

Construction Leadership Forum
COVID-19 : Recovery Planning Group
Meeting 05
02 June 2020
Telephone Conference Call
09:00 – 11:00

Note of meeting

Present:

Kevin Stewart MSP, Minister for Local Government, Housing and Planning

Construction Industry

Grahame Barn – Industry Leadership Group member, Construction Scotland
Bruce Clark - Joint Managing Director, RJ McLeod
Bruce Dickson – Industry Leadership Group Member, Construction Scotland
Steven Dillon – Scottish Trade Unions Congress
Ron Fraser – Executive Director, Construction Scotland
Stephen Good - Chief Executive, Construction Scotland Innovation Centre
Hector MacAulay – Managing Director, Balfour Beatty Scotland
Elliot Robertson – CEO Robertson Group
Alan Wilson – Managing Director, Select

Scottish Government and Associated Agencies

Scott Bell – Deputy Director, PDCRD, SG
Joe Brown – Head of Strategic Business Development, SG
Joe Dowd – Team Leader, Construction Team, SG
Elaine Ellis – Skills Development Scotland
Dr Stephen Garvin - Head of Building Standards, SG
Ian Gilzean – Chief Architect, SG
Alasdair Graham – Acting Director of Major Projects, Transport Scotland
Alan Morrison – Health Finance and Infrastructure, SG
Graham Porteous – Head of Construction Procurement Policy Unit, SG
Colin Proctor – Director, Construction Industry and Delivery, SFT
Peter Reekie – Chief Executive, SFT
Elisabeth Stark - Head of Manufacturing and Construction, SG
Mark Turley, More Homes Division, SG
John McLean - Construction Procurement Policy Unit, SG

Apologies:

Ken Gillespie – Chair, Construction Scotland
Sharon Miller, Manufacturing and Construction, SG
Dermot Rhatigan - Deputy Director Manufacturing & Industries, SG

		Action
1	Introduction and Apologies	
1.1	The meeting commenced at 09:00	
1.2	The Minister welcomed the delegates to the meeting and thanked all present for their continued work on this group and the related sub-groups. He advised that the Focus of today's meeting would be on the work of the various sub groups.	
2	Minutes of Previous Meetings	
2.1	The Group accepted the note of the meeting of 5 May as a true record.	
2.2	Relating to the minutes of the meeting of 20 May, Elliot Robertson asked that reference to looking at the data from England was added to paragraph 2.5	Action
2.3	Action: Minutes of Meeting 4 to be updated to include reference to discussion with Professor Halliday around data from England.	Secretariat
3	Actions	
3.1	At the Minister's request, Scott Bell read through the actions of the previous meeting, giving a progress update on each. These will be reflected in the updated Actions Register, which will be distributed to the members.	
	The Minister invited comments	
3.2	Steven Dillion commented that as he was aware of apprentices having been affected by building companies going into administration, could there be signposting to the fair work apprentice co-ordinator and UNITE.	Action
3.3	Responding to an enquiry, the Minister advised that any member was welcome to contact officials on any emerging issues regarding the actions.	
3.4	Action: In relation to A033, Officials to consider including links to the fair work apprentice co-ordinator and to UNITE the Union to support available for apprentices.	

		Jane Duffy
4.	Update on Site Closures	
4.1	Joe Brown provided an update to the group, noting that all would be aware of the letter issued by the Minister on 21 May, outlining the way forward and its connection to the SG route map. He noted that the First Minister confirmed that work could move from phase 0 to phase 1(site preparation) on 29 May. Now in phase 1, the focus is on how guidance should develop (dependant on health factors) to move to phase 2 of the SG (and phase 2 of the Industry) restart plan. Further clarity on this is expected towards the end of the week. He thanked everyone for their participation in the work to develop the guidance.	
4.2	The Minister informed the group that he had received a number of offers to go and look at sites within Edinburgh which he would confirm as soon as possible. He is keen to see what is going 'on the ground' around safety.	
4.3	Ron Fraser advised the Minister that he'd received offers from contractors for site visits. It was agreed that he would forward these onto the Minister, for consideration.	Action
4.4	Peter Reekie and Steven Dillon both advised that they were undertaking site visits next week and would provide feedback on these.	Action
4.5	Elliot Robertson urged that site visits were undertaken as soon as possible, so as to move closer to a decision on sites reopening. He noted many companies are taking staff off furlough to make preparations for a prompt restart. He also asked whether it would be possible for geographical areas with a lower 'R' number to return to work quicker.	
4.6	The Minister responded that any decision making would be governed by the virus. He noted that it was his understanding that the geographical variance in 'R' numbers was not vast and that in some of the areas with a lower 'R' number there may be difficulties with movement of machinery or personnel, but assured members that the SG was considering all options.	
4.7	Bruce Clarke asked the Minister whether consideration had been given to looking at those projects with a faster timeline, such as those where all of the work was taking place outside, where all of the necessary preparation had been undertaken. He noted that the First Minister's speech suggested that the industry should be able to exercise its own judgement. In addition, he highlighted comment by Fiona McQueen on 8 May, suggesting that people's health could be damaged by lockdown through not working. He stated that a way needs to be found of getting people back to work.	

4.8	In response, the Minister stated that he was, willing to look at any proposal, but wanted to avoid a 'piecemeal' approach to restart, that may be seen to favour some parts of industry over others. He also noted that he wasn't in a position to agree to any such proposals at today's meeting. He advised that members keep feeding in information to officials, for consideration.	
4.9	Scott Bell noted that it was sometimes difficult to comprehensively define what constituted 'outside' work across the industry. It was agreed Bruce Clarke could feed information to him, offline, to see what steps the government could take.	Action
4.10	The group discussed the fact that it was recognised that construction is in a better place with regards to other industries in its readiness to restart, with the Minister thanking all the effort that had gone into this. Members also raised concerns on factors that could lead to a premature re-imposing of lockdown that would affect the sector, such as low uptake of track and trace technology, or a minority of the public not following social distancing. The Minister stated that he believed more people would want to engage with track and trace technologies moving forward and that it was also important that that people understand the messaging around behaviours potential leading to further lockdowns.	
4.11	<p>Actions:</p> <ul style="list-style-type: none"> • Ron Fraser to provide Minister with details of sites in Edinburgh for a potential visit • Peter Reekie and Steven Dillon to report back on site visits scheduled for next week. • Bruce Clark to feed information relating to exterior sites identified to Scott Bell 	RF PR/SD BC
5.	Safe Operating Procedures Working Group Update	
5.1	<p>Ron Fraser provided the group with an update on the SOP subgroup. The Site Operating Guidance Document has been completed and was published by Construction Scotland, on behalf of this forum on their website. It can also be accessed via a link from SG revised guidance. It is also referenced in the revised industry restart plan, also available on the CS website. Both have been widely distributed, to over 200 subscribers via the CSIC website and by the various professional bodies via the CICV group</p>	
5.2	Now that the document has been published, it will be updated as necessary, as part of work of the SOP group. Any proposed changes by the sub-group will be brought back to this group for final agreement.	

5.3	Attention has now turned to gathering of evidence in preparation for safe working on sites, by going out to industry to ask them to supply evidence of changes. These will be uploaded to a database, (set up by CSIC). Current work revolves around building up further evidence for this database. This data gathering exercise will be supported by a small number of site visits.	
5.4	Colin Proctor added that he and Ron Fraser would be emailing around colleagues and that he would be in touch with public sector client groups later today, to gather evidence for the database.	
	The Minister invited questions from the group.	
5.5	Alan Wilson noted that in addition to the CICV group cascading the two documents, they had created their own underpinning document on health and safety. In addition a new health and safety toolbox was being worked on.	
5.6	Elliott Robertson noted that the restart strategy had originally proposed that moving between phases would be self-regulated by the industry rather than by government hold points. Ron Fraser confirmed that this was correct, but this was not adopted by the Government. The Minister stated, that as with everything else it would be down to the spread of the virus as to when the government would move from one phase to the next.	
5.7	Steven Dillon praised some the work on safety undertaken by the industry, but felt the biggest issue is still working inside whilst maintaining social distancing, which he felt was unclear and ambiguous in the SOP. He also felt that the inclusion of UNITE guidance for England was inappropriate, given the differences between this and the Scottish industry.	
5.8	The Minister stated that these difficulties were recognised. It was agreed that as Steven Dillon has been invited to join the SOP Group which would be the appropriate forum for him to take forward these issues.	
5.9	Stephen Good noted that the iCon platform challenge fund, provided opportunities in terms of challenges around close working. It was agreed that he would pick this up with Stephen Dillon offline.	Action
	Actions:	SG

	<ul style="list-style-type: none"> • Stephen Good to discuss iCon platform challenge fund offline with Steven Dillon, around challenges of closer distance working. 	
6.	Restart Working Group Update	
6.1	<p>Graham Porteous gave an update on the Restart sub-group, which last met on the morning of Friday 29th May. The main points of discussion were:</p> <ul style="list-style-type: none"> • How can we get the COVID-19 H&S workplace guidance to the workers and could there be some type of card with key advice. • Concern was expressed that there are a number of workers who are members of Trade representative bodies and that some of the membership cards are due to expire and they cannot be updated. It was noted that steps had been taken in relation to card validity but it was agreed that officials would look into the situation. • The group discussed that further consideration must be given to how we will communicate to the industry effectively. • It was agreed that a meeting is to be arranged for Nicola Barclay, Homes for Scotland, with Housing Officials. • The Data sub group is to consider a proposed App from Professor Sean Smith to track site restart data. • Alan Wilson is to be invited to join the Building Standards resilience group. • There remains concern in industry over the continually increasing financial implications resulting from the shutdown and they expressed a desire to progress getting back to work as quickly as possible. • A site visit in the Edinburgh area is to be arranged for the Minister to facilitate his seeing first-hand how site reconfiguration works are progressing. • It was noted that the R number remains an important factor in getting the industry back to work. 	
	The Minister invited questions.	
6.2	<p>Elliot Robertson expressed concern in terms of the data app, as he didn't recall agreeing to this, due to taking many weeks to register all sites, which could hold up any return to work. He also felt that the Government did not fully understand the financial pressures on the industry, with a very real prospect of subcontractors going burst and costs for main contractors rising. The guidance notes issued, to his mind did not help with</p>	

	costs, with undefined restart timescales meaning the industry was close to a 'cliff- edge'.	
6.3	The Minister responded that the tracking in itself does not need to be arduous- After some discussion it was identified that there may be some synergies with existing government mapping tools in planning. Ian Gilzean suggested that he and Liz Pringle could liaise with Professor Smith on this and brief the Minister.	Action
6.4	Regarding the 'tipping point' The Minister assured the group that government was very aware of the pressures being faced at the moment. He re-iterated that any companies in difficulties should be signposted to the government so that they be guided to available support.	
6.5	Alan Wilson informed the Minister that he had recently replied to Sharon Miller with relevant information on safety certification.	
6.6	Stephen Good informed the group that the website in support of the data app was now live, with the app itself imminent.	
6.7	<p>Action:</p> <ul style="list-style-type: none"> Ian Gilzean and Liz Pringle to liaise with Sean Smith to look at synergies between his data app and existing Planning digital tool, and brief Minister. 	IG
7	Data Working Group Update	
7.1	Ron Fraser updated the group. He noted that the 'pure data' aspect of the group would now be handled by the SOP sub-group. He noted that in terms of collating information from industry, 'survey fatigue' may be setting in, evidenced in diminishing number of responses.	
7.2	Alan Wilson and Grahame Barn both advised that they were in the process of receiving and analysing results of their respective member's surveys and agreed to provide the group with some key 'headlines'.	
7.3	<p>On the CICV survey, which had received 124 responses, Alan Wilson provide the following update:</p> <ul style="list-style-type: none"> On apprentice recruitment – 65% of companies would not be recruiting apprentices this year. It was noted that there was not yet any comparative data across industries. There are around 100 staff (mainly apprentices) furloughed and 70% of these could be made redundant at end of furlough scheme. 	
7.4	Regarding the CECA Economic Strategy Survey, Grahame Barn advised one third of members had replied that:	

	<ul style="list-style-type: none"> • Close to 96% were using the job retention scheme. • Members were also using deferred VAT, HMRC time to pay scheme and business rates holiday. It was highlighted that these are all deferrals, and that problems may surface when payment is due. • In terms of sourcing supplies, 80% came from within Scotland with almost none sourced outside the UK. 	
7.5	The Minister asked that officials send him details of these surveys. The Minister asked if some of these findings may be offset by things such as backlogs of work post lockdown.	Action
7.6	Alan Wilson replied that this was difficult to answer, as whether domestic work is available is largely down to public confidence. He believed that some of this would be counteracted, but did not know the extent. This was something that could be included in future surveys.	
7.7	In terms of known pipelines of work, The Minister stated that it was key message out that these will be there. He also noted that the 30 Year infrastructure Strategy should be highlighted.	
7.8	<p>Action:</p> <ul style="list-style-type: none"> • Officials to send details of CICV and CECA Surveys to the Minister ASAP. 	GP
8	Skills Working group update	
8.1	<p>Elaine Ellis provided the update to the group:</p> <ul style="list-style-type: none"> • There are two groups that are feeding into the Skills Working Group - the Civic Working Group and ILG Skills Working Group. • One of the key issues is that there are around 1200 apprentices waiting to get their qualifications, but who cannot attend college to get them. • Re-opening of colleges may coincide with summer holidays • Assessment – SQA working on new procedures, with the use of video evidence now approved. • There are concerns around digital poverty amongst apprentices. • There are concerns around how many apprentices will get back to site after furlough, although in Wales most are back on-site. The situation will continue to be monitored. • There is concern around the numbers of new apprentices. A survey will be conducted once sites up & running. This will be supported by on impacts, both short and long term. • Labour Market Information has been created, which has gone out to working groups to captured feedback. This is feeding into work on strategic challenges. 	

	<ul style="list-style-type: none"> The Construction industry is very well represented in the data. 	
8.2	The Minister asked of the digital aspects, whether funding available on digital poverty could be utilised to allow apprentices to access it or if that could support them for items such as iPads and Smartphones.	
8.3	Elaine Ellis responded that she would need to look into this. She noted that the challenges were understood and were being considered strategically across multiple sectors	Action
8.4	The Minister asked that he be kept apprised, as it was imperative to find solutions, as this concerns young people's futures.	
8.5	Actions <ul style="list-style-type: none"> Elaine Ellis to look into what digital poverty funding could be used to support apprentices and how this could be realised, i.e. iPads, smartphones, etc. and keep Minister apprised. 	EE
9.	Open Discussion	
9.1	The Minister combined with the agenda item 'Any Other Business' and invited questions from those present.	
9.2	Bruce Clarke picked up again on the point that the FM's message was nuanced and wondered if industry could be afforded more discretion on restarting again highlighting fully outdoor sites and mentioning that a further delayed start could have impacts on Local Authority housing stock availability.	
9.3	The Minister stated that this was a matter for the Cabinet to decide and that he could not give answers on specific sites. He said that information needs to be fed into officials, the more the better, but any decisions would be dependent on the virus being suppressed	
9.4	Steven Dillon commented that what can be overlooked is the fact construction is the most dangerous industry, and that COVID-19 is another hazard that must deal with.	
9.5	Bruce Dickson raised the issues around worker health conditions, specifically employees with shielding issues. He noted that advice was inconsistent across health boards as to who was able to return to work. He asked if the Chief Medical Officer or Chief Nursing Officer could consider this and provide advice on medical conditions that cannot be brought back on site.	
9.6	The Minister advised that people should speak to their GPs around their own conditions. He would be able to talk to the CMO, but this would be around generalities.	

9.7	Elliot Robertson noted that while all were keen to get economic recovery started, at the moment many local authorities are putting projects on hold so as to avoid paying any COVID-19 related costs. He asked if the government could put in place a fund to allow these projects to be released to create productivity working group.	
9.8	The Minister responded that he didn't envisage the creation of a fund. He noted that LAs have greater ability in terms of borrowing, but that he was happy to listen and speak to any LAs on difficulties. He suggested that this was maybe something that can feature in the SG's own recovery plan and asked officials to prepare an outline recovery plan for the next meeting.	Action
9.9	Regarding the central dashboard of SOP information, Steven Good informed the group that he'd had requests to move this to the CS/CSIC website, for ease of access. Ron Fraser and Stephen Good discussed whether those submitting evidence had already given sufficient consent to allow this to happen, with Ron Fraser given an action to investigate further.	Action
9.10	Elliot Robertson stated that he did not believe that CPN 04/2020 dealt with the issue of clients, particularly, in the private sector, pushing all the cost of COVID-19 onto construction industry. He asked if there was any legislation, either new or existing that could be utilised.	
9.11	<p>The Minister noted that the legislative competence to enact such legislation rested with the UK parliament.</p> <p>Elliot Robertson noted that this was particularly a Scottish issue, given that sites in England had not closed and that since the shutting of sites was guidance rather than law, multi-million pound liabilities were potentially to be borne by the construction industry and as such these costs should be funded by the Scottish Government.</p> <p>The Minister clarified that there would be no fund.</p> <p>It was noted that the SG had begun engagement with RICS to develop a narrative that might facilitate consideration between commercial parties.</p> <p>It was agreed that Elliot Robertson would continue to engage with Scott Bell over concerns around cost liabilities being borne by main contractors.</p> <p>Alan Wilson noted that the CICV Client Subgroup was also considering this and that he'd be happy to liaise with Scott Bell.</p>	Action

9.12	The Minister thanked all the members for their attendance and concluded the meeting.	
9.13	<p>Actions:</p> <ul style="list-style-type: none"> • Officials to prepare an outline recovery plan by next meeting • Ron Fraser to look into whether dashboard data can moved to CS/CSIC website. • Elliot Robertson to continue to engage with Scott Bell over concerns around cost liabilities being borne by main contractors and SG will look at what is possible within legislative framework. 	<p>SB</p> <p>RF</p> <p>ER/SB</p>
10.	Date of Next Meeting	
10.1	The next meeting will be on 16 June 2020 at 09:00. Details will be circulated prior to the meeting,	