



European Construction Sector Observatory

Policy measure fact sheet

Belgium

Post-Intervention File

Thematic Objective 2

September 2016

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| Implementing body: | Belgian Federal Public Service for Employment, Labour and Social Dialogue |
| Key features & objectives: | Obligatory safety-related dossier for all construction, maintenance or renovation works on all types of buildings and properties (e.g. houses, apartments). The dossier must record and track all work that has been executed since 2001 |
| Implementation date: | 1 May 2001 |
| Targeted beneficiaries: | A PIF addresses the safety of all persons that are active on a construction site |
| Targeted sub-sectors: | All sub-sectors of construction |
| Budget (EUR): | A PIF/DIU is the responsibility of building or property owners, including covering its related costs. The cost of a PIF/DIU varies and is dependent on the type of building and property. The average cost ranges between 400 and 850 EUR and is often combined with the services offered by the safety coordinator ¹ |

In a nutshell

Prior to the intervention of the European Union, the Belgian legislation has often led to inadequate organizational choices and lack of planning and co-ordination on the construction sites, resulting into high number of workers' accidents. Construction workers are indeed exposed to significant risks because of the intensity under which they have to operate and lack of the necessary information on the structure of the buildings.² The Belgian government has put in place considerable improvements with regard to safety and health for construction workers in the course of the last two decades. 'The Welfare Act' (1996) and the Royal decrees of 2001 and 2006 have included measures that intend to prevent potential accidents on the construction sites.³

Among the measures, the **Post-Intervention File (PIF) – Postinterventiedossier (PID) in Dutch or Dossier d'intervention ultérieure (DIU) in French** – was introduced as a document giving an overview of the main construction features and mapping the potential risks for the workers.

Post-Intervention Files should be seen as part of a larger safety framework for the construction sector that has been created by the Welfare Act. Under this act, construction works where more than one contractor is active - regardless the size of the area - are entitled to have a safety coordinator(s) (up to two safety coordinators are usually appointed by a project supervisor).⁴ A safety coordinator is expected to be involved in both design and implementation phases and has the responsibility to coordinate the co-working of the different parties on the construction sites. It is in his/ her duty to create a post-intervention file during the design phase and to further develop this dossier during the implementation stage.⁵

Along with the other commitments of the Welfare Act, the PIF has contributed to the improved conditions in the construction sector.⁶ In the sixteen years since the introduction of the Post-Intervention File, the overall perception of the measure by the stakeholders is rather positive as a PIF is often considered as a useful instrument for increasing safety during the entire lifecycle of the building. That being said, PIF obligations are often met poorly or in some cases not met at all.⁷ Therefore, deliberate changes have to be made before construction workers and property owners can embrace the measure entirely.

General description

The Post-Intervention File (PIF) is defined under 'Act of August 1996 on welfare of workers in the performance of their work' as a file containing all the elements that may be useful for the safety and health during any construction, refurbishment or maintenance works on the building. It guarantees workers' welfare and specifically ensures the safety on construction sites.⁸

A measure came in the aftermath of European directives of June 24, 1992 concerning the minimum safety and health requirements at temporary or mobile construction sites. The Belgian legislature put this Directive into a new chapter in the Welfare Law of 4 August 1996 and has amended it several times since then.⁹

The main objective of the PIF is twofold. Firstly, from the early development stage it helps to reduce or to avoid possible co-activity and interaction risks that can occur when various contractors are executing their respective tasks on one construction site.¹⁰ Secondly, it keeps track of all interventions that have been previously made to the building. This overview allows property owners or future contractors to execute the works in a safer manner as they can identify potential risks prior to the start of any activities.¹¹ Post-intervention file is obligatory for all construction or refurbishment works:¹²

- that take place after 1 May 2001;
- where more than one contractor is working onsite either simultaneously or in a consecutive order.

Figure 1: Example for the overview of the pipelines to be included in PIF



The folder must include a description of risks related to the building, a number of technical documents, information sheets, sketches, licensing, manuals, as-built plans, etc. A PIF also mentions the identity of the contractors who have carried out previous works.¹³ Regulations prescribe that a PIF be maintained for the entire lifetime of the building and must be supplemented with new data from the moment any changes to the property are made.¹⁴

The safety coordinator has full responsibility for opening a PIF during the design stage up to handing over this dossier to the client at the end of the contract.¹⁵ After a handover, the client (property owner) will be in charge for presenting the dossier for all the construction or refurbishment works that will take place in the building and also during a deed of property sale to the next property owners.¹⁶

The role of the safety coordinator with regard to the post-intervention file is essential.¹⁷ The project supervisor and the architect (in a minor role) are expected to suggest a safety

coordinator. In many cases the architect as well the project supervisor can act as safety coordinators - provided that they have undergone the required training to execute the task.¹⁸ In the latter situation, the architect will usually be the safety coordinator in the design stage and the project supervisor will carry out the duties during the implementation stage.¹⁹

In cases of smaller interventions where only one contractor is executing the works, the safety coordinator is not required. The exceptions to the rule are the interventions that pose obvious risks to the essential elements of the building structure. Given the absence of the safety coordinator, the client (property owner) is expected to further complete the file.²⁰

Achieved or expected results

Regulations on safety and health on temporary or mobile construction sites were written with the objective of reducing the number of accidents and increasing prevention.²¹ Over the course of the last years governmental regulations in combination with the efforts of the construction industry have led to a continuous decline in the overall number of accidents.²² Few positive trends to name are improved working conditions, changes on technical and organisation levels and numerous prevention and awareness campaigns.²³

Figure 2: Number of work accidents in the construction industry from 2009 to 2013²⁴

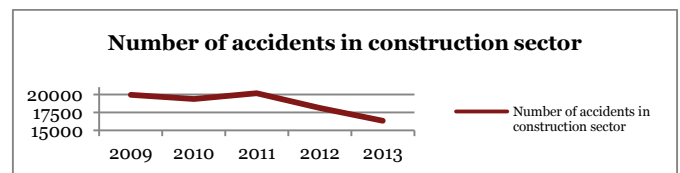
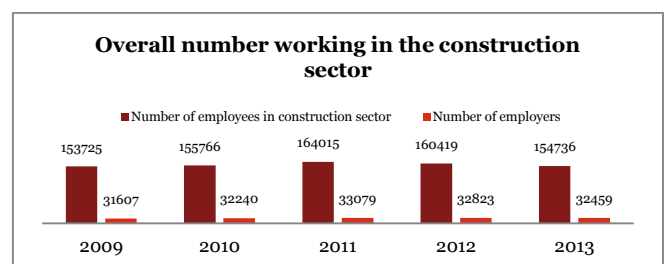


Figure 2 shows that the overall number of accidents has been continuously dropping from 19,959 in 2009 to 16,326 in 2013 while the number of people active in the construction fluctuated between 153,000 and 165,000.

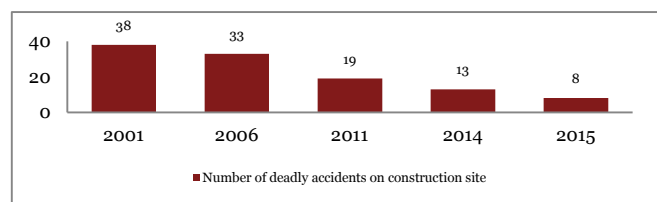
Figure 3: Number of people active in the construction sector²⁵



Recent data indicates that almost 250,000 workers and self-employed people are active in the Belgian construction industry today (Belgian payroll).²⁶ While this overall number is increasing,

the amount of deadly accidents keeps moving in the opposite direction, as shown in the following figure.

Figure 4: Number of deadly accidents from 2001 to 2015 ²⁷



Although there are no indications that PIF has a direct impact on this trend, we can assume that – in combination with other measures under the Welfare Act – the measure might have slightly contributed to this declining trend. This assumption cannot be supported by the numbers or findings as up to date no evaluation was carried out on the measure. ²⁸ But the stakeholders have confirmed possible link between PIF and the trend given that (1) safety coordinator includes essential prevention measures in the post-intervention file that allows better coordination on the construction site ²⁹ and (2) future contractor can easier identify and consequently mitigate potential dangers by making use of the post-intervention file. ³⁰

The effect however depends on how widely the measure is implemented in practice. There are indications that despite the obligatory character of PIF, in many cases it is being neglected. In the survey conducted by the consumers' organisation Test Aankoop in 2009, 42% of the respondents claimed not to have received a PIF. ³¹ Furthermore, Confederatie Bouw, which represents the Belgian construction sector, points out that the PIF is often not handed over to the client or is of poor quality. ³²

Perspectives and lessons learned

Overall, one can conclude that the measure is welcomed by all parties and is considered to be useful. ³³ Various reasons contribute to a positive attitude, such as PIF's pre-emptive character that avoids and mitigates the chance of accidents on the construction sites. It also encourages architects to take safety components into account from the initial design phase moving forward. ³⁴ Additionally, it encourages an assessment of potential risks and a more accurate cost estimate prior to the contractor starting any refurbishment or construction works. ³⁵ There is however room for improvement with regard to the Post-Intervention File itself and the safety framework within which the PIF is operating.

From a **federal government perspective**, the instrument is useful for many of the reasons summarised above. A problem however is that the rules are often not respected in practice. Government recognises that is partially caused by the complex character of the procedure. To curb the abuse and to boost the implementation of the regulations, two considerable changes were presented in the Royal decree of 2006: the implementation process was significantly improved and the regulation itself was

simplified. ³⁶ With regard to single family houses with the maximum total area of 500 sqm, a separate legislation was introduced which proved to be more transparent and less complex. ³⁷

Furthermore, the government is concerned about the image of the safety coordinator as the sole person responsible for opening and developing a PIF. Safety coordinators are often seen as an extra burden by contractors and clients. This type of attitude of third parties can complicate the job of the safety coordinator to complete a PIF in compliance with the rules, as proper interaction and communication between all the parties is essential to do so. ³⁸ Two main solutions have been proposed by the government. The first measure is to raise awareness of the importance of the safety coordinator's presence and the advantages of the risk mapping exercise. ³⁹ Secondly, to reduce the financial burden on clients and the extra person to be involved, the government is providing incentives to encourage architects and contractors to act as safety coordinators in the case of small buildings. ⁴⁰

Industry representatives entirely support the existence of the Post-Intervention File, stressing that when used correctly, the dossier can appear very helpful. It is firstly a mapping exercise that identifies all of the co-activity and interaction risks on the atypical places where different sub-sectors have to work together or consecutively. It also allows for an early stage assessment of the potential risks that may occur in later maintenance or refurbishment works. ⁴¹ However, the main concern is that the regulations are overly complex, thereby potentially limiting the benefits of the measure and the added value of the PIF to beneficiaries, such as construction workers and property owners. ⁴²

Under the current framework, none of the stakeholders involved in the development or use of the dossier is likely to use it correctly. In some cases, safety coordinators have not had adequate training to perform the tasks they are responsible for delivering. ⁴³ The tendency is to make the dossiers very heavy documentation filled with the hard copies of the Welfare Law. Thus, there is often a lack of competence to ensure that the appropriate amount of quantitative and qualitative information is compiled. ⁴⁴

In addition, there is a clear lack of will detected in both contractors and clients to invest either time or money to create a user-friendly and readable file that can be maintained throughout the lifetime of the property. That is partially due to how both parties view safety coordinators. ⁴⁵ Consequently, despite the obligatory character of the PIF, steps to create, develop and handover a dossier are often being skipped. To increase the use of this effective measure, the Belgian Construction Confederation believes that one of the solutions might be to link the Post-Intervention File to the planning permission process. ⁴⁶ However, in the case of Belgium, the bottleneck is the fact that the two above-mentioned files are regulated at different governmental levels. ⁴⁷

Another way to raise awareness of, and interest in, the PIF is to redefine the file into a short and more user-friendly manual for

both construction workers and property owners.⁴⁸ An up-to-date PIF is exclusively defined as a measure that tackles safety issues on a construction site.⁴⁹ Confederatie Bouw suggests that the PIF can be also used by the property owners as a building maintenance guide (e.g. knowing when and how the boiler has to be cleaned). Looking forward, a potential solution could be to redefine or extend the concept of the current PIF to create a simple and practical manual that includes sketches, pictures and as-built plans, and which avoids heavy documentation and copies of the Welfare Law. In return, property owners may be more willing to pay more for hiring a qualified safety coordinator that can deliver a manual that can be actively used by property owners and future contractors.

The attitude of **property owners** toward the concept of post-intervention file can be described as rather positive, although significant changes are requested to be made. In 2009, the Belgian consumer rights organisation Test Aankoop reached out to customers with a survey on the added value of the safety coordinator on the construction site. Although the entire concept was questioned by respondents, the development of the PIF was indicated as one of the main advantages of having a safety coordinator. This indicates that property owners indeed find the file useful. However two main problems occur in relation to PIF. Firstly, the survey showed that 42% with experience of building a house claimed not to receive a PIF at any time (by the key handover of the newly constructed buildings or by the deed of sale).⁵⁰ Moreover, very often the PIFs are delivered in a format that is not user-friendly or even readable. While a PIF has to include the actual sketches, plans or pictures indicating the structures, cables and pipelines, very often PIFs consist of numerous copies of the Welfare Act without containing the necessary or vital information that can be later used by the contractors or by the property owners themselves.⁵¹

To avoid unnecessary financial costs and extra administrative burden, Test Aankoop suggests replacing the safety coordinators that are responsible for the PIFs with architects that will carry out the task of coordination and filing the necessary documentation in the PIF. However, this can be only applied in the case of small construction sites.

Endnotes

- 1 <http://www.vlabec.be/tarieven.asp>
- 2 http://lib.ugent.be/fulltxt/RUG01/001/391/776/RUG01-001391776_2010_0001_AC.pdf
- 3 http://navb.constructiv.be/nl/Welzijnsinfo/In_de_praktijk/Mens/Aansprakelijkheden%20werknemers.aspx
- 4 <http://www.werk.belgie.be/publicationDefault.aspx?id=24222>
- 5 M. Junius, (22.02.2016) 'Postinterventiedossier', Confederatiebouw. *Internal document*
- 6 Telephone inquiry with Jean-Pier van Lier, Chairman, Contactvereniging voor Veiligheids-Coördinatoren in de Bouwsector (contact association for safety coordinators in the construction sector) (conducted on 4/08/2016)
- 7 <https://www.testaankoop.be/action/pers%20informatie/persberichten/2009/veiligheidscoordinator-overbodig-voor-de-particuliere-werf>
- 8 <http://archive.beswic.be/fr/legislation/the-belgian-legislation/Law-of-4-August-1996-on-the-Welfare-of-workers-at-work.pdf>
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- 23 <http://www.fao.fgov.be/sites/default/files/assets/NL/Statistieken/Studies/Sectoren/Bouw/aobouwsector2011web.pdf>
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- 27 www.confederatiebouw.be/SpotlightDocs/infographics_arbeidsong_NL.pdf
- 28 Telephone inquiry with Herman Outtier (Algemene Directie van het Toezicht Welzijn op het Werk) (conducted on 17/08/2016)
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- 30 Telephone inquiry with Jean-Pier van Lier, Chairman, Contactvereniging voor Veiligheids-Coördinatoren in de Bouwsector (contact association for safety coordinators in the construction sector) (conducted on 4/08/2016)
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- 32 Interview with Marc Junius, Head Advisor, Social department, Confederatie Bouw (conducted on 03/08/2016)
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- ⁴³ <https://www.test-aankoop.be/action/pers%20informatie/persberichten/2009/veiligheidscoordinator-overbodig-voor-de-particuliere-werf>
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