



SWIMMING POOL & SPA ASSOCIATION OF VICTORIA

**SUBMISSION TO:  
Department of Environment, Land, Water & Planning  
Regarding  
Continuing Professional Development for Builders  
and Plumbers**

June 2020

24 June 2020

**Attention: Continuing Professional Development Team – Building Division**  
**Level 16, 150 Lonsdale Street, Melbourne VIC 3003**  
**By e-mail: [building.policy@delwp.vic.gov.au](mailto:building.policy@delwp.vic.gov.au)**

## Introduction

The Swimming Pool & Spa Association of Victoria (SPASAVIC) welcomes the opportunity to formally provide feedback to the Continuing Professional Development for Builders and Plumbers Consultation Paper.

Our response provides some general information about SPASVIC, as well as addressing a number of issues raised in the Consultation Paper from the perspective of the pool and spa industry.

Perhaps more than any other subset of the building industry, professional pool and spa builders are acutely aware of their obligations toward consumers. Pools and spas that are not constructed to the highest standards can cause consumer frustration. A skilled and professional workforce is essential to the notion of compliant work practices.

Our feedback is written through the prism of a 'safety first' approach when it comes to Continuing Professional Development for the swimming pool and spa industry.

It comes as a surprise to many government stakeholders that registered pool and spa industry builders do not complete any trade apprenticeships or accredited training. Pool and spa construction in Victoria is performed largely by individuals with a 'learnt-on-the-job' skill-set. Although our builders are registered building practitioners, the varied sub-contractors that help deliver pool building projects are not qualified trades.



Secondly, there is a significant problem with owner builders (both registered and unregistered), undertaking major constructions – some as high as \$100,000 in value – without any understanding of the complexity and risks of the undertaking.

SPASAVIC's position on CPD supports a sensible approach to CPD which focusses on enhancing professional standards in the swimming pool & spa industry. SPASAVIC supports continuing improvement and professional development to achieve acceptable standards of build quality delivered by a competent and skilled workforce. We encourage industry participants to keep abreast of regulatory developments through member forums and micro courses delivered by SPASAVIC.

The introduction of any professional development schemes should be preceded by an appropriate level of industry consultation together with a cost benefit analysis for the industry by the relevant government.

Our industry understands the requirements of mandatory Continuing Professional Development for registered practitioners, as the sector pivots to meet regulatory and consumer expectations.



## About SPASA Victoria

Established in 1961, the Swimming Pool & Spa Association of Victoria (SPASVIC) is the peak body of the pool and spa industry in Victoria.

Our mission is to represent both SPASVIC members - and the broader swimming pool and spa industry - to the general public, as well as government and relevant statutory bodies. SPASVIC strives to enhance its profile as a means of promoting the significant health benefits and social value of pool and spa ownership and use.

Our core goals are to ensure the viability of our members' businesses and to promote the highest levels of professionalism, ethical behaviour and standards within the industry.

Among many others, we liaise closely with Government organisations such as VBA, Consumer Affairs Victoria, Worksafe Victoria and other NFP bodies such as Life Saving Victoria, Kidsafe Victoria and Victorian Municipal Building Surveyors Group – all of which shape legislation and establish standards of workplace practice in safety, energy and water use.

To maintain the highest standards within industry, SPASVIC conducts industry training programs, trade events, consumer events and publishes member OHS training and resource materials.



## Regulation, Training & Continuing Professional Development of Pool & Spa Builders

The current regulatory system associated with builders who construct pools and spas is entirely inadequate.

There are no training systems or CPD programs in place that are specific to the industry and as such, SPASVIC has serious, ongoing concerns about construction standards which may lead to inconsistent practice.

SPASVIC requires that inexperienced builders applying for membership to our Association undertake mandatory training that is specific to pool and spa construction. These SPASVIC 'Restricted' Pool Builder Members voluntarily commit to undertaking our training - even though they already have practitioner registration with the Victorian Building Authority (VBA).

These builders are well aware that the 'learn-on-the-job' process in place is sub-standard. Additionally, we believe there is insufficient information available to consumers on the desirability of engaging builders with specific pool and spa construction training and expertise.

It is SPASAVIC's view that consumers may be exposed to a significant 'safety gap' when it comes to pool and spa construction. For example, training in pool fencing construction and hydraulic safety regulation is not mandatory.

There are many incidents associated with poor pool construction and inconsistent regulatory inspection regimes that should persuade law-makers to make industry-specific training and CPD mandatory so that our trades can be part of a framework that encompasses recognition and registration by the VBA.

In the past, SPASA Victoria has consistently advised the VBA on the need to develop registration applicant testing materials on industry-specific areas such as: construction techniques, OHS, Standards, ACCC Banning Orders, pool chemistry and hydraulics/pool plumbing.

It is worth noting that amongst the building professions, pool and spa builders are almost alone in not needing to meet specific training or licensing requirements. The average pool currently costs \$60,000, and many are built for sums exceeding \$100,000. Given the need to protect consumer safety, as well as the need to take into account the large sums of money involved in pool construction, the time has come for a mandatory training and licensing system for pool and spa builders and their sub-contractors, in order to move towards a qualifications-based training program.

SPASA Victoria has the capacity and willingness to assist the VBA with the development of an appropriate CPD regime for pool and spa builders, and in particular - the delivery of a Building Inspector (Pool Safety) trainee course.

**SPASAVIC is pleased to have recently partnered with Masters in Building Training (MIBT) to offer a career pathway for industry participants through their Certificate IV in Swimming Pool and Spa Building. MIBT training offers complete learning flexibility through their online learning system so that students can learn anywhere at any time.**

Finally, it is of some frustration to the industry that there is quite a significant variation in the interpretation of the regulations by both Building Surveyors and Council Inspectors. We would see it as highly constructive if all three stakeholders could collaborate in a practical sense, and work as one to better understand our unique industry and develop more consistent guidelines to what are increasingly complex rules, especially with the imminent barrier inspection regime and proposed new class of 'Building Inspector (Pool Safety)'.

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**1. Are you aware of any additional areas of poor practitioner performance for building and plumbing practitioners? If so, please describe and provide any evidence if available.**

SPASAVIC accepts a numerous amount of contact from consumers regarding building practitioners and has from time to time formed a view from anecdotal or primary evidence as to the level of poor performance.

SPASAVIC agrees with the assertion that there may exist a gap in knowledge around changes to legislation and or regulations. The key to poor performance in our opinion stems from inconsistent interpretation of regulations / standards as they adhere to the National Construction Code (NCC). This inconsistency that is derived from gaps in knowledge transfer plays an important role in poor practitioner performance.

**2. Of the performance issues identified, what do you think are the root causes of the non-compliance?**

As stated earlier, inconsistency relating to interpretation and knowledge gaps are the main causes of non-compliance. Addressing knowledge gaps with relevant courses, seminars, symposiums etc. can alleviate inconsistent interpretation. Learning outcomes must be of a consistent nature that avoids confusion and subjectivity.

**3. Are you aware of any CPD courses already available that target any of the performance issues identified? If so, please specify.**

SPASAVIC has engaged a CPD provider to help deliver courses specific to our industry. There is some crossover with general building courses, but we look forward to developing courses that will provide a detailed learning outcome specifically targeted at the Pool & Spa industry. Some of the courses that we are to put on scope are but not limited to:

1. Health and Safety
2. Aust Regulatory framework for Building 2019
3. Using the NCC
4. Sustainable Building
5. Dial before you Dig
6. Introduction to Planning
7. How to run a small business
8. Bespoke Pool & Spa – to be confirmed

#### **4. If your organisation is a registered training provider, what is your level of interest or capacity to develop courses that build knowledge and skill in the performance issues identified?**

Although SPASAVIC is not an RTO, we currently run micro courses that are industry certified and specific to our needs. Within these we aim to provide learning outcomes to upskill and close the gap on knowledge vacuums.

We currently partner with an RTO (MIBT) who provides an extensive range of certificate III and IV courses in construction. Some of these are listed below:

- Certificate IV in Swimming Pool & Spa Building
- Certificate IV in Building & Construction
- Advanced Diploma in Building & Construction

Our capacity to work with our providers to help deliver specific needs of learning outcomes is high and we continue to invest in our sector as a way of building consumer confidence towards our member base and the industry at large.

#### **5. Do you support Option 1? Why or why not?**

SPASAVIC does not support option 1, however, it must be noted that a capture all approach may not necessarily be the right approach. There is scope to consider private study, research, web-based informal learning and self-directed / mentored learning.

Within this setting where there is a level of professional development there may exist an argument for the status quo.

However, we feel that non-compliance may lead to competency issues and that relying on the regulator to identify and direct practitioners to pass exams is cumbersome, adhoc and labour intensive.

#### **6. What do you consider to be the key risks and benefits of Option1?**

The key risks are practitioners falling through the cracks who have knowledge gaps.

However, some of the benefits of Option 1 would be strengthening the registration process and allow the regulator to control the behavioural patterns with regular checks.

This may lead to a more comprehensive self- learning, web-based private study approach.

## 7. Do you have any other comments about Option 1?

No further comment

## 8. Do you support Option 2? Why or why not?

SPASAVIC supports **option 2** as a gateway to continue providing informal and formal learning outcomes.

We see this evolving into a self-directed choice of courses where the individual practitioner identifies a knowledge gap and chooses from a suite of courses to close that gap.

There is no point in practitioners utilising resources for courses in which they currently are well versed in and have no need to upskill in.

This approach lends itself to a more targeted outcome where specific shortfalls in skills, knowledge etc. can be addressed in a more efficient and timely manner.

## 9. Which proposal do you prefer?

**(a) prescribing general CPD subjects through regulations; or**

**(b) not prescribing any CPD subjects through regulations, and instead leave the selection of courses entirely to the discretion of the practitioner?**

**Please provide reasons.**

SPASAVIC **supports (b)** where practitioners can specifically target needs as they arise.

1. Prescribed courses will lead to duplication and a waste of resources plus effort.
2. Practitioners are time poor, so efficiency of learning outcomes is paramount – choosing courses that pertain to knowledge gap is key for them.
3. Developing courses once patterns emerge amongst a cohort will allow CPD providers greater ability to identify gaps for specific sectors within construction.



**10. If you prefer prescribing general CPD subjects, do you agree with the proposed subject list? What other subjects do you think should be prescribed? Please provide reasons.**

SPASAVIC does not support prescribed CPD subjects as we believe in a **pull strategy** not a **push strategy**. Allow the practitioner to pull the learning module that they believe suits best rather than push onto a cohort material that may not be relevant in terms of knowledge gap.

An example of this is where one practitioner does not need business administration skills where others may have that need. A flexible, **Pro-Choice** CPD strategy is the best fit for all.

**11. Overall, what do you identify as being the key risks or benefits of Option 2?**

Option 2 provides many benefits such as flexibility, targeted outcomes, efficiency. Allowing for the burden to the industry regarding time and cost, which will flow onto consumers, the mandatory CPD framework can be offset with a CPD framework where there are no compulsory subjects.

This approach will balance out any burden that may arise and we see this as key to a successful CPD program. Imposing compulsory subjects will risk a flow on of unintended consequences to not only the practitioner but the consumer.

**12. Do you have any other comments about Option 2?**

No further comment

### **13. Would you support Option 3? Why or why not?**

SPASAVIC does not support option 3 as it will only serve to confuse and undermine everything stated above. There is no need for the regulations to prescribe compulsory subjects as argued above.  
A Pro-Choice approach builds trust and buy in.

### **14. Do you support the proposal to prescribe technical compliance as a compulsory subject for all building and plumbing practitioners? Or do you think this should be limited to certain categories/class of building/plumbing practitioner?**

SPASAVIC does not support compulsory courses for building practitioners and if a need arises for a prescribed technical subject, then targeting specific sectors may produce better learning outcomes in a limited scope.

### **15. If technical compliance was a compulsory subject, what formats of learning do you think would be most beneficial for building knowledge and skill? For example, hands-on training, online modules, independent study etc.**

SPASAVIC does not support compulsory subjects but in a scenario of technical compliance then it would be prudent to embrace a range of knowledge transfer. From face to face to online modules and in-field training where appropriate would deliver beneficial outcomes and meet current day practitioner expectations.

**16. Do you agree with the proposal to introduce compulsory technical compliance training firstly for building surveyors and gasfitters? If not, why not?**

SPASAVIC supports a staggered model for technical compliance but has no comment in relation to surveyors and gasfitters other than to help promote consistent interpretation of regulatory frameworks in relation to the swimming pool and spa industry.

**17. Do you agree that the courses being developed by the ABCB on the NCC should be compulsory?**

SPASAVIC has consistently stated that subjects that are being developed on the NCC can be placed on the scope of a CPD platform. However, there needs to be choice instilled in any platform for practitioners to pull down subject matter that is relevant to their needs.

**18. If your organisation is a registered training provider, would you be interested in developing other targeted compliance training courses for gas-fitting practitioners?**

No comment offered

**19. What other subjects do you think should be compulsory? Please provide reasons.**

No comment offered

## 20. Overall, what do you think are the key benefits and risks of Option 3? Please provide reasons.

The key risks associated with option 3 are clearly identified above suffice to say that a clearly defined program with the intent to deliver clarity of structure with practitioner choice is paramount if we are to achieve successful timely outcomes. There has to be a level of responsibility and trust bestowed upon practitioners to fill any gaps in their knowledge or skill set.

## 21. Do you have any other comments about Option 3?

No comment offered

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