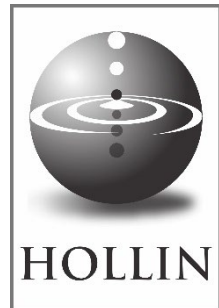


NEC4 Collaboration Master Class

Bryony Sherry and John Sherry



John Sherry



- Full time NEC senior tutor
- Member of NEC consultants panel
- 37 years' experience as a commercial manager
- 23 Years of managing NEC contracts and solving problems

Bryony Sherry



Behavioural Consultant at Hollin

- Work winning
- Project kick off
- Project recovery
- Leadership training
- Safety training
- Coaching

webinar objectives

Delegates should be able to :

- Describe the philosophy of the New Engineering Contract (NEC)
- Explain what collaboration is
- Review the key essentials for collaborative contracting:
 - Collaborative clauses
 - Leadership behaviours

Section 1

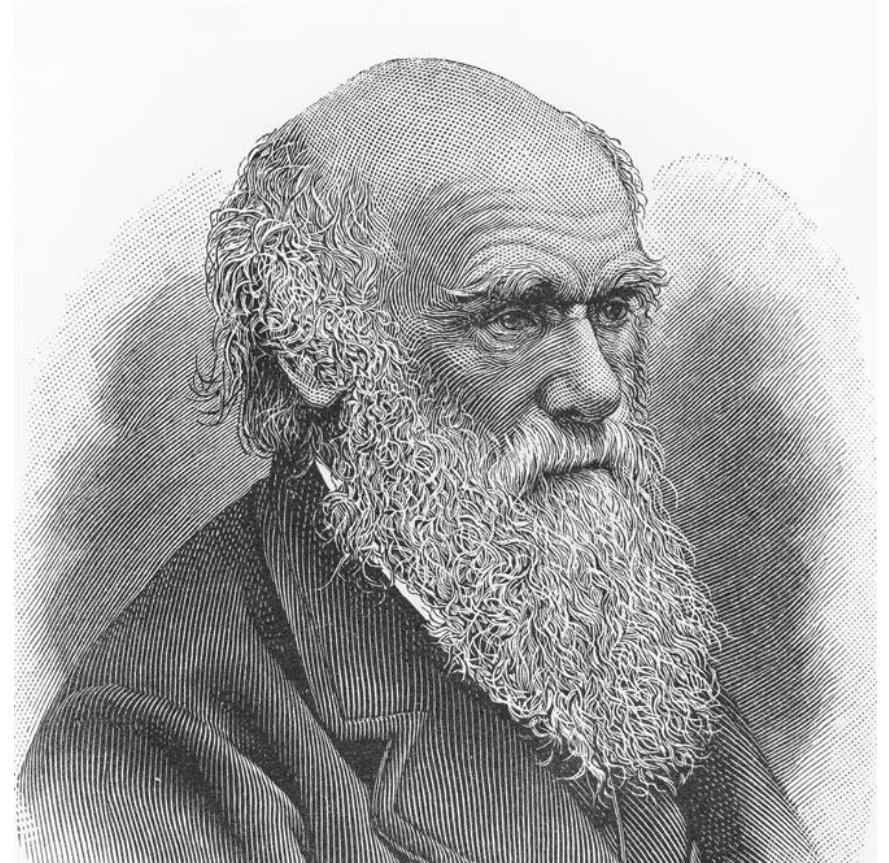
Introduction to the NEC 4 ECC

History of the NEC

- NEC contracts were first published in 1993 **to facilitate and encourage good management of risks** using clear and simple language and appropriate risk allocation.
- “...**a spirit of mutual trust and cooperation.**”
- Latham suggested that if his recommendations were adopted by the Construction Industry **savings of 30%** could be achieved over five years.

Nec 4 Changes Evolution not Revolution

- Standard format
- Inclusion of more core clauses
- Introduction of the Service Manager
- Use of common industry terms



Nec 4 Changes Evolution not Revolution

Clause 10.1 & 10.2

NEC collaboration

Legally enforceable?

Van Oord UK v Dragados UK [2020] CSOH 87

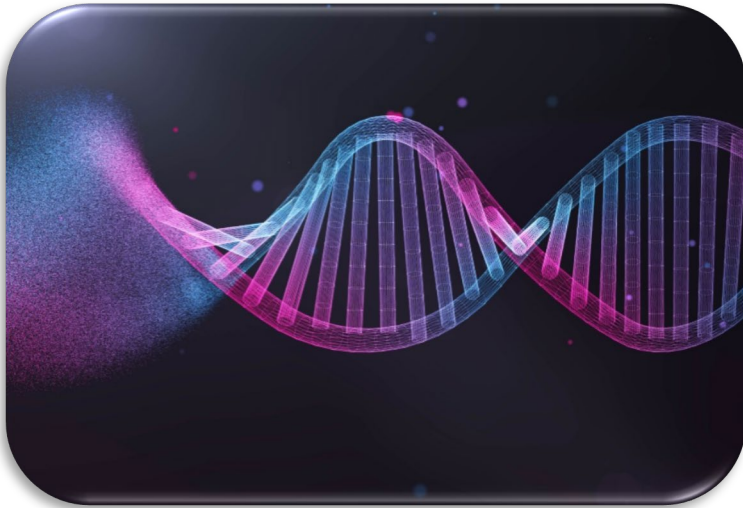
Lord Woolman held that clause 10.2 was not “merely an avowal of aspiration” but instead reflected and reinforced the general principle of good faith in the contract

Key for the full benefits of the NEC to be realised

Behavioural basics...

A behaviour is what a person
says and or does

Behaviour is influenced by...



Behaviour is influenced by...



Behaviour + science



Now it all
makes sense!!



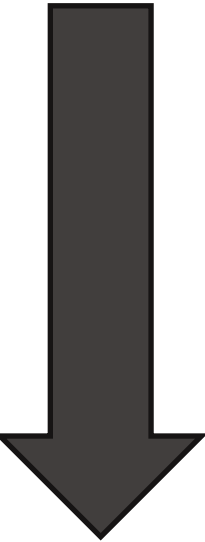
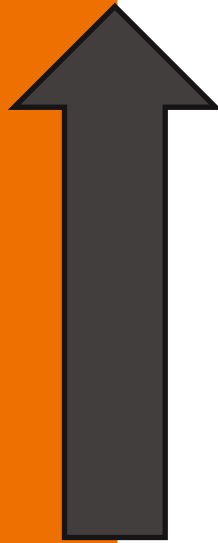
How does this help?



Prompt

Consequence
Repetition of behaviour

Behaviour



What is collaboration?

What does Cambridge dictionary say?

the situation of two or more people working together to create or achieve the same thing:

Cambridge dictionary also says...

the situation of people working with an enemy who has taken control of their country:

It's all about perspective



Perspective

We're in each other's
pockets

Colocation

We're able to
communicate openly
and quickly



What does the NEC say about collaboration?

Successful collaboration requires:

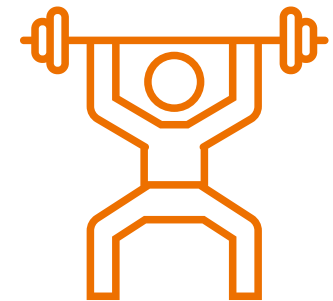
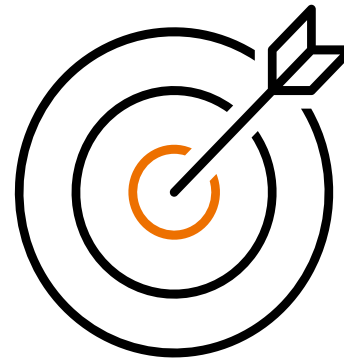
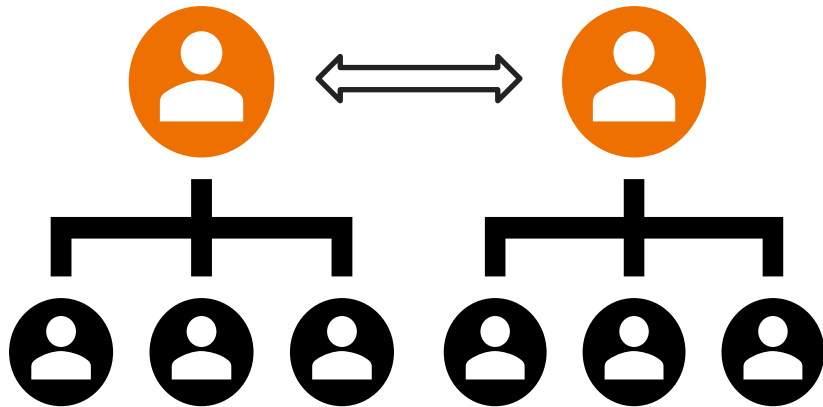
- A positive change of **mindset and behaviour**
- The creation of an **enjoyable working environment**
- **Engagement of all parties** including subcontractors, suppliers and related stakeholders
- **Moving away from 'business as usual' procedures**

How can you achieve collaboration?

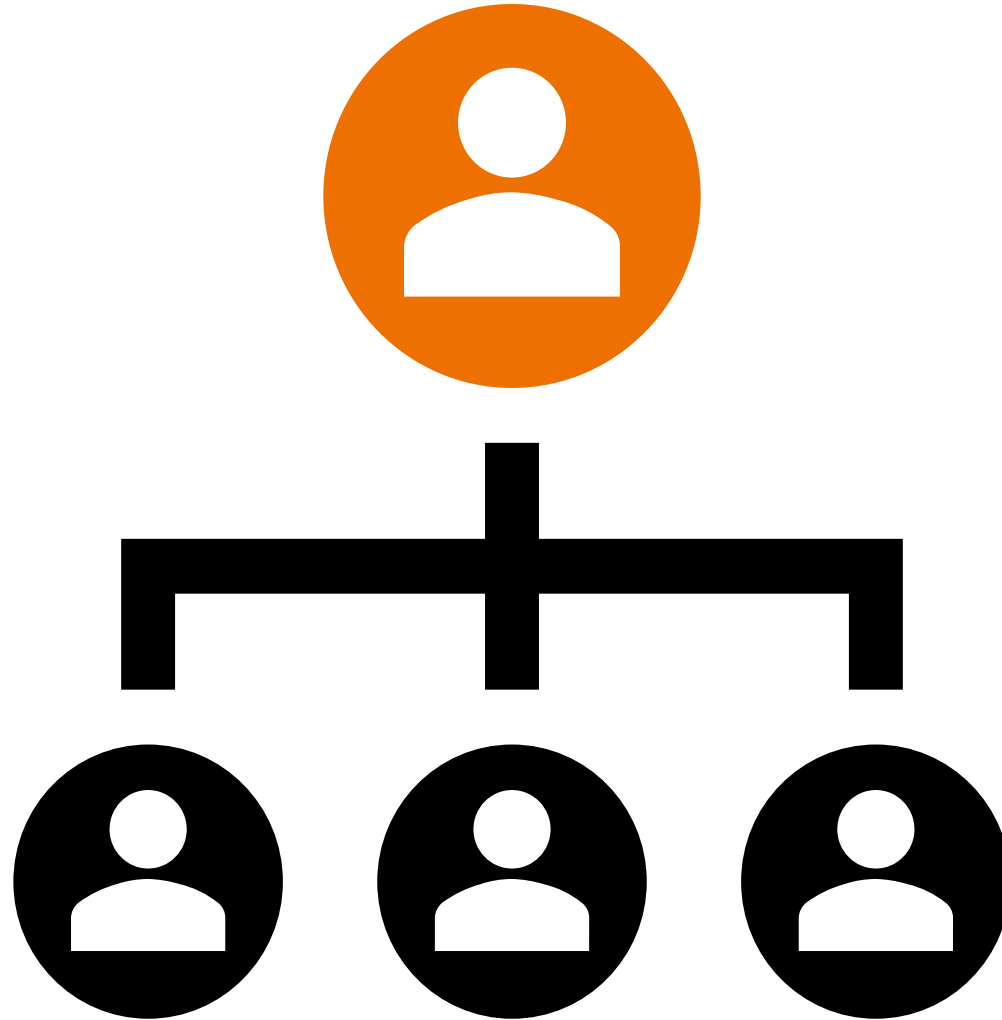
- Mindset and behaviour
- Enjoyable working environment
- Engagement of all parties
- Moving away from 'business as usual'
- Objectivity – What is happening?
- Be specific – what do you want to see/hear?
- How will you measure this?
- Avoid 'common sense'

Collaboration starts at the top

- Working towards a shared goal
- Acknowledging the strengths of each person
- Look for opportunities for collaboration



Clause 25.1



In practicality

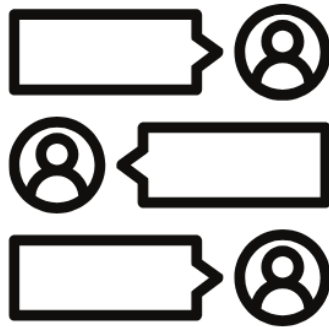
- Asking people what their strengths are
- Collect data
- Make changes to the physical environment
- Do something differently

NEC4 Collaborative Communication

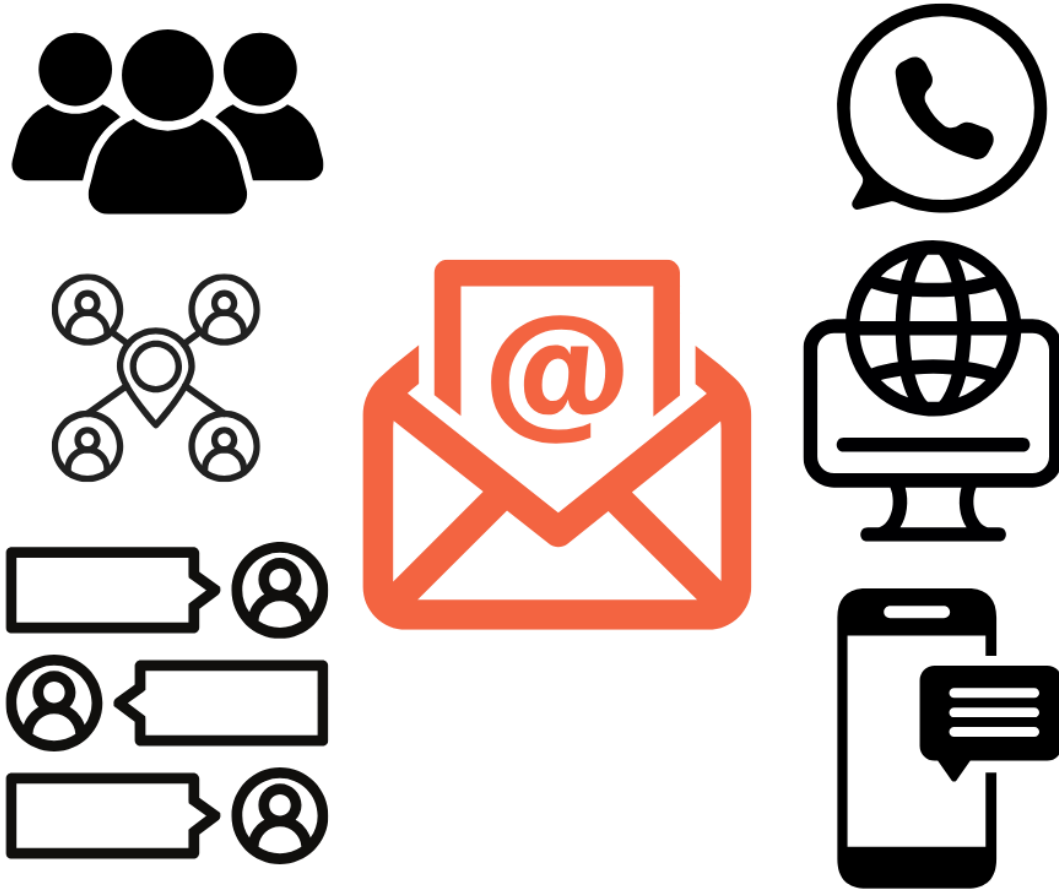
- 13.2
- 13.4



Communication



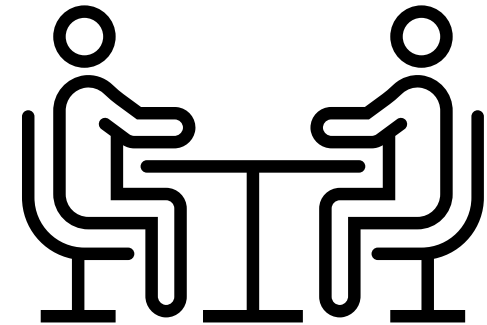
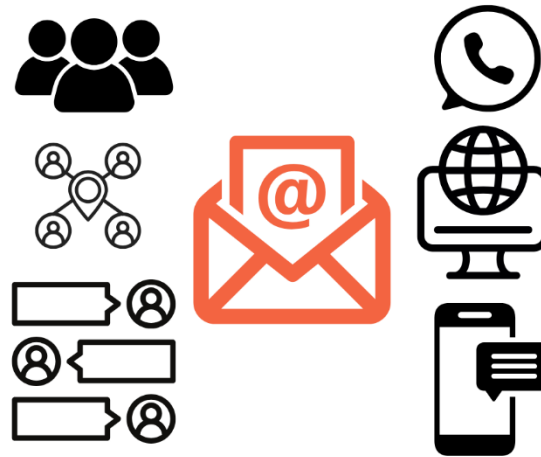
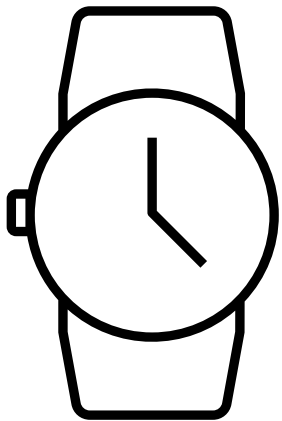
Communication



- Set expectations
- Hold each other accountable
- Nothing changes if nothing changes

Clause 20.4

- The Contractor prepares forecasts of the total defined cost for the whole of the works in consultation with the Project Manager and submits them to the project manager...

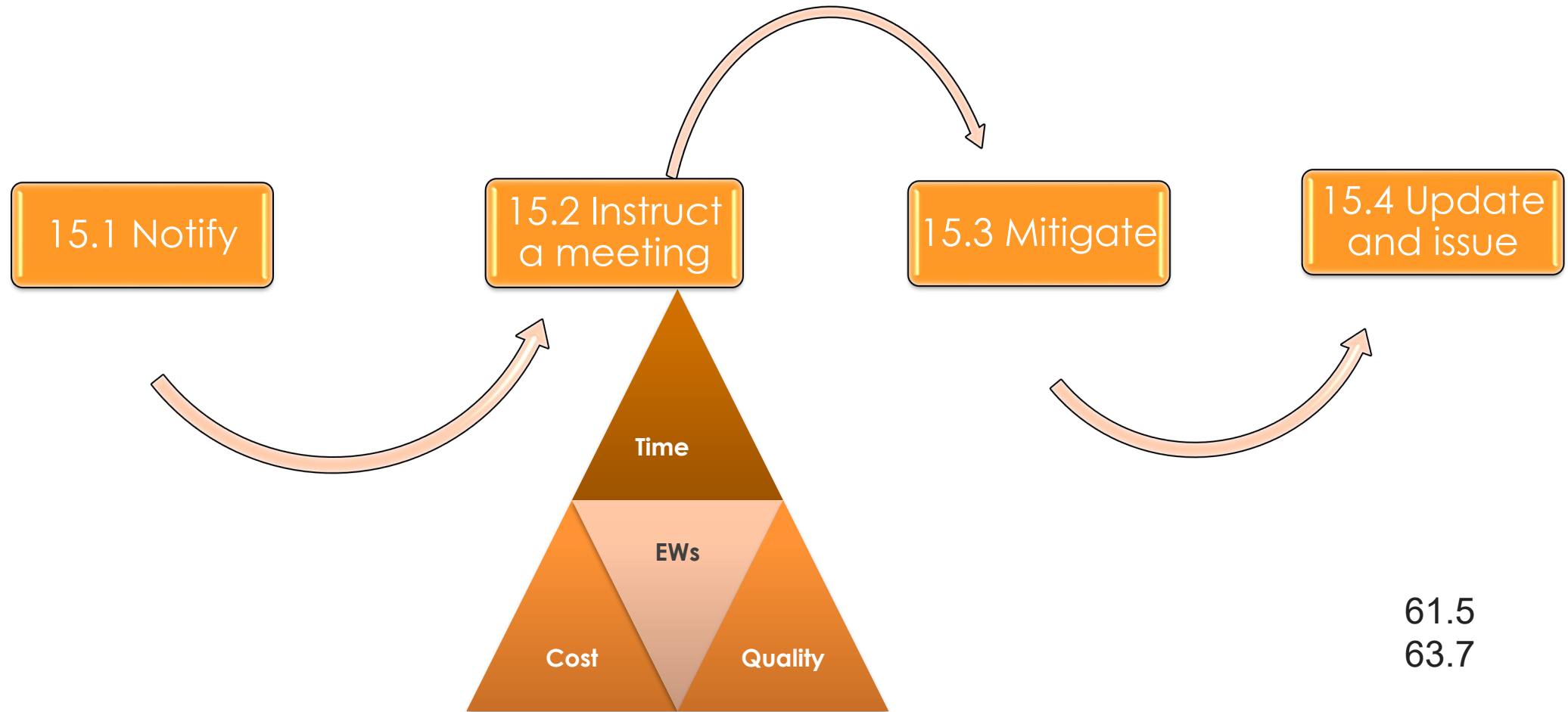


Notifying an Early Warning



NEC4 collaborative Clauses

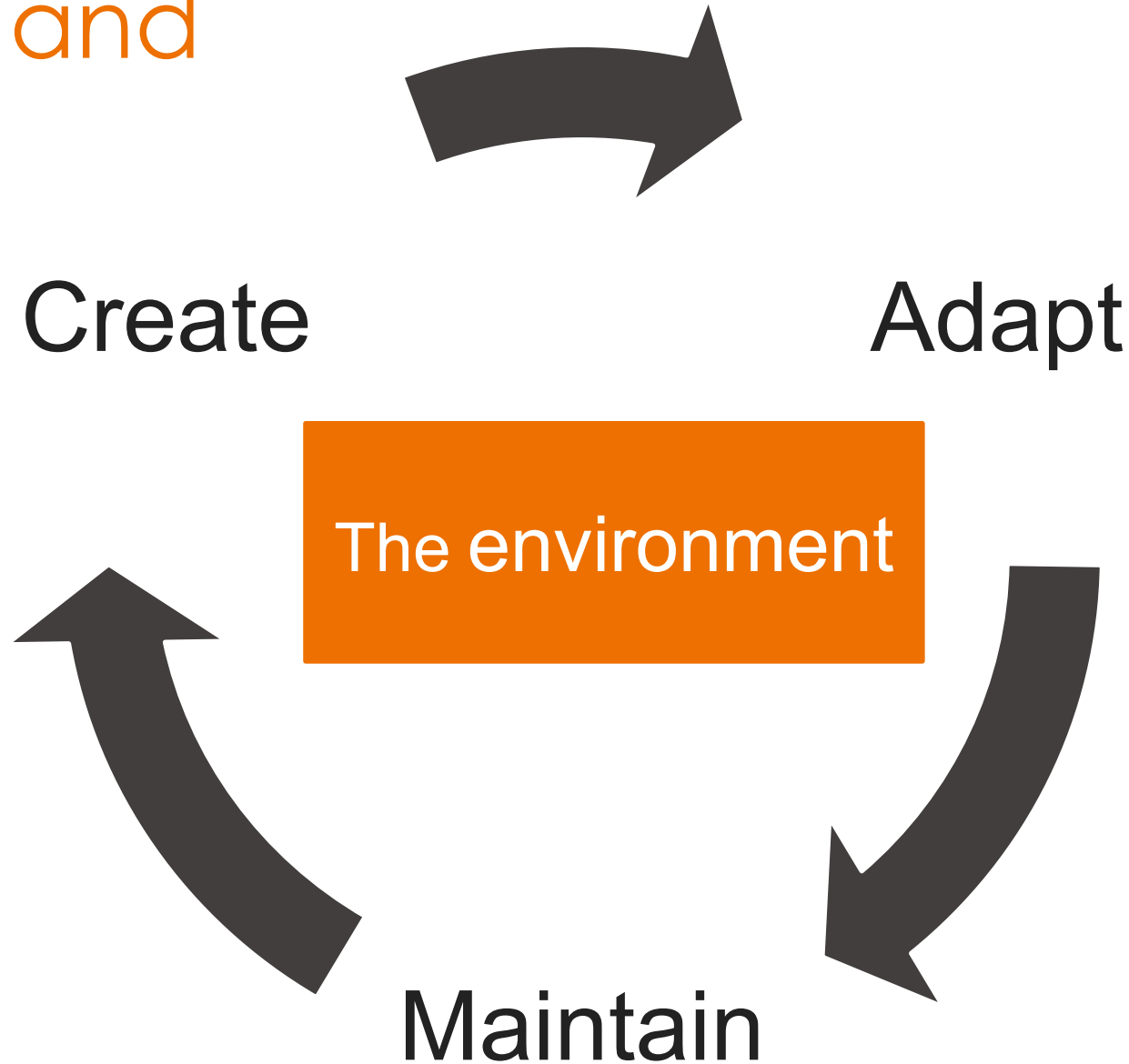
Clause 15 Early Warnings



61.5
63.7

Leadership Behaviours

Leadership and behaviours



Leadership and behaviours

- Simple messaging:
 - “Is this the best for the project?”
 - “I want you to create a safe place to work. I don’t care how much it costs.”



Visibility

- Leaders should be ‘visible and committed to the new collaborative way of working.’
- What does visible leadership look like?

He's so grateful



He's so thoughtful



Set expectations

He's so patronising

He's so ignorant

W2



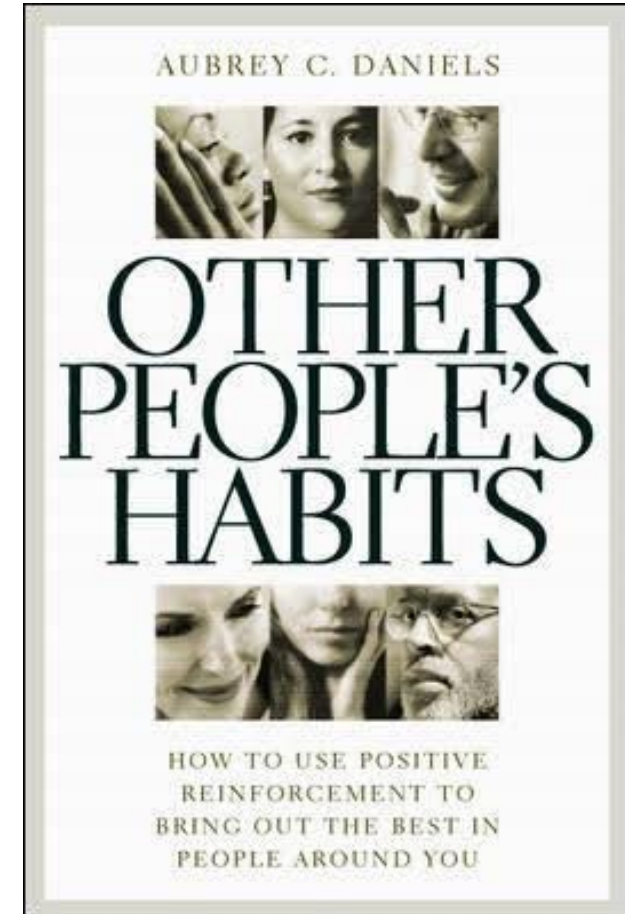
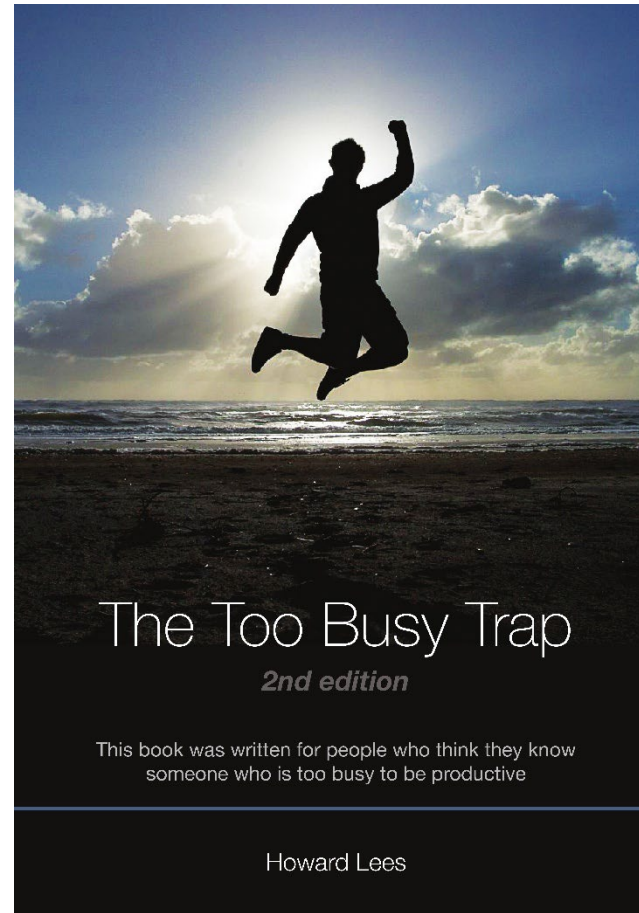
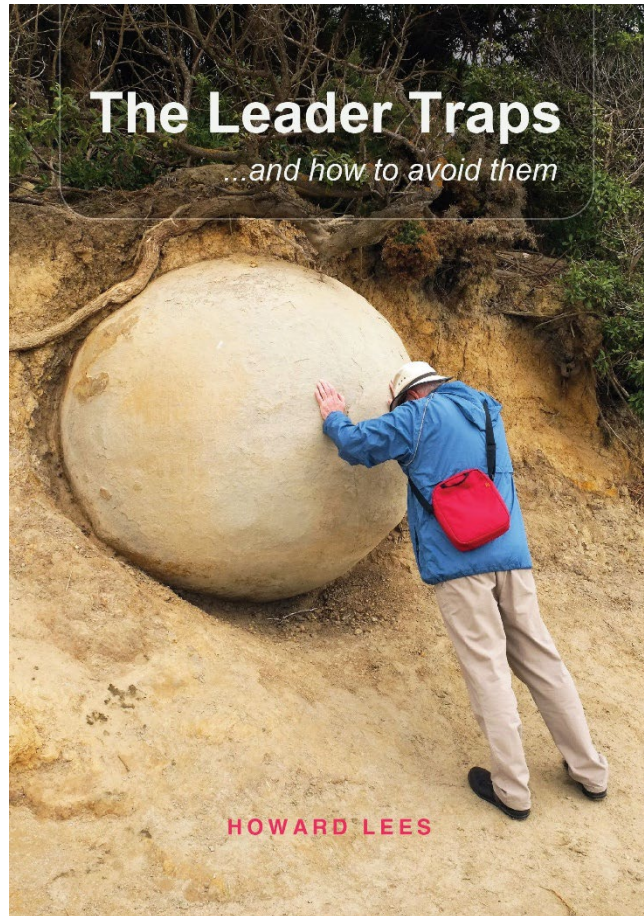
Relationships are key



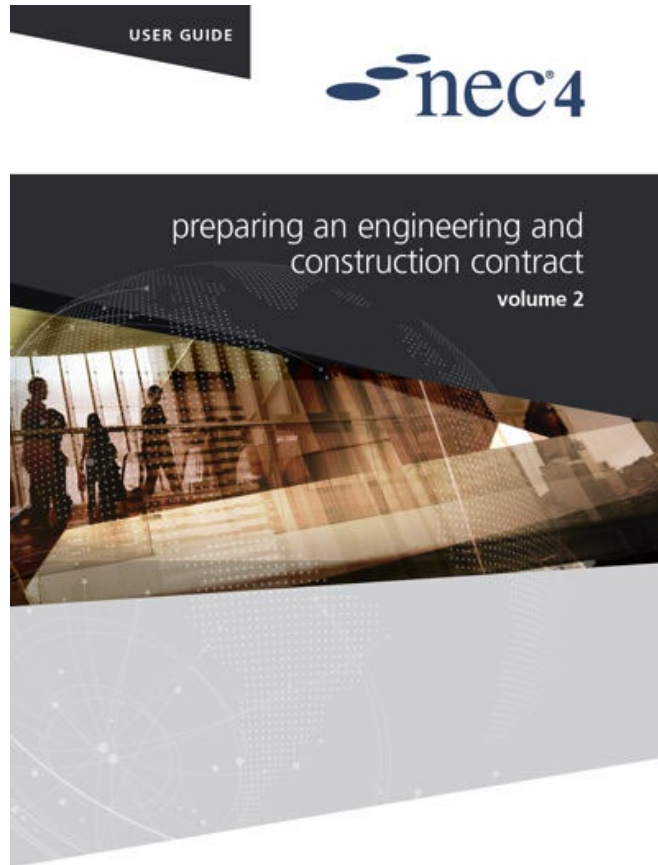
Recap

- Relationships are key
- Set expectations
- Train leaders/ future leaders
- Encourage accountability – what happens if you succeed?
What happens if you fail?

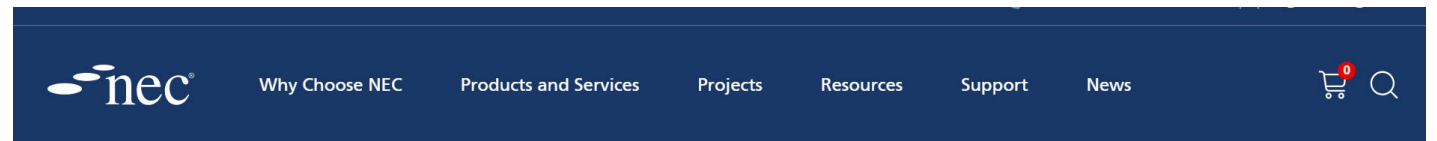
Further reading



NEC reading



June 2017



Getting it Right: Preparing the NEC4 ECC



Summary and open forum

Questions and Answers

Upcoming NEC events

- NEC Annual Conference **16th June, London**
- Upcoming free webinar: Innovation, Risk & Insurance – Enabling New Solutions with the Environment Agency **23rd June, 9:00am – 10:20am**

