



employment & labour
Department:
Employment and Labour
REPUBLIC OF SOUTH AFRICA

Department of Employment and Labour:

2024 Construction Health and Safety Conference

Theme:

‘Enhancing Construction Health and Safety’

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Structure of the Presentation

Part 1: CBE Legislative Mandate

**Part 2: The Built Environment
Professionalisation Sector and Capacity
Strategy in the Context of Health and Safety.**

Public Works and Infrastructure Family

Agrément
South Africa



Construction Industry
Development Board



Independent
Development Trust



Council for the
Built Environment



9 Provincial Departments



Legislative Mandate

LEAD WITH VISION

- Lead National strategy on built environment
- Lead the professionalization of the built environment
- Lead conversation about the future of the built environment
- Lead the transformation programme of the built environment

REGULATE WITH PURPOSE

- Appeals Authority of the built environment
- Ensure consistent application of built environment policy frameworks (tariff of fees, Identification of Work)
- Ensure consistent application of health, safety and environmental protection within the built environment
- Liaise with the Competition Commission on behalf of the Council for the professions with regards to IoDW

ADVISE WITH EXPERTISE

- Facilitate inter-ministerial cooperation concerning issues relating to the built environment
- Provide advise and consultation on national policy that could impact on the built environment, human resources development, and recognition of new professions
- Conduct research to advance the built environment profession (Analyse and forecast trends, 4IR and repository of built environment data)

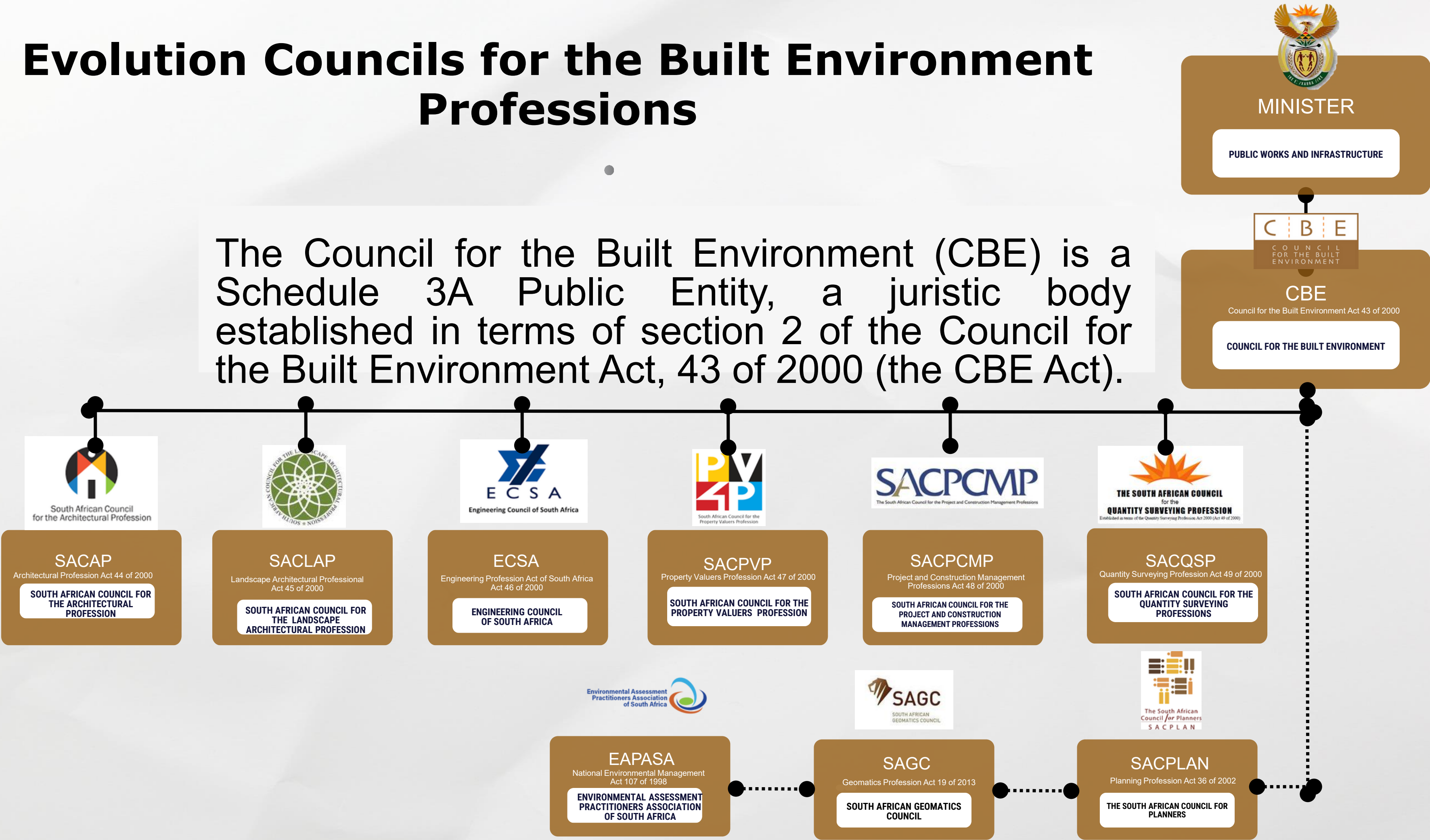
COORDINATION OF EFFORTS

- Serve as a forum where representative of the built environment professions may discuss issues of:
 - required qualifications,
 - standards of education,
 - training and competencies,
 - promotion of professional status and
 - legislation impacting on built environment
- Create platforms for integration and joint implementation of intervention to advance built environment profession
- A voice for the built environment profession nationally and globally



Evolution Councils for the Built Environment Professions

The Council for the Built Environment (CBE) is a Schedule 3A Public Entity, a juristic body established in terms of section 2 of the Council for the Built Environment Act, 43 of 2000 (the CBE Act).



The duties of the CBE in respect to the CBEP, as outlined in the CBE Act



Advisory and consultative – advises councils for the professions on matters of national importance that require joint and coordinated action by the BEP

Education standards – in consultation with the CBEP, the CBE obtains recognition for the councils as bodies responsible for establishing education and training standards in accordance with the South African Qualifications Authority Act, 1995

Liaison with the Competition Commission South Africa

Communication – directing communication from the Minister or the relevant Minister to the councils for the professions

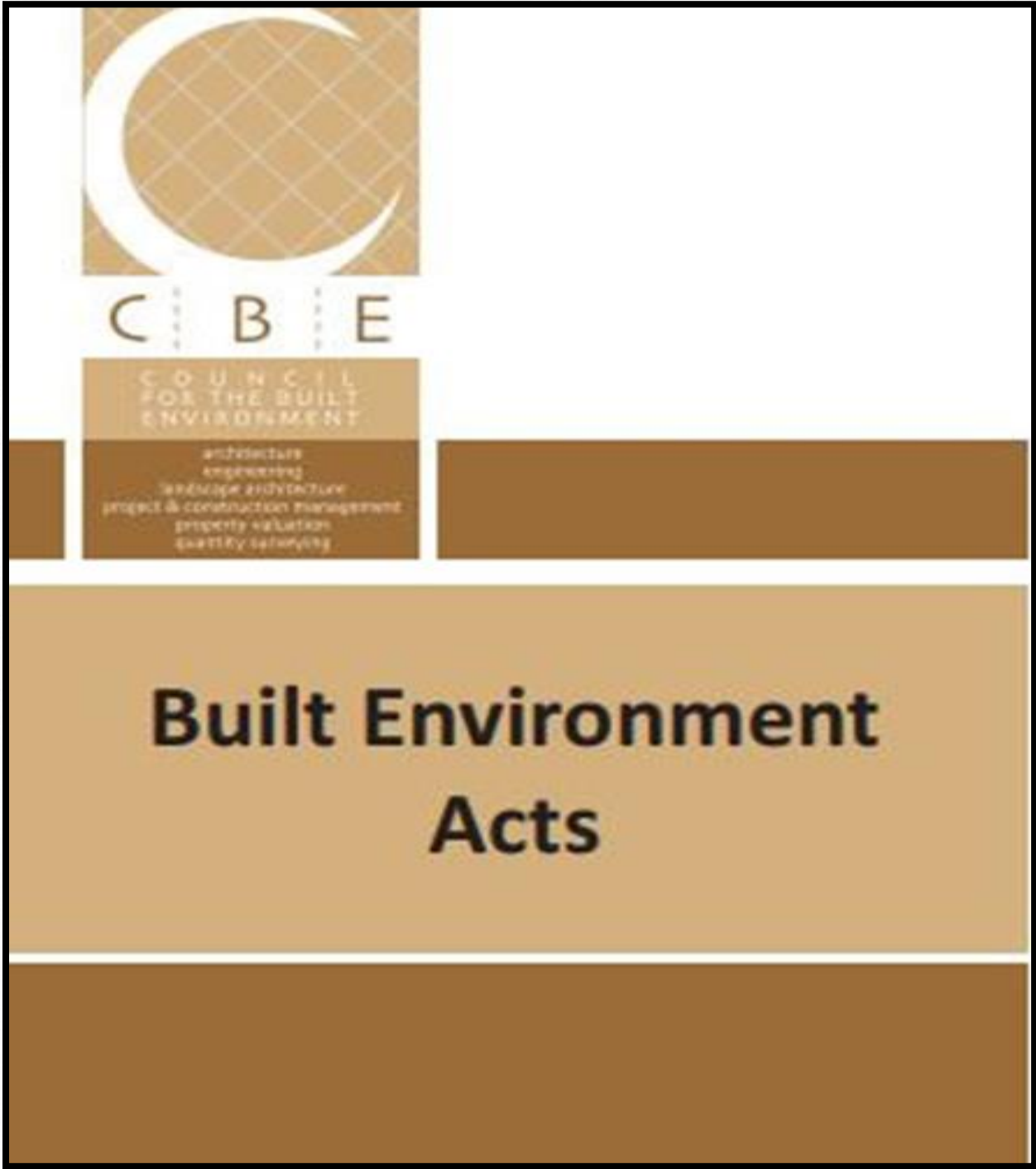
Policy consistency – ensure consistent application of policy by councils for the professions and promotes coordination

Coordination with DHET – promotes coordination relating to accreditation of education institutions

Review of Guideline Professional Fees

Receiving levies from the CBEP

The duties of the CBE in respect to the CBEP, as outlined in the CBE Act



Consideration of proposals regarding policy determination

Receiving nominations for Council members

Recommendations on IDOW

Annual Reports – receives and assimilates annual reports from the CBEP

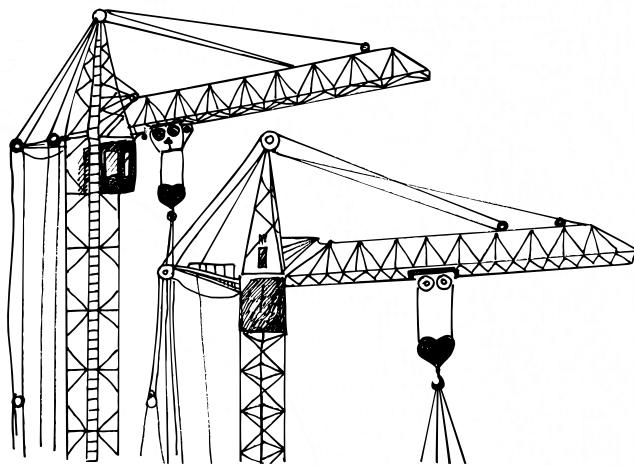
Financial statement estimates of income and expenditure for the following year to CBEP for comment

01 Identification of Scope of Work

APPLICABLE SECTIONS OF THE CBE ACT



Built Environment Acts



- 3(a) promote and **protect the interests of the public** in the built environment
- 3(e) provide **appropriate standards of health, safety and environmental protection** within the built environment
- 3(h) **serve as a forum** where the representatives of the built environment professions may discuss the relevant- (v) **legislation impacting on the built environment**
- 4(a) advise government on any matter falling within the scope of the built environment, including resource utilisation, socio-economic development, **public health and safety and the environment**, and for this purpose carry out such investigations as it or the relevant Minister deems necessary.
- 4(e) facilitate **inter-ministerial co-operation** concerning issues relating to the built environment

PROTECTING THE PUBLIC



IBACF

The DPWI launched an Infrastructure Built Anti-Corruption Forum mobilizing all stakeholders, to monitor and implement measures and systems to combat fraud and corruption and identify areas of cooperation to improve the sector's ability to prevent, detect, litigate, and prosecute such offenses.

Public Protection

The CBE is in the process of formulating a partnership with the PP to help investigate any conduct of BE professions infringing of the rights of the public.



ethics

Ethics Institute

The CBE is in the process of formulating a partnership with the EI to help promote Organizational ethics-related services and products as well as thought leadership.



CBE Appeals

once CBEP Processes exhausted

CBE acts as an appeal body on matters of law regulating CBEP and promotes sound governance of the Built Environment Professions.



CBE Complaints Manual

The complaints processes herein focus on protecting the public or any other person in their dealings with professional councils under the regulation of the CBE, as well as public and private role players within the built environment.



NATIONAL INFRASTRUCTURE PLAN 2050

- The National Infrastructure Plan 2050 (NIP 2050) was led by Infrastructure South Africa (ISA) and was approved by Cabinet in March 2022
- The NIP provides for the development of the country's infrastructure networks that are aligned to the National Spatial Development Framework and the District Development Model (DDM)
 1. Infrastructure development is critical to attaining **South Africa's long-term economic and social goals**.
 2. Seeks to lay the groundwork for the **equitable growth** envisioned by the National Development Plan
 3. Its goals are to encourage **institutional dynamism in infrastructure delivery**, resolve institutional flaws that impede long-term success
 4. Public infrastructure investment is central to **achieving greater productivity and competitiveness, reducing spatial inequality** and supporting the emergence of new job creating sectors

GOVERNMENT GAZETTE, 11 MARCH 2022



South Africa's
National Infrastructure Plan 2050





South Africa's
National Infrastructure Plan 2050

NATIONAL INFRASTRUCTURE PLAN 2050

The NIP 2050 provides recommendations on themes shared by the four sectors, with a focus on developing capacity in the areas listed below.

- **Knowledge and innovation services:** for capacity in project preparation, project management, financing, procurement, monitoring, planning, and sector-specific innovation.
- **Public-private cooperation** and stimulation of competition, where appropriate, in the delivery of public infrastructure.
- **Spatial transformation** to promote more inclusive development in line with the National Spatial Development Framework (NSDF).
- **Blended project finance** and innovative green finance.
- **Executive management and technical capability** within the state and its entities, so that they are stable and can lead and deliver with confidence.
- Economic regulation.
- Efficient modes of delivery.
- A safe, secure and ethical environment for public infrastructure delivery
- Delivery of an Africa regional infrastructure programme.
- South African civil construction and supplier industries, so that local industry gains from state infrastructure investment.



National Framework towards the professionalization of the public sector

A NATIONAL FRAMEWORK TOWARDS
THE **PROFESSIONALISATION OF THE
PUBLIC SECTOR**

OCTOBER 2022



school of government

Department:
National School of Government
REPUBLIC OF SOUTH AFRICA



e) The Built Environment

The Council for the Built Environment (CBE) is mandated to promote ongoing human resource development in the built environment. This is achieved through concurrent functions with the Councils for the Built Environment Professionals (CBEP). While the CBE and the Councils are statutory bodies,

the levels of professionalisation in the sector remains an area of concern across the three spheres of government.

While the public sector institutions have various governance frameworks for human capital development and management, the levels of professionalisation remain an area that needs to be strengthened through alignment and compliance to the applicable codes of conduct. The technical skills required for efficient infrastructure development and maintenance also remain an area of concern within the public sector.

Mentorship of candidates should form part of the contracts and performance management processes of the registered professionals. Alignment of business processes in government in line with CBEP Codes of Conduct is also recommended

For example, an engineer employed in the Public Service with an engineering qualification may be qualified in her/his field. But they will not be able to certify or sign off specific projects because they are not certified as professional engineers by the Engineering Council of South Africa (ECSA). Candidates must be deemed to be competent after a minimum of 3 years after graduating and applying the knowledge gained through the educational process in real life circumstances. We need competent technical professionals as custodians of public assets to be able to manage the services of outsourced technical consultants.

The Competition Act mandates the Competition Commission to provide an equal opportunity for all South Africans to participate in the national economy amongst other provisions. In addition, while in some instances, departments are required to appoint professionally registered professionals, this is not always the case and there is no enforcement or requirements for adherence to the legislative prescripts. In instances where incumbents are required to fulfil this requirement as soon as they obtain employment in the Public Service, they stop being affiliated to any professional bodies.

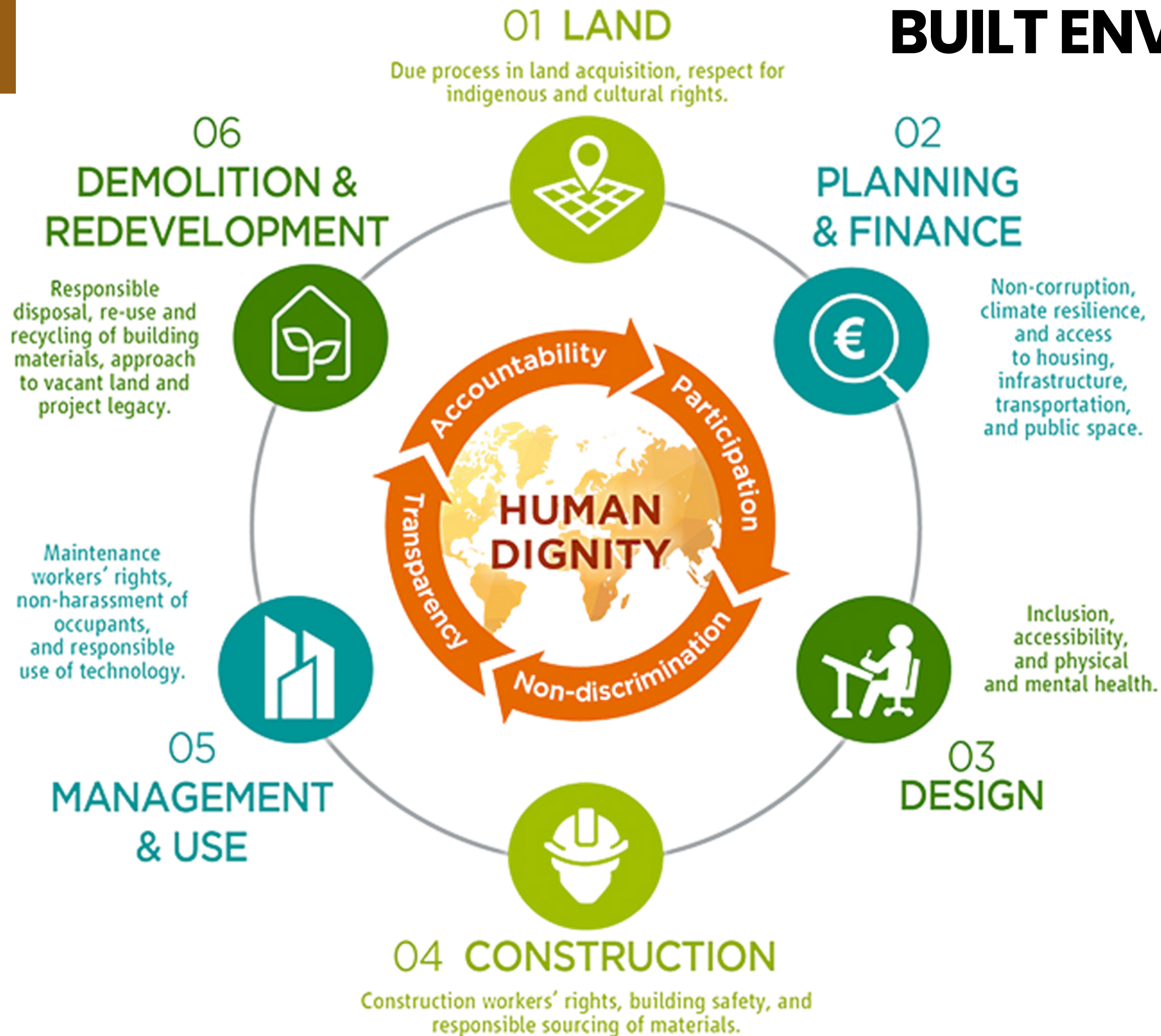
Government-wide capacity development, design thinking, and project management

A systematic approach to transforming built environment must be focus on planning, procurement, asset management, design, capital projects, operations and maintenance, health & safety, environmental protection and skills development working with professional bodies

Senior personnel in the built environment must be given authority and autonomy to :

- drive the re-establishment of short- and long-term planning, budgeting, managing development and infrastructure projects
- handle emergencies as well as planned maintenance; manage designs and contracts; and redevelop systems and processes
- coaching and mentorship young professionals be made compulsory
- graduates must be given exposure to a range of experience as part of developing built environment of the future

BUILT ENVIRONMENT ECOSYSTEM



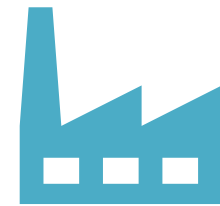
Identification of Work

Construction Sector in the Context of the Built Environment



Infrastructure Development - building and civil engineering and specialized construction services are only a few of the industry's many activities.

The growth of any economy is measured by the rate of physical infrastructure development.



Employment

The South African construction industry is a major employer of labour. The industry employs approximately 1.3 million workers.

GDP Contribution

According to Statistics South Africa March 2024 report, the South African Construction sector contributed an annualized added value of R109. 5 billion rand to the South African Gross Domestic Product in the fourth quarter of 2023

Cost of Non-Compliance

The cost of claims for construction fatalities, injuries and occupational diseases exceeds R2 billion annually and the industry accounts for at least 1.5 to 2.5 fatalities a week¹⁴.

South Africa is not lacking in terms of good health and safety legislation for the construction industry. However, the industry demonstrates consistently less than 50% compliance in practice with construction health and safety requirements and consequently has unacceptably high rates of accidents (CIDB, 2016; FEM, 2023).

The industry **MUST** identify and address the root causes.



Impact of Non-Compliance



Economics of Construction Health and Safety

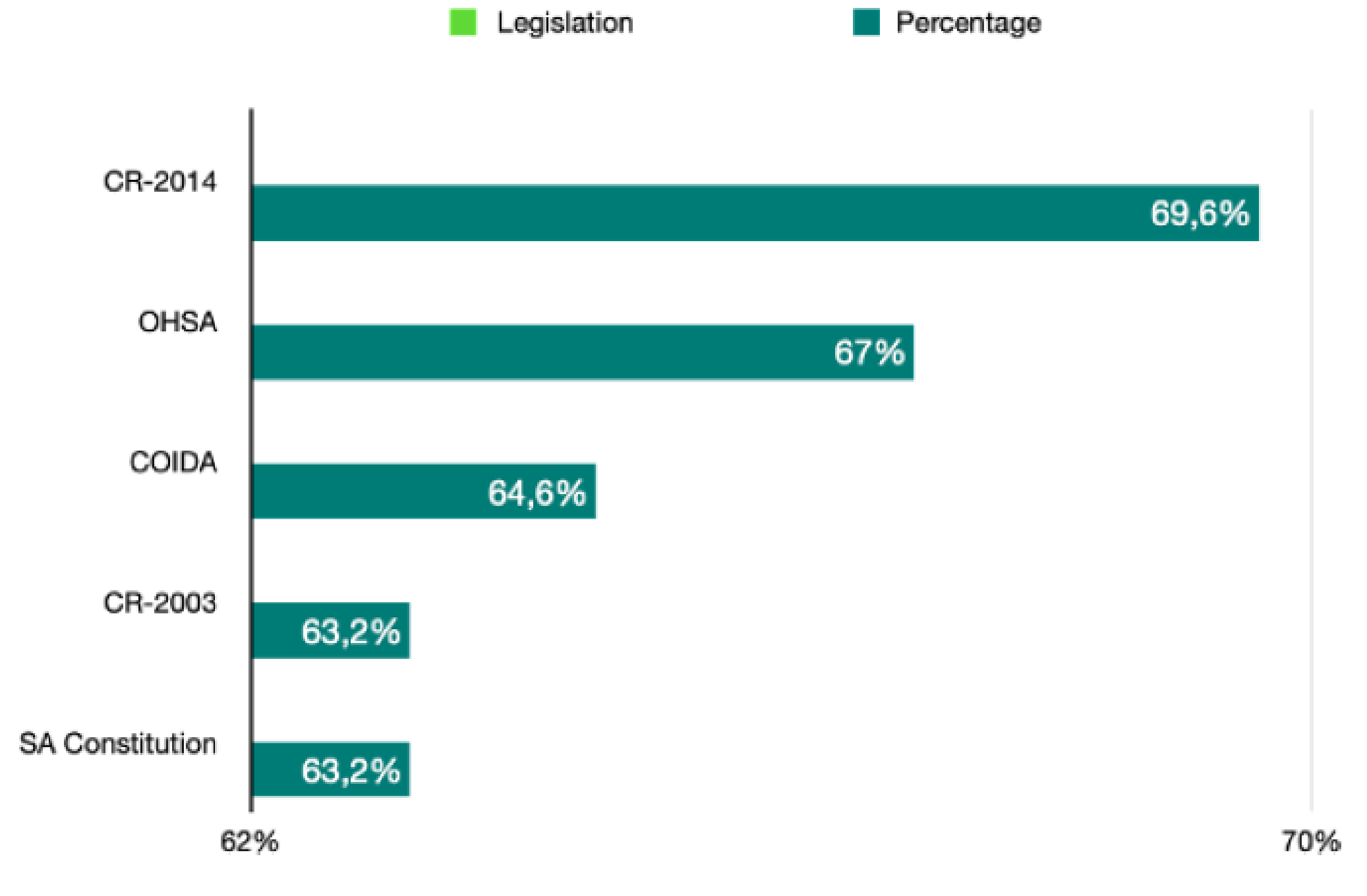


Direct costs associated with the treatment of the injury and any unique compensation offered to workers as a consequence of being injured and are covered by workmen's compensation insurance premiums.



Indirect costs including reduced productivity for both the returned worker(s) and the crew or workforce; clean-up costs; replacement costs; stand-by costs; cost of overtime; administrative costs; replacement worker orientation; costs resulting from delays; supervision costs; costs related to rescheduling; transportation, and wages paid while the injured is idle.

Knowledge about Construction Health and Safety Legislation



Proposed Interventions to Ensure Compliance With CHS and OHS ACT by the BE Sector

Develop effective strategies and frameworks to effectively address:

- construction health and safety higher education and training qualifications and courses.
- Involvement of Health & Safety Practitioner across all project stages
- massification of awareness campaigns and training for employers, workers and communities
- non-compliance with guidelines and regulations
- risky behavior and negligence
- strengthening enforcement of safety standards



Ensuring the Sustainability of the Built Environment Sector



1. Consolidating Legislative Entities for Harmonization

To address fragmentations use of Forums as a mechanism to address Construction Health & Safety issues. Producing intergovernmental advisory reports, highlighting any inconsistencies or overlaps in current legislation.



2. Review of Scope of Work for Health and Safety Practitioners

Conduct a thorough review of the scope of work assigned to Health and Safety Practitioners in the construction industry for better alignment aligned with the applicable legislation and current industry standards.



3. Administrative Challenges from CBEP Affecting Professional Registration

Address administrative challenges within Council for the Built Environment Professional Professions (CBEP) that hinder professionals from achieving timely registration.



4. Balancing Competency Proof and Mandatory Registration for Built Environment Professionals

Examining the effectiveness of mandatory registrations in ensuring that only qualified professionals operate within the sector, and how this might reduce incidents



5. Lessons from the George Building Collapse

This situation highlights the need for more consistent and visible inspections to maintain compliance with safety standards, ensuring that contractors adhere to regulations even when oversight is less frequent

HEALTH, SAFETY, PUBLIC PROTECTION AND UNIVERSAL ACCESS HSPPUA TCF



CBE has an established Forum that deals with issues pertaining to defending the public's interest in the fields of universal design and accessibility, as well as health and safety in the South African built environment. The Forum places emphasis on compliance with H&S regulations, inclusion of H&S in procurement procedures and the preserverance of the rights and dignity of vulnerable groups.







Thank You

For Your Attention

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THANK YOU!