

**RRC
Sample
Study Text**

NEBOSH

Health and Safety Management
for Construction (International)
Unit CI1



Morals and Money

IN THIS SECTION...

- There are two main reasons for an organisation to manage health and safety: moral and financial.
- The International Labour Organization (ILO) states that the construction industry has a disproportionately high rate of recorded accidents. Fatal accidents vary significantly by nation. Non-fatal injuries are often associated with activities related to manual handling and material installation work.

Moral and Societal Expectations of Good Standards of Health and Safety

To prevent workplace accidents and illnesses, companies must stop viewing safety simply as complying with the law and start treating it as an ethical or moral issue. Keeping workers safe isn't just about avoiding prosecution; it's about upholding an employer's ethical obligations. Conscientious employers accept that it is an essential part of their corporate social responsibility.

Employers (via management) control the premises, equipment and working practices used by workers to facilitate the production of goods and services. Employers, therefore, have a **moral** responsibility to provide safe and healthy working conditions.

The media and communication industry, through its various channels such as print, news broadcast, photography and video, serves to inform the public of best practices and establishes a norm that people expect. In recent years, societal attitudes to justice and respect have prompted changes that have improved standards of health and safety everywhere, not just in the workplace. Better workers will strive to work for employers who follow a moral code of practice with higher standards.

Examples of moral practice include:

- Ensuring all risk assessments are completed.
- Training all workers.
- Prioritising measures that protect the whole workforce.
- Promoting a positive safety culture.

In simple terms, the moral reason can be summarised as, 'it's the right thing to do'. It is right and proper that workers going to work to earn a living should return home in the same state, not suffering from ill health or serious physical injury. People expect this as a fundamental right. Workers expect it. Society expects it. Over time, this societal expectation has been translated into legal standards. In this way, the moral argument drives legislation.

The Financial Cost of Incidents (Insured and Uninsured Costs, Direct and Indirect Costs)

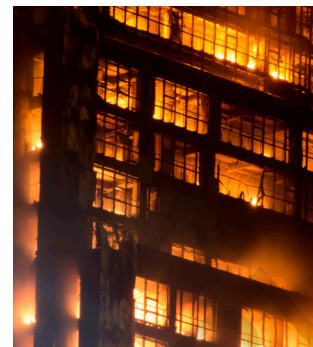
The financial reasons for health and safety can be difficult to calculate, but incidents cost money to the company (lost production, repair of damage, replacement labour), to the injured person (lost wages, lost opportunities) and to society (emergency services, hospitals).

Insured and Uninsured Costs

It is usually possible to take out insurance to cover some of the losses that might foreseeably occur to an organisation. In some countries, it is compulsory to take out employers' liability insurance that will guarantee that money is available to meet compensation claims where required. In situations where this insurance has not been made available, workers may have rightful claims for compensation not met, leaving the worker facing legal costs for pursuing the claim.

Similarly, it is usual for an employer to insure their premises and stock against fire. However, it is not possible to insure against all losses. Some losses are uninsurable by their very nature. For example, an organisation cannot take out an insurance policy to pay out if they were prosecuted and fined in the criminal law courts, as it would no longer act as an effective deterrent. Other losses are not insured against because the loss is too difficult to quantify or because the insurance would be too expensive to consider. For example, organisations cannot insure themselves against loss of revenue if their business reputation is damaged through a major workplace accident. There is no law that prevents this type of insurance, it is simply impossible to obtain.

Many of the direct and indirect costs associated with workplace accidents are uninsured for these reasons. In the UK, the Health and Safety Executive (HSE) have estimated that uninsured losses are between 8 and 36 times greater than insured losses. They provide a rough average figure of 10 times. This is sometimes referred to as the 'uninsured loss iceberg' because the greater losses are below the waterline and cannot be seen (but are quite capable of sinking the ship).



Fire can be insured against

TOPIC FOCUS

Examples of possible insured and uninsured costs include:

Insured Costs	Uninsured Costs
<ul style="list-style-type: none"> • Damage to plant, buildings and equipment. • Compensation paid to workers. • Medical costs. • Legal costs associated with a claim for compensation. 	<ul style="list-style-type: none"> • Production delays or down time. • Loss of raw materials due to accidents. • Accident investigation time. • Criminal fines and legal costs. • Sick pay for injured workers. • Overtime to make up for lost production. • Hiring and training new employees. • Loss of business reputation.

It is worth remembering that, even if a loss is covered by insurance, most insurance policies come with an excess and with a limit. The excess is the amount of money that will be payable by the organisation before any payment is forthcoming from the insurer (e.g. it might be the first £5,000 of any claim). The limit is the cap above which the insurer will not pay (for example, if a business has £2 million building and contents fire insurance but it costs £3 million to rebuild and restock the premises, then the insurer will only pay the first £2 million; the remaining sum is uninsured).

Direct and Indirect Costs

When an accident occurs, the organisation will face both direct and indirect costs:

- **Direct costs** – the measurable costs arising directly from the accident.
- **Indirect costs** – those which arise indirectly as a consequence of the event. Indirect costs are often difficult to quantify precisely and may be hard to identify. In certain circumstances they may be extremely high.

Examples of direct costs:

- First-aid treatment.
- Worker sick pay.
- Repairs to, or replacement of, damaged equipment and buildings.

- Lost or damaged product.
- Lost production time while dealing with the injury.

Examples of indirect costs:

- Reduction in staff morale (which impacts on productivity and efficiency).
- General difficulties in recruiting and retaining staff as an indirect result of the accident.
- Loss of goodwill of customers following delays in production and fulfilling orders.
- Activation of penalty clauses for failing to meet delivery dates.
- Damage to public image and business reputation.
- Damage to industrial relations, perhaps leading to industrial action (e.g. strikes).

From the examples given you can see that, though more difficult to identify, the indirect costs associated with a workplace accident can be very large indeed.

Companies have gone out of business after major incidents.

Insurance companies often now take considerable interest in health and safety performance and employers who fail to identify hazards and manage risks properly may well find their insurance premiums significantly increased. Following prosecutions, fines imposed by the criminal courts can only be met from the employer's own funds as insurance cover is not possible against criminal penalties.

The International Labour Organization (ILO) has estimated that globally millions of workers are killed as a consequence of poor working conditions. A great many more (measured in 100's of millions) are involved in occupational accidents. The ILO considers that there is a gross underreporting of occupational accidents and diseases, including fatal accidents. The construction industry is disproportionately represented in these figures, having a very high rate of recorded incidents. The most common causes of construction fatalities are falls, electrocution and crush injuries, though thousands of workers die as a consequence of past or present exposure to asbestos.



Manual handling injuries remain a cause for concern for inspectors on construction sites

Good construction health and safety is a large contributor to reducing the number of injuries, but it must be maintained to ensure the number of incidents resulting in injury continues to fall. The hazards and risks of construction activities must be recognised and management systems put in place to eliminate or reduce those risks. Typical areas of high-injury incidence in the UK are:

- **Falls from height** - still a prime cause of fatalities and major injuries.
- **Slips, trips and falls occurring on the same level** - still causing a number of over-seven-day injuries.
- **Being struck by falling/moving objects** - materials and objects dropped from access equipment and buildings causing fatalities and specified injuries.
- **Manual handling** - lifting and carrying on construction sites - a major cause of lost work days, due to specified injuries and over-seven-day injuries.

TOPIC FOCUS

The construction industry is a major source of employment within ILO member states and it is also an employment sector with a proportionally high number of job-related accidents and diseases.

The industry is still labour-intensive despite a strong move towards mechanised methods of working. The industry also has a tradition of employing migrant farm labour from lower wage economies.

In 2005, the ILO estimated that at least 60,000 fatal accidents occur annually in construction activities around the world. This means that one fatal accident occurs every 10 minutes. Construction accounts for 1 in 6 deaths worldwide from working activities.

The construction sector accounts for between 6% and 10% of the global workforce. It also accounts for 25% to 40% of fatalities.

Some member states report up to 30% of construction workers suffer from musculoskeletal disorders.

The construction industry adopted its first convention in 1937. In recognition of a need for a broader approach to health and safety in construction, the **Safety and Health in Construction Convention C167** and its associated recommendation R175 were adopted in 1988.

The Financial Impact of Non-Conformances and Reworks

Non-conformances and rework can lead to significant financial losses, including increased material waste, labour costs, and production delays. When defects occur, additional resources are required to identify, repair, or replace faulty products, disrupting operations and reducing efficiency. These direct costs, combined with the impact of missed deadlines, can strain profitability and operational effectiveness.

Beyond immediate expenses, non-conformances can damage customer trust, lead to regulatory fines, and harm a company's reputation. Persistent quality issues may result in lost sales, increased returns, and reduced market competitiveness. To mitigate these financial risks, businesses must invest in robust quality control measures, employee training, and process improvements, ensuring long-term cost savings and sustainability.

The Role of Enforcement Authorities

There is no harmonised global standard for the enforcement of health and safety law, so legal and enforcement systems vary between countries. There are, however, some general principles which normally apply:

- Each country or region has one (or more) enforcement agency (or authority) responsible for enforcing health and safety law. Such an agency is effectively the 'health and safety police force'. In some circumstances the agency may actually be, or may enlist the help of, the national or regional police. These agencies often provide advice, investigate workplace accidents, take formal enforcement action to force employers to comply with the law and start criminal proceedings against persons or organisations they believe have committed offences.
- Many countries have a separate fire authority with a role in enforcing fire safety legislation and/or advising employers.
- In some countries, insurance companies fulfil a major role in enforcing safety by carrying out inspections and audits on a regular basis. These can help to improve standards, as the insurance company can demand increased insurance premiums or refuse to provide insurance cover at all unless standards are improved.

Consequences of Non-Compliance

A breach of health and safety legislation is usually a criminal offence – wherever you are in the world.

Failure to meet legal standards might lead to:

- **Formal enforcement action:** an enforcement agency might force an employer either to make an improvement within the workplace within a given time period, or to stop carrying out high risk activities altogether until improvements are made. Failure to comply with formal enforcement action is usually considered to be an offence in itself.
- **Prosecution of the organisation in the criminal courts:** successful prosecution might result in punishment in the form of a fine.
- **Prosecution of individuals, such as directors, managers and workers:** successful prosecution might result in punishment in the form of a fine and/or imprisonment.



Breaching health and safety law can lead to criminal prosecution

CASE STUDY

A company that operates within a country that has ratified the ILO C155 and R164 was fined via the country's associated legislation following an appearance in a criminal court for two separate incidents where employees were seriously injured. Both incidents involved workers trying to remove blockages from a screw conveyor. Evidence presented showed that safety guards had been removed and a team leader had verbally reported this matter to the engineering team, but it was not followed up by either party. The company pleaded guilty to breaching the section of national legislation that is based on C155 Article 5 and Article 9.

C155 Article 5 requires the employer to ensure, so far as is reasonably practicable, the health, safety and welfare of its employees and is further enforced in conjunction with C155 Article 9, which requires that the enforcement of laws and regulations concerning occupational safety and health shall be secured by an adequate and appropriate system of inspection.

C155 and R164 on Occupational Safety and Health set out the prevention of accidents and provide international guidelines on occupational safety and health. These guidelines outline the responsibilities of employers, workers, and governments in promoting a safe and healthy working environment. They also recommend measures for the prevention of accidents and the protection of workers' health.

By not having a safe system of work to clear blockages and allowing workers to use a machine without suitable guards, the company failed to meet its legal duty. The phrase 'so far as is reasonably practicable' means the company must assess the degree of risk and the sacrifice required in introducing control measures. The 'sacrifice' is measured in terms of financial cost, time and effort. Replacing the guards and developing a safe system of work to clear blockages is a reasonable expectation given the serious nature of the injuries to the workers involved.

As well as the criminal law consequences there is also the matter of compensation for workers and others injured by a workplace accident. Depending on the region/country concerned, this might involve the worker:

- Taking legal action against their employer through the civil legal system, and having to prove that their employer had been negligent and was therefore to blame for their injury.
- Claiming compensation from national or regional compensation schemes, with no requirement to prove negligence or blame through the use of the legal system.

STUDY QUESTIONS

1. What are the two key areas into which consequences of poor health and safety fall?
2. Identify two risk areas in construction that have a high-injury incidence rate.

(Suggested Answers are at the end.)

The Management of Construction Activities

IN THIS SECTION...

- The **ILO Safety and Health in Construction Convention 1988 (C167)** sets out requirements for management of construction activities:
 - Managing the risks by designing out foreseeable hazards.
 - Appointing the right people and organisations at the right time.
 - Making sure everyone has the information, instruction, training and supervision they need to carry out their jobs in a way that secures health and safety.
 - Co-operating, communicating and co-ordinating work between all parties involved in the project.
 - Consulting workers and engaging with them to promote and develop effective measures to secure health, safety and welfare.
- The general duties of:
 - Clients.
 - Designers, engineers and architects.
 - Employers.
 - Principal contractors.
 - Contractors.
- Pre-selection and management of contractors is vital to the safety of everyone involved in a project and contractors can be selected following assessment of their competence.

Management of Construction Activities

The **ILO Safety and Health in Construction Convention 1988 (C167)** provides a detailed framework for managing construction projects. Article 13 of C167 requires all appropriate precautions must be taken to ensure a workplace is without risk of injury to the workers and that the workplace is safe, this includes the risk from fire. The code of practice provided by the ILO 'Safety and Health in Construction' requires employers to provide and maintain workplaces, plant, equipment, tools and machinery and to organise construction work that, as far as is reasonably practicable, there is no risk of accident or injury to health of workers. Construction work should be planned so that:

- Dangers liable to arise are prevented as soon as possible.
- Difficult postures and movements are avoided.
- Work is organised to take into account their safety and health.
- Materials and products are used that are safe.
- Working methods are used to protect against the harm arising from chemicals, physical and biological agents.



Managing the Risk by Designing Out Foreseeable Hazards

All appropriate precautions should be taken to ensure workplaces are safe and without risk to injury or health. Elements 4 through 13 of the study materials cover a range of hazards that commonly occur in construction activities.

Decisions can be made at the design stage, e.g. by selecting materials that are lighter to handle, designing windows that can be cleaned from the inside rather than working at height outside and constructing roof trusses off site. It is essential to consider fire safety measures throughout all stages of the design process and to effectively implement them during the construction phase.

Clients must make suitable arrangements for managing a project, including the allocation of sufficient time and other resources, and ensure that these arrangements are maintained and reviewed throughout the project. They must also provide pre-construction information as soon as is practicable to every designer and contractor appointed to the project; this must include existing fire precautions, building layout and identify the presence of flammable and combustible materials.

In addition, they must ensure that, before the construction phase begins, a construction phase plan is drawn up by the contractor or principal contractor which includes project-specific fire risks and procedures in case of fire; and that the principal designer prepares a health and safety file for the project.

Appointing the Right People and Organisations at the Right Time

In order to prevent accidents and diseases that affect workers that arise from employment in construction, the right people and organisations should be appointed at the right time. Laws or regulations should provide for the duties of clients, designers, engineers and architects to take into consideration the safety and health aspects in the designing of buildings, structures or construction projects. The appointment of competent people with sufficient time to perform their tasks is vital.

Making Sure Everyone has Information, Instruction and Training

No one should be employed on a construction project unless that person has received the necessary information (on the hazards present), instruction (on control measures to reduce risk) and training (on the measures to reduce risk so they are effective) to be able to do the work competently and safely. The information, instruction and training should be in a language understood by the worker. Supervision must be undertaken by a competent person.

Co-operating, Communicating and Co-ordinating of Work between All Parties Involved in the Project

The **ILO Safety and Health in Construction Convention 1988 (C167)** requires member states to have national laws that provide for co-ordination on construction projects. Those with primary responsibility for the project or others undertaking activities simultaneously at one construction project, must provide safety and health measures and ensure compliance with national laws and regulations. National laws should also be used to ensure communication and co-operation between employers and workers to promote health and safety.

Consulting Workers and Engaging with them to Promote and Develop Effective Measures to secure Health, Safety and Welfare

Employers should set up and maintain a process for effective consulting with workers and their representatives in line with relevant national laws. The consultation process should spread information on shared concerns to arrive at the best possible solutions for health and safety for everyone involved. Consultation should be free from prejudice and apply to all workers. Consultation should not affect the rights of workers to be part of organisations for collective negotiation.

General Duties

Clients

The client is regarded as the person ('any natural or legal person') or even a company, for whom a construction project is carried out. The requirements placed upon the client in the ILO Code of Practice (CoP) (Section 2.5.1) are to:

- Co-ordinate and manage all workers and contractors on site (or nominate a competent person or company to do it) to ensure all activities that are part of the construction project are carried out safely and without risk to health at all stages of the project.
- Inform all contractors involved in the project of any special risks to health and safety of which the client knows or becomes aware.
- Require any contractors and subcontractors submitting tenders for work to include the cost of health and safety measures required in the construction process.

Clients are to take account of all health and safety requirements of the construction process when estimating how long each stage of the construction might take, and for the overall time required to complete a project.

Provision of Information

Clients should provide pre-construction information to designers and contractors who may be bidding for the work; this information takes the form of project-specific health and safety information which is needed to identify hazards and risks which are likely to be associated with the design and construction work. It should include existing general fire precautions, building layout and any presence of hazardous materials such as flammable or combustible materials.

In the first instance this information may be part of the tendering process or procurement process. This information is required in good time as it will be needed for those preparing bids for the work so they can decide what resources will be needed for design, planning and construction to be carried out properly. If contractors are appointed during the construction project (after construction has started), each contractor bidding for the work must be provided with the pre-construction information in order to prepare their bid.

The client should commission surveys, for example asbestos surveys, to ensure information provided is up to date.

Designers, Engineers and Architects

'Designers' includes the designers, engineers, architects, etc. who actually take part in the overall design and planning of the construction project. They are required to:

- Have adequate health and safety training themselves and include the health and safety of the construction workers into the design and planning process, and not to add it on after the design stage.
- Not include anything in the design or planning of the construction project that would require the use of dangerous structural or other procedures. This includes not using any materials that may be hazardous to the health and safety of the construction workers which could be avoided by designing them out or by substituting safer materials.
- Ensure risk of fire is identified, eliminated and controlled.
- Take into account all safety problems associated with the subsequent maintenance and upkeep of any structures or construction projects that would involve special risk.
- Include facilities in the design of the construction for all work to be carried out with the minimum of risk to the health and safety of the construction workers involved.

Employers

Employers should:

- Establish the safety and health of workers consistent with national law.
- Provide and maintain workplaces that are safe.
- Establish committees with worker representatives.
- Take precautions to protect people in the vicinity of construction sites.
- Arrange for regular safety inspections.
- When purchasing plant and equipment, take into account ergonomic principles.
- Provide supervision to ensure workers perform their tasks with due regard to health and safety.
- Assign workers to tasks to which they are suited by their age, physique, state of health and skill.
- Ensure that workers are suitably instructed.
- Establish a 'checking system' for lone workers to ensure they are safe.
- Provide appropriate first aid.

Principal Contractors and Competent Persons

DEFINITION

COMPETENT PERSON

Any person who has adequate qualifications (such as suitable training and sufficient knowledge, experience and skill) to ensure the construction work is carried out safely. Some national authorities may define what specific qualifications must be attained to be 'competent', and what duties may be assigned to them.

The principal contractor (or employer) is a person or company with actual control over or the main responsibility for overall construction site activities where two or more different contractors could be involved in the work at that site. They are responsible for co-ordinating and ensuring that the health and safety measures are put in place, including those for project-specific fire risks, and followed by everyone on site.

The principal contractor shall nominate a competent person or company at the site with authority to ensure on his/her behalf that the health and safety measures are in place and followed when he/she is not there.

You should note that there is a possible inconsistency, in that the ILO CoP suggests that it is the duty of the client to nominate a competent person to be the co-ordinator. In practice, national or regional legislation will determine who, in fact, is to fulfil this duty - client or principal contractor.

Contractors

They are responsible for planning, managing and monitoring construction work under their control so that it is carried out without risks to health and safety. For projects involving more than one contractor, they must co-ordinate their activities with others in the project team and, in particular, comply with directions given to them by the designer or principal contractor. They must ensure fire mitigation measures are maintained and additional risks are not created.

Pre-Selection and Management of Contractors

Contractors are used widely in construction projects, either to deliver a specific project or skill, or to deliver extra labour when needed. For example, a site wanting to extend the premises would usually take on a building contractor to deliver the project rather than employing the manpower directly.