

# ROLE OF NCA IN CREATING A CULTURE OF SAFETY AND HAZARD REPORTING IN THE CONSTRUCTION IN KENYA

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MANAGER, COMPLIANCE

NATIONAL CONSTRUCTION AUTHORITY



NATIONAL CONSTRUCTION  
AUTHORITY  
[www.nca.go.ke](http://www.nca.go.ke)

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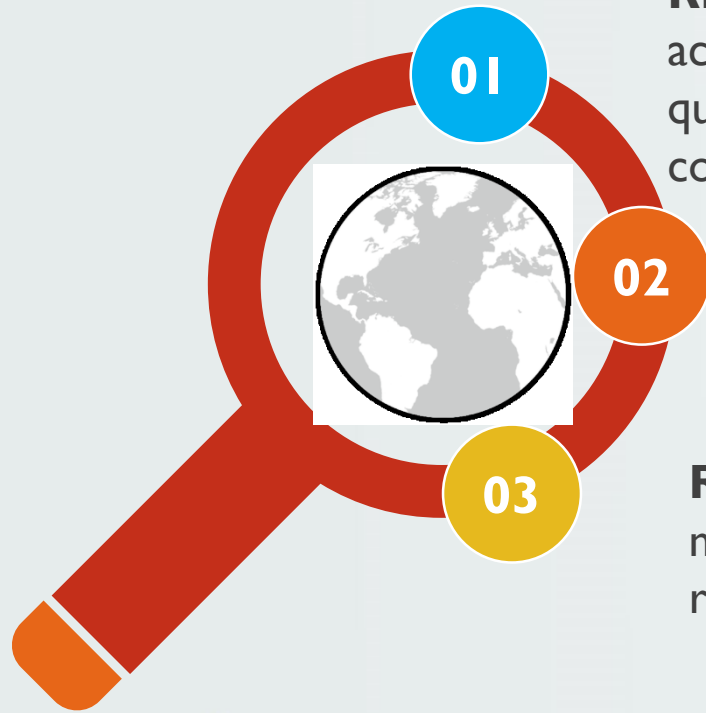
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# INTRODUCTION

- NCA is a state corporation established by an Act of Parliament (NCA Act No.41 of 2011)
- NCA has an overall mandate to oversee the construction industry and coordinate its development so as to ensure an effective and sustainable construction Industry



# MANDATE OF THE NATIONAL CONSTRUCTION AUTHORITY



**REGULATORY** – involving registration & certification of contractors, accreditation of skilled construction workers & site supervisors, undertaking quality assurance, mandatory inspections, enforcement of the building code and code of conduct for the construction industry

**TRAINING AND CAPACITY BUILDING** – includes undertaking training of contractors, construction site supervisors and skilled construction workers

**RESEARCH AND ADVISORY** - involves undertaking research on any matters affecting the construction industry and making appropriate recommendations when required.

# ROLE OF NCA

1. **Quality Assurance (QA)** - This focuses on the procedures that the construction players have implemented to ensure that the design meets quality standards, and ensure the highest industry standards are applied every step of the way.
2. **Registration and Accreditation** - Prescribe the qualifications or other attributes required for registration as a contractor, construction site supervisor or skilled construction worker
3. **Enforcement** - Enforce the prescribed Building Code in the construction industry
4. **Standardization** - Encourage the standardization and improvement of construction techniques and materials
5. **Training and Capacity Buildings** - provide, promote, review and co-ordinate training programmes organized by public and private accredited training centers for contractors, skilled construction workers and construction site supervisors
6. **Code of Conduct** - develop and publish a code of conduct for the construction industry
7. **Consultancy and Advisory services** - provide advise and recommendations with respect to the construction industry

## WHERE WE ARE.

### NCA Head Quarters

9<sup>th</sup>-12<sup>th</sup>  
Floors,  
KCB  
Towers,  
Kenya  
Road,  
Upperhill  
Area,  
Nairobi

### Regional Offices

1. Nairobi
2. Upper eastern-Isiolo
3. Central eastern- Embu
4. Central Nyanza- Kisumu
5. Central Rift-Nakuru
6. North Rift-Eldoret
7. Coast- Mombasa
8. Lower Eastern- Kitui
9. Kiambu
10. Mt. Kenya- Nyeri
11. North Eastern- Garissa
12. Nyanza South- Kisii
13. Kajiado
14. Western-Kakamega

### Liaison Offices

1. Meru
2. Homabay
3. Kericho
4. Narok
5. Kitale
6. Malindi
7. Voi
8. Machakos
9. Makuyu
10. Migori
11. Rongai
12. Bungoma
13. Wajir

### Huduma Centres

**NCA Desk  
at all 57  
Huduma  
Centres**

# ACHIEVEMENT OF MANDATE - REGULATORY

In the FY 2022/23;

- Over 25,000 quality assurance inspections in the country.
- Over 3,800 construction projects registered.
- 8,600 contractors registered
- 30,000 construction site workers and site supervisors accredited.

# ACHIEVEMENT OF MANDATE – TRAINING AND CAPACITY BUILDING

In the FY 2022/23;

- 50 training programs in collaboration with institutions such as technical and vocational training colleges, public universities and other stakeholders for contractors, construction site workers and site supervisors

The trainings focused on identified training needs and skills gaps such as;

- Safety in the construction industry
- Compliance to construction laws and regulations
- Construction best practices
- New and emerging technologies in construction



# ACHIEVEMENT OF MANDATE – RESEARCH

In the FY 2022/23;

3 key researches conducted in collaboration with industry stakeholders on;

- Early Risk Detection Framework for the Construction Industry of Kenya
- Framework for Accreditation of Skilled Construction Workers and Site Supervisors
- Development of a Coordination Framework of Quality Assurance Processes of Construction Industry Regulators

# DUE DILIGENCE

Due diligence embodies the **conscientious and proactive efforts** undertaken to ensure that all aspects of a construction project **adhere to legal, ethical, and safety standards**. NCA recognises the paramount importance of due diligence in fostering a culture of excellence, safety, and compliance. Due diligence is undertaken all construction projects registered **before a certificate of compliance is issued**.

## Quality Construction Project

The Authority shall ensure all construction projects in country meet the **prescribed quality standards** to protect the interests of general public.

- Project **complies** with existing regulatory instruments
- Project designs & implementation is done by **relevant and qualified professionals**.
- Project implemented by a contractor in the **relevant class & category**.
- Details for the **project owner** are well defined
- Adequacy and authenticity of the **project documentation**
- Adequacy and authenticity of the project **construction site**
- **Ensure safety** & mitigate against environmental impacts.

# CHALLENGES AND OPPORTUNITIES

## OUTDATED BUILDING CODE

- Existing building code was enacted in 1968 under the repealed local government authority act.
- The National Construction Authority was given the mandate to publish and enforce the building code.
- The Authority has developed the New Building Code through participation of key stakeholders, professional associations in the built environment industry, academia and consulting professionals
- The new code after undergoing public participation is awaiting parliamentary approval.

# CHALLENGES AND OPPORTUNITIES

## POOR CONSTRUCTION METHODS

- The country has experienced a number of building collapses and structural failures in the recent past.

Research by NCA and investigations by the Authority's board have found the reasons for the collapses as:

- Rogue consultants who merely append their signatures with no intention to supervise the projects
- Poor workmanship;
- use of substandard materials;
- Poor structural design and inadequate maintenance and non-compliance to statutory requirements.

**The Authority ensures that all failures and collapses are investigated and those found culpable are held responsible through collaborations with NPS, DOSH, EBK and BORAQS among others.**

# STATUS OF SAFETY IN THE INDUSTRY

The Authority recognizes that safety within the construction industry is **a collaborative responsibility, necessitating concerted efforts from all stakeholders to safeguard workers, construction sites, and the public.**

This collective approach underscores the importance of partnership and shared accountability in maintaining rigorous safety standards. Additionally, personal safety is a crucial aspect, emphasizing the **role of individual accountability.**

Each person involved in the construction process must be **vigilant and proactive** in ensuring their own safety, contributing to an overall culture of safety and responsibility in the industry.

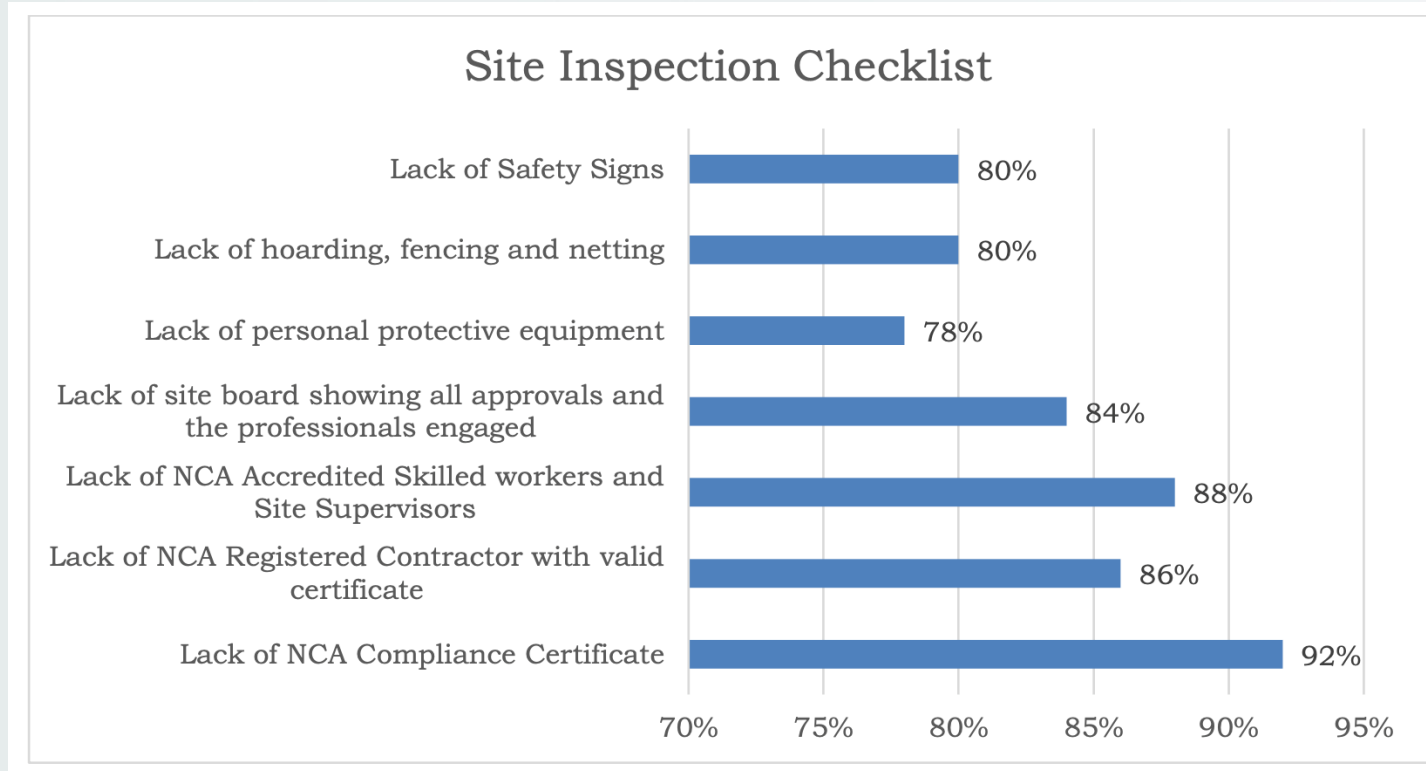
# STATUS OF SAFETY IN THE INDUSTRY

## **Registration of Projects with Deep Excavations:**

In addition to the standard requirements of project registration, the following shall apply:

- a) Geotechnical report of excavation certified by a professional structural/civil/geotechnical engineer.
- b) Excavation methodology, shoring design and methodology addressing safety of workers on site and adjacent structures certified by a professional structural/civil/ geotechnical engineer.

# LEVEL OF COMPLIANCE

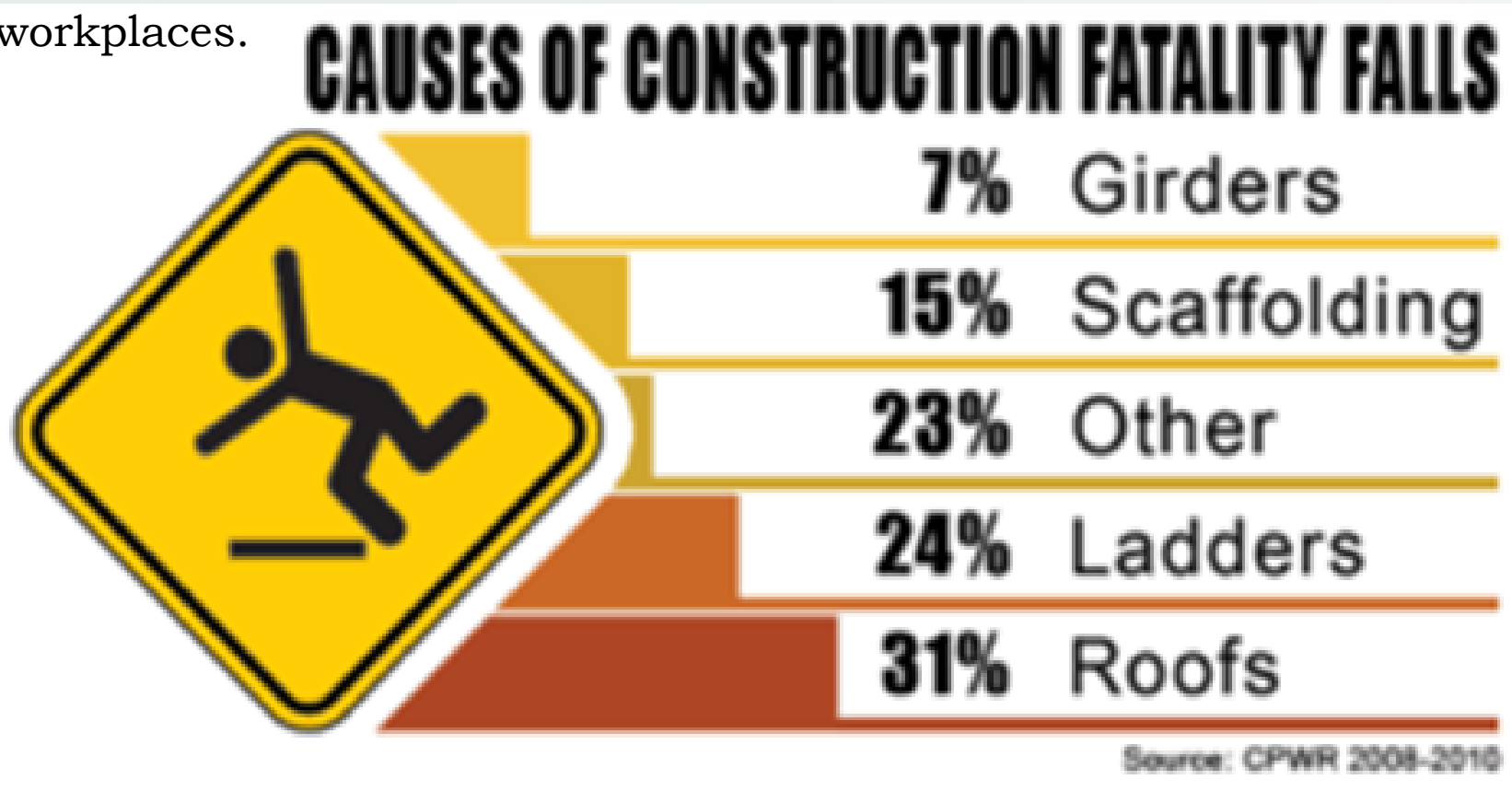


Many sites are suspended not because of safety issues

# SAFETY COMPLIANCE

## *OSHA (Occupational Safety and Health Act,) 2007*

An Act of Parliament that provides for the safety, health and welfare of workers and all persons lawfully present at workplaces.





# SAFETY COMPLIANCE

- **Identify the hazards and make a plan.**
- Safety signs and signage & follow safety rules
- Location and the operation of fire-fighting equipment, fire assembly and evacuation routes
- **Toolbox Talks**
- **The “Right Tool/Equipment For the Job” rule.**
- Maintain the equipment and tools.
- Keep the workspace clean & tidy and keep passages clear all the time.
- Keep vigilant all the time and watch out for moving cranes, hooks or other lifting equipment.
- **Do not drink or take drugs while working.**
- Report to your supervisor immediately if you notice any unsafe condition
- **Report all near – misses, incidents & accidents**
- Keep calm during emergencies
- Always observe **Personal Safety**

## SAFETY OFFICER ON SITES

# WAYFORWARD

## **Information Sharing:**

- Implement digital platforms or databases for real-time information sharing among regulatory authorities.
- This could include a centralized database for incidents, inspections, and compliance reports to enhance communication and coordination.

## **Joint Inspections and Audits:**

- Encourage collaborative inspections and audits involving representatives from multiple regulatory bodies.
- Joint inspections can provide a holistic view of compliance and reduce the burden on individual agencies.

## **Interagency Task Forces:**

- Form interagency task forces specifically focused on health and safety in the construction sector.
- These task forces can address emerging issues, conduct research, and propose updates to regulations based on industry trends and advancements.

# WAYFORWARD

## **Public Awareness Campaigns:**

- Collaborate on public awareness campaigns to educate construction stakeholders about health and safety regulations.
- Joint initiatives can increase awareness and compliance among contractors, workers, and project owners.

## **Technological Solutions:**

- Leverage technology for monitoring and reporting purposes.
- Implement digital tools such as mobile apps or online platforms for reporting incidents, inspections, and compliance status.

## **Cross-Agency Training Programs:**

- Develop training programs that involve personnel from different regulatory bodies.
- Ensure that inspectors and enforcement officers receive comprehensive and uniform training on health and safety regulations, fostering a shared understanding.

## WHAT TO LOOK OUT FOR-2024

- ❑ **Contractors Evaluation Criteria:** Ongoing review to allow for amendment of the current evaluation criteria and replace it with a robust criteria reflective of best global practices.
- ❑ **The Building Code:** Awaiting National Assembly approval and gazettelement
- ❑ **ICORCE:** The biennial International Construction Research Conference and Exhibition (ICoRCE) to be held in **September 2024**.
- ❑ **CEAs:** The Construction Excellence Awards (CEAs), Next CEAs to be held in **2025**
- ❑ **Regional Stakeholder Forums: Interact with your regulatory body at the county**
- ❑ **CPD & CTD Seminars & Webinars:** [www.nca.go.ke](http://www.nca.go.ke)
- ❑ **Reviewed Quality Assurance Checklist**

# CONCLUSION

Through its Vision of An innovative, well-coordinated and prosperous construction industry, and collaboration with industry stakeholders, the future of the construction industry shall experience;

- Enhanced performance and growth
- Safety and health
- Improved quality assurance in the sector
- Reduced cost of compliance
- Reduced time in operations
- Improved accountability of professionals
- Reduced cases of structural failures/collapse

