Fair and transparent payment practices are essential for a thriving construction industry and a strong and sustainable supply chain. In recognition of this, Build UK and its members are looking to realise the industry ambition of zero retentions by no later than 2025, by developing and implementing this roadmap.
1. Wide scale adoption and implementation of the roadmap by Build UK members and the wider industry.

2. Ensuring any forms of security used against defects are appropriate and proportionate.

3. Effective and regular monitoring of progress against the roadmap, and in particular its implementation by Build UK members.
BACKGROUND

Cash retention – the withholding of a percentage of payment on construction work until it is completed free of defects – is intended to provide security to the industry’s clients that any defects will be rectified appropriately.

Retentions are problematic for all parties in the supply chain and the practice of ‘passing on’ retentions in order to secure cash flow, coupled with the loss of retentions due to insolvency, has a significant impact upon cash flow throughout the supply chain.

As such, retentions generally do not provide an appropriate or proportionate mechanism for ensuring quality and fair payment.

The Construction Supply Chain Payment Charter, which was introduced by the Construction Leadership Council to create a more collaborative payment culture, set out the ambition to move to zero retentions by 2025.
In 2017/18, the Government consulted on the issue of retentions to determine if and what further intervention by Government is needed. Build UK submitted a joint response with the Civil Engineering Contractors Association (CECA), supported by the Construction Products Association (CPA), which called for a joint approach of Government legislation to abolish cash retention by no later than 2025, supported by the industry developing and implementing a phased roadmap.

The Government published a summary of responses to the consultation in February 2020. Whilst it did not make any recommendations on policy options, it recognised a ban on cash retentions ‘as the solution most consistent with industry reform and would drive more sustainable business models’.

This roadmap sets out the framework, including key milestones for implementation by the supply chain, to deliver zero cash retentions within construction between now and 2023. This is two years ahead of the industry ambition and the milestones will be kept under review to ensure that the transition to zero cash retentions takes place as quickly as practicably possible.

The CLC confirmed its support for the roadmap in December 2019 and encouraged industry to adopt the minimum standards.
CHALLENGES TO DELIVERING THE ROADMAP

• Achieving agreed quality and specification and lack of consistency in the rectification of defects.

• Providing security when working with a supply chain where there is not an established relationship.

• A perceived lack of viable alternatives to retentions that provide similar levels of security.

• Ensuring that any use of cash retentions until 2023 and other forms of security are implemented ‘back to back’ through the supply chain to prevent any one party bearing the financial impact.

INTENDED OUTCOMES & BENEFITS

• Adoption and implementation of the Build UK roadmap by the construction supply chain to achieve wide scale change across the industry.

• Improved quality of completed works on construction projects, and increased assurance that any defects that do occur will be rectified appropriately, without the threat of unfair payment.

• An increase in working capital within the supply chain to support investment and growth.

• Increased collaboration and transparency in the construction industry, ensuring that any forms of security used against defects are appropriate and proportionate.

• Government recognition that the industry is stepping up to deliver change on this key issue and support for implementation of the roadmap within public sector procurement.
ROADMAP TO ZERO RETENTIONS

2018
- Build UK members agreed roadmap
- Build UK response to Government consultation submitted
- Retentions Steering Group established
- Minimum standards on retention developed
- Task Group established to identify alternative forms of security against defects
- Insurance providers consulted on retention bonds

2019
- Construction Leadership Council endorsed the roadmap
- Central Government retention policies published
- Minimum retention standards published

2020
- Review this roadmap including key milestones and minimum standards
- Publish enhanced minimum standards for use by industry
- Review this roadmap including key milestones and minimum standards

2021
- Zero cash retentions

2023
- Provide support for implementing other forms of security where appropriate
- Review this roadmap including key milestones and minimum standards
- Publish enhanced minimum standards for use by industry
- Review this roadmap including key milestones and minimum standards

Find out more
retentions@BuildUK.org | 0844 249 5351 | www.BuildUK.org/retentions