

CLIENT SAFETY TRAINING (92/57/EEC¹): PRESENTATION OF A “PILOT TRAINING COURSE”

Francesca Ravetta

ingea consulting, Via Filippo Carcano, 30 – 20149, Milano, Italy
mailing address: fravetta@welho.com; f.ravetta@mclink.it

1. PROBLEM DEFINITION

During our professional activity in the last ten year², we noticed that, though the client is the main subject for the design and construction of a project, he is not much interested either in the technical matters or in set-up and management of the safety co-ordination activity related to the project. This happens although the European Directive 92/57/EEC has clearly defined the main role of the client who becomes the leader within the whole construction process.

The problems which are very common in Italy in field of public works can be summarized as follows:

- ✓ too much time spent, often years, between the requirements identification referred to a particular project and the start up of the process;
- ✓ client usually starts with a detailed design procurement and later he thinks about the construction, as design and construction were two different entities;
- ✓ sometimes happens that the design doesn't take care about the client budget and in these cases the project cannot be realized or it is necessary to invest more money to adapt the design to the budget;
- ✓ in the last two, three years the Italian client, thanks to the European Directives, started to get used with tenders based on preliminary design; contracts awarded to the economically most advantageous proposal instead of the award based on the lowest price, that cannot take into account quality and safety; restricted bidding procedures;
- ✓ client has too less trust in the contractor skills as he often prefers the construction bid instead of the detailed design and construction bid;
- ✓ public client needs to be trained in field of management, quality and OH&S otherwise he cannot compliance with the requirements of the European Directives referred to procurement and safety.

1.1 Safety and Health during design and construction

The Italian legislation embodied the Directive 89/391/EEC³ in 1994 and the Directive 92/57/EEC in 1997. The main Directive together with the eight specific ones created a sort of revolution in field of safety and health not only in Italy, but in all European countries. In Italy we had a good legislation in field of safety issued during the '50 years, but the approach was different. The European approach is very innovative because it gives more responsibility to the client, and highlights the relationship between the employer and the employee: indeed both of them have specific duties.

In field of construction the client has to play the main role as he is the subject who promotes the project. The Directive 92/57/EEC calls the client to take care of safety and health from the beginning of the design and construction process, as the Article 4 “Project preparation stage: general principles”, says:

“The project supervisor, or where appropriate the client, shall take account of the general principles of prevention concerning safety and health referred to in during the various stages of designing and preparing the project, in particular:

- when architectural, technical and/or organizational aspects are being decided, in order to plan the various items or stages of work which are to take place simultaneously or in succession,

¹ COUNCIL DIRECTIVE 92/57/EEC of 24 June 1992 on the implementation of minimum safety and health requirements at temporary or mobile constructions sites (eighth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC)

² We are a small consulting company which works in field of procurement for public works in Italy. We work together with a lawyer and we introduced innovative procedures, based on our international expertise, in order to allow the client to appoint a contractor who is able to match the client requirements in terms of costs, time, quality and hopefully safety.

³ COUNCIL DIRECTIVE of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work (89/391/EEC)

- when estimating the period required for completing such work or work stages. Account shall also be taken, each time this appears necessary, of all safety and health plans and of files drawn up in accordance with Article 5 (b) or (c) or adjusted in accordance with Article 6 (c).

Unfortunately the client is still not aware of his duties in term of Safety and Health especially during the project stage. The client identifies his compliance with the legislation only with the appointment of the safety coordinator who has to draw up the safety and health plan referred to the specific project. This misunderstanding is caused by the lack of safety and prevention culture: the safety compliances are often seen like obligations which require only costs and lost of time and don't give any benefit back.

Especially the small private clients don't know their legal duties in term of Safety and Health so they could have to pay administrative penalties as well.

1.2 Why a client training course?

The idea of a specific training course focused on Safety and Health for client has reached during the last years. The Directive 92/57/EEC provides for a specific training course for the professionals which would like to be safety coordinators: the topics are the same but each EU country decided how to organize and manage these courses.

For example in Italy, the course needs the presence of the attendant (normally at least the 80% of the 120 hours provided by the training course) but not a final test. The attendants have to set up a safety plan and during the course they are supported by the teachers. At the end they will receive a certificate that allows them to work like safety coordinators. The Italian legislation doesn't prescribe any form of control regarding the safety co-ordinator activity during the next years; we don't have as well any code of practice referred to this topic.

Nobody ever thought about the client training because the legislation doesn't prescribe it, but there are so many objective reasons which can highlight how is important the client training in this specific field:

- ✓ the client is the main and the decisional subject of the whole project cycle;
- ✓ the legislation provides with duties and responsibilities in field of Safety and Health referred to the client, without any reference to technical activity. This gap has to be filled by standards and codes of practice; in Italy we have very little of them and nothing regarding client and safety;
- ✓ the client should be trained to learn and to understand the safety culture both during the project preparation stage and during the construction stage, otherwise safety in construction restricts itself to a formal legislation compliance;
- ✓ the client should play the role of safety culture promoter: some big private clients have just understand very good this role as it contributes to create their image.

1.3 The guide-lines of OSHA (European Agency for Safety and Health at Work)

The author took part to the "European Construction Safety Summit" held in Bilbao on 22 November 2004. The symposium ended with the issued of Bilbao Declaration that highlights the guidelines promoted by OSHA.

The first call for action is focused on procurement-building in safety. Here follows some considerations:

- ✓ Safety and health issues are integral to the construction project process. They are not confined to the construction phase of a project but occur throughout the entire lifetime of the finished project: design, construction, maintenance and demolition. Many safety and health problems encountered during construction and operation could be avoided by ensuring that due consideration is given to these issues during the design and procurement process. Projects that are well planned, well designed, carried out by competent, trained designers and contractors are not only inherently safer, but also enable the client to achieve good value for the money invested.

This consideration highlights how is important the client role, in fact the client appoints designers and contractors through a bid. He has to prepare the bidding documents where has to be very clear what are the goals that the client wish to achieve. Safety and Health have to be considered main goals like quality, planning etc. The client invests money and in case of public client is very important to understand that he is investing public money so the result should be the best possible to achieve.

- ✓ Directive 2004/18/EEC on the co-ordination of procedures for the award of public works' contracts, public supply contracts and public service contracts enables, in article 27, the contracting authorities to ask for confirmation that tenders have respected their obligations relating to employment protection provisions and to working condition in force in the Member State.

This provision should be used to ensure that safety and health requirements laid down by the Health and Safety at Work directives, in particular by Framework Directive 89/391/EEC, by Work Equipment Directive 89/655/EEC and by Temporary or Mobile Construction Sites Directive 92/57/EEC are applied. In particular, these requirements shall be taken into account during the project preparation stage, as required by Directive 92/57/EEC.

- ✓ This declaration welcomes initiatives already taken by some Member States, such as the United Kingdom's guidelines on public procurement. It gives its full support to the Commission's Directorate General for Employment and Social Affairs plan in 2005 to integrate good standards of safety and health into public procurement, including publicity funded construction projects. In this context, this declaration also welcomes the preparation of practical guides on safe and healthy procurement. It recognises that investment in health and safety through systematic budgeting during all phases of projects makes good business sense.

Based on the above considerations, the author would like to present a pilot training course focused on the client needs in field of safety and health co-ordination activities.

The main purpose of the course not only consists in transferring to the attendants the general information about safety, which they should just have known, but consists in stimulating a debate on the base of cases study referred to public works in which has been given great attention to safety and health in construction.

2. THE PILOT TRAINING COURSE

The preliminary program has been scheduled as follows; it is also possible to tailor the timetable and the single cases-study on the specific requirements of the organization which will promote this kind of course.

2.1 Table of contents and timetable referred to the "Project Preparation Stage"

PROJECT PREPARATION STAGE			
<i>dd/mm/yyyy</i>	<i>(9,00-16,00)</i>	<i>Contents</i>	<i>Trainer's Skills-Background</i>
	<i>(9,00-10,30)</i>	1. The client's role as safety and health promoter during the project preparation stage	<i>Good knowledge in OH&S, good attitude in motivating people</i>
	<i>(11,00-12,30)</i>	2. The lay out of the working schedule referred to a specific project	<i>Background in Project Management</i>
	<i>(13,30-15,00)</i>	3. The essential relationship between the designer and the safety and health co-ordinator supervised by the client	<i>Good knowledge in legislation and in designer and safety co-ordinator duties</i>
	<i>(15,00-16,00)</i>	Questions and debating	-
<i>dd/mm/yyyy</i>	<i>(9,00-16,00)</i>	<i>Contents</i>	<i>Trainers</i>
	<i>(9,00-10,30)</i>	4. The Safe Design: introduction	<i>Background and practical activity in Safe Design Theory</i>
	<i>(11,00-12,30)</i>	5. The Safe Design: from the theory to the practical application	<i>Working activity experience in this specific OH&S activity</i>
	<i>(13,30-15,00)</i>	6. Cases study presentation: bidding procedures and documents, contacts and safety plans.	<i>Working activity experience in these specific projects</i>
	<i>(15,00-16,00)</i>	Questions and debating	-

2.2 Table of contents and timetable referred to the “Project Execution Stage”

PROJECT PREPARATION STAGE		
<i>dd/mm/yyyy (9,00-16,00)</i>	<i>Contents</i>	<i>Trainer’s Skills-Background</i>
<i>(9,00-10,30)</i>	1. The evaluation method to choose the safety co-ordinator	<i>Background in evaluation methods and safety co-ordinator main skills</i>
<i>(11,00-12,30)</i>	2. The principle to apply to the final payment regarding the safety costs	<i>Background in accounting referred to construction and knowledge in specific legislation requirements</i>
<i>(13,30-15,00)</i>	3. The safety co-ordinator working plan and its follow-up	<i>Background in Project and Construction management activities</i>
<i>(15,00-16,00)</i>	Questions and debating	-
<i>dd/mm/yyyy (9,00-16,00)</i>	<i>Contents</i>	
<i>(9,00-10,30)</i>	4. The safety main file in the site office	<i>Filing methods background and knowledge in specific legislation requirements</i>
<i>(11,00-12,30)</i>	5. The safety file document	<i>Knowledge in specific legislation requirements</i>
<i>(13,30-15,00)</i>	6. Cases study presentation: contact and construction management referred to OH&S matters	<i>Working activity experience in these specific projects</i>
<i>(15,00-16,00)</i>	Questions and debating	-

3. CONCLUSIONS

The achieving of good goals and satisfactory feed-back from the people who attend to the training course depends either on the experience of the teachers and on the possibility to show some case-studies.

In fact it is very important that the organizers of the training course as a first step make a very good selection of the trainers, based as well on their knowledge and specific background and on their international experience.

We believe that at this time the course should be an international course, at least at European level, since among the EU country there is a free market of services and goods.

The “lesson learned” which could be raised from different work experience will help, first of all the client, to set up in an innovative way the main projects.

During the oral presentation the author will analyze thoroughly the contents of the course and will suggest how to prepare a course tailored on a specific category of clients.

The authors believe that the pilot training course, which is an example of permanent training, could be one of the operative tools which permit the achieving, in the construction sector, of the safety culture’s spreading. This is accordance with the OSHA directives.