

Written evidence submitted by the House of Commons Trade Union Side

Given the many contributions that the House of Commons Trade Union Side has made to the debates around R&R over the past decade, we feel it would be valuable to focus our submission on this occasion purely on the expected recommendation to be put to the House later this year.

This recommendation was communicated to the unions in a letter from the outgoing Clerk of the House Sir John Benger in September, in which he said that both Houses would be asked to endorse the delivery of **further work to develop costed proposals on two delivery options; full decant and continued presence.**

The rationale for this proposal—according to Sir John—is that **“Presented with this information—transparently and in the public domain—Members will be able to make informed decisions on the costed proposals for R&R works, the point where they will be asked to endorse one delivery option”**. Clearly this is deemed to be the most acceptable and pragmatic way forward from a political perspective. And with increasing strain on the public finances and any number of competing infrastructure refurbishment demands across the country, we understand the challenges facing any political party seeking to convince the electorate as to why this project should be prioritised.

However, from the perspective of Parliament as an employer and of the Palace of Westminster as a workplace, this is, in the view of the TUS, an extremely unwise and potentially reckless move.

First, the Houses allowing continued presence to remain as a viable and potential option—which it surely must be, if it is contained in a motion that both Houses approve—is to indicate an institutional acceptance of an almost certain increase in the risk of harm (from the asbestos works alone) for current and future members of the parliamentary community, including future MPs.

These increased risks have been clearly stated in any number of studies, including the (former) Sponsor Body's Continued Presence: Impact Study paper of February 2022 was categorical: **Progressing a major infrastructure construction scheme alongside ongoing Parliamentary business will introduce heightened health, safety and welfare risks to both construction and non-construction personnel and therefore increases exposure to the risk of a major accident... Opting to deliver R&R with CP removes a principal opportunity to eliminate the health, safety and welfare risks of construction work near Parliamentary representatives and the public.**

In addition, the outgoing Clerk of the House himself told your Committee on 14 March 2022 that continued presence would involve **“a polytunnel from the Northern Estate, Portcullis House and Norman Shaw North, where all the Members are, to this small, protected area availability with a building site all around it. That would carry an enormous amount of risk, and potentially cost as well”**.

Furthermore, recent ONS data has found that almost 150 NHS and education workers have been recorded as dying from asbestos-related cancers, with concerns growing that these deaths were a direct result of the individuals' work in buildings containing asbestos. Mesothelioma is the most frequent cancer associated with exposure to asbestos, but studies have also suggested links between asbestos exposure and lung and ovarian cancers.

In this context, it is surely important for all concerned to note that the Continued Presence: Impact Study of February 2022 found that the greatest above-ground concentration of embedded asbestos was in the House of Commons Chamber itself.

Given this evidence, it will surely be crucial for the Corporate Officers to explain why, as Sir John's letter to us confirmed, they **"support the R&R Programme Board recommendation for further work on the two options...as the quickest way to make progress on this highly complex and very necessary programme. This is the best course of action currently"** and how this statement squares with their public commitment that they **"will be unable to support a construction scenario if it presents an extraordinary level of unmitigated risk to anyone on the Estate, including staff, contractors and visitors"**.

In conclusion, we would be grateful if Committee members gave particular attention to these questions:

The R&R Programme Board, at its meeting on 5 June 2023, discussed an agenda item on the "Shortlisting of the Delivery Options". How many delivery options were presented to the Board? By what process did they reduce the long list to two? Were risk assessments attached to all, some or none of the longlisted options?

Parliament's health and safety bodies include the Parliamentary Safety Assurance Board (PSAB), which "provides leadership and proactive strategic direction in relation to the management of safety, fire & food safety risks for both Houses". Among its stated purposes is:

"To provide assurance to the Accounting Officers that their legal obligations are being correctly discharged and that risk owners are exercising due diligence and effective safety leadership".

Was PSAB asked to provide assurance to the Accounting Officers in respect of the final shortlisting of the two options to be put to the House later this year? If not, why not?

On consultation, the Parliamentary Works Sponsor Body (Abolition) regulations 2022 transferred the Sponsor Body's statutory duty to seek the views of "people employed in or for the purposes of either House of Parliament". The TUS was invited to *one* focus group on R&R in May 2023. Is it the view of the officers that this fulfils their statutory duties during the shortlisting process?

Did the Corporate Officers consider the evidence around the increased risks caused by Continued Presence (particularly with regard to asbestos) to be insufficiently compelling to merit their opposition to the inclusion of CP as a selected option?

Finally, and perhaps most importantly, is it the view of the Corporate Officers—whose legal responsibility it is to protect the health and safety of employees and others—(a) that there is an increased level of risk (particularly from asbestos) for the current and next generation of employees, visitors and MPs from Continued Presence, or (b) that there is no increase in risk?

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