

**Minutes of the M2/2005 meeting of the Construction Industry Advisory  
Committee (CONIAC) held on 21 July 2005**

**Present**

Rosi Edwards – Chair  
Bill Belshaw  
Bob Blackman  
Frazer Clement  
Tim Gough  
Paul Hayward  
John Jutson  
Peter Kent  
Rob Miguel  
Neil Moore  
Bill Rabbetts  
Alan Ritchie  
Chris Tisi  
Philip White  
Stephen Wright  
Cathy Kerby  
Paul Cunningham

**Representing**

HSE  
Specialist Engineering Contractors Group  
TGWU  
CITB-Construction Skills  
Construction Industry Council  
Association of British Insurers  
Engineering Construction Industry Assn.  
Local Government Association  
AMICUS  
Construction Confederation  
Construction Confederation  
UCATT  
House Builders Federation  
Construction Sector, HSE  
Secretary  
Secretariat  
Secretariat

**Apologies**

Malcolm Bonnett  
Clive Johnson  
Kevin Fear  
John Tebbit  
Philip Russell

**Observers**

Guy Bampton (ODPM)  
John Ioannou (OGC)  
Clive Young (DTI)  
Andy Sneddon (CC)

**Summary of Action agreed:**

1. CONIAC Secretariat to inform Members of the appointment of a new Chief Inspector of Construction [Item 1]. [E-mail sent to Members 4.8.05, notifying them of Stephen Williams' appointment.]
2. Members to promote the worker engagement case studies, provide feedback on them and forward further case studies and provide feedback on the Worker Engagement Decision Tool and submit examples of good practice. [Item 3].
3. Rob Miguel to provide HSE with details of reduction of incidents in the two cases studies mentioned in his paper CONIAC Secretariat would then forward the information to Members [Item 4].

4. Members to fully contribute to the evaluation process (where appropriate) and provide Stuart Bristow with their views, particularly on whether the Fund should continue beyond Round Three [Item 5].
5. The Chair to provide Stuart Bristow with possible schemes for cost comparison [Item 5]
6. In connection with research into stress in construction, Members agreed to:
  - consider being interviewed as stakeholders;
  - facilitate the distribution of questionnaires by providing access to employers and employees;
  - facilitate access to employers and employees for interviews;
  - support the research by publicising it [Item 8].
7. Secretariat to provide members with an electronic copy of the Stakeholder Event proforma [Item 9].
8. HSE's Construction Division to provide an outline of known planned campaign activities for 2006 at the November CONIAC meeting [Item 9].
9. Secretariat to provide Members with details of organisational and related contact changes within HSE's Construction Division [Item 11].

## **1. Chair's introduction**

1.1 Rosi Edwards informed CONIAC that she was Acting/Chief inspector of Construction until a permanent replacement for Kevin Myers had been appointed. The CONIAC Secretariat would inform Members as soon as the appointment was known.

1.2 She welcomed all to the meeting, particularly mentioning Frazer Clement, and Craig Streak, both of whom had recently resigned. Frazer was attending the meeting in place of Kevin Fear who had recently been appointed, while Craig Streak was likely to be replaced by John Tebbit, whose appointment was currently being processed.

1.3 She formally recorded CONIAC's thanks to Frazer and Craig, and said CONIAC looked forward to welcoming Kevin and John at the November meeting and working with them in future. Rob Miguel (Amicus) standing in for Malcolm Bonnet and Guy Bampton (ODPM), standing in for Anne Hemming were also welcomed.

## **2. Minutes of the M1/2005 meeting held on 31 March 2005 and Matters Arising**

2.1 The Minutes were agreed.

2.2 On Action Point 5: Members agreed there was little point in activating the Designer Working Group until there was a reason and, to do so currently, would mean replicating work done elsewhere.

2.3 On Action Point 10: Sue Parkyn was still keen for Members to contact her to be involved with the piloting of the Occupational Health Management Model.

2.4 On Action Point 13: the relevant Members had met with John Carpenter, and agreed that his research work on competence was the best vehicle to take matters forward.

### **3. CONIAC Declaration for Worker Engagement in the Construction Industry [M2/2005/1]: Paper by Gordon Crick, Construction Division**

3.1 Gordon Crick presented his paper and demonstrated the use of the interactive Worker Engagement Decision Tool. He explained the three-year Worker Engagement Initiative continued to develop, and issue nine of Safe Site News included an article on the CONIAC Declaration on Engaging the Workforce, with practical illustrations of workforce engagement. He said that the law required a minimum standard of consultation, but duty holders needed to go beyond this to fully engage the workforce in identifying and controlling risks on site. The main lever in developing greater and better worker engagement was CDM Regulation 18, which placed a duty on the principal contractor to seek advice from, and views of, persons at work - although all employers had a duty in law to consult with their workers on matters of health and safety. He stressed a more open style of management was needed and worker engagement should be the norm, rather than the exception.

3.2 Gordon informed CONIAC that HSE's Construction Division was developing guidance and information for Inspectors and sponsoring research on how to develop better workforce engagement. Worker engagement would be included as a topic in the Working Well Together programme of Roadshows, Safety and Health Awareness Days and other events. He mentioned the five "Good Practice" case studies already published on the HSE website, and that more case studies were needed. He explained that the Worker Engagement decision Tool was now available on the HSE website for an open trial period of three months at:

<http://www.hse.gov.uk/testbed/construction/engagement>

3.3 The user name and password necessary for access were "development" and "log in" respectively. He added that feedback from Members on its content and usefulness would be useful. They should contact Gordon Crick on 01245 706286 or at [gordon.crick@hse.gsi.gov.uk](mailto:gordon.crick@hse.gsi.gov.uk).

3.4 Researchers at Glasgow Caledonian University were holding a one-day conference on 7 September, prior to fieldwork being undertaken. It was possible that HSC Commissioner Danny Carrigan would be one of the

speakers and would formally launch the Worker Engagement Decision Toolkit at this event [Now confirmed with Danny Carrigan].

3.5 The Chair asked for comments. Members congratulated Gordon and the CONIAC Working Group on the work they had done on the initiative, and said they were willing to help promote the initiative. They thought the Engagement Tool was coming on well and easy to use, although some jargon could be removed.

3.6 There was some concern that the Major Contractors' Group (MCG) standards had been singled out, when other organisations' standards were of equal merit. Gordon explained that this was because they had made a commitment to worker engagement and had published standards, against which they were accountable. There was no reason why other similar groups' standards, e.g. the ECA or HBF could not be built in to the toolkit. Members were invited to alert Gordon to any good practice standards their organisations had.

3.7 Members thought their ability to get their constituents to attend the one-day conference in September would be limited, because of the shortage of time.

**Action:**

**Members to:**

- **Promote the worker engagement case studies, provide feedback on them and forward further case studies;**
- **Provide feedback on the Worker Engagement Decision Tool and submit examples of good practice.**

**4. Trades Unions' and Safety Representatives' contribution to health and safety standards in construction [Paper M2/2005/2]: Paper by: Rob Miguel, Amicus**

4.1 The Chair explained that Rob Miguel, in the absence of Malcolm Bonnett, had prepared the paper at short notice.

4.2 Rob provided a comprehensive review of his paper and emphasised that consultation was not the same as communication. Meaningful consultation and co-operation was essential, as was training. A lot could be achieved by companies involving the workforce, and by drawing on their expertise, and that of the trade unions and Safety Representatives. He asked for the importance of trade union representation and its role in improving meaningful consultation in the industry to be recognised. Trade unions provided their safety representatives with excellent training in health and safety topics, with the courses accredited by leading national organisations, such as IOSH and RoSPA.

4.3 The Chair thanked Amicus, UCATT, TGWU and the TUC for their commitment to improving health and safety in the industry. She invited

members to discuss the paper and put forward ideas for further co-operation with the trades unions.

4.4 Members agreed there were real advantages in working with the workforce and their trade union representatives, and were keen to have further details of the reduction in incident rates described in the Balfour Kilpatrick case study, as these could be usefully used to illustrate the benefits of investing in greater co-operation and consultation. It would also be useful to have research to illustrate good practice where there was no union involvement.

4.5 On being asked why HSE does not recommend trade union membership since, on the evidence produced, TU membership does help health and safety, the Chair said that it was a matter for individual workers, and that HSE was a neutral Government body, and had to remain independent. The TU Members emphasised that low trade union membership and bogus self-employment clearly caused problems in the industry, as did some employers who were anti-union. The Chair agreed that negotiation and consultation with safety representatives and the workforce was central to health and safety improvement, and acknowledged that HSE and the unions had worked together successfully on various initiatives in the past, and would continue to do so. There was a clear need to move forward realistically on several fronts: with the trade unions where they were involved; with other representatives where there was no union involvement; and with the workforce itself.

**Action: Rob Miguel to provide HSE with details of reduction of incidents in the two worker engagement cases studies referred to in his paper; and Secretariat to forward to Members.**

## **5. Workers' Safety Adviser Challenge (WSA) Fund – Headline Evaluation Findings [M2/2005/3] Paper by Stuart Bristow, HSE Worker Involvement Programme Team**

5.1 The Chair pointed out that a correction was needed to page 3 paragraph 6, line 1 of the paper: £45 should read £39. She reminded Members that the paper provided headline findings of the evaluation report on Round One only, and the full report would be published this autumn.

5.2 Stuart Bristow gave a brief summary of his paper and of the related workstreams, The Chair asked for comments on the findings and conclusions. Members pointed out that some of them had been closely involved in the pilots and that feedback was positive. There had been tangible improvements in the level of trust between the employers and unions. The evaluation results were keenly awaited, and some concern was expressed about the length of the evaluation questionnaire, which was likely to be especially daunting to SMEs.

5.3 Stuart explained that more active marketing was planned for Round Three. Members felt that the quality of the individual WSAs had been a critical

factor in its success, but that the name was misleading as many were not qualified to give health and safety advice. Stuart recognised this, and stressed that the initiative was about advising on worker involvement. Not all Advisers were competent to give health and safety advice, but they were valued for their “softer”, generic skills. Members agreed and felt that, if those skills were valued, it would be useful to educate and train people in the industry to have those skills.

5.4 Members questioned whether the scheme was in fact expensive. Stuart felt there was little to compare the Scheme with, although it had been shown to be expensive in relation to the original pilot and to a Swedish representative scheme. The Chair recognised the need for those thinking of using the scheme to have some idea of comparative costs, and while there was no directly equivalent scheme there were other schemes which could be used as comparators. Stuart mentioned there would be workshops in October on how to bid for inclusion of projects in Round Three, and encouraged Members to attend. Bidding will be from 14 November –16 December 2005. The Challenge Fund website address is [www.wsa-cf.org](http://www.wsa-cf.org).

**Action:**

- **Members to fully contribute to the evaluation process (where appropriate) and provide Stuart Bristow with their views, particularly on whether the Fund should continue beyond Round Three.**
- **The Chair to provide Stuart Bristow with possible schemes for comparison.**

**6. CDM Review Update - Oral Report by Stephen Wright, HSE Head of Construction policy**

6.1 Stephen said the online discussion forum had 625 members. There had been 22 meetings organised for HSE by Constructing Excellence in collaboration with ICE, Constructionskills and CIC; 3 by CECA (Scotland) and 17 others. Around 1800 delegates had attended the CE events, and 1000 the others.

6.2 There had been around 120 responses so far, 39 using the online questionnaire. He said that Members could view the consultation results so far at:

<http://consultations.hse.gov.uk/consult.ti/conregs/questionnaireResults?qid=8899>

This would give them a flavour of stakeholders' views, but he stressed they were unweighted statistics, and did not presently reflect the cultural change needed.

6.3 The next steps were to analyse responses, with early results available around September/October. The CONIAC CDM Working Group would be reconvened to consider necessary changes.

6.4 The Association for Project Safety (APS) had asked again for a seat on the Working Group, although they were already formally represented through the Construction Industry Council by Tim Gough (who is also an APS member).

6.5 He informed CONIAC that competence would be the focus of the November CONIAC meeting - which would involve a presentation by John Carpenter, on his research into assessing competence. If all goes to plan, the final draft regulatory package would be presented to CONIAC at the March 2006 meeting and subsequently to the HSC.

6.6 The Chair invited comments on how Members thought the consultation process had gone. She reminded them about the fast approaching deadline and encouraged them to respond on behalf of their constituents. She also asked them their views on APS membership of the CDM Working Group.

6.7 Members congratulated Stephen on the work he had done on the CDM Review consultation. They felt the consultation process was going well, but thought it would be helpful to have an informal extension of the closing date for responses. So far, responses from contractors had been low, and it was suggested that this might be due to them feeling more comfortable with responding via their representative organisations, rather than individually.

6.8 The Chair said she had corresponded with APS, who wished to take part in the CDM Working Group. CONIAC agreed unanimously that APS should not be part of the CDM Working Group. They felt the organisation had been sufficiently represented to date, and that it would not be productive to revisit membership of the Working Group at this late stage in the development of the package.

## **7. Post-Construction Summit Update - Oral Report by Stephen Wright, HSE Head of Construction policy**

7.1 Stephen Wright explained that the final meeting of the ad hoc CONIAC Summit 2005 group had taken place on 27 April. The Strategic Forum had now set up a health and safety group with John Spanswick (Chief Executive of Bovis LendLease) as the Chair, to encourage the industry to address the leading issues in the Strategic Forum for Construction's "*Respect for People Code of Good Working Health and Safety Practices*" launched at the Construction Summit in February. The first meeting of the Group took place on 29 June.

7.2 Kevin Myers had written to all Summit attendees to thank them for their support and obtain further feedback from the event. So far, 160 organisations had signed up to the Code of Practice, while a further 22 had made more

detailed commitments to action. Stephen encouraged everyone to sign up to the Code and to develop an action plan.

## **8. Research into stress in construction [M2/2005/4]. Paper by: Sue Parkyn, HSE, Construction Sector**

8.1 The paper informed CONIAC members of research being undertaken by the Health and Safety Laboratory (HSL) - 'An analysis of the prevalence and distribution of stress in the construction industry'.

8.2 Sue Parkyn explained that there were low-recorded rates of stress in the construction industry, though HSE believed the data was not an accurate reflection of the true state of affairs. The research was intended to improve the robustness of the data, by establishing the prevalence of work-related stress within the construction industry and identifying and ranking the key causes. Work on the project began in April, and is scheduled for completion in March 2006.

8.3 The Chair asked for comments on the paper. TU representatives believed that an industry, which had the longest working hours and low stress rates, did not add up. They felt the high rate of self-employment was a major contributory factor to this unrealistic picture, as it was with incident reporting rates. If self-employed workers were off work with stress, this would probably not be apparent, as it would with an employee who was recorded as being off sick. They would merely be regarded as not at work. It was suggested that information be obtained from the Department of Health in order to have reputable data. There was general support for the research from Members.

### **Action:**

#### **Members to:**

- **consider being interviewed as stakeholders;**
- **facilitate the distribution of questionnaires by providing access to employers and employees;**
- **facilitate access to employers and employees for interviews;**
- **support the research by publicising it.**

## **9. Post – Slips and Trips Campaign- October 2005. Oral Reports by Philip White and Andrew East, HSE Construction Division**

9.1 Philip White outlined proposals for HSE's Slips and Trips Campaign in October - a partnership project involving HSE, local authorities and other stakeholders. There would be national publicity about the campaign in September, followed by Interventions in October, and construction was one of the sectors being targeted. Philip provided members with a Stakeholder Event proforma and asked them to consider doing something to publicise the campaign.

9.2 Andrew East spoke about Construction Division's "Fit Out" campaign, which would begin on 1 October to coincide with the Slips and Trips campaign. It would focus on low falls and site good order. Main targets would be access for such things as electrical fit out, plumbing, shop fitters, ceiling work, painting and snagging. He asked Members to help the "Fit Out" campaign by supporting it; suggesting ideas to raise its profile and providing examples of good and bad management of low falls.

9.3 The Chair invited Members' comments and encouraged them and their constituents to actively support the campaign. HSE was asked to provide information about the press release in advance to Members, so that they could get details into in-house newsletters in good time. A Member said that the timing was bad, as six months' notice was needed if industry was to usefully help. The Chair accepted this point, and agreed that an outline of known planned campaign activities for 2006 would be provided at the November CONIAC meeting.

**Action:**

- **Secretariat to provide members with an electronic copy of the Stakeholder Event proforma.**
- **HSE's Construction Division to provide an outline of known planned campaign activities for 2006 at the November CONIAC meeting.**

**10. CONIAC Response to the RIDDOR Discussion Document [M2/2005/5] - Below the line paper by Simon Pilling, HSE Construction Policy.**

10.1 Members noted, the paper and accepted it as the formal CONIAC response to the RIDDOR consultation.

**11. Any other business**

11.1 The Chair was asked to provide up to date information on recent changes in organisation and related contact details within HSE's Construction Division, as Members felt this would be helpful. She agreed to do this.

11.2 Guy Bampton mentioned that Part B of the Building Regulations was now available on the ODPM website.

**12. Date and venue of next meeting**

12.1 The next meeting will be held in the Rose Room, Rose Court at 10.00am on 24 November 2005.