

Construction Charter

As a Local Authority we are responsible for the procurement of multiple construction projects, it is therefore appropriate that we promote and support positive workforce practices involving 'Direct Employment' on all construction projects which we procure. We expect all construction companies who are awarded contracts to comply fully with this charter.

As a corporate and socially responsible Council, we are committed to working with the appropriate trade unions, in order to achieve the highest standards in respect of; direct employment status, Health & Safety, standard of work, apprenticeship training and the implementation of appropriate nationally agreed terms and conditions of employment.

Health and Safety

The health and safety of all workers is paramount. We expect all contractors to ensure that:

- Health and safety regulations and standards are rigorously implemented and adhered to;
- Welfare facilities for construction workers are appropriate for the 21st century, including reasonable standards for toilets, amenities and drying facilities in accordance with the Construction, Design and Management Regulations 2015.

Employment Standards

We require the highest standards of project delivery in order to ensure that the aspirations of East Ayrshire Council's local residents are met and the projects serve our communities well in the years to come. We are also mindful of the projected skills shortage across the sector and wish the industry to train the next generation of skilled workers for the future.

The Council have 'informally' adopted the Client Based Approach which has been developed by the National Skills Academy for Construction in conjunction with CITB-Construction Skills within our construction projects. This approach is designed to be used for construction procurement activity to aid the creation of employment and skills, including apprenticeships, S/NVQ's and work placements which are relevant and proportionate to the contract. Whilst the focus of the Client Based Approach is on employment and skills, a wider range of benefits are being also being considered eg: promotion of opportunities for SME's, Social Enterprises, Third Sector and Charity and Voluntary Organisations.

We therefore encourage, and will require where appropriate, all contractors to:

- Be able to demonstrate the skill level of their employees on the project by ensuring applicable and appropriate checks are carried out by contractors;

- Comply with the employment and skills requirements set out in our tender documents which promote and encourage full apprenticeships;
- When possible - Prioritise hard to reach and under-represented groups in employment, training and skills initiatives;
- Work with us to support initiatives aimed at promoting and improving opportunities in education and training of employers and employees engaged on all construction projects within our authority.

Pay and Benefits

The Council recognises the value of a well-motivated and dedicated workforce both within its' own organisation and those organisations who provide goods, works and services to the Council.

The Council shall comply with the Scottish Procurement Policy Note (SPPN4/2015) and statutory guidance in relation to addressing fair working practices, including the living wage in procurement.

As a Council we are committed to pay the Scottish Living Wage and will encourage all construction companies working on its contracts to do likewise.

Where workers are not directly connected to industry collective agreements then the living wage is a minimum standard and we will promote and encourage that those companies are registered with the Scottish Living Wage Accreditation Initiative.

We also expect that all employees, and encourage that all workers, should have access to:

Paid holiday,
 A sickness benefit scheme,
 A pension scheme,
 Accident compensation,
 Death in service benefits

The review of Scottish Public Sector Procurement in Construction noted that the construction sector suffers from endemic late and extended payment terms. Scottish Procurement have issued a Policy Note (SPPN10/2016) in relation to implementing Project Bank Accounts in Construction Projects for relevant bodies to which the Scottish Public Finance Manual applies (it is not a mandatory requirement for the Council). However in line with best practice principles, the Council shall comply with the Scottish Procurement Policy Note (SPPN10/2016) which will ensure that monies are distributed amongst the supply chain and into the economy more quickly.

The Scottish Future Trust (HUBCO Projects)

The Non Profit Distributing (NPD) programme, alternatively known as HUBCOs, should include local Community Benefits were this is possible, in particular local jobs and apprenticeships, and help local SME's develop the capacity to take on those infrastructure projects. The Scottish Government should work with relevant bodies to produce strong and clear guidelines

on Community Benefit Clauses for externally awarded contracts through HUBCOs and that those contracts uphold the working practices as per the contractual obligations therein.

Employment Rights

This Council expects 'Direct Employment' by contractors and sub-contractors on a PAYE Class/National Insurance basis.

We believe that Trade Unions play an important role in creating a safe and productive worksite and developing good industrial relations. We therefore expect our contractors, within the context of the contract awarded, to:

- Employ workers under recognised industry collective agreements as set out in SJIB, SNIJB, BESA, CIJC.NAECI and TICA or other EU equivalent;
- Promote the benefits of belonging to a recognised Trade Union;
- Recognise on-site Shop Stewards as having an important role to play in achieving and promoting good industrial relations;
- Ensure that the Trade Union has input into the development of Health and Safety policy (to ensure members' priorities are reflected);
- Actively promote the election of Health and Safety Representatives and support their role in helping to ensure a safe site;
- Provide equality and opportunity for all;
- Be able to certify that they have not engaged in the practice of blacklisting workers for any reason.

This Council also supports the Get Britain Building campaign which is aimed at supporting and sustaining the construction industry in Great Britain. Consequently, we seek to maximise the building Materials used on Council construction projects that are covered by BES6001 Responsible Sourcing of Construction Products Certificate or equivalent.

East Ayrshire Council looks forward to working with contractors to help support the aims set out in this Charter.