Safer Construction:
From Concept to Completion

OHS Perceptions and Expectations:
Construction Safety Taskforce

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Overview

As part of the process to develop a robust Occupational Health and Safety (OHS) framework that is accepted throughout the Australian building and construction sector, 11 semi-structured interviews were conducted with members of the Safer Construction Taskforce. From the period 15 May to 14 June 2006, researchers from the Safer Construction project interviewed Taskforce members to ascertain the following:

(1) Taskforce members' expectations regarding the Safer Construction project and the expected outcomes, particularly those relating to the principal deliverable, the Voluntary Code of Practice; and

(2) Taskforce members' views about the OHS roles and responsibilities of the three main parties in the construction process, namely owners/clients, designers and constructors.

The interviews revealed that Taskforce members differed in their perceptions of construction OHS issues, expectations of the Code and what is required to improve OHS in construction.

Realistic Sharing of OHS Responsibility between Construction Parties

Taskforce members acknowledged that the Safer Construction project has the capacity to drive 'cultural change' in the industry. A unifying theme amongst Taskforce members was the desire to produce a Code based upon a realistic sharing of responsibility for OHS between the main construction parties: owners/clients, designers and constructors. For some members, the most important outcome of the project was identified as a collective agreement on the ways in which all industry participants, irrespective of their role, combine their efforts to reduce the alarming and unacceptable levels of death, injury and illness in the sector.

Extension of OHS Responsibilities to include Designers and Owners/Clients

The Taskforce members universally agreed that there was a need to extend OHS responsibilities to include parties 'upstream' in the construction process, that being owners/clients and designers. The role of owners/clients in promoting OHS in the projects they sponsor was strongly emphasised by the majority of respondents, a number of who pointed to the petro-chemical and mining sectors as providing current best practice in this area. One theme of considerable importance was the need for owners/clients to communicate unequivocally their expectations for OHS to both design consultants and constructors. At present, it was perceived that many clients do not regard that they have control over OHS or a responsibility for implementing safety measures or messages. As a consequence, clients are often disinterested in designers' or constructors' OHS capabilities or performance.

The Taskforce members agreed with the principle that OHS hazards should be eliminated where possible or reduced through attention to OHS in design decision-making. However, members expressed the view that, in order for designers to do this, clients/owners must specify OHS as a key part of the design brief. When talking about 'upstream' responsibilities, a number of respondents expressed concern about the need for a realistic allocation of OHS responsibility for clients/owners. For example, concerns were raised about the following:

- The extent to which owners/clients could be expected to become involved in OHS during the construction stage;
- The extent to which the design decision-making process was diffused and design decisions were subject to influences outside the control of the architect/engineer; and
- The extent to which owners/clients in the domestic sector could provide OHS leadership.

Importance of Stakeholder Consultation in the Development of the Code
The majority of Taskforce members strongly stated the need for key stakeholder groups to 'buy into' the development of the Code of Practice. The Taskforce members emphasised the strong need for consultation in the development of the Code in order to achieve this. A number of Taskforce members made the point that the Code of Practice and its uptake by the large players in the industry, would enable industry-relevant models of OHS best practice to be disseminated, perhaps leading to the development of a unified national standard or legislative model for construction OHS. This point is important because at present the regulation of OHS within Australia is highly fragmented and, traditionally, policy and regulation in this area have been developed without any genuine attempt to understand the construction industry's structure or processes.

Integrated Project Delivery Methods
While recommendations about a clients' choice of procurement strategy are beyond the scope of the Code, a number of Taskforce members identified the traditional project delivery methods as being problematic for OHS. In particular, the separation of design and construction both chronologically and organisationally, competitive tendering and the setting of unrealistic construction programs driven by financiers' concern for return on investment, were specifically mentioned. A number of respondents highlighted the OHS benefits associated with clients selecting 'Integrated Project Teams' (IPTs) and innovative project delivery methods. These approaches were believed to provide greater cooperation between client/owner, designer and constructor and allow for improved integration of construction knowledge in design decision-making. One Taskforce member further suggested that 'hard money' contracting may need to be explicitly excluded from the best practice model.

Concerns about Legislative Approaches
Taskforce members were universally concerned about the lack of consistency in State and Territory OHS legislation. State government regulations were commonly described as being excessive and confusing and more so as they relate to specific roles in construction. Members considered the Code of Practice to be a unifying document that has the capacity to engender the establishment of common, Australia-wide standards for OHS best practice in the sector. Taskforce members also expressed concern that legislative approaches created defensive behaviour amongst industry participants and contributed to a 'culture of blame' and 'finger pointing.' The Taskforce members expressed hope that the Code of Practice would provide a more satisfactory basis for industry improvement because, as a Voluntary Code, it would not have the negative effect sometimes observed in relation to legislative approaches. Many stakeholders requested that the Code be constructed in such a manner that it complements current legislation and has the capacity to eventually set the foundation for national laws and regulations.

Broad Principles Rather than Prescription
There was some level of disagreement between Taskforce members concerning the level of detail to be included in the Code. A number of members expressed a desire for extensive detail, including a 'toolkit' of resources/checklists and pro-formas. They also advocated that these broad principles be illustrated by detailed case study examples of how these principles can be practically applied to the construction sector. Others indicated that this level of detail was undesirable at this stage and that the Code should seek to provide a statement of broad principles of OHS best practice, collectively agreed by each of the key stakeholder groups. This approach was believed to provide greater flexibility for industry players to determine how to comply with the Code. Although a prescriptive approach to the code was regarded by some as being clearer for industry groups to implement, all Taskforce members agreed that it was neither possible nor desirable to prescribe best practice in OHS management within this Code of Practice.

A Process-based Structure
When asked about the structure of the Code, the majority of the Taskforce members suggested that the Code follow a project process model in which principles of best practice are identified for all stages of a construction project. In specific terms, members advocated the identification of best practice principles for clients, designers and constructors at each project stage, from identification of project needs, feasibility, conceptual and detailed design through to construction and commissioning.

Cultural Change
A number of Taskforce members strongly advocated the need for cultural change within the industry and considered the Code of Practice as a vehicle for delivering this change. Others were sceptical about the ability of a Code of this nature to effect genuine cultural change. One factor considered critical to the effectiveness of the Code is the extent to which it is promoted by peak industry bodies and stakeholder groups. A number of Taskforce members identified the Office of the Federal Safety Commissioner as an agency which could have a considerable influence in the implementation of the Code. Indeed, several Taskforce members commented that there is a need for the Code to complement Federal Government initiatives, such as the National OHS Accreditation Scheme.

Challenges in Implementing the Code: Organisational Size
A number of Taskforce members identified challenges in the implementation of OHS in small-to-medium-sized enterprises (SMEs) in the sector. The prevalence of this type of organisation, coupled with the failure of SME's to cope well with their OHS obligations was a serious concern. Some members expressed the need for a specific model of best practice in OHS management to be developed for SMEs. Other Taskforce members suggested that, if the Code of Practice could be implemented by the large organisations in the sector in the first instance, the effects would eventually 'filter down' to SMEs.

Measures of Success
The majority of the Taskforce members stated that the success of the Code can only be determined through identified reductions in fatalities, injuries and illnesses in the construction sector. Several members, however also requested that the Code develop a

set of Key Performance Indicators (KPI's) for OHS practices in the sector. The need for these KPI's to be based upon leading, rather than lagging OHS performance measures was also emphasised by a number of respondents. The poor quality of existing industry-specific OHS data was also identified as a factor limiting industry's ability to identify problem areas and target preventive strategies.

Further themes and sub-themes surfacing from the interviews are presented in Appendix A.

Summary
The interviews with the Safer Construction Taskforce revealed that these key construction stakeholders differ in their expectations of the requirements of the Voluntary Code of Practice and the processes required for enhanced safety outcomes to ensue in the construction sector. The Taskforce identified a need for a realistic sharing of OHS responsibility amongst owners/clients, designers and constructors, particularly with respect to gaining a collective agreement in the manner in which industry participants interact on safety issues. Taskforce members specifically acknowledged that owners/clients need to communicate their OHS expectations to both design consultants and constructors early in the construction process. The Taskforce also identified a need for the Voluntary Code of Conduct to consider the structure and processes of the construction industry and include stakeholder consultation in the development of the Code. In terms of expectations of the Code, the interviews indicate that the Taskforce is interested in a Code that is principles-based rather than prescriptive and one that complements existing legislation. Within this Code, best practice for owners/clients, designers and constructors at each stage of a construction project should also be examined. The Safer Construction Taskforce also expressed a need for the Voluntary Code of Practice to be supported with a Toolkit and case study illustrations of best practice in OHS.

Appendix A
Summary of Interview Themes

Theme	No. of times mentioned
Theme 1: Expectations	
Sub-theme 1.1 Industry Ownership and Acceptance	7
Sub-theme 1.2 Government Support	4
Sub-theme 1. 3 Practical and Useful	3
Sub-theme 1.4 National Consistency	6
Sub-theme 1.5 Reducing Rates of Death and Injury	4
Sub-theme 1.6 Consultation During Project Phases	3
Sub-theme 1.7 Alternative Committees to the Taskforce	2
Sub-theme 1.8 Communication	3
Sub-theme 1.9 Raising Overall OHS Expectations and Image	6
Theme 2: Structure	
Sub-theme 2.1 Broad, Principles-based Document	8
Sub-theme 2.2 Simple and Brief	4
Sub-theme 2.3 Let the Market Work it Out	4
Theme 3: Contents	
Sub-theme 3.1 Divided into Headings	1
Sub-theme 3.2 Benchmarking and Best Practices	5
Sub-theme 3.3 Case Studies	3
Sub-theme 3.4 Checklists and Risk Assesments	2
Sub-theme 3.5 Culture and Safety Philosophies	8
Sub-theme 3.6 Diagrams and Pictures	1
Sub-theme 3.7 Guidance	3
Sub-theme 3.8 Toolbox	3
Sub-theme 3.9 Web-based Information	1
Theme 4: Legislation	
Sub-theme 4.1 Code to Complement Existing Laws and Regulations	6
Sub-theme 4.2 Backing up Code with Laws	4
Sub-theme 4.3 Code to Eventually Replace Legislation	3
Sub-theme 4.4 Existing Laws and Regulations are Problematic	7
Theme 5: Industry Groups/Stakeholders	
Sub-theme 5.1 Industry Stakeholders Play 'Blame Game'	4
Sub-theme 5.2 All Stakeholders Need to Share OHS Responsibilities	8
Sub-theme 5.4 Specify Different Stakeholder Roles and Responsibilities at Different Project Phases	6
Sub-theme 5.5 Industry Groups do not Understand Safety Responsibilities	4
Theme 6: Industry Group/Stakeholder Breakdown	
Builders/Contractors…	
Sub-theme 6.2 Traditionally Seen as Responsible for OHS because they are Responsible by Law	5
Sub-theme 6.3 Contractors Want to Minimise Paperwork	2
Clients…	
Sub-theme 6.4 Should Lead OHS and Take Responsibility	11
Sub-theme 6.5 Safety is not Important for Clients/Owners	5

Sub-theme 6.6 Safety is Important for Clients/Owners	2
Sub-theme 6.7 Should be more Involvement with On-site Practices	4
Sub-theme 6.8 Clients will be Less Involved with On-site Practices	2
Sub-theme 6.9 Government Should Act as the Model Client	4
Designers…	
Sub-theme 6.11 Should Take More Responsibility for OHS	4
Sub-theme 6.12 Do Understand their OHS Obligations	1
Sub-theme 6.13 Do not Understand their OHS Obligations	3
Sub-theme 6.14 Should Think about Constructability and OHS	5
Sub-theme 6.15 Accreditation and Pre-qualification Schemes	4
Sub-theme 6.16 Overcoming the Concept of Just One Designer for Project Life-cycle	1
Theme 7: Small and Large Operators	
Large Companies…	
Sub-theme 7.2 Target Code at Larger Operators First	4
Sub-theme 7.3 Larger Operators are More Responsible for OHS	6
Small Companies…	
Sub-theme 7.4 Different Guidelines for Smaller Operators	3
Sub-theme 7.5 Smaller Operators Need More Help with OHS Management Facilities	2
Theme 8: Long-Term Economic Benefits of Safety	
Sub-theme 8.2 Most Successful Projects are the Safest	4
Sub-theme 8.3 Demonstrating Economic Benefits to Clients/Owners	5
Sub-theme 8.4 Demonstrating Economic Benefits to Contractors	3
Sub-theme 8.5 Demonstrating Economic Benefits to Designers	2
Sub-theme 8.6 Economic Incentives to Promote Safe Sites	3
Theme 9: Recommendations to Improving Ohs	
Sub-theme 9.4 Training	5
Sub-theme 9.5 Updating Education and Awareness	3
Sub-theme 9.6 Measuring Progress	6
Sub-theme 9.7 Tendering to Include OHS	2
Sub-theme 9.8 OHS Specified in Contracts	2
Sub-theme 9.9 Partnering and Hybrid Models are Ideal	2
Sub-theme 9.10 Reinforcing Safety Message Along the Supply Chain	6
Theme 10: General Impediments	
Sub-theme 10.1 Lack of Awareness	2
Sub-theme 10.2 Structure of the Industry	3