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HEALTH AND SAFETY EXECUTIVE

AGRICULTURE INDUSTRY ADVISORY COMMITTEE

ARBORICULTURE AND FORESTRY ADVISORY GROUP

Position Paper - For AFAG Members - December 2023 meeting

Alternative Chainsaw Competence Assessment schemes: Compliance with requirements of the Provision and Use of Work Equipment Regulations (PUWER)

1. Summary

Chainsaws are associated with a high risk of injury. Eliminating or controlling the risk through guarding and PPE measures alone is not feasible. Users must be adequately trained and should be able to demonstrate they are competent by undergoing appropriate assessment to obtain recognised qualifications. Such qualifications show that users are able to follow practices that reduce and control risk to an acceptable level.

HSE understands the difficulties faced by tree work employers in the UK when sourcing adequately trained and qualified chainsaw workers and has been asked through AFAG if alternative schemes, like the European Chainsaw Certificate and International Chainsaw Certificate, meet the guidance set out in the ACOP. To assist, HSE has worked with AFAG members and scheme providers to identify the key elements that any scheme should demonstrate to be comparable to existing established provision.

This paper outlines the main elements needed for a consistent and dependable assessment scheme, and therefore the points a duty holder needs to consider when deciding whether a scheme or assessor is providing relevant certification or qualifications comparable with established standards.

HSE expects any scheme, award or qualification to have, as a minimum, the following elements or characteristics:

- Be carried out to a common standard at least equal to existing schemes (e.g.: NPTC / C&G or Lantra qualifications) by competent assessors with provision for independent assessment¹, where necessary, as set out in the PUWER Approved Code of Practice² and Industry Guides (e.g. [FISA 805](#))

¹ **'independent assessment' has an element of separation from training by time (allowing consolidation) and person (somebody who didn't deliver the training, unless a QA mechanism for checking control of conflict of interest is in place).

² https://www.hse.gov.uk/pUbns/priced/l22_PUWER_ACOP.pdf

- Include arrangements for assessors to meet (e.g. every two years) to set levels of acceptable performance from assessors and users.
- Have internal and external verification mechanisms to ensure assessment delivery is reliable and consistent and in line with other providers and Standards (e.g. National Occupational Standards (NOS)).
- Ensure those bodies that award qualifications are independently overseen by a recognised body, such as the Office of Qualifications and Examinations Regulation (Ofqual).

AFAG recognises that any party, provider or organisation may wish to offer chainsaw assessment certificates or qualifications for work on or in a tree. If the provider or organisation(s) behind the scheme can show it contains the elements above, or something equally as good, it should deliver adequate user assessments for the purposes of the Provision and Use of Work Equipment Regulations and other relevant Statutory Provisions.

2. Introduction

Chainsaws are associated with a high risk of injury. Eliminating or controlling the risk through guarding and PPE measures alone is not feasible. Users must be adequately trained and should be able to demonstrate they are competent by undergoing appropriate assessment to obtain recognised qualifications. Such qualifications show that users are able to follow practices that reduce and control risk to an acceptable level.

Regulation 9(1) of PUWER requires employers to ensure that employees using chainsaws are adequately trained. The same requirement applies to the self-employed. The guidance in the PUWER Approved Code of Practice states that a worker using a chainsaw on or in a tree should have received appropriate training and obtained a **'relevant certificate of competence or national qualification'** (paragraph 133).

ACOPs are approved by the HSE Board with the consent of the Secretary of State. ACOP guidance explains how to comply with the law in a specific way and has a special status in law. Generally, if you follow the advice in ACOP text, you can be sure that you will be doing enough to comply with the law.

Relevant certificates or qualifications that meet the standards described are those issued by UK National Awarding Organisations (currently NPTC/City & Guilds and LANTRA). These are seen as the national qualifications in the UK. Such bodies are independently regulated by the Office of Qualifications and Examinations Regulation (Ofqual) and therefore meet the requirements of paragraph 133 of the ACOP . This provides assurance that qualifications meet minimum standards and are consistent across the Country. It also ensures that as qualifications evolve, those that are regulated continue to deliver assessment outcomes consistent with underpinning [National Occupational Standards](#) (NOS).

Providers inside and outside of the UK have comparable assessment and certification schemes for chainsaw operators carrying out tree work. Schemes such as the European Chainsaw Certificate (ECC) and International Chainsaw Certificate (ICC) offer a suite of assessed qualifications³ .

HSE understands the difficulties faced by tree work employers in the UK sourcing adequately assessed chainsaw workers and was asked through AFAG if alternative schemes, like the ECC or ICC, meet the guidance set out in the ACOP. After investigation,

³ [European Chainsaw Certificate – Efesc](#) and [Qualifications | ABA International \(aba-skills.com\)](#)

AFAG members determined that current ECC/ICC assessments are likely to be equivalent to UK assessment standards.

In addition, HSE has worked with AFAG members and scheme providers to identify the key elements that any scheme should be able to demonstrate to be comparable to existing established provision. The AFAG working group agreed the elements listed, in Section 3 below, were appropriate, and non AFAG members with an interest were invited, involved and consulted.

As a result, the approach set out in this paper should assist employers with sourcing skilled and competent chainsaw workers, including those with qualifications from other countries. It outlines the main elements needed for a consistent and dependable assessment scheme, and therefore the points a duty holder needs to consider when deciding on whether any scheme or assessor is providing adequate assessment standards that meet the requirements of PUWER.

3. Elements of appropriate assessment for a chainsaw certificate of competence or national qualification

To be considered comparable to existing UK chainsaw assessments offered by existing providers, HSE would expect any assessment and certification/qualification scheme to have, as a minimum, the following elements or characteristics:

- Be carried out to a common standard at least equal to existing schemes (e.g.: NPTC / C&G or Lantra qualifications) by competent assessors with provision for independent assessment⁴, where necessary, as set out in the PUWER Approved Code of Practice⁵ and Industry Guides (e.g. [FISA 805](#))
- Include arrangements for assessors to meet (e.g. every two years) to set levels of acceptable performance from assessors and users.
- Have internal and external verification mechanisms to ensure assessment delivery is reliable and consistent and in line with other providers and Standards (e.g. [NOS](#)).
- Ensure those bodies that award qualifications are independently overseen by a recognised body, such as the Office of Qualifications and Examinations Regulation (Ofqual).

4. Conclusion

AFAG recognises that any party, provider or organisation may wish to offer chainsaw assessment certificates or qualifications for work on or in a tree. If the provider or organisation(s) behind the scheme can show it contains the elements listed above, or something equally as good, it should deliver adequate user assessment for the purposes of the Provision and Use of Work Equipment Regulations and other relevant Statutory Provisions.

HSE will expect any provider or scheme offering chainsaw assessments in GB, for work on or in trees, to be able to demonstrate that their offer contains the listed elements; that the scheme operates effectively; and it delivers consistent and reliable assessments that are adequate for the user's and employer's needs. Whether they do, or not, is likely to be a question for the Courts based on the circumstances before them.

⁴ **'independent assessment' has an element of separation from training by time (allowing consolidation) and person (somebody who didn't deliver the training, unless a QA mechanism for checking control of conflict of interest is in place).

⁵ https://www.hse.gov.uk/pUbns/priced/l22_PUWER_ACOP.pdf

Employers, or people responsible for the management of chainsaw operations on their sites must make sure users have been adequately trained and should make appropriate checks to determine chainsaw users have been adequately assessed and can demonstrate competence. Where the person's qualifications are not from an established UK provider, enquiries should be made to establish if the scheme they followed contains the elements above and that the qualifications obtained are appropriate for the work being done.