

How to foster a safe, sustainable working environment with a subcontractor? Establish trust. Right from the beginning.

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In certain sectors and industries, the range of activities carried out by subcontractors may reach a level that can potentially affect safety results. Therefore, the decision to entrust such activities to one company rather than another is a key factor in safety, as it can have a positive impact on quality and environmental protection, not to mention meeting deadlines and budgets; in other words, operational excellence.

Some good practices...

There are already industry best practices that can foster, beginning in the consultation phase, a relationship of trust between the prime contractor and its subcontractors, and that promote sustainably safe working conditions for all employees.

Some of the most established include:

- The visible commitment of senior management (for example through policy) to establishing transparency and dialogue with third parties, participating in an improvement programme, and using health/safety/environment performance and compliance as a criterion for selecting subcontractors;
- The implementation of clear safety specifications for the job, which

complement any regulatory measures and are an integral part of tender documents, alongside technical specifications;

- The definition of these specifications through a cooperative process that involves managers, buyers, lawyers, and occupational health specialists;
- Ongoing improvements to specifications based on feedback drawn from large-scale or critical operations, with support from the companies that were involved. The aim of the exercise is to retrospectively assess the systemic relationship between the prime contractor and the subcontractor, notably the logistical support offered by the prime contractor to the latter, responsiveness in solving problems and reacting to any anomalies;
- During the subcontractor selection process, the weight given to the ability of tenderers to meet safety specifications.

...And some pitfalls

The best practices outlined above are often undermined by the following notions:

- The idea that the best offer is more expensive than the lowest bid. This is only true in principle. It can be countered by the idea that the cost of prevention measures is in no way comparable to the financial and human costs of accidents. Moreover, as a 2010 study carried out by the OPPBTP shows, the economic impact of primary prevention is positive in more than 90% of cases, with an overall yield of 2.34 (Duphil et al., 2016).
- The idea that, should there be a major problem, the prime contractor could be held legally responsible if their requirements are more demanding than those in the Labour Code (*code du travail*). A weakness that is observed in the prime/subcontractor relationship is another example. The good practices compiled by ICSI show that greater clarity in the definition of safety requirements should not be seen as interference, but rather the search for a constructive and proactive partnership.
- The idea that if the tendering process includes a separate evaluation of bids in terms of safety, the whole process will take more time. Although this is true, like the economic argument



presented above, the time spent in preparing for operations can significantly reduce any drift in planning resulting from having to deal with problems that could have been identified and anticipated in advance.

In summary

Establishing cooperation in the consultation phase can go much further in terms of safety. It is necessary to rebalance the 'balance' of power between the prime contractor and its subcontractors. Real trust is built in the preparation and operational phases, through for example, joint safety inspections, the right (or even the obligation) to intervene if a major risk is observed, and sharing feedback. Finally, it should be clear to everyone that there is a desire, shared at all levels, to make safety a top priority.

Reference :

Duphil, P., Poix, J., Emsalem, P., Canal, J.-F. & Mesliere, J.-J. (2016). Prévention et performance. Une approche économique de la prévention. OPPBTP, Boulogne-Billancourt.

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