



# THE CLIENT'S AGENT IN CONSTRUCTION

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I.MUSONDA PhD REng PrCM MCIQB



# The tale of the Fox and Scorpion

The tale of the scorpion and the fox comes to mind. You may recall they both wanted to cross the river. The fox could swim but could not see the way in the waves. The scorpion could see the way if it sat on the fox's back, but the fox was afraid the scorpion would sting him. "Why would I do that? I'd drown too," said the scorpion. And so they set off. Half way across, the scorpion stung the fox and they both started to drown. "But why?" asked the fox. "Because it is in my nature," replied the scorpion.



# Introduction

- Importance of stories
- Stories or narratives shape us
- They describe who we are, what we accept, what we take for granted
- Narratives espouse our values, beliefs and our way of doing things
- They describe our culture



# In construction industry?

- It is ok for someone to get injured at work
- It is ok for someone to die from an occupational related accident
- Health and safety is a contractor's responsibility
- Health and safety costs

# Why? – excerpt from Engineering News

- ▶ “In relation to employment numbers, fatalities and injuries had, therefore, not necessarily worsened, even if every such event was still very much regrettable”

<http://www.engineeringnews.co.za/article/sa-construction-industrys-health-and-safety-statistics-in-need-of-revamp-cidb-2009-06-11>

# Why? – excerpt from Engineering News

- ▶ “Vermeulen says the new construction laws will have significant ramifications for the construction industry. He adds that the industry is accustomed to a planning and permit process of about 14 days, but that the new laws will increase this process by a **full month**.”
- ▶ Vermeulen warns that this shift in the industry **norm** is bound to be expensive for construction companies. He believes, however that, owing to the necessity and inevitability of these regulations, it is the responsibility of **construction companies** to deal with this proactively”.

[http://www.engineeringnews.co.za/article/new-health-and-safety-legislation-to-impact-on-construction-industry-2015-01-22/rep\\_id:4136](http://www.engineeringnews.co.za/article/new-health-and-safety-legislation-to-impact-on-construction-industry-2015-01-22/rep_id:4136)



# H&S is NOT the contractor's responsibility ..... alone

- Safety is everyone's responsibility
- Much more for the client!



# Why the client?

- ▶ Clients initiate projects
- ▶ Clients are at the centre of decisions made on construction projects;
- ▶ Many of these client decisions have impact on the H&S outcome.
- ▶ Accidents are caused by client's inappropriate responses to certain constraints and the environment.
- ▶ Inappropriate client responses, include:
  - ▶ reducing the project budget,
  - ▶ adding new project criteria,
  - ▶ changing project objectives and
  - ▶ accelerating design or construction efforts of the project



# The accepted narrative

- ▶ H&S is conventionally considered to be the contractor's responsibility (at least in practice e.g. site closures)
- ▶ Perceived factors of causation are mostly associated with the contractor's management / or site operative failures.. At least on first report
- ▶ Perception & practice is that construction H&S is a matter of construction management rather than client's management or indeed other participants' management



# Changing the narrative...

## Changing the culture

- ▶ The opportunity to improve H&S performance exists with the clients because they bear the responsibility for example in:
  - ▶ selecting design consultants, who are able to offer designs that are not only safe to use, but also are capable of being built safely (Bomel, 2001:8.18; Alinaitwe 2008:74)
- ▶ Clients are the initiators of projects, and without their decision to develop, projects would not be implemented.



# Changing the narrative...

## Changing the culture

- ▶ The construction regulations 2014 recognize client's contribution
  - ▶ Client prepares a site specific health & safety specification pertaining to ALL health and safety requirements related to construction work
  - ▶ Client applies for a construction work permit to perform construction work
  - ▶ Client prepares a baseline risk assessment for an intended construction work
  - ▶ Provide the designer with health and safety specification
  - ▶ Ensure designer takes into consideration health and safety specifications in design
  - ▶ Ensure principal contractors have made adequate allowance for cost in tenders
  - ▶ Ensure principal contractor has necessary competencies & resources to safely work



# Changing the narrative...

## Changing the culture

- ▶ Client prepares a site specific health & safety specification pertaining to **ALL** health and safety requirements related to construction work
- ▶ Makes the client equally if not more responsible for health and safety



## ....and for the client's Agent?

- Is a competent person who acts as a representative of the client
- Assumes entire responsibility of the client
- A person who has in respect of the work / task to be performed , required knowledge, training & experience



So then..

Given the client requirements in terms of health and safety on construction projects and the role of a safety agent as a client representative, and the need to change the narrative about management of health and safety in the construction industry, what skills set should a health and safety agent possess?



# A client's safety agent..

- ▶ Should now more than ever assume a more leading role in a construction project
- ▶ Should constantly be engaged in professional development
- ▶ Must know and understand the industry
- ▶ Have integrity



# In particular..

- ▶ An agent must be able to manage the health and safety on a construction project for the client
- ▶ I argue then that this entails
  - ▶ Being knowledgeable about the construction processes and methodologies
  - ▶ Being able to read and interpret **ALL** construction drawings & specifications
  - ▶ Knowledge of construction costing, pricing for safety & safety risk
  - ▶ Knowledge of contracts and contract procedures
  - ▶ An extensive knowledge of construction and the associated risks and hazards

# Why?



Because we cannot afford to... again



Thank you

