

Construction Industry Council's role as the body for approving and registering building control bodies

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The Construction Industry Council's role as the body designated by the government for approving and registering individuals and firms to work as private commercial building control bodies (Approved Inspectors). The Approved Inspectors operate in competition with public sector Building control bodies (Local Authorities).

1. The emergence of the scheme for Assessment and Qualification of Approved Inspectors

The Building Act is the primary legislation for Building Regulations in England/Wales. The Building Act 1984, Section 49, provided for the introduction of private sector delivery of Building Control Services by Approved Inspectors. In 1986 the Secretary of State's designated the National House-Building Council (NHBC) as the first approved inspector, but the industry felt this was not an appropriate arrangement due to rapid developments in the science of building control during that time.

In March 1992 the Government issued a consultation document containing proposals for guidelines on the qualifications and experience to be required of Approved Inspectors. .

A Working Group, was set up and proposed a fresh approach, which included concept of an examination for Approved Inspectors to be administered under the 'auspices of the Construction Industry Council (CIC)'.

CIC held a special seminar of all interested members in November 1992. A Task Force was established by CIC in December 1993 and reported to government in April 1994, providing clear outlines for a qualification route and who should be charged with providing for that qualification route.

On the strength of the Report the government contracted CIC to undertake a research project to develop the detail of the scheme for the approval of Approved Inspectors. Following a consultation in 1993/4 the Government had decided there should be a single, independent Designated Body for the approval of Approved Inspectors. CIC called together a group of expert individuals to guide the work, known as the Approved Inspectors Project Steering Group. The Project was to concentrate on the requirements for the approval of individuals

seeking Approved Inspector status. The approval of corporate Approved Inspectors was to remain under the government's control, as was the major hurdle of insurance requirements. Following a successful pilot of the scheme during the summer and autumn of 1996, and the making of the necessary Statutory Instruments, CIC was designated as the body for assessment and registration of individual Approved Inspectors. The CIC Approved Inspector Register opened for business on 3 January 1997 and in March that year, at a ceremony at the Houses of Parliament, a Government Minister, awarded the first Certificates to registered individual Approved Inspectors.

2. Corporate Approved Inspectors

CIC designated status was extended in March 1999 to allow approval of corporate bodies as approved inspectors. In March 2004, CIC took over responsibility for the 12 corporate approved inspectors, including NHBC, who had been originally approved and administered by the government. All approved inspectors are shown on the Register, which is held on the CIC website at: <http://www.cic.org.uk/services/AIregister.shtml>

3. Performance Standards

The advent of the first Approved Inspectors (other than NHBC) generated a number of concerns that the new Labour Construction Minister, Nick Raynsford MP (currently CIC Chairman) consulted upon very quickly. In his review during the summer of 1997 he met delegations from the Local Government Association (LGA), CIC and the Association of Consultant Approved Inspectors (ACAI). In particular, he heard concerns about the emergence of perceived dual standards in the assessment of individual Approved Inspectors and corporate Approved Inspectors. This centered around concern that government retained responsibility for assessing and approving corporate Approved Inspectors. It was the industry's feeling that such approvals were inconsistent and slow. The Minister supported the continuation of competition, provided he could be sure that there would be no downward spiral in standards of safety in pursuit of ever-lower fee levels.

CIC, LGA and ACAI met the Minister's challenge by establishing, with government support, what has now become the Building Control Performance Standards Advisory Group (BCPSAG). The BCPSAG has a balanced membership between the public and private sectors, with CIC providing the secretariat.

The BCPSAG developed commonly agreed Building Control Performance Standards for the delivery of 'Standards' (mandatory) and 'Guidance' (voluntary). The Performance Standards were launched by Nick Raynsford in July 1999. The Performance Standards, known as 'The Green Book', were reviewed and republished in June 2006, with the addition of Performance Indicators to measure the effectiveness of the standards in use.

They are available at: http://www.planningportal.gov.uk/uploads/br/bcpi/building-control-performance-standards_june06.pdf

4. Governance

Responsibility for its statutory role as Designated Body has been devolved by CIC to the CIC Approved Inspector Register Management Board. The present Management Board has agreed that a balanced Board should preferably include people with breadth of expertise across the construction industry and it comprises:

- The Chairman;
- 3 Approved Inspectors;
- 2 Local Authority building control officers;
- 2 Civil/structural;
- 1 Fire;

1 Contractor;
1 Consumer;
1 House builder/developer.
Total 12 members

In addition a government observer and the Chief Executive of CIC as an ex officio member. Additional suitably qualified persons might be added if the Board agreed to their appointment.

5. Assessment

The Management Board has appointed a Panel of suitably qualified and experienced assessors to carry out the examination and interview of applicants who have applied for approved inspector status. Each applicant is assigned a chairman and two assessors drawn from the Panel. They receive copies of the application, which has been checked by the Registrar to make sure it is complete. The assessment panel read the application and decide if it meets the requirements to proceed to interview, or if further information is needed. An application can also be rejected. If successful, an interview is arranged when the applicant will appear before the assessment panel, either as an individual or collectively, and be questioned on their application and knowledge base to establish his competence. If successful at interview, the applicant will be invited to be placed on the Register, subject to payment of the fee and signing to agree to abide by the Approved Inspectors' Code of Conduct and the 'Green Book'. Once registered, the Approved Inspector is free to practice and notification of their addition to the Register is made to all Local Authority Building Control Bodies. The Approved Inspector is issued with a certificate that indicates their approval and states the date it becomes operative. Approval is for five years. (See Re-approval below)

6. Appeals

An applicant can fail at any stage in the approval process, but is afforded the opportunity to appeal. This is shown in the diagram in Appendix 1.

7. How to become an Approved Inspector

The CICAIR route to qualification for Approved Inspectors involves four stages of assessment. (See Appendix 1 for diagram of process) (Full details are to be found on the CIC website at: http://www.cic.org.uk/services/approved_inspectors.shtml)

The process starts with the completion of an **Application Form** and a detailed knowledge base. The knowledge base is the heart of the assessment and requires demonstration of how the individual's knowledge and experience equips him/her for the duties and responsibilities of an Approved Inspector. The knowledge base addresses six key areas as follows:

- Building Regulations & Statutory Control
- Law
- Construction Technology & Materials
- Fire Studies
- Foundations & Structural Engineering
- Building Service & Environmental Engineering

Candidates are expected to address each of the Knowledge-Base criteria to demonstrate how their experience/qualifications would meet these criteria.

The requirements in the knowledge base are consistently stated by use of four key descriptors to identify the level of knowledge required. These are:

- **comprehensive knowledge** whereby a candidate would have sufficient knowledge of the subject to make most decisions without specialist assistance.
- **understanding** whereby a candidate would have sufficient knowledge of the complexities involved in order to control the work of others.
- **appreciation** whereby a candidate would have a general background knowledge of the subject but would require the specialist input of others in tackling the work.
- **awareness** whereby a candidate need only have a superficial knowledge of the subject

The requirements are set out in descending order of importance to the Approved Inspector role. The highest and most significant level of requirement is **comprehensive knowledge**. Correspondingly, the lowest level of knowledge for which there is nevertheless a specified requirement is that of **awareness**.

The full Knowledge Base is not reproduced here, but covers in detail requirements under the headings already mentioned above. These are:

The Knowledge Base is available at:

http://www.planningportal.gov.uk/uploads/br/bcpi/building-control-performance-standards_june06.pdf

Pre-qualification verification

On receipt of an Application, the CICAIR Registrar will check for gaps in experience or qualification which may disqualify the Application or cause delays at further stages. The check may involve seeking clarifications from the Applicant or others.

Admissions Panel

On successful completion of Pre-qualification verification, the Applicant becomes a **Candidate** for Approved Inspector. The papers are then considered by professional Assessors who decide whether the Candidate has demonstrated the necessary experience and knowledge to merit a **Professional Interview**. Assessors include experts nominated from across the range of disciplines by CIC Members together with qualified Approved Inspectors.

Professional Interview

Candidates called for a Professional Interview will be seen by an Interview Panel consisting of three Assessors assisted by the CICAIR Registrar. The Professional Interview is the final stage of assessment and is an opportunity for Candidates to demonstrate their knowledge and experience, and expand upon the information provided in their Application.

Successful completion of the above assessment stages will result in the Candidate being invited to register as an Approved Inspector. The Approval will be for a period of five years.

If an Applicant/Candidate is unsuccessful at any stage in the assessment he/she will be given reasons and, on application to the Registrar, any advice CICAIR is able to give. Opportunities for Appeals against decisions are provided.

Applicants are also required to have knowledge of the Building Control Performance Standards, 'the Green Book'.

Insurance

Approved Inspectors must carry appropriate insurance and there are three government approved schemes of insurance for them to choose from:

Since the introduction of the Warranty Link Rule on 31 October 2005, allowing all Approved Inspectors to control housing, previously the sole prerogative of NHBC, there are four schemes approved by government for provision of warranties, providing protection to consumers.

Circular letters about these various schemes may be found on the CLG website.

8. Code of Conduct For Approved Inspectors and Disciplinary Procedures of The Construction Industry Council Approved Inspectors Register

The Code contains the rules that approved inspectors are expected to abide by and also the disciplinary arrangements and sanctions should they transgress. The headings only are reproduced here:

Contents

Section 1 Definitions

Section 2 Code of conduct

Compliance with legislation

Duty to discharge responsibilities with integrity

Duty to maintain Professional Competence

Duty to work within the scope of available competence and resources

Duty to maintain responsibility for any sub-contracted or delegated work

Duty not to hold a position which conflicts with professional duty

Duty not to attempt to injure the professional reputation of another Approved Inspector

Duty not to attempt to supplant another Approved Inspector

Duties on the transfer of responsibilities of an approved inspector

Professional Indemnity Insurance

Approved Insurance

Section 3 Disciplinary procedures

Section 4 Sanctions

The full Code can be viewed at: <http://www.cic.org.uk/services/CodeofConduct.pdf>

9. Re-approval

Approval by CIC is for a period of 5 years, at which time to continue trading, the Approved Inspector has to apply for re-approval. The re-approval process is very similar to the initial approval process and is set out in detail at:
http://www.cic.org.uk/services/ai_reapproval.shtml

10. Fees

Fees are detailed on the application forms and vary between individual and corporate approved inspectors. Corporate re-approval fees are based upon their turnover. Other fees are set amounts and subject to annual review. They are intended to pay for CIC's costs in performing the Designated Body role.

11. The future?

The government is engaged in a wide ranging review of the building control process and is to consult the industry later this year.

The current Approved Inspector Regulations, made under the Building Act 1984, have existed, largely unchanged, for 20 years and there have been many suggestions made to government for improvements. Among them is the idea of having one class of Approved Inspector, rather than individual and corporate. Other suggestions are aimed at levelling the 'playing field' between public and private building control. Significant changes may be in the offing and the industry is working towards ensuring that they are for the best.

Appendix 1.

