

Construction Charter Commitments

The City of Edinburgh Council

August 2018

Construction Charter Commitments

Our commitment

Our Construction Charter Commitments set out what we as a Council expect for those contractors who undertake construction work on our behalf and where we would like others to follow.

The Council has a clear vision for construction contractors in Edinburgh and we want to make sure that fair work practices are adopted and complied with.

We, as a Council, promote high standards of performance, accountability, and a culture based on strong values. We ask others to do the same. We expect all construction contractors to achieve the highest standards in respect of employment status, health and safety, standards of work and apprenticeship training.

The objective of the Construction Charter Commitments is to promote responsible and safe working with our construction contractors while encouraging all construction organisations to work in partnership with trade union colleagues.

The Leader, Depute Leader, Councillors, Senior Management and all Staff commit to the provision of effective and sound governance at all levels and we call upon those engaging our construction contractor partners in Edinburgh to follow these Construction Charter Commitments.

Andrew Kerr, Chief Executive
August 2018

Construction Commitment 1

High working standards

The Council are responsible for the procurement of a wide range of construction projects.

We commit to working with trade unions in order to achieve the highest standards including in respect of employment status, health and safety, standards of work and apprenticeship training.

The Council actively promotes a requirement to work in partnership with the trade unions and we expect those contractors who undertake work on our behalf to do likewise.

Construction Commitment 2

HMRC compliance

All parties recognise that the highest level of compliance with current HMRC regulations must be achieved where public funds are utilised.

The Council recognises that all construction workers should be employed under an appropriate contract of employment (subject to PAYE and Class 1 National Insurance Contributions) and, where appropriate, any applicable Industry Collective Agreement. This excludes genuinely self-employed contractors and Agency Workers. The Council recognises that Agency Workers would ordinarily be provided with the appropriate contract directly from their employing agency. The Council is opposed to any unlawful employment practices.

Construction Commitment 3

Health and safety

Health and safety of workers on all of our construction projects is paramount.

The Council requires all contractors rigorously implement and adhere to the highest standards for health and safety performance. Furthermore, it is a requirement that all contractors rigorously implement and adhere to our minimum health & safety standards.

This includes safe systems of work to protect the public and construction workers alike, to incentivise continuous safety improvement and ensure that behaviours are managed to drive a safety performance culture.

We require all construction contractors to provide quality welfare facilities, fit for purpose and in accordance with the Construction (Design and Management) Regulations 2015, as updated from time to time.

It is a recognised fact that the presence of trade union safety representatives significantly improves safety in the workplace. Contractors and their supply chain are expected to work collaboratively to work collaboratively with appropriate trade unions to identify and implement the highest standards of safety initiatives.

Construction Commitment 4

Excellence in skills and training

The Council expects that all construction projects are completed to the highest standards possible, to meet the aspirations of the residents of Edinburgh.

We expect that all construction workers are highly competent and have the appropriate levels of skill and training to carry out the work they are employed to do.

To assist in the achievement of this Commitment the Council's contractors and their supply chains must ensure they retain documented evidence that all construction workers are competent to carry out the work they have been employed to do.

The Council require all construction contractors to retain documented evidence which allows for clear and transparent auditing to take place during the term of the contract by the Council or its nominee.

The Council recognises that specific construction industry skills and grade card(s) such as JIB or CSCS, or equivalent will be considered to be acceptable evidence.

The Council is mindful of the construction industry skills shortage and the need to address this through apprenticeships and adult training to 'up-skill'. The Council construction contractors and supply chain working with the council are asked to develop and implement local programmes to address skills shortages and provide appropriate training opportunities.

Construction Commitment 5

Trade union recognition

The Council are mindful of wider legislation which requires organisations to recognise trade unions.

The Council would positively encourage all of our construction contractor partners to recognise the right of all construction workers to be employed under and to be protected by the appropriate national industry collective agreement(s).

The Council expects our construction contractor partners to fully comply with all applicable national construction industry standards such as SJIB or CSCS.

The Council consider it appropriate that all construction contractors and their supply chain will engage with Trade Unions and where recognition arrangements are in place, we would expect our construction contractor partners to respect the right of Trade Unions to appoint shop stewards, workplace health & safety representatives, trade union learning representatives and all trade union accredited representatives to be granted appropriate time and facilities to carry out their duties and responsibilities.

The Council recognises the benefit trade unions bring to the construction workplace and the rights of workers to hear from trade union representatives.

Construction Commitment 6

Recruitment

The Council, its contractors and their supply chain are committed to a fair and transparent recruitment policies.

The Council expect all contractors and their supply chain to actively ensure that the engagement of their workforce meets the needs of the construction project and the specific tasks for which they are recruited to undertake.

Construction Commitment 7

No blacklisting

The Council, its construction contractors and their supply chain agree that it is not acceptable for anyone to use or make reference to any form of blacklist.

Blacklisting is prohibited by the Employment Relations Act 1999 (Blacklists) Regulations 2010. It is a practice that is often discriminatory in nature and infringes on workers' rights to privacy and data protection.

Council tender documentation and terms and conditions underline that blacklisting is an unacceptable and prohibited practice and any contractors found to be in breach of the obligations will be unable to work with the Council.

Construction Commitment 8

Government buying standards

All relevant construction contracts require to comply with the Government Buying Standards, including, but not limited to, BES 6001