

| HEALTH AND SAFETY EXECUTIVE | | | |
|---|--|--------------------|------------|
| CONSTRUCTION INDUSTRY ADVISORY COMMITTEE (CONIAC) | | | |
| Meeting date: | 3 March 2010 | FOI status: | Fully open |
| Type of paper: | Below-the-line | Exemptions: | None |
| TRIM reference: | 2010/44648 | Paper No: | M1/2010/2 |
| Cleared by: | Philip White, Chair of CONIAC, on 22 February 2010 | | |

CONIAC: Terms of Reference

A paper by the CONIAC Secretariat

Purpose of the paper

For information and agreement at the meeting on 3 March 2010

1. CONIAC's Terms of Reference (ToR, see **ANNEX**) define the purpose and duration of the committee, characterise its Membership and approach to work, and give specific information on a number of administrative issues. This paper tables ToR for CONIAC to formally approve.

Background

2. Draft ToR were considered by CONIAC at its meeting on 17 November 2009 in the context of a discussion on the reconstitution of the committee. A further version of the ToR, revised in light of the discussion on 17 November, was distributed to CONIAC by e-mail on 21 December 2009. A number of final comments were received and have been taken into account in the production of the version now tabled.

Argument

3. The ToR were developed in consultation with the former CONIAC. They underpin the work of the reconstituted CONIAC and reflect views expressed by the HSE Board following its review of its advisory committees. More specifically, the ToR are designed to implement the reconstituted CONIAC's new relationship with the HSE Board, and its new approach to work which places greater emphasis on the role of the working groups, subject to ongoing oversight and, where necessary, direction by CONIAC itself. In addition, the ToR provide a sufficient level of detail on essential administrative aspects of the management of the committee.

Action

4. Following formal agreement by the Members the terms of reference shall be adopted.

Contact

Michael J Ryan, Tel: 0141 275 3107, e-mail: Michael.Ryan@hse.gsi.gov.uk

**HEALTH AND SAFETY EXECUTIVE
FIELD OPERATIONS DIRECTORATE
CONSTRUCTION DIVISION**

CONSTRUCTION INDUSTRY ADVISORY COMMITTEE (CONIAC)

TERMS OF REFERENCE

Purpose

1. The Head of Construction Division has decided to appoint a committee to be known as the Construction Industry Advisory Committee (“CONIAC”). CONIAC shall:

- (a) consider and advise the Head of Construction Division on:
 - (i) the protection from hazards and the control of risk to health and safety of those at work in the building, civil engineering and engineering construction industry and the protection of the public from related hazards;
 - (ii) operational or other policy as it may be relevant to securing the health and safety of persons at work in the building, civil engineering and engineering construction industry, and of members of the public who may be affected by such activity;
 - (iii) associated matters as referred to it by the Head of Construction Division; and
- (b) seek to stimulate action aimed at securing better health and safety outcomes in the industry in accordance with the goals of HSE’s Strategy.

Term of office

2. CONIAC shall be established for a term of office of three years beginning on 3 March 2010 and ending on 2 March 2013.

Membership of CONIAC

3. CONIAC shall consist of a Chair (who shall be an official of the Health and Safety Executive) and Members appointed by the Head of Construction Division. Before appointing Members, the Head of Construction Division shall seek nominations from such organisations and individuals representing employers, workers and others as he/she considers are likely to be able to assist with CONIAC’s purpose and are reasonably representative of the

construction industry. In making appointments he/she shall seek to ensure adequate representation of the views of employers, workers and other relevant stakeholders. The process of nomination and appointment shall be transparent.

4. Members may be appointed for the full term of office of CONIAC or for a shorter period as determined by the Head of Construction Division.

5. Members are required to submit information for inclusion in a Register of Members' Interests as set out in the **Annex**.

6. Where a Member is unable to attend a meeting of CONIAC he/she shall be expected to arrange for a suitable substitute to attend in his/her place. If a Member fails to attend, or send a suitable substitute, to two consecutive meetings it shall be open to the Chair to recommend to the Head of Construction Division that his/her membership be terminated.

7. Members shall be entitled to reimbursement of reasonable travel and subsistence expenses as set out in the **Annex**.

Terms of Reference, Work Plan and relationship to Health and Safety Executive Board

8. The CONIAC Secretariat shall prepare terms of reference for CONIAC which shall be formally adopted subject to the agreement of CONIAC.

9. CONIAC shall develop, agree and, following endorsement by the Health and Safety Executive Board ("HSE Board"), carry forward a Work Plan that will support the HSE's Strategy.

10. CONIAC shall report on its work annually to the HSE Board. The report shall include appropriate information on expenses incurred.

11. Members may request that the Chair brings such matters to the attention of the HSE Board as they see fit. The Chair shall have full discretion to decide his/her response to such requests but if a request is refused he/she shall provide the reasons for this to CONIAC.

CONIAC Meetings

12. CONIAC shall meet three times in each calendar year, usually in March, July and November. The meetings shall be open to the public under terms determined and administered by the Secretariat. Exceptionally, the Chair shall have discretion to vary the dates of the meetings, to increase or decrease their number and to exclude the public from all or part of any meeting. Where meeting dates are changed at short notice due consideration will be given to Members who are not able to attend and are not able to provide a suitable substitute as required under paragraph 6.

Working Groups

13. Subject to the agreement of CONIAC, the Chair of CONIAC may establish Working Groups. Such Working Groups shall be the principal means for delivering practical outcomes in support of CONIAC's purposes and Work Plan. Subject to the agreement of CONIAC, the Chair of CONIAC may terminate the existence of a Working Group at any time.

14. Each Working Group shall be either a Task and Finish Group or a Standing Committee. Each Working Group shall have and, subject to its endorsement by CONIAC, carry forward a Work Plan. CONIAC shall monitor the activities of the Working Groups and hold them to account for delivery of their Work Plans. Reports from Working Groups shall be a standing agenda item for CONIAC meetings.

15. Task and Finish Groups shall be established for not more than 18 months for the purpose of developing specific deliverables. Each shall develop and agree its own terms of reference and work plan. Each shall agree a Chair from among its members, who need not be an HSE official.

16. Standing Committees shall be established for the consideration of issues in specific subject areas and with a view to supporting and encouraging appropriate action by HSE and/or the industry. Each shall develop and agree its own terms of reference and work plan. Each shall agree a Chair from among its members, who need not be an HSE official. Each year, prior to its annual report to the HSE Board, CONIAC shall make an assessment of the value of continuing each Standing Committee. Where CONIAC determines that a Standing Committee should not continue the Chair shall formally terminate it.

17. Before appointing the members of a Working Group, the Chair of CONIAC shall seek nominations from CONIAC Members. Exceptionally, in cases where the Chair considers that additional nominations are needed, he/she shall have discretion, after informing CONIAC, to seek nominations from other persons or to appoint persons who have not been nominated. In appointing persons to a Working Group, the Chair of CONIAC shall seek to ensure that they have appropriate expertise and knowledge and that the views of employers, workers and other relevant stakeholders are represented.

18. Subject to CONIAC's agreement, Working Groups established before the commencement of CONIAC's term of office shall continue in existence.

Secretariat and administration

19. CONIAC shall be administered by a Secretariat provided by the Construction Division. The administrative tasks carried out by the Secretariat shall include: development of an annual Work Plan; in relation to meetings of the Committee, the drawing up of Agendas, commissioning of papers and

presentations, preparation of Minutes, provision of rooms and refreshments, and organisation of admission of the public; and processing of expenses claims from Members of the Committee. All papers and presentations for CONIAC are subject to prior clearance by the Chair.

20. The Secretariat shall carry out analogous functions in respect of its Working Groups.

21. The Secretariat shall liaise with other industry bodies in order to minimise unnecessary duplication of effort between them and CONIAC and its Working Groups. In doing so it shall seek to establish an annual liaison meeting with comparable external bodies.

ANNEX

Register of Members' Interests

In line with Government policy on standards in public life, openness and accountability the Secretariat will maintain a Register of Members Interests which each Member of CONIAC is required to complete on appointment.

The Register should, as a minimum, list direct or indirect pecuniary interests of each Member which may or may be perceived (by a reasonable member of the public) to influence his or her judgement when acting as a Member. Members may also wish to add a personal profile to their declaration, to explain the nature of their everyday work and what other positive interests they may have.

The Register will be placed on the HSE web site and will be made available to the public on request. Members must notify the Secretariat as soon as reasonably practicable of any changes to their declaration. Where a Member has declared an interest, he or she, with the agreement of the Chair, may contribute to the discussion of the matter under consideration if appropriate.

Reimbursement of Members' travel and subsistence expenses

Membership of CONIAC is unpaid, but incidental expenses and loss of earnings can be claimed. Members are entitled to travel and subsistence expenses incurred on official CONIAC business. The rates payable for expenses are set by HSE's Planning and Finance Directorate. Details and claim forms are provided by the Secretariat.