

HSE Meeting 2 July 2014 – Notes

Welcome & introductions by David Frise

Robert Parkes – Health and Safety Executive

Role of HSE is as a regulator not an advisor.

Fee for Intervention - FFI

Their job is to deal with possible health and safety issues that are reported by site workers and or members of the public and investigate by various means eg telephone and or site visits to see if a material breach of the Health and Safety at Work Act has taken place and take appropriate action which could be a FFI charge and or prosecution.

1:3 visits currently generate a charge. The clock starts when the inspector declares it has and will run from the time they came on site at a rate of £124 per hour. Time is recorded from timesheets and a detailed breakdown is given with the charge.

Even if the HSE do not proceed with a prosecution or if a prosecution fails the FFI charge could still be levied.

The FFI can be triggered by phone, if for example a photograph of a material breach is sent to the HSE or posted on a social media site.

There is a perception that HSE only goes after the principal contractor and not clients or the designer because it is easy. HSE stated that they do prosecute clients.

Members raised concerns about unrealistic programmes causing an increase in risk. Clients are fully aware that by holding contractors to an unrealistic completion date this will require more labour on site, longer working hours and multiple trades operating simultaneously in the same spaces. Contractors are put under undue pressure to complete, through contracts imposing for example liquidated damages. Perhaps if a client refuses to grant an extension of time they should have to provide an explanation of how the risk will be mitigated.

Additional risks are created when site programmes are compressed and clients need to be advised of the potential H&S risks when multiple trades are working on site simultaneously and over extended working hours.

It's about treating the symptom not the disease. HSE tends to investigate the incident without assessing whether there might be an underlying issue. Perhaps some research into number of accidents occurring late in contract programmes is required?

More needs to be done by HSE to advise and educate clients and their profession

The FFI fees levied are returned to the Treasury and is not classed as income. *To be checked – see action point below.*

There is not a monetary fee target set for FFI.

Does HSE have problems establishing who operatives work for on site with so many LOSCs?

In terms of health and safety HSE do not draw any distinction between LOSC's and PAYE workers and class all workers as employees. There is no focus on LOSC's and no data is collected that differentiates LOSC's and PAYE workers.

HSE should publish a regular what's good and what's bad summary of material breaches they find on construction sites.

Health

More needs to be done to improve the general health of construction workers by reducing the amount of dust generation, controlling asbestos exposure and better manual handling. The main areas that are causing long term illnesses. More needs to be done in the design stages to reduce cutting and forming of materials on site that create dust as well as using more and better equipment that reduces the amount of manual handling.

400 sites will be targeted raising the profile of health. Health is a much greater issue than safety in terms of the number of people it impacts.

Research papers on the benefits of health monitoring are available on the HSE website.

Jim Senior reported that the level of interest in the workforce around health issues had surprised Brookfield Multiplex. They found this very beneficial in raising general awareness of the risks.

Up and Coming Activity

A refurbishment initiative, one month of intense activity aimed at the smaller sites where the highest risk lay. The start date is not yet known.

There will be continuing visits checking asbestos removal contractors.

Asked how the HSE targeted sites;

- Notifications through building control
- Reconnaissance visits
- Looking at trends

HSE has less inspectors than imagined, in East Anglia for example there are 6½ inspectors from King's Lynn to Thurrock, there are 4 teams of 6 in London.

CDM

Hoped all contributed to the consultation process that closed two weeks ago.

The consultation response will be by April 2015

CDM Coordination function to be removed

Domestic clients will be included

BIM4FitOut

It would be good to get the HSE involved in our group, DF to contact **Giles Meredith at the HSE**

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Nuclear

Will the more stringent H&S requirements applicable to the Nuclear Island apply to the site outside the island? This needs some clarification as it believed that outside of the nuclear island sites will be dealt with as normal construction sites.

Members agreed that the meeting was very useful and should be repeated

DF asked about Health and Safety guidance for directors of companies. The IOD guide is considered suitable [Leading Health & Safety at Work](#)

After meeting

Robert Parkes was asked to provide a top ten list of occurrences/material breaches that HSE inspectors would be looking for on refurbishment sites in the Autumn campaign.

Those present:

David Frise (DF)	AIS FPDC
Robert Barker (RB)	AIS FPDC
Robert Parkes (RP)	HSE
Jim Senior	Brookfield Multiplex Europe
Jonathan Rider	Essex Safety Glass Ltd
Peter Wood	Essex safety Glass Ltd
Martin Hinks	Forza Doors Ltd
Gordon Ogilvie	ISG Fit-Out
Connor Lawrenson	ISGFit-Out
Hannah Howard	Lizzanno Partitions (UK) Ltd
Mitie	Victoria Mothersale
Mace / Como	Richard McPherson
Nick Tagliarini	Pexhurst Services Ltd
Gary Beckley	SHE Managemnet on behalf of BWI
Steve Hemmings	Siniat
Karen Jones	Speedy Services Ltd
Roy Somerfield	Structuretone Ltd
Andy Tustin	Willmott Dixon Interiors Ltd

Feedback on any research into impact of compressed programmes	RP
Contact Giles Meredith of HSE for involvement in BIM4FitOut	DF
Advice date of start of Refurb campaign	RP
Check where the FFI charges go ie treasury or retained by HSE?	RB
Arrange next meeting	RB
Provide Top 10 list of breaches	RP