AMP8 – Managing third party risk exposure

As we enter the last period of AMP7, most of the nation's Water and Sewage Companies (WASCs), have awarded numerous framework contracts to support them with their investment plans for 2025-2030.

As widely publicised in the media, a large focus of all WASCs in AMP8 will be the delivery of the Water Industry National Programme (WINEP), which provides direction and a programme of actions, which allows WASCs to deliver improvements within the environment. At present, it is estimated that the WINEP programme alone will contribute to approximately one-quarter of all investment in AMP8.

To support successful delivery of their WINEP programme, solutions will include a wide range of engineering solutions, these may include a substantial portion of works in public areas, increasing the interaction with members of the public or other stakeholders; construction of retention tanks at point of water course discharge or harbouring grey water capture for natural ground absorption through swales or soakaways, etc.

Whilst supporting successful project and environmental outcomes, these solutions could inadvertently increase the level of exposed third risk associated with the activity. This exposure can present itself in several ways, ranging from:

> Unauthorised access to construction sites (including theft).
> Inadvertently leaving of construction hazards outside of the defined construction area, resulting in third party damage or injury.
> Contact and damage with utility infrastructure.
> Increased public exposure by working directly in customers properties (gardens), or other publicly accessible areas.

All of which have the potential to negatively impact the regulatory C-MeX score, which is a measure of customer satisfaction.

Taking into consideration the above risks, it is imperative that WASCs and engaged contractors ensure they have robust procedures and processes for assessing and applying effective controls to manage risks. This is supported by ensuring that engaged parties have the required competence to successfully deliver required activities safely, supported by robust monitoring processes.

The points below provide some insight into how these risks can be mitigated and or effectively managed following an unfortunate event, to reduce the net effect losses to an absolute minimum.

As with all activities, risk assessment is the primary mechanism for identifying and applying effective controls to manage foreseeable risks. When working in public areas, it is important to ensure the risk assessment process not only assesses the activity undertaken, but also the wider environmental and physical hazards outside of the work area. Identifying and assessing impacts from hazards such as.

> Weather conditions – stability of barriers/fencing and signage and potential washout of debris from the work area.
> Gradients – does the topography pose additional risk. Water runoff, potentially freezing in winter.
> Type of surface materials - are road plates or walk boards required, if so, have they got 'grip' to prevent slipping and edges chamfered to prevent trips.
> Volume of people – is the work activity in the vicinity of hospitals, shopping centres, schools or nightlife which may increase unwanted entry etc.

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> Identification of person affected such as:
>   • Vulnerability of people who may be sight, hearing, or mobility impaired.
>   • Vulnerable road user such as cyclists, runners or wheelchair and pram users.
> Duration of the project activity.
> Any additional sensitive/vulnerable third parties (people, water courses, SSSIs or structures), specific to the proposed workplace undertaking.

Effective signing, lighting, and guarding are crucial components in managing third party risks, particularly where the areas discussed above are present, supporting compliance with The New Roads and Street works Act 1999, which provides correct practice when working on roads, highways, and footpaths. Where there is a failing in effective controls, this can result in avoidable damage, injury or in some tragic events fatalities.

Company fined after passerby's fatal fall on unsecured excavation site | Construction News

The following items provide some further details on possible controls to support effective risk management.

Site security

It is important to note that there is no single approach to establishing site security to protect both work areas and members of the public, including vulnerable road users. As stated above, this must be established through conducting a thorough risk assessment to support the identification of level of risk, which in turn dictates the necessary levels of control. Examples being:

> Public places such as recreational areas or town centres may require hoarding or more permanent protection.
> Rural areas with low footfall and less vulnerable road users (cyclists etc), HERAS fencing or Chapter 8 temporary barriers may afford the necessary protection.
> CCTV Remote Monitoring – modern installations are activated via geofencing and can provide instant verbal intervention and instruction or raising of police support.
> Physical Security Guards - provide a physical presence that can deter unauthorised access and provide instant commencement of emergency preparedness actions.

Signage

Clear and visible construction signs communicate rules, hazards, and information to third parties, ensuring they are aware of potential hazards and risks. Further to construction hazard information, signage can inform and guide road users (footpath or road), to safe routes reducing the likelihood of accidents. In addition to providing contact details of organisations responsible for the works.

Lighting

Lighting enhances visibility, making it easier for individuals to identify construction activities and to navigate safely, especially in areas that may not have street lighting or historically prone to accidents. Well-lit areas can also deter criminal activity, reducing risks associated with theft or vandalism.

Monitoring

Whilst the above are examples of controls to support risk mitigation, it is imperative that clients and contractors have robust monitoring protocols to ensure they are effective. Monitoring can be undertaken in numerous ways:

> Clear inclusion in site inspections.
> Increased inspection during time of abnormal events, such as inclement weather (may require additional enhancement) or public holidays.
> Best practice is to also conduct inspection of work areas at times when activity is not occurring. This could be at weekends, public holidays or at night time. This collectively provides a true picture of potential exposed risk, providing an informed risk profile and where required, instigating procedural change.
> Post work photos (date and time stamped), illustrating that work areas were left in a safe and secure manner when work has been completed.

All the above provide valuable intelligence that confirms specified controls are routinely being applied, the net result of which provides confidence that the potential impacts of affected parties are mitigated, but also significantly increases resilience in the event of a third-party claim.

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