

2022/2023 FINANCIAL YEAR

TRANSFORMATION COLLABORATIVE COMMITTEE:

HEALTH, SAFETY, PUBLIC PROTECTION AND UNIVERSAL ACCESS

PROGRESS REPORT

JUNE 2022

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ACRONYMS

APP - Annual Performance Plan

BEMC – Built Environment Matters Committee (Council Sub-Committee)

CBE - Council for the Built Environment

DPWI - Department of Public Works and Infrastructure

H&S – Health and Safety

HSPPUA – Health, Safety, Public Protection and Universal Access

PWD – Persons with Disabilities

TCC - Transformation Collaboration Committee

ToR - Terms of Reference

1. Purpose

The purpose of this report is to provide an overview of the activities undertaken by the Health, Safety, Public Protection and Universal Access Transformation Collaborative Committee (HSPPUA TCC) during Quarter 1 of the 2022/2023 financial year.

2. Background

The Council for the Built Environment (CBE) is a statutory body established under the Council for the Built Environment Act (No. 43 of 2000). It is an overarching body that coordinates the following six councils for the built environment professions - Architecture, Landscape Architecture, Engineering, Property Valuation, Project and Construction Management, and Quantity Surveying – and through memoranda of understanding these also include Town and Regional Planning, Land Surveying and Environmental Assessment. Sections 3 (a) and (e) of the CBE Act respectively, mandates the CBE to promote and protect the interests of the public and promote appropriate standards of health, safety and environmental protection within the built environment.

In line with the above, Transformation of the Built Environment Professions is one of the key imperatives of the CBE. As per the CBE Strategic Plan, the CBE is to facilitate participation by the Built Environment Professions in integrated development in the context of national goals, specifically regarding Transformation as a key priority of the sixth term government. The CBE's third Transformation Indaba, hosted in October 2019, produced a number of key resolutions, in relation to challenges impeding Transformation in the sector. The CBE expects to deliver on these resolutions to ensure transformational progress. The main vehicle for driving these activities is the Transformation Collaborative Committees (TCCs), constituted in collaboration with the Department of Public Works and Infrastructure (DPWI) to specifically address these challenges. These TCCs, with support from DPWI, are commissioned to engage with all relevant departments and industry role players to resolve key challenges identified by stakeholders. These Transformation Collaborative Committees (TCC) comprise of the following:

- i. Health, Safety, Public Protection and Universal Access (HSPPUA)
- ii. Occupation Specific Dispensation (OSD)
- iii. Procurement, Policy, Legislation and Socio-Economic Development (PPLSED)
- iv. Professional Skills and Capacity Development (PSCD)
- v. Women Empowerment and Gender Equality (WEGE)

Health, Safety, Public Protection and Universal Access (HSPPUA)

The HSPPUA TCC established as part of CBE's priority areas, addresses matters specifically relating to the protection of public interests as encapsulated by the notions of Universal Design and Accessibility as well as Health and Safety within the South African Built Environment. **It is important to note that the committee was formally constituted in 2022.** The section below provides an update on progress made by the HSPPUA TCC in Quarter 1 of the 2022-2023 financial year.

3. Health, Safety, Public Protections and Universal Access TCC Quarter 1 Progress Report

3.1 Overview

The HSPPUA TCC was formally established on 13 May 2022. The draft Terms of Reference (TOR) and list of deliverables were presented to the committee for further input and finalisation. However, it is understood that the CBE will coordinate a workshop in July 2022 on all five TCC TORs to ensure full alignment and inclusion of the relevant CBE objects. The HSPPUA managed to acquire representation from the following organisations and statutory councils:

- i. Councils for the Built Environment Professions (ECSA, SACPCMP, SAVPVP)
- ii. Environmental Assessment Practitioners Association of South Africa (EAPASA)
- iii. Disability Info South Africa (DiSA)
- iv. Change Ability
- v. Saioosh
- vi. Federated Employers Mutual Assurance Company
- vii. Department of Public Works and Infrastructure
- viii. Department of Women, Youth and Persons with Disabilities
- ix. Department of Higher Education and Training

The HSPPUA TCC developed a workplan for the BEMC's consideration for continuous reference and monitoring against the goals, objectives, tasks set out by the HSPPUA TCC which encompasses two of the CBE's 2022/23 financial year targets.

3.1. Quarterly Progress

The section below provides a status update on progress made by the HSPPUA TCC in relation to Quarter 1 (April – June 2022) of the 2022-2023 financial year.

3.1.1. Quarter 1 (13 May 2022)

On 13 May 2022 the first HSPPUA TCC was hosted with a formally established committee since the inception of the TCC. The specific purpose of this engagement was to introduce the committee, obtain inputs on the drafted TORs, list of deliverables and to provide a presentation of the considered CBE 2022/23 APP targets. A summary is provided below on the areas of discussion outlined above:

Terms of Reference

The draft HSPPUA TOR was tabled at the meeting of 13 May 2022 for input by the committee members. The committee inputs were solicited during the meeting which deferred the draft for further inputs and finalisation in the next sitting scheduled for 30 June 2022.

3.1.1.1. Matters for Discussion

a) *List of HSPPUA TCC Deliverables from the previous Financial Year*

The CBE presented the HSPPUA TCC draft list of deliverables which were in line with the goals of the committee for any further inputs to form part of the adopted TOR. The committee welcomed the list and requested a final round for inputs and comments.

3.1.1.2. 2022/23 Annual Performance Plan (APP) target

The following targets were outlined to form part of the HSPPUA TCC deliverables to be monitored and reported on a quarterly basis. The CBE committed to make update presentations at the next HSPPUA TCC scheduled for 30 June 2022.

a) **One CBE programme promoting empowerment of people with disability in Built Environment developed by 31 March 2023**

The following objectives of the programme were presented to the committee:

- i. Provide support in accelerating implementation of existing legislation advocating equality for persons with disabilities
- ii. Provide support in ensuring the inclusion of universal design in all programmes
- iii. Provide support in removing discriminatory barriers to access and participation

It was highlighted that the quarterly schedule of the programme would unfold as follows: Quarter 1: Concept Document, Quarter 2 and 3: Quarterly report on three stakeholder engagements and Quarter 4: Final report.

b) One report on the state of compliance with Construction Health and Safety within the Built Environment sector produced by 31 March 2023

The following objective of the programme were presented to the committee:

- i. Highlight key H&S issues to be resolved with specific timeframes
- ii. Compliance with the H&S legislation by the industry
- iii. Inclusion of H&S in procurement processes related to stage 1-3
- iv. Explore avenues to ensure that H&S is included from inception stages by National Treasury and DPWI (clients and implementing agents)

It was highlighted that the quarterly schedule of the programme would unfold as follows: Quarter 1: Concept Document, Quarter 2: First draft report, Quarter 3: Second draft report and Quarter 4: Final report.

3.1.2. Quarter 1 (30 June 2022)

On 30 June 2022 the second HSPPUA TCC was hosted. The specific purpose of this engagement was to report on matters arising from previous discussions, to solicit inputs on the committee draft TOR and list of deliverables, to present the draft workplan developed for the current financial year for further input and recommendation. A summary is provided below on the areas of discussion outlined above.

3.1.2.1. Terms of Reference

It was agreed that the draft HSPPUA TOR be circulated for further inputs in order to allow the new committee members an opportunity to influence the direction of the committee before finalisation. It was agreed that the finalised TOR would then form part of the ad hoc workshop on all the TCC TORs which would be tabled with Council

members, TCC Chairpersons, **CBE Executive and Management** in July 2022 to ensure alignment to the CBE objects and standardisation.

3.1.2.2. Matters arising for Discussion

a) List of Deliverables

It was agreed that the draft HSPPUA list of deliverables is circulated for further inputs in order to allow for further inputs from the new committee members alongside the drafted TOR for finalisation.

3.1.2.3. Workplan

The following deliverables were tabled for the committee's consideration:

- a) Approved terms of reference
- b) Approved deliverables
- c) Review of the Construction Health and Safety regulation
- d) In partnership with the Department of Employment and Labour (DEL) and Construction Health and Safety Tech Committee to come with a strategy to ensure compliance with the CH&S and Occupational Health and Safety (OHS) Act by the BE sector to decrease accidents and fatalities
- e) Partner with Department of Women, Youth and Persons with disabilities (DPWYPWD) to audit the implementation of the universal design and access matrix of the White Paper on the Rights of Persons with Disabilities (PWD)
- f) Partner with construction industry development board (cidb), Cooperative Governance and Traditional Affairs (Cogta) and contractors to come up with strategy deal with construction mafia
- g) Partner with DPWI and National Treasury to ensure that at least 7% of all government and private purchasing under R30 000 are set aside for emerging small and medium business owned by PWD
- h) Ensure members of the HSPPUA TCC are trained by DPWI on Gender Mainstreaming
- i) Ensure members of the HSPPUA TCC are trained by DPWYPWD on Gender responsive, Planning, Budgeting, Monitoring, evaluation and Auditing Framework

The HSPPUA TCC will report on these activities as standing items on a quarterly basis going forward. The committee welcomed and endorsed the workplan for recommendation at the next BEMC with any possible additions welcome.

3.1.2.4. 2022/23 Annual Performance Plan (APP) target

a) One CBE programme promoting empowerment of people with disability in Built Environment developed by 31 March 2023

The following milestones were presented to the committee:

- i. Draft concept document by May 2022
- ii. Concept document approved by June 2022
- iii. Engagement with three stakeholders on the empowerment of people with disabilities by September 2022
- iv. Engagement with three stakeholders on the empowerment of people with disabilities by December 2022
- v. Final report on the CBE's programme promoting the empowerment of people with disabilities in the Built Environment by March 2023.

It was also reported that there was engagement with the Department of Women, Youth and Persons with Disabilities on 23 May 2022.

b) One report on the state of compliance with Construction Health and Safety within the Built Environment sector produced by 31 March 2023

The Construction Health and Safety Technical Committee held a meeting on 25 May 2022, reporting the following:

- i. An average of 36 Federated Employers Mutual Assurance insured construction workers are injured daily on construction sites
- ii. Top five high accident rates causes are - struck by, striking against, slip or over exertion, fall on to different levels and motor vehicle accidents
- iii. Top three causes of fatalities are - motor vehicle accidents, struck by and fall on to different level

The strategy was to collect construction health and safety compliance data from key stakeholders like DEL, DPWI, Masters Builders South Africa (MBSA), cidb etc. and report on the state of compliance by organisations in the built environment sector.

4. Conclusion and Way Forward

It was resolved that further engagements be held with the DWYPD and the DPWI regarding the respective frameworks applicable to help uplift the awareness and compliance in the built environment sector. Furthermore, the CBE's representation on DEL's Construction Health and Safety Technical Committee would help the committee to contribute to the key issues being considered and ultimately help inform compliance. The workplan will be converted into the committee's standing items for quarterly progress updates. A recommendation register has been consolidated against the HSPPUA TCC held in quarter one for consideration by the BEMC.

It was also recommended that the CBE ensures that there be awareness in the built environment about the plight of PWD, ensure there is a helpdesk to report complaints by PWD and that there must be consequences for non-compliance by any built environment practitioners with any act or regulation or standard pertaining to PWD.