

THE CONCERNS OF HEALTH, SAFETY AND WELFARE WITHIN THE TRI-PARTITE RELATIONSHIP SURROUNDING WORK PLACEMENT FOR CONSTRUCTION

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Work placement in any area is considered within a three way relationship, with the University or teaching institution, the employer and the student representing the three parties. Each of these parties will bring different contributions to the relationship, and have different expectations of the outcomes. In addition, each party will have different levels of experience, and expertise in the world of work, in the employment relationship and in the carrying out of placements. This level of variation has to be accounted for in the facilitation and management of work placements. This paper draws upon direct involvement and participation in the relationship between the three parties, focusing on the negotiations and discussions of health, safety and welfare concerns. The information has been gathered over two years from large national and international contractors, regional contractors, small contractors and subcontractors. Consultancy practices and local authorities have also provided supporting information. The concerns of health, safety and welfare must be paramount in this relationship for construction. Employers have a duty of care and a responsibility to all their employees, whether attached as a work placement or in any other capacity. Employers also have first hand experience in the day to day management of risk and the strategies to minimize the impact. The University however has different concerns, and the application of these can be seen to be risk averse. Finally, the student will be for the most part the least experienced, but the most likely to be directly affected by health, safety and welfare issues. This paper explores the tripartite nature of the relationship, specifically focusing on health, safety and welfare issues, to examine how the various different needs may be successfully accommodated. The findings from this investigation are the revelation of the fundamental cultural differences of the three parties, most notably the employers and the teaching institution, as revealed in their dealing with and management of health, safety and welfare.

Keywords: health safety and welfare, placement, work-based learning.

INTRODUCTION

For teaching institutions, industrial placements continue to provide an excellent link between vocational courses and the industrial context with which those vocations are related (Dearing 1997, CIOB 2005). For employers, industrial placements provide an excellent feed for future graduates and trainee managers (inter alia Hill 2002, Hill 2003). In the built environment discipline there is a long tradition of placement education and sandwich provision dating back over thirty years in the UK. This in turn

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leads to advantages where both the notion of placements, and the practice and management of the process are established. Custom and practice have been developed and refined over this period, and many employers have first hand experience of the placement provision. The instances where supervisors of placement students have themselves been through a similar scheme are not uncommon.

However, the context of the built environment courses which form the focus of this research, the current UK construction industry, is very different from that which operated in the 1970s or 1980s.

One particular area of custom and practice which has changed markedly is that surrounding health, safety and welfare on construction projects. It may be valid to claim that this area has been at the forefront of management thinking and practice throughout this period, and certainly the developments in legislation over the period have been notable (Howarth and Watson 2009).

So as practices have changed, the relationship surrounding placement has also changed. This research reports instances of change, how problems can be overcome providing for the facilitation of effective placements. In addition the research reveals the essential and fundamental differences in the approaches of the different parties to placement management, using health, safety and welfare as the focus.

Three-way relationship

The complexities of placements are to some extent founded in the three way relationship which must apply: the Teaching Institution, the employer and the student. Each of these has investment in the relationship, and each has expectations from it.

These relationships themselves have become a focus for research (Nixon *et al.* 2006). Costley and Armsby focus on the need for teaching institutions to carefully examine the means of assessment, and how this fits into the academic framework (Costley and Armsby 2007). Elsewhere Costley comments on the differences in expectation and need in the relationship between the employer and the employee (student) (Costley 2001). Further examinations of the three way nature of the relationships, and how tensions may develop in the different perspectives that they hold are examined by Helyer and Hooker (Helyer and Hooker 2008).

Simply stated the expectations of the employer are primarily concerned with the continuation and furtherance of the business; the expectations of the teaching institution is the development of the student through practice and experience in the vocational context; and the expectations of the student are the personal development to be gained from exposure to and involvement in the vocational context. It is valid to accept that many employers, given the longstanding experience noted above, will also accept and acknowledge the personal development required by the individual student, and by association the teaching institution, however, the priority must be the continued business success and survival of the employer. Recent emphasis of this priority can be given by the comments of many employers, who “cannot afford the time to supervise” a placement student in the current period of economic recession.

Health and safety management

Recent examinations of the safety of construction sites have focused on the cultural and behavioural aspects of safety (Rawlinson and Farrell 2009, Hartley and Cheyne 2009) whilst others have noted a discrepancy between the expectations of employees and employers. However the reality of the safety record of construction remains a persistently troubling backdrop to any activity associated with it. Howarth and Watson

(2009) present the Health and Safety Commission (HSC 2007) statistics showing 3711 non fatal major injuries for employed and a further 719 for self employed in the year 06/07; fatalities totalled 77 for both employed and self employed over the same period.

The emphasis of management and supervision dedicated to the reduction of health and safety problems has been significant over recent decades, (e.g. Winch 2002) but the further reduction in the statistics remains stubbornly difficult. Further examination of the causes of accidents reveals individual acts:

"The case study suggests that the main causes of accidents on construction sites relate to individual attitudes towards Health and Safety" (Tutesigensi and Reynolds 2008).

Developments in the legislation in the last two decades have been significant, with such instruments as RIDDOR, CDM regulations 1994 and 2007, Work at Height Regulations and so on (Howarth and Watson 2009). These in turn have entered the management processes of all companies associated with construction, both in the form of conformance and compliance.

Essentially, the duty of care for the employer is given by the Health and Safety at Work Act (1974):

"It shall be the duty of every employer to ensure, as far as is reasonably practicable, the health, safety and welfare at work of all his (or her) employees." (Cited in Howarth and Watson 2009 p 45).

For the purposes of this research, it is safe to assume that the position of the placement student is that of an employee. This issue is of vital importance, and has been reiterated emphatically by employers on a number of occasions, both in relation to this research and in other meetings. That is to say, operationally and legislatively, the employer acts in a way which replicates the relationship between an employer and an employee. The distinction for the placement student may simply be in terms of the fixed duration of the contract.

RESEARCH METHOD

The findings which underpin this paper are largely the result of direct engagement in various processes surrounding the facilitation of placement experience. These include: delivering lectures and assessing students in the academic topic of Health and Safety Management; briefing students before undertaking placements; meeting students in their workplace as part of the placement; debriefing students after their placement is completed; negotiating with employers before, during and after the placement period; developing and using health and safety questionnaires for employers, students and the teaching institution; testing assumptions and findings with employers, the teaching institution and the students. In addition to these engagements, there are those internally to the teaching institution including membership of panels overseeing the facilitation and practice of placements across disciplines, the direct management and facilitation of placements within the built environment discipline and the negotiation of teaching institution requirements pertaining to placements.

It is fair to say that all of the activities noted above, are necessary to the role of placement tutor. The only exception would be the testing of assumptions made from the findings with the various groups. This action allowed observations from involvement in the remainder to be tested and confirmed or denied. This can be described as

participant observation (e.g. Deacon *et al.* 1999) as the direct participation in the role was predetermined, with a modification of the role undertaken to carry out the research. This action involved direct consultations with four employers, academic and administrative staff from one teaching institution, and a total of thirty students, seen individually and in groups.

By looking at only one aspect of the placement experience, health and safety, the research was able to develop penetrating questions, which all parties recognized as valid (Collis and Hussey 2009). No participants to the research attempted to defer or avoid the questioning. Again, with the group interaction, consensus views were able to be revealed. The students did not see this as leading questions designed to provoke a predetermined answer, rather a realistic representation of the process of development they had undergone as part of the placement process.

The method adopted is part of ongoing research surrounding the experience of work based learning and placements within the built environment discipline at the host teaching institution (*inter alia* Hill 2002, 2003, 2009).

FINDINGS

The essential finding from the research is a confirmation that each of the three parties to the placement experience has different expectations and experiences of that relationship. In respect of health, safety and welfare, this is categorized by: for the student- relative inexperience of the practical implications of health and safety; for the teaching institution – again inexperience, but bound into bureaucratic procedures to safeguard their liabilities; for the employer – immediate and practical knowledge of their responsibilities in respect of health and safety, and the means to address them.

Employer

The actions of the employer may be characterized by a direct and proactive approach to the management of health, safety and welfare. This is, in the first instance demonstrated by the compliance with health and safety legislation. This was often given as the first reason why such approaches were taken, but exploration through questioning revealed a common acceptance of deeper responsibilities, to all employees, from the employers. These deeper concerns can be seen in such schemes as zero tolerance or zero harm being adopted by many large contractors. Even small contractors and subcontractors were acutely aware of their adherence to legislation, but beyond that to behaviours which would always reduce the risk of health and safety problems. The conducting of inductions, risk assessments, training on such topics as asbestos awareness, and so on were all used as verifiable evidence of the commitment to health, safety and welfare.

Whilst immediately espousing the need to avoid punitive financial damages and possible custodial sentences, most employers would soon further reveal a moral and ethical position in which the minimization of health and safety risks was central. This was a widely held belief, and permitted the development and implementation of legislation as relatively straightforward.

Teaching institution

As employers have become more aware of the obligations and importance of health, safety and welfare, so teaching institutions have become more aware of the duties to students.

"Health and safety is only one aspect of the support and development of students on placement and work based learning activities..." (UCEA 2010).

It is possible to suggest, and this has been voiced in meetings in the teaching institution, that the period of work placement, is for a student following the built environment disciplines, the greatest exposure to health, safety and welfare concerns. Notwithstanding the personal and recreational habits which students may pursue in their own time, construction sites will be the most dangerous environment they are exposed to. The further concern is that this exposure is directly related to their education, and may be a requisite for the successful completion of that education.

To the teaching institution, the management and facilitation of health and safety concerns was bound in risk assessments, health and safety checks and monitoring systems, each of which stressed the responsibility remained with the employer. The maintenance of good records, which may be audited was given greatest priority.

So, the practicalities of risk assessment, training, inductions, provision of personal protective equipment, ensuring conformation with rules and regulations, and so on is effectively adopted by the employer. This practice was described repeatedly by students and by employers, and was then corroborated by the cross checking of related parties: i.e. information given by employers was checked by students who had been employed by that company; information given by students was checked by employers who had employed that student. This straightforward means of cross checking allows the findings to be validated and corroborated. The reports can be taken as a fairly trustworthy account of the various events.

It is important to note that “various events” is a real impression of the management of health, safety and welfare. Rather than individual or isolated incidents such as inductions or one off training events, employers and students were often engaged in repeated and continuing developments concerning the practicalities of dealing with health, safety and welfare. One indication of this was the extent to which placement students would be actively engaged in the ensuring that site staff were correctly inducted and certified to work on the site. The integration of health, safety and welfare into the regular management processes of construction was remarked by many students.

This last finding, that placement students had often been directly involved in, and in some cases taken responsibility for such activities as inductions and tool box talks had been revealed through interaction with students over several years (inter alia Hill 2002, 2003).

Student

The students acted as the catalyst for this research. Indeed, it is the discussions with cohorts of students over a number of years which has developed into this research. All students were acutely aware of the individual developments they had made both in terms of their awareness of health, safety and welfare issues, and their individual responsibilities within that. This development parallels the many areas of growth gained through work based learning during the placement period (Hill 2003, 2009).

The importance of this cannot be underestimated: graduates will be performing the managerial roles in the construction industry of the next fifteen or twenty years, the importance of the management of health, safety and welfare in that, whether it is a site manager, a quantity surveyor, or a building surveyor is central. This once again validates the importance of work based learning through placement experience.

DISCUSSION

Teaching institutions have recognized that one of the issues concerning work based learning, such as placements is that control of the learning environment is largely out of the control of the institution. (Hill C J 2002) This control must lie with the employer, and the level of control, or management of the environment is held by the employer. This management includes the health, safety and welfare of the employees and anyone else who may come into the working environment.

This is countered by the teaching institution which requires that full accountability and control of liability is maintained through accurate record keeping.

The revelations of differences in the practical approaches to the management of health safety and welfare indicate an underlying difference in the fundamental cultures of the parties. At this stage it would be unwise to explore the fundamental cultures of the undergraduate student, even when involved in placement experience. Suffice to say at this stage that it is the individual student who is perhaps most at risk from the actions / inactions of the other parties to the relationship, and there is no doubt that this will have an influence on the cultural development of that individual, and that group. It is also possible to restate that the individual student will gain the most in terms of their knowledge of, and practical management of health, safety and welfare issues.

The culture of the teaching institution as revealed by the findings is that of risk averse and generally bureaucratic. That a large institution which must explicitly observe rules of fairness and impartiality should tend towards the bureaucratic model is axiomatic. That the forthcoming bureaucratic procedures should tend to be risk averse is also hardly a shock. However, when the practicalities of the facilitation of placement become constrained by these procedures, it is a cause for concern. Teaching institutions recognize the value and validity of placement education, as noted above, yet their concerns for the observation of health and safety requirement might be seen to be inimical with that. The individuals directly involved must find a way through this tension to arrive at practical and realistic outcomes.

The culture of the employer is particularly interesting, as recent research has focused on the need to address health and safety culturally as well as managerially and legislatively (Rawlinson and Farrell 2009). From the findings of this research, the experience of employers in dealing proactively and immediately with health, safety and welfare concerns in turn developed a sense of practical, pragmatic and realistic maturity when confronted with the specific issues at hand. Again, this is hardly a startling revelation: employers have a much more pragmatic and practical culture than the teaching institution which tends to be more reflective, more considered in its' actions, and certainly less immediate to specific conditions.

The acceptance of final responsibility by the employer, as given in the legislation above, but also by practice and custom of the employer, is further display of the underlying practical culture of the employer.

CONCLUSIONS

The successful maintenance of placements within built environment courses is reliant upon a common understanding of the expectations and contributions from each of the parties: the teaching institution, the student, and the placement provider. The various duties and responsibilities with regard to health, safety and welfare must be seen as a priority in this understanding. This is especially so for construction, where the record

for safety is correctly regarded as poor. As the placement provider without exception considers themselves as 'employer', the legal obligations are clear. However it is the management of the experience within that responsibility which is vital.

The findings of this research, which is part of the ongoing process of both managing built environment placements, and reflecting upon the learning and experience which is taking place, are significant. The proactive management of health, safety and welfare by employers, particularly contractors and subcontractors working directly on site is such that the consideration of the placement student is assured. This is supported not only by compliance with legislation but with ethical and moral consideration.

That the underlying cultures of the parties was also uncovered, specifically that of the employer and the teaching institution is interesting, and calls for further examination of what other concerns, outside that of health, safety and welfare, may reveal other differences, or perhaps more similarities and common ground.

In order to maintain good relationships between employers, teaching institutions and students it is important to continue not only to practice and facilitate placements, but to explore the various dimensions within which these placements take place. This paper will hopefully contribute to that process, and the research will continue.

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