

Partners in Compliance

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Question for today

Are verifiers and certifiers receptive to partnership working under the compliance agenda?

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The Scottish Government Minister message:- Certification of Design and Construction

- is an integral part of the Scottish building standards system and
- it is a core element to raise standards and improve compliance with building regulations.

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The Scottish Government Minister message:-

Certifiers and Verifiers must:-

- reflect;
- review their policies; and
- learn lessons from past experiences in order to realise the full potential that certification can provide

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Certification is not new !!!

Pre 2005

Structures

Electrical

UKAS Test Houses

Notified Bodies

Post 2005

Structures

Energy

Electrical

*Drainage,
Plumbing, Heating*

UKAS Test Houses

Notified Bodies

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Certification - 2003 Act

What are the main changes

- increased options / coverage
- accountability of Certifiers
- extension of Role

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2003 Act - Section 7 – Schedule 2

**2004 Procedure Regulations – Part 7 –
Regulations 31 to 40**

Where does it fit with verification?

- building standards system
- building warrant assessment
- site works/completion/compliance

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Roles: Verifiers carrying out verification of Building Warrant must

- carry out pre-emptive assessment of design to confirm compliance with standards
- accept Certification of Design, and
- serve the public interest

ALL without a formal contract with relevant person

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Roles: Verifiers carrying out verification During Construction (CCNP) must

- carry out reasonable inquiry
- use a risk-based approach to inspection
- maximise the use of their resources
- apply resources where the greatest risk of non-compliance may exist

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Roles: Verifiers carrying out verification During Construction (CCNP) must consider:-

- alternatives to site visits
- additional supporting information, and must
- accept certificates of construction issued by an Approved Certifier of Construction, and
- seek the submission of Form Q

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Roles: Certifiers / Certification must:-

- provide evidence to relevant person / verifier
- certify a pre-emptive design
- certify site works within the limits of their scheme
- protect both private interest and public interest normally by entering a formal contract with relevant person

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Summary: Certification is :

- embedded in the Act;
- embedded in the warrant process;
- embedded in the Verification during Construction (CCNP) Process /reasonable inquiry,

and certification supports verification through an optional non-mandatory route

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Impact of potential future change

Equivalency

- risk assessed procedural guidance for verifier checks of non-certified design work
- competency standards for those carrying out checks of non-certified work

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Impact of potential future change

Incentives

- lack of take up by certifiers – why?
- take up by professions – architects/surveyors
- surcharges for non-use of certification

Disincentives

- fee levels – warrant fee – certifier charges
- lack of joint working

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Impact of potential future change

Value - benefits of certification

- reduces time to get a warrant
- reduces need for verifiers inspections
- reduces burden on verifiers
- possible extension into exempt work to confirm compliance

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Impact of potential future change

Promotion and Awareness

- collaborative communications strategy
- information to property owners
- building work procurement – public and private
- stakeholder awareness

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The Scottish Government Message is clear

“We all want a Certification system in Scotland that is fit for purpose and is considered the ‘norm’. It is important that we all work together to take Certification forward.

Only then will we be able to leave a strong and coherent legacy to keep the people of Scotland safe within our built environment.”

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The LABSS Message is clear

“VERIFIERS must act within their public interest remit while recognising the Scottish Government aim for a joint approach to close the compliance gap through partnerships between verification and certification. It is a time for open minds and constructive engagement”

Think - Engage – Challenge – Act