

The Views and Experiences of Specialist Contractors on Partnering in the UK

This paper presents and analyses data gathered from specialist contractors' on partnering in the UK. The purpose of carrying out the work was to raise awareness of the position of specialists to inform the wider discussion about whether further steps towards partnering the supply chain are possible and/or desirable. The findings partially support the existing perceived cynical view of partnering in practice. Other findings are more positive such as the healthy level of understanding of partnering concepts. There are examples of successful collaborations and evidence of informal partnering being continued downstream of the specialist contractors, often irrespective of whether upstream partnering is occurring or not. The discussion recommends that greater emphasis should be placed on the role of the clients and their involvement in successful partnering. Despite these positive developments little has changed in the ten years since partnering was introduced to improve the lot of the specialist contractor in terms of the levels of disputes and the incidence of long-term collaboration.

KEYWORDS: collaboration, partnering, procurement, specialist contractors, sub contractors,

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INTRODUCTION

The introduction of partnering to the UK's construction industry represented a sustained effort to overcome its perceived performance problems (Barlow, 1998). Although earlier references to partnering exist, the means of introduction is generally acknowledged as starting with the recommendations made in "Constructing the Team" (Latham, 1994) and progressing through the Latham-endorsed Construction Task Force Report "Rethinking Construction" (Egan, 1998). These documents have been described as an "impetus for change" and the latter "a framework for radical improvement and modernisation" (Wood, 2005).

Analyses of the theory behind partnering, the means of its introduction and its achievements to date at the employer/main contractor level have already been the

subject of many other papers and textbooks (see for instance – Seven Pillars of Partnering (Bennett and Jayes, 1998). The starting point for this paper is that partnering has made a substantial impact at certain levels of the industry. Whether this amounts to a fundamental shift in how business is conducted as claimed by some commentators (Beach, 2005), is debatable. However, a study drawing on the opinions of 48 commercial managers in the UK concluded that partnering represents perhaps the most significant development to date as a means of improving project performance whilst offering direct benefit to clients and contractors (Wood, 2005).

Regardless of how fundamental the shift in thinking, the success of a concept is measured by its take-up. In the case of partnering the take up is currently small. The construction industry has a reputation for adapting slowly to change especially at the specialist contractor level. Research carried out with 20 UK sub-contractors demonstrated that competitive tendering remains the principal mechanism for sub-contractor selection particularly for non-specialist services (Dainty, 2001). It has also been observed that strategic partnering alliances are not frequent in the construction industry (Shimuzu, 2002)

Perhaps the expectation of a higher incidence of partnering is premature. It has been observed that the process of change is in its early stages (Wood, 2005) and that whilst the Latham and Egan Reports represent current aspirations for the future direction of the construction industry, their effects both in terms of management and legal terms, remain to be established (Uff, 2005).

Another potential explanation for the slow take up of partnering is confusion surrounding its definition. Partnering has been described, following a study of returned questionnaires from 35 main contractors, as a generic term for a variety of

formal and less formal arrangements (Beach, 2005) with at least half a dozen different perspectives on partnering (Matthews, 2000).

This last point is probably slightly wide of the mark in that a consensus exists as to the essential ingredients of successful partnering. Essentially the relationship is based on trust, dedication to common goals and an understanding of each other's individual expectations and values (Matthews, 2000). However, the cause of partnering would be helped if the industry articulated an agreed philosophy for partnering and identified the appropriate benchmarks (Hibberd, 2004). The work of Constructing Excellence in recent years has improved the position here, but issues still remain as to whether their message is being heard at the specialist contractor level.

The relationship between partnering and procurement is similarly vague in the UK. In its original form in the United States partnering was clearly intended to be a post-procurement selection process aimed at minimizing risk and maximising profit (Lester et al, 1991). The proliferation of partnering contracts in the UK indicates a much wider purpose for partnering than post-procurement selection. Partnering in the UK can and does operate as the context for the whole project from inception to completion.

Where a definition is elusive it is often easier to identify what something is not rather than what it is. Partnering is the antithesis of competitive tendering - a process with inherent tensions and conflicts between clients and suppliers driven in different directions due to the nature of the competitive environment (Barlow, 1998). Relationships based mainly on lowest price run the risk of being distrustful if not antagonistic, and rooted in the fear that the other party might engage in opportunistic behaviour (Beach, 2005). Specialist contractors are particularly vulnerable in the

competitive environment because main contractors realise the greatest potential for cost savings lies with sub-contractors (Matthews, 2000).

It would be clearly wrong to portray all opinions on competitive tendering as negative. Equally, not all opinions on partnering are positive or accept the claims made at face value. The demonstration projects selected by the Strategic Forum of Construction have consistently exceeded Egan's targets (Beach, 2005) and a study of 291 construction projects showed a positive relationship between partnering activities and project success (Larson, 1997). However, not everyone is convinced by the claims. There is little critical analysis of sufficient empirical depth to be convincing (Wood, 2005) and the research is notable for its heavy reliance on anecdotal evidence concentrating on "exemplar" organisations (Bresnen, 2000a).

Neither is partnering without its detractors. There is concern that partnering prevents new companies from entering closed markets and reduces potential business opportunities (Davey, 2001). Concern also that practical constraints need to be overcome including difficulties in providing continuity of work and misgivings about long term relationships being too "cosy" and uncompetitive (Bresnen, 2000c).

Opinions about what might happen to partnering if there is a downturn in demand are also more cautious (Wood, 2005).

Specialist contractors are of vital importance to the construction industry and their contribution to the total construction process can account for as much as 90% of the total project spend (Nobbs, 1993). For the average specialist issues of survival and continuity of work still dominate their decision making process and unless partnering can convince these firms that it can improve their chances it is unlikely to have a significant impact (Packham, 2001). The context of this study is probably best summed up in the statements that whilst attitudes towards sub-contractors have

improved over the past 20 years, they have not improved nearly enough (Love, 1997).

AIMS AND OBJECTIVES

The literature demonstrates that the position of specialist contractors in relation to partnering is a complicated one. Competitive tendering has been the norm for so long that there is a suspicion of any new initiatives, particularly those dictated from “upstream” in the supply chain. If the literature is correct then only a minority of specialists are aware of partnering and only a smaller number again will have had partnering experiences. Amongst those with knowledge and experience there may well have been economic and cultural factors weighing against the likelihood of a successful and positive experience including the continuing opportunistic behaviour of main contractors.

However, there is a lack of empirical qualitative research in this important field capable of testing these notions. The aim of this study is therefore to inform the debate about the impact partnering had made on specialist contractors and their views and experiences. From this aim a number of objectives can be identified:

1. to determine the level of knowledge about partnering amongst specialist contractors
2. to identify the range of experiences and practices being adopted in current partnering arrangements

3. to assess the actual and potential barriers to success and the benefits accruing to specialist contractors through partnering
4. to consider whether real change is being effected through partnering and whether such change might continue.

RESEARCH METHOD

The existence of deep rooted opinions amongst the tiers of the supply chain about each other's position and performance are accepted as fact. The perspective put forward by this paper is that these deeply rooted opinions are overly simplistic and ignore important messages that are available through quantitative and qualitative study of the views and experiences of those involved. The opinion that specialist contractors are unwilling and/or unable to participate in partnering-type arrangements, forms the hypothesis for this project.

The hypothesis is tested through the collection of primary data, firstly in the form of questionnaires and subsequently through semi-structured interviews. The questionnaire was designed to capture the views and experiences of senior individuals involved in tendering and winning work for specialist contractors. The respondents were asked to respond to the same set of questions in a predetermined order (Gray, 2004). The results of the questionnaire were analysed in order to detect common themes, issues, opinions and the degree of consensus or otherwise amongst the body of respondents.

Upon studying these findings a number of follow-up questions were identified. Adopting a flexible approach, the natural progression for the research to take was to deliver the follow-up questions in semi-structured interviews with the original questionnaire respondents. This qualitative method provides a data richness which the questionnaires on their own would not have captured. Direct quotations from the follow up interviews are used extensively in the presentation of the findings and are italicised in the script for clarity.

The sample selected seeks to give the study credibility by providing a sufficient number and range of experiences and views of partnering amongst specialist contractors. The Confederation of Construction Specialists is an organisation with some 300 plus members which was set up to achieve real and beneficial improvements in the business environment in which specialist contractors operate. The Confederation was approached to assist in the data collection because of its considerable size and variety in the profiles of its member organisations. The Confederation allowed its members to be approached and 30 (10%) firms returned completed questionnaires during 2005-6. Although the rate of return of the questionnaires appears low, the qualifying factor is that only a minority of specialist contractors have had partnering experiences. Upon submitting their questionnaires these firms were invited to take part in a semi-structured interview. Ten of these interviews were conducted during the first six months of 2006.

The questionnaire contained a variety of closed questions, rating scales and “forced choices” allowing for a variety of individual responses. The profile of the respondents is demonstrated in tables 1 & 2 which appear at the end of this chapter. The experiences of the specialists of partnering captured by the questionnaire are presented in table 3. The views of the specialists are presented in table 4.

FINDINGS

As demonstrated by Table 3, there was a high incidence of experience and familiarity with partnering. These statistics are extremely positive in terms of the impact of partnering even allowing for the self selecting nature of the specialists responding to the questionnaire.

Table 4 also has some positive findings for partnering – most specialists agree on balance that specialist contractors stand to gain from partnering which they see as a positive development that will grow in importance in the coming years.

The respondents were less positive about the state of the construction industry with 58% of the view that conflict levels had at least stayed the same in recent years and the same percentage holding the opinion that team working had not improved. Another interesting finding was that of the 81% of respondents familiar with partnering the majority (65%) claimed familiarity at all levels of their organisations.

The “other comments” section of the questionnaire gave valuable insight into some of the commonly held views and experiences of partnering. These views directly influenced some of the questions in the follow up semi-structured interviews.

The interview questions sought to probe further into some of the views expressed in the questionnaire stage of the research. The interviews were conducted over the telephone and were recorded for subsequent analysis. The interviewees were asked in more detail and were able to expand on:

- a) how they won their work – the incidence of partnering
- b) their experiences and views on partnering
- c) their company's level of familiarity with partnering
- d) their definitions of partnering
- e) whether the company partnered with their suppliers/sub-contractors
- f) how they perceived the state of the industry
- g) their views on the future of partnering
- h) their comments on barriers to partnering
- i) their overall views

The presentation of the findings groups together in themes views expressed by the specialists approached. Some particular views appear in direct quotations whereas widely held views are presented in the narrative itself.

The Existing Situation

As highlighted in the literature review, competitive tendering remains dominant. The specialists were frequently one of four or five approached on an approved list and work was awarded to the successful applicant on the basis of lowest price tendering.

Where competitive tendering is used there was also a high incidence of imposition of main contractor's own terms and conditions on the specialists. Where specialists did have their own terms and conditions instances often these were excluded.

Some specialists were required to enter two stage tendering procedures possibly in line with the main contractor's own tender requirements to the client. For one

specialist it was only at the relatively late stage of progressing to the second stage of the tender process that the first mention of partnering on the project was raised.

Partnering had made a favourable impression with some of the specialists approached expressing a preference for it. Others remarked that some clients, particularly Local Authorities, now require them to partner directly without necessarily any main contractor involvement.

“We have used partnering charters and attended partnering meetings. We had one fruitful experience where we achieved minor miracles on a very complicated job which was done in quick time”

However, the pre-dominant view held by specialists is that partnering has not improved relationships or the level of disputes experienced by the industry. Pessimism abounded in this area amongst specialist with one recording that the “same old battles and excuses “for with-holding payment were being experienced.

Perceptions of Partnering

In analysing the comments, attempts were made to distinguish between those specialists with direct experience of partnering and those relying on received information outside of their own experiences. This distinction is important in order to assess whether the views held reflect direct experience or otherwise. In attempting the distinction those with a general view are separated from the particularly held views. Of the two there was a greater frequency of cynical views amongst the written comments of generally stated views.

The generally stated view was that partnering does not extend down the supply chain, that specialists are usually deliberately excluded from it and that where they are included it benefits only the main contractor and the client. There were instances where these view was backed up by those with direct experience such as describing a partnering charter as “pie in the sky” and partnering as “just a fancy name”. Others felt uncomfortable with partnering arrangements where “nothing was put in writing”.

The view amongst most of those with direct experience was a positive one. One specialist that partnering was a good idea for like minded contractors and specialists to work together on a regular basis. In the words of another specialist with direct experience:

“We have been using frameworks based on 3-4 years work – all problems were ironed out at the beginning with no hidden surprises and good team work”

The Level of Knowledge

The follow up questions revealed a less convincing response about how far knowledge had spread than the questionnaires had indicated could be expected.

Where familiarity with partnering did exist it was limited to senior management and even here knowledge was described as patchy and insufficient.

“The management are insufficiently familiar with partnering – they know the theory”

The definitions of partnering put forward by the specialists were more encouraging in terms of indicating a good grasp of the subject. Definitions ranged from “respecting each other’s reasonable aspirations” to “becoming involved at all stages” and “having a relationship without stand up fights over payments”.

Perhaps slightly more worryingly, no mention of the competitive advantage available through partnering was made by the specialists. All the emphasis was on the relationship side of partnering with one specialist going as far as describing the concept as “acting as one big family”.

Positive Indicators

A high incidence (28% of questionnaire respondents) was recorded of specialist contractors partnering with their own sub-contractors and suppliers, even without upstream partnering being specified. A significant number of the respondents recognised that partnering with their supply chain was highly desirable for everyone concerned.

“Even on a non-partnered job we look to use partnering techniques downstream”

Another specialist pointed out that the benefit for their supply chain was continuity of work, surety of payment, improved techniques which enabled improvement of output and ultimately improvement of everyone’s margins.

Another pointed out that they relied absolutely on their sub-contractors and that they were thinking about formalising the arrangement in some way. The length of the

relationship with sub-contractors, which one specialist put at between 10-20 years was also seen as a key driver for partnering with sub-contractors.

Barriers to Success

There were some interesting indicators of the pre-conditions necessary to improve the working of partnering amongst those specialists with particular views based on their experience. The role of the client was seen as pivotal with the view expressed that the client must be committed and intelligent with the stamina to see through hard times as well as good ones. The virtues required for successful partnering were also touched upon by some specialists - willingness capability and honesty.

“Partnering is best when client led – it has a better feel to it”

As one might expect, there was some berating of main contractor’s behaviour amongst the specialists such as the inappropriate allocation of risk where main contractors could not be “bothered to deal with it”.

“Partnering for the main contractor is customer focussed and does not include the sub contractors”

Complaints about main contractor practice were not, however, across the board and some main contractors were praised for “becoming more professional”. One specialist spoke of partnering champions within main contractor organisations who

had commitment and integrity to the concept of partnering. The same specialist recognised that others within the same organisation might not have had the same approach. This leads into the comment of another specialist that the personnel in main contractors and clients were not static for long enough for enduring relationships to be created.

The Future of Partnering

Views on the long term prognosis for partnering were mixed. Again, the distinction between those with particular views based on experience and those with a general view is an interesting one.

The specialists with particular views were more positive about the future of partnering. One specialist in contact with Housing Associations foresaw a greater incidence of partnering in 10 years based on how he saw clients procure work. Another specialist thought that savings of 30% would be possible through the continued implementation of partnering.

Those without first hand experience or limited to partnering through main contactors held mainly negative views. Ten years was not thought of as long enough by one specialist to bring about the cultural change required. Another dismissed partnering as too bureaucratic a process and merely as a “management tool for those who want to use it”. Education was seen as key by another specialist in bringing about change.

“You need to give something more than a fancy title – culture will take for ever to change when you can get away with things so readily.”

DISCUSSION

Competitive tendering obviously remains as the principal method for sub-contractor selection. These interviews concur with the finding that a few contractors are experimenting with sub-contractor partnering, while for the majority it is business as usual (Greenwood, 2001). The first point for discussion is that the impact of partnering is such that the specialists approached had an opinion on it without necessarily having personal experience. In the absence of personal experience specialists tend to rely on the views of their peers and leading figures in the construction industry press. World weary cynicism appears more contagious than ringing endorsement and the image of partnering seems to have suffered accordingly. This was apparent in the responses to the question on the future of partnering where a pessimistic picture was painted. Bridging this “knowledge gap” from received wisdoms to positive first hand experiences of partnering is one of the challenges the concept faces.

The definitions of partnering elicited from the interviewees are consistent with the elements identified as trust, dedication to common goals and an understanding of each other’s individual expectations and values (Matthews, 2000). These definitions of partnering are relatively simple and straightforward. However, the definitions offered by the respondents lack one vital ingredient - competitive advantage. The bottom line is that the effectiveness of partnering comes down to

what is in it for the partner and that often means money. There must be a business case for partnering otherwise it is unlikely to succeed. For partnering to be successfully adopted at the specialist contractor level the concept needs to be promoted on competitive advantage rather than the laudable but simple aims currently associated with partnering.

On the other hand, the strength of the simple central message is demonstrated by the incidence of the specialists recognising that they were partnering with their own sub-contractors. This in turn raises the question in the minds of the specialist as to why they themselves are not being partnered with on a more frequent basis. It is at this stage that the main contractor is usually vilified and identified as the major barrier to a higher incidence of successful partnering.

The front line managers of main contractors have been criticised elsewhere by sub-contractors as inhibiting better integration and acting aggressively and preventing sub-contractor early involvement in projects (Dainty, 2001). The same sub-contractors saw partnering related practice such as open book accounting were viewed merely as mechanisms for main-contractors to drive down sub-contractors profits.

To vilify the main contractor in this manner misses the point of the vital role of the client. A number of the interviewees expressed the view that their involvement was crucial. Clients need to take a much more participative role in teambuilding and the unwillingness of the client to commit to the partnering agreement has been seen as the main reason for ineffective project partnering (Barlow, 1998). Taking this point further, it is this paper's submission that greater client involvement in partnering would in turn lead to greater specialist involvement. If a client (or their representative) never asks to see or engage with

its partners then the main contractor can hardly be blamed if they continue to deal with their sub-contractors in their default manner based on competition and leverage of the supply chain. Improvements here require back to back relationships and conditions of contract between the client/main contractor/specialist contractor.

It has been noted elsewhere that contractors drawn in reluctantly at first to partnering become more questioning organisations after their experiences having gained innovative techniques and new ideas by sharing information (Barlow, 1998). The specialist contractors interviewed for this paper demonstrated similar characteristics and in every case would probably admit to having learned something positive from their partnering experiences.

However, at the same time the interviewees were unable to detect any discernible improvement in the state of the industry in terms of disputes and the incidence of longer term working arrangement.

It may be the case that it is still too early in the life of partnering to expect major change or that the changes being made are more subtle ones than are readily discernible at the "business end" of the industry where the specialists find themselves.

A final point that cannot be overlooked is the difficulty of co-ordinating partnering with specialist contractors who are only on site for a short time and possibly not heard from again from project to project. This raises the question for further study of the degree to which partnering is universally applicable to construction

projects and its personnel. This would also involve a consideration of the different forms of partnering and their applicability to specialist contractors.

CONCLUSIONS AND RECOMMENDATIONS

Partnering is no longer new to the UK's construction industry. Most of the studies to date have been limited to examining the theory of partnering rather than its impact. The literature to date suggests that specialist contractors hold a negative view of partnering with a limited take-up due in part to an exclusion from participation.

Partnering has pierced the collective consciousness of specialist contractors. For those without experience of partnering the view held is usually negative with elements of cynicism. Amongst those with first hand knowledge of partnering the majority view is positive although heavily qualified by past experiences and mistrust of main contractors.

The hypothesis that specialist contractors are unwilling and/or unable to enter into partnering arrangements is rejected. Specialists can, in the right conditions, contribute meaningfully and prosper in the collaborative working environment. The incidence of the right conditions is relatively low and is further handicapped by the poor perception of partnering in practice amongst the specialists themselves.

To improve this perception of partnering amongst specialist contractors this paper makes three recommendations:

- i) A re-examination of the client's role in partnering contracts. If the client never asks to see its partners then the wrong messages are being sent to the specialists involved. The client and the specialist contractors should be brought closer together for the benefit of everyone concerned

- ii) Promotion of partnering on the grounds of adding competitive advantage for specialist contractors rather than on the grounds of mutual trust and co-operation. The experiences of specialist contractors leave them unmoved by the more laudable aims of partnering and the emphasis needs therefore to be shifted.

- iii) Focusing attention on successful examples of collaborative working such as zero retentions and risk registers with a view to building on these experiences to promote the wider collaborative agenda of partnering. The incidence of informal downstream partnering involving specialist contractors also demonstrates to specialist contractors the good practice already being operated.

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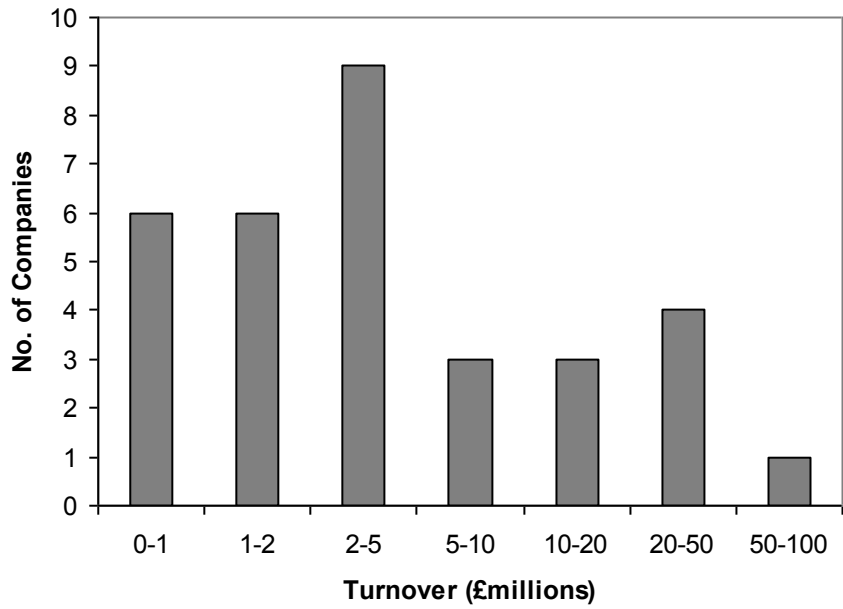


Figure 1 - Questionnaire Respondents by Turnover

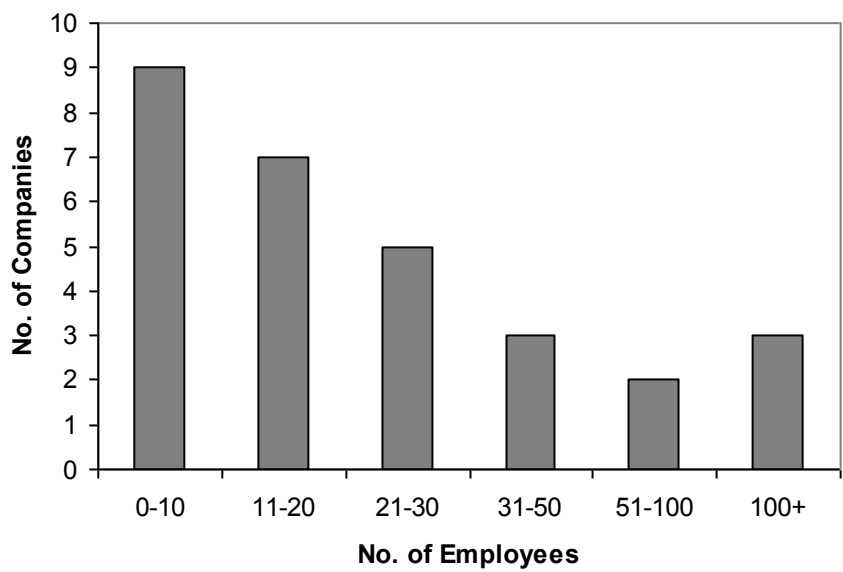


Figure 2 – Questionnaire Respondents by Number of Employees

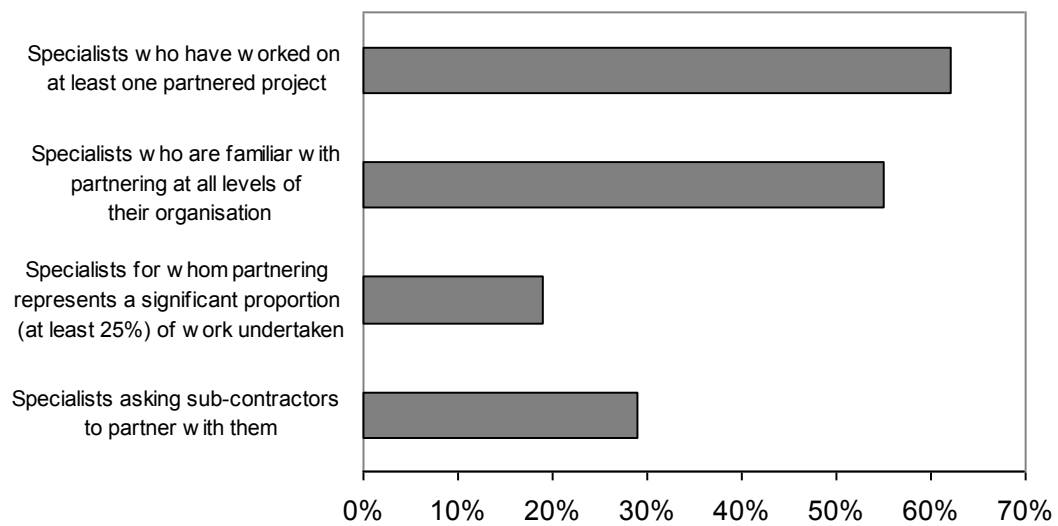


Figure 3 Partnering experiences of specialists

Perceptions of Partnering

Statements:

- 1 Longer term arrangements with contractors/clients have become the norm
- 2 Team working between organisations has improved
- 3 The number of conflicts on projects has reduced
- 4 Partnering benefits are only felt at main contractor/employer level
- 5 Sub contractors stand to gain by properly partnered work
- 6 Partnering will grow in importance
- 7 Partnering has restricted competition and is bad for all concerned
- 8 Partnering is all hot air with few (if any) actual benefits
- 9 On the whole partnering is a positive development
- 10 It is too early to say what effects have been/will be
- 11 Partnering is best achieved informally

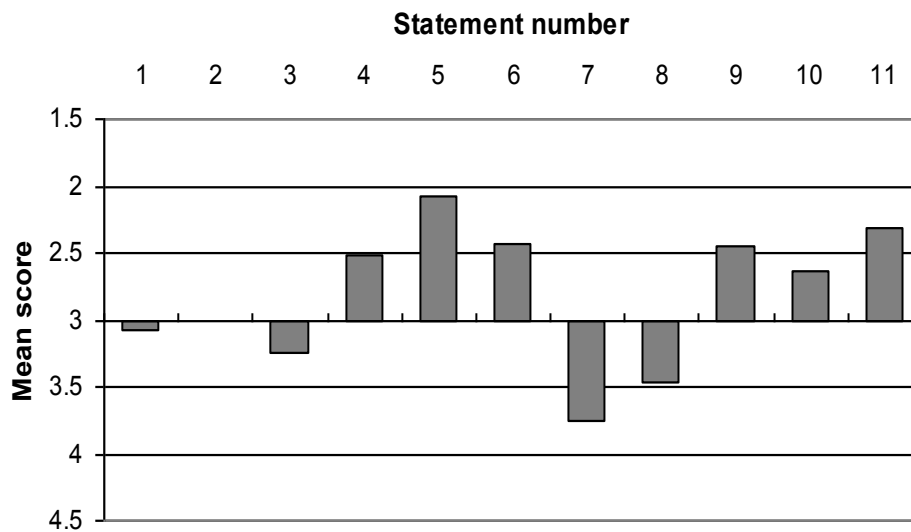


Figure 4 Perceptions of Partnering

Mean Score:

1= Strongly agree

2= Agree on balance 3= No strong feelings

4=Disagree on balance

5 = Strongly disagree

APPENDIX ONE

	Trade	Turnover	Projects	Public/Private	Employees
1	flooring	0.8M	50	50/50	18
2	systems	21.5M	450	80/20	360
3	refurbishment	2M	35	50/50	40
4	concrete	1.25M	8	33/66	30
5	painting	1.5M	4	90/10	20
6	ventilation industrial	20M	250	100/0	160
7	doors	32M	3	0/100	130
8	ventilation	1.8M	30	50/50	26
9	fire alarms power	16.5M	1500	20/80	204
10	systems	4M	N/A	0/100	27
11	cutting/drilling industrial	0.2M	4	10/90	5
12	doors	4.5M	20	10/90	64
13	windows mechanical	4.75M	27	40/60	13
14	services	4.5M	12	75/25	48
15	road marking	5M	25	96/4	72
16	refrigeration	1M	4	5/95	4
17	foundations industrial	100M	100	10/90	850
18	doors	3M	40	30/70	44
19	metal doors	5M	5	0/100	60
20	cladding	10M	13	0/100	150
21	M & E QS Curtain	6.3M	60	20/80	100
22	Walling Curtain	40M	6	0/100	250
23	Walling	5M	12	40/60	36
24	Refrigeration	0.75-1M	3	0/100	3
25	Concrete	12M	15	0/100	160
26	Metalwork	2M	24	75/25	40
27	Telecoms	0.2M	4-5	50/50	4
28	Highways	6M	15-20	90/10	70
29	Specialist doors	5M	20	20/80	50
30	Concrete	22M	25	50/50	100