

FEDERATION OF PILING SPECIALISTS

MINUTES AND ACTIONS OF THE FPS QUARTERLY COMMITTEE MEETING

Date: Thursday 10th February 2022

Time: 10:00-13:00

Location: Teams

Present:

Jon Ball	Roger Bullivant
Darren Brockett	Rock & Alluvium
Boris Caro Vargas	Bachy Soletanche
John Chick	Expanded
Stephen Edmondson	Foundation Piling
Steve Hadley (Chair)	Central Piling
Kenneth Henderson	BAM
Julia Hill	Roger Bullivant
Simon Jones	Keller
Craig Macklin	Martello/Franki
Terry Muckian	Cementation Skanska
Stuart Norman	Keltbray
Malcolm O'Sullivan	Van Elle
Martin Pedley	GSS Piling
Sam Pyper	FK Lowry
Bob Thompson	Keller
Matthew Wood	Vibro Menard

In Attendance:

Kathryn de Rochefort	FPS Secretariat
Ciaran Jennings	FPS Secretary

Owner	Action	Deadline
S Hadley C Jennings M Pedley	To meet separately to discuss the proposals with regards to the Labour Agencies.	
C Jennings	To find volunteers to assist with the update of the NVQ Level 2 and 3.	
ALL	Ciaran asked the group if they can make him aware of any rig operators that need to be trained as part of the CPCS 'yellow card' programme.	
S Edmondson	To circulate the updated commercial schedule of attendance to all members for review.	
S Edmondson	To produce a proposal with regards to limitations to be reviewed at the next Quarterly Meeting.	Next Meeting

J Hill S Edmondson	<ol style="list-style-type: none"> 1. Julia to put Stephen into contact with insurance brokers. 2. Stephen to contact insurance brokers to discuss PI Insurance. 	
C Jennings	To circulate the Fatigue Science Report to the group after the meeting.	18th February
C Jennings	To circulate the Camargue Report to the group.	18th February
C Jennings M O'Sullivan	To discuss how they will work with Build UK to encourage them to use FPS Members.	
C Jennings	To investigate Steve's query around the Q4 Statistics for 2021.	
K de Rochefort	To add geographical data to the Commercial Committee agenda.	
ALL	Ask members to share safety alerts with the FPS.	
S Jones	To look at putting together a graphic of early warning signs with regards to working platform failures.	
C Jennings	Contact Caroline Kratz about arranging the annual Golf Day.	
C Jennings	To circulate the financial statement to the group with notes.	

	Topic	
1.	<p>Apologises for Absence</p> <p>Alasdair Henderson (BAM Ritchies), Jamie Dunbar (Skanska), Michael Jones (Bauer Tech), Steve Joynson (Skanska), Cliff Wren (Roger Bullivant), Ian Alcorn (Roger Bullivant), Jane Towse-Laval (BBGE) and Marc Evans (Vibro Menard).</p>	
2.	<p>Approval of the Minutes of the Meeting held on Friday 15th October 2021</p> <p>The minutes from the previous meeting were approved.</p>	
3.	<p>Welcome to Vibro Menard</p> <p>Steve welcomed Vibro Menard to the FPS as the newest member.</p> <p>Steve stated that this would be his last meeting as Chair of the FPS and John Chick will be succeeding him in April. Steve thanked all of the members and secretariat for their support throughout his time as Chair.</p>	
4.	<p>Matters Arising</p> <p>i. Labour Agencies Report-Discussion on FPS Strategy Options</p> <p>The Chair stated that the Labour Agencies document had been circulated for the group to read before the meeting and suggested that everyone could offer their opinions so that a consensus could be found on the issue.</p> <p>Martin Pedley outlined that the intention of the document is to offer a snapshot of Member experiences, highlighting current trends that we are concerned about or areas where standards need to be raised in terms of behaviours, skills, and performance. Historically, most FPS members have directly employed operatives and they would have been responsible for training and developing them with the entailed cost. In recent years there</p>	

has been an increase in the use of labour agencies for many reasons, whether it is down to Brexit or HS2 directly or indirectly, it has resulted in undesirable behaviours on sites. FPS members are carrying a greater burden of the responsibility, picking up a higher cost and not getting what they want in terms of reliable personnel. The question is how we provide a sustainable way of using labour. We need people that have the required skills and perform from day one and we want them to work to clear standards. We need to engage with the labour agencies without starting restrictive practices and have a policy with agencies that sets out what we expect from agencies workers. Offering a means for them to meet and collaborate to our collective benefit might by a carrot for the agencies.

Steve added the document has been created by a task group representing six or seven members that have had discussions with six labour agencies to seek their views and the challenges they face.

Bob acknowledged that it is a good idea and if we can have discussions between the FPS and labour agencies, we can set a performance specification of what we want collectively. We could then use this as a way of auditing the labour agencies and if they maintain this standard, they could become an associate member of the FPS. This will also give us leverage over them if they transgress and we could offer a forum to discuss any issues.

Bob continued and highlighted that one thing that has not been covered by the document is pay multiples. Most FPS members are working to the 'working rule agreement' but some agencies are charging higher uplifts for working nights than others, which is causing some issues on sites currently. We cannot dictate pay but we could have them agree to a consistent uplift rate based around the 'working rule agreement' then it could make things equitable. Bob also raised concerns that there have been rumours about agencies buying rigs so they can hire out both rigs and men which poses an existential threat to the FPS.

Steve stated that the idea has been considered about making agencies associate members if they embrace these higher standards but there would be an associated cost.

Craig Macklin stated that agencies are a huge risk to the industry already and that the biggest issue we have as leaders is that we are all accountable for the business that we run but agencies have no accountability. We need to collectively make our environment and our industry the best that we can, and we should be taking ownership of this back. The only way to make any of the agencies accountable is to enforce them to do the things we want them to do, and they will bat back and say no. He proposed that the FPS as a group should try to create their own labour exchange and agency. We can set our own standards, define exactly what we want and take back control.

Steve added that he is unaware of any other trade associations having done this, but we could always be the first. Steve also mentioned that a LinkedIn group was created about 18 months ago to try and facilitate the sharing of

labour, but it was not particularly successful. However, it could be a less formal way of kick-starting Craig's idea.

Boris stated that currently 30-50% of his work force are agency staff, it is not bearable and will lead to serious accidents. He stated that they have had 6 serious HIPOs in the past five weeks and safety needs to be the top priority. Steve suggested that it might be possible to share objective feedback on agency workers, making sure that individuals' track records can be shared to highlight any safety incidents and then a decision can be made on purely factual information.

Martin added that we need to be able to hold agencies commercially accountable but due to the shortage in labour the price has gone up for unskilled workers.

Stephen Edmondson agreed with Craig Macklin and commented how can we as an organisation deliver a minimum standard if the labour agencies do not have a minimum standard. If we encourage agencies to come into the FPS, then we will create a two-tier labour market. If you have someone new joining the industry you will be giving them the option of going with an established piling company or going with a labour agency. If they choose the agency they can choose if they want to come to work or if they do not want to go to a particular site which would put too much power into the hands of the workforce, and it would backfire.

Stuart Norman stated that he agreed with both Craig and Stephen's points. We have created these agencies as we have gone through highs and lows which has led to a system where unskilled workers with the wrong attitude, and zero accountability are being paid more for the same job. There is nothing wrong with us creating our own agency with workers that are well trained and well paid. Agencies do not pay sick pay, bonuses, pensions etc and we can hold this work to account. It would give those who do want to work hard a chance to have flexibility.

Steve stated that he will propose a few ideas to the group and see what they general feeling is for each idea and then it can be taken away to help come to a consensus on the issue. Steve outlined that he had three proposals to present:

Option 1 – Do nothing
No one raised their hand.

Option2 - Create a document that sets out minimum standards, this would not mean that they would be an associate member, but it would set out what the FPS would require from labour agencies. Craig highlighted that although it would be good to see guidance like this it still would not help to make the labour agencies accountable. Thirteen members raised their hand in support of this document.

Steve added that this is something we will be laying out as a trade body for best practice.

<p>Stuart questioned if it is best practice, it could be used in two ways, one is what we want from an external agency and what we want from our own agency, if we choose to go down that route.</p> <p>Martin added that it should not be best practice but a minimum standard. John also stated that this needs to be a minimum standard that all agencies must adhere to, or we do not use them. Craig agreed with John but added that they will never agree to be accountable.</p> <p>Darren Brockett reported that every time they have drug and alcohol testing it is labour agency workers that test positive and have to be sent off site but there is no report with the labour agency, and they end up back on some else’s site, which presents a big danger.</p> <p>Option 3 - should we look to have agencies as associate members of the FPS? Seven members raised their hands.</p> <p>Bob highlighted that this would only be to help give us more control over the agencies. Stephen questioned that if we have agencies as associate members are we not then saying that we approve of using agencies, so we will end up with a list of approved agency suppliers. Steve added that it would be an effective way of auditing agencies.</p> <p>Option 4 - Should we look at creating an FPS labour agency, there is more detail to be considered but we can get an indication of your interest. Nine members raised their hands.</p> <p>Bob commented that he felt it was a promising idea, but it would take at least two years to get up and running and would not be feasible until after the completion of HS2. Craig agreed that it will take time, but it would be a worthwhile endeavour.</p> <p>Steve, Ciaran, and Martin agreed to meet separately to discuss the proposals.</p> <p>ii. Trainee Rig Operator ‘Yellow Card’</p> <p>Ciaran reported that the yellow card is now live, the initial idea was to make it available to those working on HS2 as HS2 have funded the purchase of the rig simulators.</p> <p>He explained that the FPS have engaged in a 6-month trial for the CPCS Trainee card, the ‘yellow card’ for training rig operators. Operators need to gain a ‘Level 1 Award’, undertake 72 hrs of training on a simulator and complete the CPCS health and safety test. After which they can then undertake practical training on site. In time this will be available to everyone within the FPS which Phil Hines has stated he is currently working on establish a training route for the wider industry. Ciaran stated we now need applications otherwise we will lose the support of the CPCS, and we will have to return to the previous way of having workers on site where clients are not as safety conscious.</p>	<p>S Hadley C Jennings M Pedley</p> <p>ALL</p>
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<p>Ciaran asked the group if they can make him aware of any rig operators that would like to apply.</p> <p>The FPS will also need to create guidance for this route, regarding how we manage the trainees onsite, best practice etc.</p> <p>Steve raised concern over the number of hours that the operatives need to train on a simulator given that there are only three in the country. We have discussed about the FPS funding simulators which may need to be something we look into.</p> <p>Steve continued that Kathryn forwarded him an email from Shaun Newgent at CITB about the NVQ Level 2 and 3 piling operatives, they are updating those qualifications and are looking for people within the FPS to support that update.</p> <p>Ciaran to find volunteers to assist with the update of the NVQ Level 2 and 3.</p>	<p>C Jennings</p>
<p>iii. Standard Commercial Terms</p> <p>Stephen stated that the main focus has been on the schedules of attendance. One of the main concerns within the Commercial Committee is the increased cost of site fuels that will be coming down the line in April. Another concern is the securing of fuels on-site as we will be using diesel that can be used in vehicle which increases the risk of theft, with all of this considered we wanted to propose a change to the schedule of attendance. The proposal is that we ask for secure storage to be provided for piling works or that fuel is provided by the client to FPS members so that we do not have to take that risk.</p>	
<p>This proposal was warmly received, and Stephen was encouraged to make the proposed changes for approval. Stephen will circulate the updated document to all members for review.</p>	<p>S Edmondson</p>
<p>Stephen continued to outline the concern about client base and potential insolvencies and how the FPS can come together to share some form of early warning signs for companies that we are concerned about. It was thought that to do this way that would be compliant with competition law the Commercial Committee has discussed using Top Service which provides a day to day running commentary on companies and provide reports. Top Service are happy to provide a membership service to FPS members for roughly £300 a year.</p>	
<p>Steve questioned whether this would add any more value than credit checking procedures. Malcolm added that there are a lot of companies that are still struggling whether that be COVID, cash flow or just getting money back from customers and there are a number going into administration on a daily basis that Members could share information about as even with credit checks there are companies that you can still get credit with on the day they go into administration. Stephen advised that Top Service reviews based on individual experiences of a company, so if a supplier has had to take legal action, had overdue payments etc and it is reported throughout all construction that gives us information in live time to provide early warning</p>	

	<p>Rugby site at the end of February. There is a template for the audit that we're using but we will get more feedback from that as we use it.</p> <p>vii. Fatigue Science</p> <p>There has been a new report released from Matt at Expanded which is a summary of the fatigue project with the FPS. Ciaran will circulate to the group after the meeting.</p>	<p>C Jennings</p>
<p>5.</p>	<p>Update on Strategic Objectives 2020-21</p> <p>i. Health</p> <p>a. Fatigue Science Report</p> <p>The Figured Science Report has been covered by 'Updates' point vii.</p> <p>ii. Safety</p> <p>a. Restricted Zones Guidance</p> <p>The FPS have won an award at the ground engineering awards. Simon reported that a member of the HS2 project has suggested that it is not rigorous enough, they want full coverage from the barriers along with 360-degree cameras and proximity sensors. Steve suggested that things are likely to head in that direction.</p> <p>iii. Quality</p> <p>a. Audit Schedules</p> <p>There are changes planned for the audit schedule this year, it has been pushed back due to COVID.</p> <p>Ciaran presented a PowerPoint to the group:</p> <ul style="list-style-type: none"> • Normally audits happen on a triennial cycle, and we try to have them within a 14-month period. • The current criteria has been dictated by Members, so we are looking to update them with any relevant or important changes that have happen in the past 3-4 years. • There will be some new criteria that will come into the audit mainly out of the environmental sustainability group to meet a minimum standard. • The FPS audit has been checked against the ISO accreditation in order to avoid duplications and there will be a shift in emphasis to safety including site management, training including welfare etc. • There has also been a push to have member reporting on their carbon consumption which is now something we will look at in the audit as part of a bench marking process as well as scoring participation/engagement with the FPS. • The TG needs to finalise the changes to the schedules, have members agree in April at the AGM, have auditors review and sense check and then first audits will be carried out from May onwards. <p>b. Lobbying of Clients</p> <p>Steve reported that he, Ciaran, and Jon have been discussing about engaging with more clients, one idea that has been proposed was too 'piggyback' on an industry event and have a lunch with some key clients who are attending. The purpose being to encourage them to use FPS members.</p> <p>Phil Hines has approached a market research company called Camargue to provide a proposal to discover the level of awareness in the marketplace of</p>	<p>C Jennings</p> <p>M O'Sullivan</p> <p>C Jennings</p>

	<p>the FPS and determine what main contractor and client priorities are. Currently Phil is pushing back on the cost, Ciaran will circulate the Camargue Proposal.</p> <p>Ciaran also added that he has been in contact with Build UK to start a dialogue with main contractor members and clients about ongoing themes and issues. Build UK have been positive about organising events on behalf of the FPS. Malcolm and Ciaran will discuss how they can make this initiative work.</p> <p>iv. Environmental This will be covered by the committee report.</p> <p>v. Human Resources</p> <p>a. GF Mentoring Programme Steve reported that the mentoring scheme is now in its second year and has been successful at drumming up mentors but less successful at getting mentees involved. The hope for the schemes third year is to have more mentees involved by advertising earlier and to more universities.</p> <p>b. Degree Apprenticeships-Birmingham Level 7 Geotechnical Engineer Steve updated the group that there has been a new Degree Apprenticeship launched which is Level 7 for Geotechnical Engineers at Birmingham University. Ciaran reported that Portsmouth University were seeking to initiate a Level 6 apprenticeship in Geosciences, which would cover Engineering Geology. Steve asked if an industry representative has been appointed to this, Ciaran stated that you normally need ten employers on an apprenticeship scheme but was unsure if this had been arranged yet.</p> <p>c. Member Engagement Steve reported that we had an amazing turn out for the FPS Awards Dinner, we reached a record number of people. However, we had a less encouraging experience with the Associate Members, only three or four actually turned up for the meeting. It may be helpful to go back to the associates to see why that did not appeal to them and what we are able to do differently in the future. Kenneth highlighted that the dinner often clashes with holidays up in the North which could present a challenge to certain members, it may be worth thinking about doing it in November time instead.</p>	
6.	<p>Quarterly Order Statistics (Q4 2021) Discussion Ciaran presented the statistics to the group. Ciaran reported that this is the first year that we have broken the billion threshold, which is likely due to the spike in Q2 from the HS2 project, along with delayed work due to the pandemic. Currently for this quarter we are sitting at around 140 million. Steve questioned whether that was one or two projects, Ciaran will check and get back to Steve.</p> <p>Bob highlighted it would be helpful to see what the figures are like from the last two years excluding HS2.</p> <p>Ciaran continued to show that data that runs back to the financial crisis in 2008 where we had a drop and then slowly picked up until Brexit happened</p>	C Jennings

	<p>where we have had high and lows and then a significant increase that is likely due to HS2. Steve added that it feels we are now under less pressure in terms of prices however there have been challenges due to the cost of materials and labour. The group agreed that these challenges have affected everyone along with the pandemic and HS2. Steve queried if we have the geographical data. Kathryn to add to the commercial agenda.</p>	<p>K de Rochefort</p>
<p>7.</p>	<p>Quarterly Accident Statistics (Q3 2021)</p> <p>i. AFR and Member Performance</p> <p>Steve stated that the Fatigue Science Report showed as the week went on people were more tired. Simon highlighted that Tuesday afternoons seem to be the peak for accidents. Steve asked the group if there are any theory why it is a Tuesday. Ciaran stated that workers maybe doing a long drive on Monday to get to site and then feeling the effect on a Tuesday, but we also have a significant number of accidents on Wednesdays.</p> <p>Boris questioned if there was a split between agency and non-agency Ciaran stated that figures include both agency and non-agency, but the thought is that it is not agency worker that are being injured but rather that they are requiring more supervision which can lead to accidents as supervisors are distracted.</p> <p>Bob highlighted that the highest percentage of accidents are happening Tuesdays, Wednesdays, and Thursdays but those are the days that most work is completed, so may be just a reflection of this rather than anything else.</p> <p>Simon raised that we are not seeing many safety alerts coming through from members. Simon asked the group if they can put a little pressure on to have these alerts shared.</p>	<p>ALL</p>
<p>8.</p>	<p>Committee Reports</p> <p>i. Executive Committee</p> <p>ii. Technical Committee</p> <p>Ciaran reported ICE approached the Technical committee to ask if we wanted to revisit the specification for ground treatment which is now up to date. We have some members that are currently interested and some members from the AGS are also interested but there is nobody to lead so BGA have been asked to take the lead. The Technical group are also engaged in the updating of the FPS audit, which certain members are reviewing. The committee have issued a Corrosion of Cages Guidance, which was to meet client concerns about cages rusting away at the bottom of a pile. The next addition of Eurocodes are in development, the committee is starting by to deal with that.</p> <p>iii. Safety, Plant and Operations Committee</p> <p>Simon reported that there is an initiative on working platforms and that the groups are looking to do an updated video. Health and safety have a story board ready to run, we just need to get a suitable company and sites for the video to take place. Boris mentioned that there was a fatality on a project in France six months ago where the platform collapsed and one of the clients' engineers was buried. Boris highlighted that we should keep raising awareness within the FPS and with clients and that maybe a graphic element</p>	

	<p>would be helpful. Simon agreed and will look into pulling something together.</p> <p>iv. Commercial Committee Refer to the report and 'Commercial Standards' under point four 'Matter Arising' iii</p> <p>v. Environmental Sustainability Ciaran reported that the committee have decide to reduce the number of task groups in order to focus on the main issues. Luke and Stuart have reviewed the sustainability charter and they will be presenting their update at the next Quarterly meeting. There is also a plan to have a webinar on HVO/Biofuels before the end of summer.</p> <p>vi. Early Careers Group Julia reported that ECG group now 80 members which is an increase of about 10 since the last quarterly meeting in October of last year. In terms of events, we have set up the contractual and commercial webinars which so far have been well attended. We did have to delay the co-op live event; we are also looking at potentially getting into the Everton Stadium where they have done the backfill block and CFA pilling. There is also a big drive on the education side of things, so we have been contacting universities to highlight the different opportunities that there are within the industry. We are also trying to drum up interest to have videos of different people with the industry to have on the website and we are planning an event at the end of March that will be joint between the FPS and the BGA. There has also been a push for collaboration between the FPS committees and the ECG group, which will be discussed within individual committee meetings.</p>	S Jones
9.	<p>Membership Matters</p> <p>i. Membership Audit</p> <p>ii. Membership Applications</p> <p>Steve stated that we have had some expressions of interest from companies about joining the FPS. GeoBear have been rejected for being too narrow.</p>	
10.	<p>Finance</p> <p>i. Financial Statement</p> <p>Ciaran will circulate the Finical Statement with notes.</p>	C Jennings
11.	<p>Contact with other Organisations</p> <p>i. Reports as Necessary: EFFC, CITB, Ground Forum and AGS.</p>	
12.	<p>Social Events</p> <p>i. 2022 Events</p> <p>Steve reported that several people have enquire about the 5-aside day that was planned last year but cancelled due to COVID. In the next few months, we will send out an email to see who would be interested in attending that. Steve suggested that it might be worth looking at doing the golf day again, Ciaran will speak to Caroline Kratz about the golf day and update the group.</p> <p>a. Summer Ball-Saturday 11th June, Coombe Abbey</p> <p>Steve encourage the group to promote the event amongst the members.</p> <p>b. Annual Awards Dinner-Friday 7th October, Intercontinental Park Lane</p>	C Jennings
13.	<p>Any Other Business</p> <p>No other business.</p>	

	Dates of 2022 Meetings: <ul style="list-style-type: none">• Thursday 21st April 2022• Thursday 21st July 2022• October 2022 1-4pm 2022 Date TBC (Awards Dinner)	
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