

**HEALTH AND SAFETY COMMISSION
CONSTRUCTION INDUSTRY ADVISORY COMMITTEE (CONIAC)
MINUTES OF CONIAC MEETING – M2/2003
HELD THURSDAY 24 JULY 2003
AT ROSE COURT, LONDON**

Present:

Kevin Myers - Chair

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| Bill Belshaw | Robin Powell |
| Bob Blackman | Philip Russell |
| Tim Dowling | Andy Sneddon |
| Phil Davies | David Stevenson |
| Chris McEwan | Craig Streak |
| Alan Muddiman | Kevin Toner |
| John Varcoe | Tony Wheel |

Mike Cosman
Martin Thurgood – Secretary
Alex Cattan – Secretariat

In attendance:

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|----------------|------------------------|
| Helen Bolt | BOMEL (Item 4) |
| Phil Kemball | HSE HIP (Item 3) |
| Stephen Wright | HSE HIP (Item 3) |
| Matthew Holder | HSE BWED (Items 5 & 6) |
| Andrew East | HSE CD (Item 7) |
| David King | HSE HTP (Item 7) |
| Robert Vaughan | HSE HTP (Item 7) |

Observers:

| | |
|-----------------|----------------------------|
| Kiflay Beraki | Windsor Fellowship student |
| Richard Boland | HSE CD |
| Paul Cunningham | HSE HTP |
| Anita Gardner | HSE Press Office |

Items 1 & 2 Welcome and apologies

1.1 Kevin Myers welcomed Members in particular: Denis Hands CITB attending for Frazer Clements; Greg Brown, CIC attending for Alan Smith.

1.2 Apologies were received from:

- Jonathon Adams
- Malcolm Bonnett
- Frazer Clement

- Rodger Evans
- Tom Mellish
- Willie O'Rourke

Opening Remarks

2.1 Kevin Myers informed the meeting that:

- The following individuals had received awards in the Birthday Honours:
 - **Knighthood:** John Gains (Mowlem/CC)
 - **CBE:** George Brumwell (UCATT/HSC)
 - **MBE:** Ian Whittingham

2.2 The Chair commented on the number of fatal accidents in the First Quarter. While a single quarter's figures have to be treated with caution, he stressed the need for continual action by the industry to ensure that their RHS targets will be met.

Item 3 Amendments to CDM Paper M2/2003/1

3.1 Steve Wright updated members on recent developments in CDM and C(HSW) regulations. He commented that the respondents to the DD put forward the following reasons for change:

- Bureaucracy;
- The ineffective planning supervisor role; and,
- Failures to make competence assessments of construction businesses

3.2 With these points in mind, the members all agreed:

- That it is necessary to change the regulations;
- The high level objectives set out at paragraph 7 of the paper;
- The issues at paragraph 8 of the paper should be addressed.

3.3 One member voiced a concern that changes in demolition processes allowing for speedy demolition, often meant that CDM would not apply and that could lead to poor practices in the industry. The Chair agreed that issues around greater inclusion of demolition processes in revised CDM regulations would be raised and discussed including at the bilateral meetings attended by the HSE and the NFDC.

Action: Secretariat

3.4 Members agreed that, if HSC decides that revision of CDM is appropriate, CONIAC should set up an *ad hoc* working group to assist with the development of detailed proposals.

**Item 4 Harnessing designers' skills to deliver a healthier and safer construction industry – a new way forward
Paper M2/2003/2**

4.1 Helen Bolt, BOMEL Ltd, presented the paper which built on papers and member contributions at the last CONIAC meeting on 'Designer Issues' and also developed ideas resulting from an *ad hoc* one day working group or 'Think Tank' on 19th May which explored how designers might play their full part in securing construction health and safety.

4.2 Members gave broad endorsement to the 'next steps' at paragraph 23 of the paper:

- To ensure knowledge and information about health and safety hazards introduced or eliminated through design are spotlighted by all stakeholders at industry, project and company levels.
- To instill designers with the recognition of the important contribution they can make as part of the construction team by using their creative and technical skills to improve aspects of the safety and welfare of workers.
- To engage those with influence in shaping the industry and its operations, such as trade bodies and clients, so that they exert influence to ensure health and safety is considered to the fullest extent possible through design.

4.3 Members also agreed to support the Action Plan at paragraph 27 of the paper to:

- Develop a Forum supported by a web-based resource.
- Forum to:
 - a. Engage a range of stakeholders
 - b. Lobby stakeholder bodies.

Action : Secretariat

**Items 5&6 Update on WSA & Harmonising Consultation
Regulations - current position
Paper M2/2003/4**

WSA Pilot

5.1 Matthew Holder presented a paper on the outcomes of the WSA pilot carried out for HSC by independent consultants, York Consulting Ltd, and which involved construction industry participation.

5.2 He reported that HSC would like the WSA approach to continue and develop in an incremental and voluntary way. Bill Callaghan is to write to Ministers about the results of the pilot. Policy Unit is drafting an Action Plan to rollout the WSA through voluntary uptake of the scheme.

5.3 Some members welcomed the assistance given by the pilot to small firms which often have both a poor understanding and management of health & safety; however, they were concerned at the possible costs and who was going to fund any voluntary scheme.

5.4 The Chair noted that the main advantages of WSAs centred on the provision of health and safety expertise and a means of worker consultation in SMEs.

Harmonising the Consultation Regulations

5.5 Matthew Holder said that HSC did not favour the proposals put to them for harmonising the consultation regulations. Following further consultation with CBI and TUC, a further paper would be put to HSC in October.

Worker Consultation Working Party

5.6 Members agreed with a suggestion from the Chair that a CONIAC *ad hoc* working party should be set up to consider producing a CONIAC best practice note on worker consultation.

Action: Secretariat

Item 7 The Work at Height Regulations 2004 (WAHR) Paper M2/2003/5

6.1 Robert Vaughan, David King and Andrew East presented an update on the Work at Height Regulations. Robert Vaughan reported that the Consultative Document would be published on 8 September coinciding with the second part of the Senior Labour Inspectors in Construction (SLIC) campaign on work at height.

6.2 Members were advised that if they wished to be on the mailing list for the CD they should inform CONIAC Secretariat.

Action: Members

6.3 A member commented that the draft regulations were much improved; however, in the light of changes in regulations, the industry wished for construction specific guidance or possible amendment of HSG 33 (Roof Work).

6.4 One member requested that HSE consider interim guidance should there be any extended interval between the regulations coming into force and the publication of guidance.

6.5 The Chair thanked members for their contributions and their recognition that creating pan industry regulations was a difficult task. He encouraged members to respond to the Consultative Document.

Item 8 Reconstitution of CONIAC Paper M2/2003/6

7.1 Martin Thurgood presented the paper which outlined that the current constitution and membership of CONIAC formally expired at the end of 2002 with the membership and constitution being extended to allow consultation with stakeholders.

7.2 The steps being taken in the reconstitution process are:

- Chair of CONIAC has written to current members, their organisations and a wide range of other organisations seeking views on whether CONIAC should be reconstituted;
- Once replies have been analysed, a business plan outlining the case and workplan with an emphasis on delivery of outcomes contributing to RHS targets will be produced;
- Under the new constitution CONIAC will be required to be:
 - Tripartite;
 - More strategic;
 - Task & finish with milestones and evaluation.

7.2 The Chair gave his thanks to members for agreeing to continue to serving at this time and noted that the November meeting will be the last in the present form.

Item 8 Minutes of meeting M1/2003 – Matters arising not dealt with elsewhere.

8.1 Members agreed the minutes.

8.2 A member raised the unresolved issue concerning different standards for reversing aids on construction plant and the lack of clarity in the industry on what was required. Mike Cosman replied that the matter was complex and was taking time to resolve. CONIAC will be kept informed of developments and the final outcome.

Action: Secretariat

Item 9 Any other business.

9.1 A member requested that a glossary of main department/unit acronyms within the HSE dealing construction could be provided.

Action: Secretariat

9.2 A member asked if there were meaningful ways of measuring health & safety that companies could use to measure performance with a view to linking to insurance premiums.

9.3 Martin Thurgood replied that:

- The 'Respect for People' Toolkit was one positive way but directed at projects rather than companies;
- Building Magazine were considering developing a ranking system for contractors' health & safety performance;
- HSE Climate Survey Tool might also be useful for measurement within a company.

9.4 Mike Cosman noted that DTI are carrying out a review of ELCI. HSE was alive to the issue including possibilities for insurance premiums linked to improved health & safety performance.

9.5 One member commented that pre-qualification should also be considered in this process.

Below the line papers

Item 12 Occupational Health Working Group Paper M2/2003/8

12.1 Mike Cosman reported that Chris McEwan had taken over from him as Chair of the Occupational Health Forum. Chris McEwan thanked the HSE for establishing the Forum and arranging the first meeting. He reported that the first meeting helped to establish a common understanding of occupational health requirements in the construction industry. He reported that a consultant had been appointed to consider funding. The consultant is developing a draft business plan for discussion at the September Forum meeting which would include:

- Identification of sources for funding;
- Strategy to move from a pilot to a sustainable scheme;
- Identification of possible service providers;

12.2 Current timescales indicate that it would take 12 – 18 months to obtain funding and thus the pilot will not start until next year.

Date of Next Meeting.

20th November 2003 at Rose Court.