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HEALTH AND SAFETY COMMISSION

CONSTRUCTION INDUSTRY ADVISORY COMMITTEE (CONIAC)

CONIAC Declaration for Worker Engagement in the Construction Industry

Issue

1. This paper reports progress on the Worker Engagement Initiative since its launch at the February 2005 Health and Safety in Construction Summit. The paper will be illustrated by a presentation of the support Construction Division is providing for this initiative. (Copies of the PowerPoint presentation will be available at the meeting).

Background

2. At meeting M2/2003, members agreed that a Working Party should be set up to consider means to promote workforce engagement and consultation within the industry and to disseminate best practice. As a result of the work of this Working Party members approved a CONIAC Declaration on Engaging the Workforce at meeting M3 2004.

3. At the February 2005 Health and Safety in Construction Summit the Minister Jayne Kennedy, announced the launch of the 3 year Worker Engagement initiative. This initiative has three aims:

- To promote the Principles of the CONIAC Declaration
- To work with the industry to achieve a step change in the health and safety culture of the construction industry
- To encourage contractors to move beyond a minimum level of workforce consultation, to a point where the workforce is fully engaged in the process of health and safety management on site.

4. Construction Division is supporting this three year initiative through its Worker Engagement Project, which is devoting resources to developing guidance and information for Inspectors, mirroring this in providing information to the industry, and sponsoring research. In the first year of the Project Inspectors will be raising worker engagement as an issue at all appropriate visits, and enforcing standards of consultation using CDM Regulation 18 in particular.

Key Principles of the Worker Engagement Initiative

5. In the Worker Engagement Initiative the words consultation and engagement are used with care. All employers have a duty in law to consult with their employees on matters relating to their health and safety. The law prescribes a minimum standard of consultation that employers must carry out with their employees, as set out in The Safety Representatives and Safety Committee Regulations 1977 (SRSC 1977) and the Health and Safety Consultation with Employees Regulations 1996 (HSCER 96). In addition to this the Construction Design and Management Regulations 1994 (CDM) require Principal Contractors appointed under the Regulations to consult with workers on their sites. However, to achieve lasting improvements in accident prevention, and build a safety culture in the industry, all dutyholders need to move beyond the minimum standard of consultation required by law, to fully engage the workforce in identifying and controlling risks on site.

6. In the UK construction industry, only specialist sectors, such as trades working on petrochemical facilities, or very large sites are likely to have arrangements formally recognising Trade Unions. The vast majority of construction sites have no visible union presence and no appointed safety representatives. The approach of the initiative is to assess the quality of worker engagement in terms of the proactive measures in place on these sites, and to encourage good practice by offering advice and support. Where safety representatives are active, they will be encouraged.

7. The enforcement lever being used in the Worker Engagement Initiative is CDM Regulation 18. The practical interpretation of this is that three elements need to be present to establish worker engagement:

- Management arrangements that detail policies, resources, targets and expectations of staff

- Methods of engagement
- Evidence that workers are being engaged.

8. Insight has been gained from the Step Change programme underway in the offshore industry. The key point is that there should be continuous improvement in management systems towards a mature, or best practice system. The benefits of good worker engagement will accrue as the management system itself improves towards a system that reflects shared values and goals between workers and managers, where collaboration is the key in developing safety solutions and the whole organisation learns from its experiences.

Construction Division - Supporting the Initiative in 2005/06

9. To support the initiative a series of five “Good Practice” Case studies have been published on the HSE website. These are from:

- Alfred McAlpine Street Lighting
- Allison Homes Eastern Ltd
- Vange Scaffolding and Engineering Co Ltd
- Heathrow Terminal 5 Project
- British Nuclear Group Sellafield Ltd.

More case studies are planned to extend the range of examples of projects and businesses covered. These Case studies are designed to give a flavour of what good practice looks like, in an individual work setting.

10. The Worker Engagement Decision Tool has been developed as a way of presenting guidance to the industry on this topic. The Tool is now available for an open “trial period” of three months, for users to provide feedback on their experience. The tool is aimed at construction managers, particularly Principal Contractors. It provides a step-by-step guide through an assessment process, prompting decisions and providing help for the user in making decisions. This assessment process is exactly mirrored in a flowchart, issued to Inspectors to demonstrate the assessment that is required. The tool takes account of further sources of guidance and training,

particularly from the Trades Unions and the Health and Safety Strategy of the Major Contractors Group.

11. Glasgow Caledonian University have been engaged to carry out research on construction sites into the range of methods currently used by the industry to improve worker engagement. This research will categorise approaches, analysing which elements are most effective. Evidence will be sought to measure improvements in safety performance resulting from these approaches. The fieldwork for this research is being facilitated in part by the MACE Group. The fieldwork phase will be preceded by a one-day conference at Glasgow Caledonian University in early September. This will provide industry members with an opportunity to have best practise examples showcased in a presentation, or taken into account by the researchers. One deliverable of the research will be a guide to Worker Engagement, illustrated by case studies. Expressions of interest from organisations with best practise examples are welcome at this early stage.

12. Construction Division Inspectors have all been briefed on the Worker Engagement Initiative. A group of Inspectors spent a day in May visiting a total of 30 sites in North London to test the approach. The Assessment Flowchart was found to be a straightforward and useful tool. Several Action Plans were agreed as a result of these visits, leading to improvements in Worker Engagement on these sites. Across England Wales and Scotland Inspectors are now instructed to raise this topic where appropriate, and particularly during planned early interventions, during accident investigations and ion meetings with clients.

13. In addition to this Worker Engagement will be included as a topic in the Working Well Together programme of Roadshows, SHADs and other events. This will use the material produced for the April 2005 edition of Site Safe News.

Action

14. Members are invited to:

- a) Promote the Case Studies published on the Web, provide feedback on their quality and scope, and put forward further case studies for consideration.
- b) Use the Worker Engagement Decision Tool in its trial phase and provide feedback on its use and content.

- c) Consider whether they would like to submit good practice examples and attend the one day conference at Glasgow Caledonian University
- d) Identify opportunities for themselves or their member constituencies to promote the Worker Engagement Initiative in the industry.

Contact

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CONIAC Declaration on Engaging the Workforce

Statement of Principle

Every construction worker has a right to work in places where risks to their health and safety are properly controlled.

Every worker should have a voice and will be given opportunities to influence health and safety in the places they work.

We commit to actively promoting positive relationships between workers and their representatives, employers, designers clients and those having control of construction work. We recognise the role that unions and safety representatives play in improving worker health and safety consultation.

We will:

- Expect **All** workers to get involved;
- Encourage clients, employers, designers, project managers and others in control of construction work to ensure workers are listened to and given real opportunities to help improve their working conditions;.
- Ensure that sufficient resources, including training, are made available *to* all sectors of the construction industry to improve worker consultation;
- Develop and share best practice in the industry.

Our aim is to achieve a long term culture change in the construction industry, in order to improve working conditions for everyone.

Further Information

The hyperlinks provide information on:

- HSC Industry Declaration on Workforce Engagement
<http://www.hse.gov.uk/workers/involvement/index.htm>
- General construction industry health & safety and good practice
<http://www.hse.gov.uk/construction/index.htm>

(Further guidance)