fuel cost variation of contracts based as closely as possible on the fuel used and its real-time price.
- How the fuel supplement pricing will be applied (country-wide, regionally, individually negotiated contracts etc).

The negotiations are continuing.

Apprentice training

The meeting on this item is fully reported on the next page.

Site safety coordinators

Largely due to FCA's involvement the adoption of this suggested post is still under consideration by AFAG's Project D3 for incorporation into a redraft of the HSE publication *Managing Health & Safety in Forestry*.

The FCA's position on this issue is that the creation of this post would result in additional responsibilities for site safety being transferred from the works managers to contractors working on site, and that this could result in serious disruption to their contracted work; a fact unlikely to be taken into account when pricing

contracts.

The adoption of the post is being championed by the larger forestry companies, and to oppose them could be seen as being prepared to tolerate the killing and maiming of the workforce.

Fortunately, the HSE and others on the working group are taking notice of what the FCA is saying and appear to be concerned only with achieving an outcome which results in a safe method of working.

The discussions continue.

Lone working

This topic was originally included as part of the Site Safety Coordinator (SSC) discussions, but the working group thought it would be too big a job to be included in the SSC debate.

There is no doubt that lone working is an important issue for many FCA members, and the FCA hopes that a group will be formed to look at the practical issues. The FCA will ensure that the membership point of view is represented when the debate resumes.

Weight loss

This topic also has absorbed much of the FCA's resources. Progress has been made in that FCA has successfully negotiated with FES payment for direct production contracts on a 'through the head' (TTH) basis. Reports indicate that this has resulted in considerable savings for many Scottish members. The challenge for FCA is to see acceptance of this method of payment being extended, firstly into England and Wales and then into the private sector.

Gangmasters

The current situation on this topic is far from satisfactory, and has come about in spite of vigorous input from the FCA. The wider industry has been considering how best to address the well publicised problems created by this piece of

The following letter regarding the proposal that contractors should pay the Forestry Commission to park their caravans on FC land was sent to the FCA by a member's wife.

Dear Sir/Madam

I feel I have to comment on the feature contractor caravans on the national forest estate in the December 2009 edition of FCA News;

I am interested to know who has come up with this not-so-wonderful idea – a pen-pusher perhaps!

*As the wife of a forestry contractor who is away from home Monday to Friday, staying in a caravan on site, I feel it is extremely unfair to introduce such charges; after all, we at home still have our home comforts, we are with our family, we have access to a telephone which has signal **all the time**. Do the contractors have all this in their caravans? **No**.*

Would the person who came up with this not-so-wonderful idea tolerate the above? I guess not!

My husband stays in a caravan on site during the week for the following reasons:

- *To save on the ever increasing travelling expenses*
- *To save on vehicle wear and tear*
- *To avoid making his working hours any longer*
- *To keep an eye on machinery and timber. (Strangely enough timber occasionally grows legs and walks.)*

Contractors' prices are not rising; they are either stagnant or falling, so one has to do something to help cut expenses.

I will explain my husband's typical working day. He starts work at 5.00am, he finishes any time between 7.00-8.00pm. During this 14- 15-hour shift he will deal with most breakdowns he has. Quite selfishly, the machine does not always wait until it is dry weather to break down – quite often it is wet, muddy and totally uncomfortable. Can you imagine going home to a caravan at night when you are cold and wet?

*Yet again the forestry contractor is to be penalised for working **hard!***

If contractors are expected to pay these charges, what do they actually cover? Do they cover insurance if the caravan is damaged in any way?

Bear in mind that the contractor has to buy the caravan and, in our case, insure it. There is no help with this – it is out of our pocket.

(Name and address supplied.)

legislation and its consequences, and has resisted accepting the latest proposals in the hope that they can be further modified to make them more equitable to small businesses.

It is with considerable frustration that the FCA has to admit that it does not have the resources to make a stand on this piece of knee-jerk legislation and its potential consequences for their members' businesses.

FCA is also aware that some members have opted to withdraw from mainstream licensable activity and restructure their operations to take advantage of the exclusions that are available. This is not in any way underhand, but the problem for some of them is they are now being excluded from tendering for some jobs, often in favour of other FCA members who have been forced into getting the licence.

This is only one of the many unsatisfactory consequences of the GLA's activities.

Woodfuel

Members of the FCA are reporting difficulty in obtaining supply of the necessary feedstock material from the Commission in order to allow their businesses to operate successfully. It appears that long-term supply contracts with large buyers are being given priority for the available material; a strategy that does not achieve best value for the public purse, nor does it promote the development of SMEs.

Further discussions with membership clearly indicate that the plethora of so-called experts, committees and organisations do not have a grasp of the problems facing the industry and appear to be more concerned with obtaining political approval than in finding solutions to supply problems.

Indicative of the confusion that exists is that there is no generally accepted estimate of the available material within the UK.

Transport-related issues

FCA receives a large number of enquiries relating to operator licensing, tachographs, towing trailers and red diesel. The legislation on these topics has been formatted to suit full-time transport organisations and, as a result, accurate information as it applies to forestry is hard to find, confusing, often contradictory and very open to different interpretations, even from individuals within the same departments. Over time the FCA has built up a familiarity with this area of legislation and now has a level of expertise in the various exemptions that can be applied to forestry.

Apprenticeships

The Trees and Timber Modern Apprenticeship working group met in Glasgow on 2 December.

Present were contractors Elliot Henderson, David Dick and David Farrow, Gordon Hill and Doug Irvine of Barony College, Steven Webley (Edinburgh Council), Ashley Woodhouse (Forestry Commission), Charlie Fulton (Scottish Forest Industries Cluster), Jamie Farquhar (ConFor) and Donald Maclean (FCA). Steven Lindsay and Yvonne Ryan of Lantra Sector Skills Council hosted the meeting.

Steven Lindsay gave a brief overview and objectives for the meeting and explained the need to revise the SVQ and Modern Apprenticeship framework as the Trees and Timber National Occupational Standards had been revised.

He explained the background of apprenticeships to the group and the role that they could play in getting people into the industry. Apprenticeships are a tri-party agreement between the apprentice, employer and training provider, but employers are being encouraged to take a more active role in the development of apprentices.

The group had real concerns regarding the funding of the Modern Apprenticeships, as most entrants into the sector are over 20 and funding is aimed at learners aged 16-19.

If all the right criteria are met, there can be up to £6500 available but the apprentice must be enrolled before their 19th birthday.

The group also felt strongly that the Modern Apprenticeships should be available to those that are self-employed. Currently a significant proportion of the industry is self-employed.

There seemed to be a great willingness on the part of all employers to support an apprenticeship scheme, but there was a view that further work would be pointless whilst the award is beyond the reach of most businesses, either because of age restriction, or insufficient funding, or both. The amount of bureaucracy involved suggested that significant sums from the kitty would be swallowed up by the paper chase.

Steven Lindsay warned that the industry needed to decide whether it wanted apprenticeships, and, if so, it had to devise one fit for purpose. Without the apprenticeship, the funding issues become irrelevant.

There will be little prospect of anyone in government being sym-



Trainer Ian Wilson explains the screen layout to a trainee taking part in a three-year apprenticeship run by the Forestry Commission at Cairnbaan. The course includes NVQ units as set by Lantra.

pathetic to an industry that couldn't be bothered working up their own apprenticeship scheme. Decisions would have to be taken on the apprenticeship and once this had gained the necessary approvals, the significant barriers to access could be attacked. This argument was accepted.

The meeting was warned that apprenticeships that had no demand would probably be discontinued and that this had already happened in other industries.

The group was asked to make decisions on which units from the National Occupational Standards should be used to make up the qualifications. Decisions had to be made on the number of units, the ones that should be mandatory and those which should be optional. The delegates were also expected to decide at what level the award should be pitched.

The Forestry Commission and the local authority represented wanted a more rounded qualification, including a broad range of life skills. However, the contractors felt that the qualification should be aimed specifically at the skills required in order to be more productive.

This was when progress ground to a halt. Lantra's laudable attempt to have employers involved in taking these decisions stumbled because the delegates were asked to work from a list of unit titles and had no guidance available on what these units actually contained. Not a problem for those involved in the education system, but a severe

handicap to the employers present. The exercise perfectly demonstrated the gulf between those who are working in the forest and those who are involved in training.

The attempts to explain all of this in plain English so everyone can understand is still falling short of the mark and this is frustrating everyone involved.

As a result, the decisions had to be postponed until some unit descriptors were made available. Yvonne Ryan was asked to map the new NOS to the old SVQ structure then the group will reconvene and reassess the structure to make any adjustments necessary.

In the meantime, all present were asked to canvass the views of as many employers as possible. Another meeting would be called early in 2010.

The FCA will try to encourage more general forestry contractors into this debate as any apprenticeship funding will be more likely to fit their business model.

The age discrimination means that the current set-up is unlikely to be supported by mechanised harvesting contractors. Operators are not usually drawn from this age group. Most of those young enough to qualify for the funding are not permitted to operate machinery on Forestry Commission land.

Once agreement is reached on the way forward, the FCA will produce a simple guide to explain the options to its members.

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