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HEALTH AND SAFETY COMMISSION

CONSTRUCTION INDUSTRY ADVISORY COMMITTEE (CONIAC)

CONIAC OPEN MEETINGS

Summary

The paper serves to aid discussion of Agenda Item 8: “CONIAC Open meetings”. It provides background information on HSC’s general policy on openness and its advice to its Advisory Committees on open meetings. It also discusses issues relating to holding a CONIAC open meeting, and invites CONIAC to decide on related points.

Issue

1. Opening CONIAC meetings to members of the public.

Timing

2. Routine.

Recommendation

3. That:
 - to reflect the HSC’s policy on openness, CONIAC holds at least one open meeting each year;
 - the first meeting should be held on 23 November, CONIAC’s final meeting of 2006;
 - in the first instance, the format of the open meeting should reflect that of HSC open meetings;
 - the meetings should be well advertised;
 - dependent on the venue, a limitation on numbers will be necessary;
 - procedures for making papers available prior to the meeting and if necessary principles for closed sessions should reflect those of the HSC.

Discussion of these points can be found at paragraph 10.

Background

4. HSC is committed to being open about what it does. It wants people to have the opportunity to see how it works and reaches its decisions. From April 2005, its meetings have been open to observers.
5. HSC also wants people to have the opportunity to see how its Advisory Committees (ACs) work and reach their decisions and encourages them to hold some open meetings during the year, where appropriate. The relevant excerpt from HSE's General Administrative Procedures (GAP) 2: *A guide to managing HSC Advisory Committees* is attached at Annex 1. (The GAP is due for revision in April 2006 and is expected to reflect more strongly HSC's further developed openness and transparency policy.)
6. Some, but not all, of HSC's ACs have held open meetings (and "further meetings")¹ over recent years, with varying degrees of success. To date, CONIAC has not held an open meeting where the public has been invited to listen to committee proceedings, although it, and HSE, have engaged with the industry in a wide variety of ways (see Paragraph 8).
7. Two other recent developments have brought the matter to the fore. The Business Case for the re-constitution of CONIAC stated that an open meeting would be held in order to improve consultation with the whole industry and "buy-in", with a view to reducing ill health and injury. Also, a member of the public has expressed an interest in attending a CONIAC meeting.

Argument

8. For some years now, HSE's and CONIAC's record on consultation with the construction industry to improve conditions and help achieve a reduction in injuries and ill health has been extremely good. Examples include the 'Summit' process and Working Well Together (WWT) conferences; CONIAC sub-groups'² Programmes of Work, which seek to engage with the industry on a number of issues; also HSE Construction and WWT websites are used to disseminate information, to propagate emerging good practice and serve as a home for discussion for wider industry consultation. The industry has responded well and its "buy-in" evident; statistics for 2004/05 show the rate of fatal and major injuries is reducing.
9. However, HSC/E and the industry recognise that much remains to be done. Therefore all means of improving consultation and buy-in should be considered, particularly in a year when key construction regulations are being developed. Holding a CONIAC open meeting would be one of those means, but in preparation, CONIAC should have in place a coherent policy and agreed arrangements on the issue.
10. Members are invited to discuss the issue in general and to decide, in particular, on the key points set out below:
 - holding a meeting: whether CONIAC believes it would be appropriate to hold an open meeting and, if so, whether it wishes all its meetings to be open to the public, or feels it more appropriate to hold occasional open meetings – e.g. one a year. Holding a CONIAC open meeting is another means of engaging with the industry and offers an

¹ See Annex 3 Page 58 of an extract from HSC Annual Report and the HSC/E Accounts 2004/05 at <http://www.hse.gov.uk/aboutus/reports/0405/part1.pdf>

² Working Well Together Steering Group, Worker Engagement Working Party, Occupational Health Working Party, Safety Working Party, CDM Regulations Working Party and Designer Working Party.

alternative way of informing the public on key issues pertinent to the construction industry. It also satisfies the Government (and HSC) policy to make matters of public interest open. Is it appropriate to hold open meetings and if so, at what frequency?;

- timing of the first meeting: CONIAC's remaining 2006 meetings are 20 July and 23 November. July is part of the summer holiday season and unlikely to encourage attendance - HSC advises that open meetings should be held at a time that would encourage interested parties to attend. November is therefore favourable, if CONIAC agrees in principle to open meetings, and feels the first should be held this year. By then, the CDM Regulations should be well developed and more appropriate for open discussion, and launch arrangements should be firmly underway. Alternatively, March 2007 (immediately before the implementation date), or July 2007 (three months after launch) might be better. This would offer an opportunity to get key messages across or obtain initial practical feedback on the new Regulations. Does CONIAC agree that the first meeting should be held in November 2006?;
- meeting format: *at its most basic, and following the HSC format, members of the public observe formal meetings listening to set agenda items. They may not speak or take part in the debate. Closed sessions can be arranged when issues of a sensitive nature can be discussed.* AC Secretaries advise that such a format for AC meetings does not always meet the objective of engaging those attending, and have adapted this format somewhat e.g. like the HSC, had an 'open coffee break' when attendees can meet Members and officials in informal setting and ask questions. However, for the first open meeting, Members may wish to stay with the standard format with a view to appropriate adaptation for later open meetings. If necessary, the CONIAC Secretariat can advise on other adapted formats. (Members may wish to note that no travel expenses are paid to members of the public attending any open meeting. Equally, adopting the basic format (with an "open coffee break") and restricting the numbers and the venue to Rose Court (see "limitations on numbers" and "venue" below) should not entail costs much over and above existing resources). Does CONIAC agree that the format of the first meeting should follow the HSC format described at **, with the addition of an open coffee break when attendees can ask questions?;
- publicity and invitations: GAP2 advises that open meetings should be well advertised and should be held at a time and place that would encourage interested parties to attend. Advertising should, however, be proportionate to the size and expenditure of the committee. AC secretaries have advised that national and trade press advertising is a waste of money and recommend instead an HSE press release (which can be viewed on the HSE website) plus targeted invitations, particularly through committee members' organisations. HSC advertises its open meetings on the HSE web site only. Members may wish to consider these routes along with others such as the CDM and CONIAC webcommunities sites and suggest, if it is what CONIAC Members wish, how we might best publicise to small firms and those without Internet access (bearing in mind that some forms of publicity may require resource). Does CONIAC think that we should target invitations through Members only or use some/all other advertising routes available?;
- limitations on numbers: HSC open meetings can attract anything from four members of the public to over 25 (on average 15 – 20). Dependant on the format, attendance at AC open meetings can vary significantly. It is hard to judge the level of public interest we can expect at a CONIAC open meeting, but the development of the construction regulations during this coming year and the sheer size of the industry may mean

numbers well above those described. It may be appropriate to limit the numbers by taking into account any restrictions imposed by the venue for the meeting (see next bullet point);

- venue: CONIAC meetings are usually held in Rose Court; it would be possible to accommodate around 20 members of the public comfortably in the Rose Room (the meeting room booked for the 2006 CONIAC meetings). If Members wish to accommodate larger numbers, we would need to arrange and pay for, an alternative venue, although Members may be able to provide locations. Does CONIAC wish to accommodate large numbers?
- making papers available prior to the meeting: as far as possible, the HSC makes available the full agenda and papers four working days before each meeting - copies of any late papers are made available in the meeting room. (Minutes are made available on the web site once formally cleared by the Commission at the subsequent meeting.) The principles for closed sessions and papers were discussed at the HSC meeting on 8 March 2005 (HSC/05/40)³; (the month before HSC meetings were made open) and the proposals were agreed. Customarily, the CONIAC agenda and papers are placed on the website after a meeting. Members may wish to consider revising the CONIAC arrangements in the light of HSC procedures, and if necessary follow its principles for closed sessions and papers. Does CONIAC agree that it should adopt HSC procedures for making papers available prior to an open meeting and if necessary follow its principles for closed sessions and papers?

Consultation

11. The CONIAC Secretariat has consulted with the HSC Secretariat and the secretaries of a number of other Advisory Committees.

Presentation

12. It is difficult to judge the interest either in attendance or in the trade press, in particular since the event is not of "Summit" or conference proportions. However, there is currently a lively interest in the development of the new Construction (Design and Management) Regulations, which may lead to more interest and publicity than usual.

Action

13. Following discussion and based on the points made, the CONIAC Secretariat will work up firm arrangements and present them to the meeting in July.

Contact

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³ <http://www.hse.gov.uk/aboutus/hsc/meetings/2005/080305/c40.pdf>

Excerpt from HSE's General Administrative Procedures (GAP) 2: A guide to managing HSC Advisory Committees

Open meetings

2.32 The Commission has agreed that where it is practical and appropriate, Advisory Committees (ACs) should hold at least one open meeting a year which any interested parties may attend. There is also no reason why ACs should not also hold further meetings in public where it is felt that these would be a useful means of consultation or would help the public to have a greater understanding of the work of the Committee.

2.33 A balance needs to be struck between transparency and the most effective operating methods for ACs; and so, where the nature of the business is sensitive or commercial in confidence, an open meeting would not be appropriate.

2.34 Open meetings should be well advertised and should be held at a time and place that would encourage interested parties to attend. Advertising should, however, be proportionate to the size and expenditure of the committee. In deciding on the location for a meeting, consideration should be given to ensuring accessibility for people with disabilities.

Advertisement for HSC Open meetings on the HSE website

1. The Health and Safety Commission holds its meetings in public as part of its commitment to openness and transparency.
2. Members of the public and press are welcome to observe formal open meetings of the Commission. These meetings are formal business meetings with specific agendas. The meeting is held in public but is not a meeting with the public and so public or press may not speak or take part in the debate.
3. All observers will be required to [register](#) that they wish to attend before the meeting. No-one will be admitted to the meeting who has not registered. [If you are unable to attend a meeting that you have registered for, please send an email to hsc.meetings@hse.gsi.gov.uk to advise them accordingly. This will help in finalising numbers attending each meeting.]
4. The agenda and papers for the first Commission meeting will, so far as is practicable, be posted on the [HSC meetings](#) page no less than 4 working days before the meeting. Copies of any late papers will be made available in the meeting room.
5. The meeting will normally begin at 10.00am and finish around 1.30pm. There will be a 15 minute coffee break during the morning when there will be an opportunity to talk with Commissioners and HSE staff. At the end of the meeting there will be a closed session when any issues of a sensitive nature will be discussed. Observers will be asked to leave at this point.
6. Members of the public will not be permitted to bring placards, banners or notices into the Commission meeting room. Photography, video or sound recording of commission proceedings will not be permitted without permission. We hope you will find the business of the Commission informative.