

## **Annex 6B – Narrative to the competence framework**

### **Competency Framework for HRRBs and Complex Buildings**

#### **Role - Building Standards Professionals**

##### 1. Introduction

Following the publication of the Final Report of the Independent Review of Building Regulations and Fire Safety (“**the review**”), by Dame Judith Hackitt in May 2018, and in particular recommendations 5.1 – 5.4 inclusive, the industry response group created task and finish groups to consider how to ensure that all those involved in delivering ‘Higher-Risk Residential Buildings’ (HRRB) projects have the appropriate levels of competence and qualifications to work on such buildings.

Under the direction of the Competence Steering Group (CSG) chaired by the Construction Industry Council (CIC), working group 6 was created with the task of developing a set of competencies to be applied to those whose role is involved with assessing and inspecting building work for compliance with Building Regulations and any other associated legislation.

##### 2. Role Profile

This framework has been developed for Building Standards Professionals working on HRRB.

Building Standards Professionals will have extensive experience of their area of work, and either have a range of competencies for the specific types of building standards work that they will undertake or to oversee the work of others. They will have a leadership role within the building standards community across all aspects of their work. They will typically have demonstrable experience in building control and in dealing with HRRBs and/or complex buildings in particular.

##### 2.1 Who are Building Standards Professionals?

Building Standards Professionals are often referred to as Building Control Surveyors, Building Control Officers or Building Inspectors. They are not to be confused with Building Surveyors or Clerks of Works.

Building Standards Professionals, under the current legislative system, either work for a Local Authority – in a council Building Control section (LABC), or they are a consultant Approved Inspector (a sole practitioner or a limited company e.g. NHBC, MLM, Butler & Young). The collective name for LABC and Approved Inspectors (AI) is Building Control Body (BCB).

Building Standards Professionals are not members of a trade body who might offer services under a Competent Persons Scheme (CPS) i.e. a system to self-certify controlled building work, without the oversight of a BCB. This is because whilst a CPS member or body must

comply with the regulations etc, they have no power to inspect the work of others or to enforce standards by serving a notice and/or carrying out work in default.

Building Standards Professionals who work for a council (LABC) are building regulations enforcement officers and the council is the enforcing authority. Councils are authorised by statute (section 91 of the Building Act 1984) to enforce the building regulations in their administrative area. AIs are approved to carry out the same building regulation function as a council – and must be approved for that purpose by government. The system to approve AIs has been bestowed upon CIC Approved Inspectors Register (CICAIR) by the government. All AIs must be registered with CICAIR.

Building Standards Professionals will either be educated to a degree level or will have a trade or construction qualification, up to degree level and have many years' experience in Building Control. They may also be a member of a relevant professional body such as CABE, CIOB or RICS. In some cases, they may be members of specialist professional bodies such as RIBA, IStructE or IFE.

Qualifications, once obtained, are not currently required to be periodically reviewed by the professional body. However, members of professional bodies, AIs registered with CICAIR and LABC sections operating under the LABC Standards scheme and employees working for certain BCBs are expected to maintain and record their CPD – generally between 10 and 30 hours a year. In some cases training has to be formal in nature and demonstrate detailed understanding. There is, currently, no obligation for a minimum number of hours of CPD for specific topics such as fire safety, as might be required for HRRB.

## 2.2 What do Building Standards Professionals do?

Building Standards Professionals use their qualifications, knowledge, skill, and experience (competence) to assess if any building work that is controlled under the building regulations, complies with the regulations and requirements by assessing elements of the construction against government and other recognised standards/technical guidance.

Building Standards Professionals will undertake a two-stage compliance assessment. The first stage being the assessment of detailed drawings and specifications and the second stage being the inspection of building work as it progresses on site.

BCBs principally carry out building regulations compliance inspections as mentioned above.

However, the role of councils – as the enforcing authority – will also extend to enforcement

investigation and prosecution. They will also, in the majority of cases, undertake other

building/public safety duties such as dealing with:

- Maintenance of a public register of AI notices/certificates
- Approving AI Final Certificate extensions of time
- Enforcement of work reverting from an AI
- Dispensation or relaxation of building regulations/requirements
- Appeals to the government for a refusal to dispense with or relax a regulation etc
- Dangerous and dilapidated buildings
- Demolition of buildings
- Safety at sports grounds
- Safety of structures at public events such as at concerts and parades

To a lesser extent, councils may become involved in supporting such matters as:

- Street naming and numbering
- Fire risk assessments
- Energy assessments
- Warranty inspections
- Land Charges

Some AIs might also carry out other professional consultancy work such as:

- Fire engineering
- Fire risk assessments
- Energy assessments
- Acoustic assessments
- Warranty inspections
- Access audits
- CDM services
- Party Wall Act surveying services
- Expert witness

Whilst outlining other roles that a BSP might undertake, it should be noted that this framework does not address competence other than that necessary to undertake regulatory inspection and enforcement of HRRB. If a BSP wishes to undertake additional activities then they must demonstrate competency for that particular type of work/role eg Fire Risk Assessors or Fire Safety Engineer competence.

The work of Building Standards Professionals can apply equally to small material alterations to existing properties, the largest, most complex and highest risk types of new building and all scales of work in between.

It is critical that Building Standards Professionals are competent to assess, monitor, investigate and enforce compliance for the types of building they are required to regulate; they should also know the limits of their abilities and seek more expert

advice where it is necessary to do so. This framework focusses on Complex Buildings, particularly those identified by the **review** as Higher-Risk Residential Buildings (HRRB) and provides a range of activities by which Building Standards Professionals and teams can assess their individual and combined competence to ensure that they are able to satisfactorily meet their obligations on such buildings.

To cover those individuals who may not have the required recognised qualifications, they will undergo relevant assessment to ensure competency. They will have to demonstrate their ability is to at least level six NVQ – or equivalent – through whatever means, or membership of a relevant professional body.

### 3. Objectives of the Framework

The objective is to provide a clear framework for Building Standards Professionals and bodies to follow so as to assess, maintain, and demonstrate appropriate standards of competence individually and in their workforce. This will ensure that Building Standards Professionals can assess whether buildings have met, or exceed, relevant statutory requirements to comply with the Building Regulations and other relevant standards and legislation in order to protect the health, safety and welfare of people and in ensuring suitable standards of sustainability and accessibility in HRRB and complex buildings.

### 4. Scope

This framework has been developed for Building Standards Professionals in England and Wales. The Competency Working Group for Building Standards Inspectors/Surveyors (Working Group 6) believes that this framework could and should eventually be widened out to encompass the role of Building Standards Professionals for all types of building work, across the full range of complexity and competency levels from Trainee to the most senior and experienced professional.

This framework can also be used:

- To support the development of qualifications for Building Standards Professionals courses relating to HRRB
- To assist in the assessment of a candidate's suitability for Building Standards Professionals roles relating to HRRB
- To support Building Standards Professionals to develop their own career and personal development plans
- To validate ongoing competence on a periodic basis

Whilst this framework has initially been developed to define the key competencies only for those Building Standards Professionals working on HRRBs and complex buildings, it is likely that, in practice, such roles will be varied and this framework is designed to enable people operating across a wide range of Building Standards Professional activities to assess and maintain their competency in relation to the type of work they might undertake.

This framework only provides for the competence expectations of the Building Standards Professional discipline. It should be recognised that the work of the Building Standards Professional spans a wide spectrum of specialist activities within

the construction industry, such as: structural integrity, fire safety, acoustics, energy efficiency, and accessibility to name a few.

These activities will, on their own, often involve their own disciplines such as Structural, Fire, Energy, Sound, and Access engineering. There are certain areas of knowledge such as Structural Safety where a professional working on a HRRB or a complex building would be expected to have the highest level of competence within their discipline. However, it should not be confused with the level of competence expected of a specialist consultant. Nor should competent be interpreted as being expert.

A key area of competence for Building Standards Professionals is for them to recognise the limits of their knowledge and to call upon the support of other specialist professions to offer advice and guidance which might be outside their skills set e.g.: a competent Structural or Fire Safety Engineer. See also section 8 below.

## 5. Benefits of the Framework

For the public:

- Provides assurance Building Standards Professionals act competently in protecting the safety and interests of the public and residents of HRRB in particular.

For the individual:

- Enables individuals and their line managers to identify gaps in knowledge, skills and behaviours, enabling current and future learning and development needs.
- Assists in meeting the individual's key objectives by providing supporting evidence of how the individual is performing.
- Provides greater opportunities to improve professional and personal standing.
- Supports the selection of people with the right skills and behaviours for the role.
- Improved professional and career development planning.
- Makes a significant contribution to continuous personal improvement.
- Ensures that Building Standards Professionals have the skills, knowledge, understanding and other attributes necessary to be competent.

For the organisation:

- Promotes quality and consistency within Building Standards Professional practices throughout England and Wales.
- Allows Building Standards Professionals to achieve, maintain and demonstrate appropriate standards of competence within their workforce to support organisational and individual effectiveness and performance.
- Translates vision, mission and values into easily understandable behaviours.
- Building Standards Professional bodies can understand the competence of their staff, can deploy them effectively and can succession plan effectively.

- Helps to better plan responses to changing and emerging environmental needs and to improve workforce alignment around them.
- Presents a common format, which is simple to understand and provides a consistent language across organisations.
- Provides the basis for measurable and standardised people management processes which enhances the employee experience.
- Provides a foundation for developing professionals.
- Promotes effective compliance with legislation within the built environment.

#### For Business

- Promotes quality and consistency within Building Standards Professional practices.
- Provides assurance that Building Standards Professionals are competent to perform their role.
- Supports businesses to thrive and grow through surety on appropriate compliance standards.

## 6. Definitions

**Competence** is the ability to make informed decisions and carry out work to a high standard.

**Competencies** are the attributes of an individual, applied personally or collectively as part of a team.

**Accreditation** is the process of officially recognising an individual as having a particular status or being qualified to perform a particular activity, and by which their attributes are assessed. The process by which an individual is enrolled and admitted into a professional or regulatory body/ accredited trade registration body/ accredited qualification scheme/ registered skills certification scheme/ through a recognised testing regime, should be relevant to the role they are undertaking.

**Complex Buildings** are generally those where the approach to design and construction adopts more complex approaches, as opposed to following the minimum standards suitable to common circumstances as set out in guidance; such as that contained in Approved Documents. This allows a more transparent and flexible approach to achieving building safety through use of a structured approach to risk-based design where designers and Building Standards Professionals can take account of varying physical and human factors.

**Continuous Professional Development (CPD)** the process of tracking and documenting maintenance of the skills, knowledge and experience that a Building Standards Professional gains both formally and informally as they work, beyond any initial training. It's a record of what is experienced, learned and then applied. It might also be known as Life Long Learning (LLL).

**Fire Engineered Buildings** designed in whole or in part to BS 7974 fire engineering principles. These buildings have an alternative approach to fire safety rather than through compliance with prescriptive standards. Some fire engineered buildings may be large and complex or contain a variety of uses.

**Fire Engineering** is the application of scientific and engineering principles, rules [codes], and expert judgment, based on an understanding of the phenomena and effects of fire and of the reaction and behaviours of people to fire, to protect people, property and the environment from the destructive effects of fire.

**Higher-Risk Residential Buildings (HRRB)** new and existing high-rise residential buildings (purpose-built blocks of flats) of 10 or more storeys high, as defined in clause 1.3 and Appendix C of the *review*.

**Recognised Prior Learning** a method of assessment (leading to the award of credit) that considers whether a learner can demonstrate that they can meet the assessment requirements for a unit through the knowledge, understanding or skills that they already possess and so, do not need to develop these through a course of learning.

**Simple Premises** small buildings with a simple layout such as small shops, offices or industrial units with non-complex means of escape usually conforming to a simple code of practice e.g. Approved Document B. This level is applicable to a majority of building work undertaken within the UK. In this case the fire precautions designed into the building usually follow the guidance contained in the documents published by the relevant government departments to support legislative requirements.

**Specialist Premises** buildings with unique characteristics and fire safety challenges including hospitals, heritage, sports stadia and some transport infrastructure.

**Validation** the process by which Building Standards Professionals are assessed for competency, to undertake work on HRRBs or complex buildings

## 7. Code of Ethics

We expect all Building Standards Professionals to abide by the following code regardless of their competency status or membership of a professional body.

### **Honesty and Integrity**

Building Standards Professionals have a duty to uphold the highest standards of personal and professional conduct including openness, honesty and integrity. They should:

- act in a reliable and trustworthy manner and treat others with equality and fairness
- be alert to the ways in which their work and behaviour might affect others and respect the privacy, rights and reputations of other parties and individuals

- respect confidentiality
- declare and manage conflicts of interest
- avoid deception and take steps to prevent or report corrupt practices or professional misconduct
- reject bribery and improper influence

### **Respect for life, law, the environment and public good**

Building Standards Professionals have a duty to obey all applicable laws and regulations and give due weight to facts, published standards and guidance and the wider public interest. They should:

- hold paramount the health and safety of others and draw attention to hazards
- ensure their work is lawful and justified
- recognise the importance of physical and cyber security and data protection
- respect and protect personal information and intellectual property
- protect, and aim to improve, the quality of built and natural environments
- maximise the public good and minimise both actual and potential adverse effects for their own and succeeding generations
- take due account of the limited availability of natural resources.

### **Accuracy and Rigour**

Building Standards Professionals have a duty to acquire and use wisely the understanding, knowledge and skills needed to perform their role or task. They should:

- always act with care
- perform services only in areas in which they are currently competent or under competent supervision
- keep their knowledge and skills up to date
- assist the development of knowledge and skills in others
- present and review theory, evidence and interpretation honestly, accurately, objectively and without bias, while respecting reasoned alternative views
- identify, evaluate, quantify, mitigate and manage risks
- not knowingly mislead or allow others to be misled

### **Responsibility for Direction, Conduct and Communication**

Building Standards Professionals have a duty to abide by and promote high standards of personal conduct, provide clear direction and communication, setting the example for others to follow. They should:

- be aware of and effectively communicate the issues that the built environment raises for society
- promote equality, diversity and inclusion, and respect the views of others

- Promote public awareness and understanding of the impact and benefits of new areas of learning, achievements and innovation in industry.
- be objective and truthful in any statement made in their personal or professional capacity
- challenge statements or policies that cause them personal or professional concern

## 8. Limits of Competence

Building Standards Professionals, at all levels, must ensure that they are aware of, and work within, the range of their personal competence; requesting support and advice from those competent colleagues within specialist roles/professions where required. This should also be addressed through identification of personal training needs in conjunction with line managers and remedial actions undertaken such as continuous professional development or further training.

Building Standards Professionals are expected to understand the limits of their competence and to challenge any instructions requiring them to exceed those limits.

## 9. Framework Elements

Competency needs to be assessed relevant to the type and nature of work that a Building Standards Professional is undertaking. Annex A includes a standard self-assessment template for each of the competency grades, including a normalised (typical) level of competency expected at that grade.

WG6 Suggests - Competency is rated in four bands:

### **Level 1 - Awareness (A)**

The Building Standards Professional has a basic knowledge of the subject and how it relates to their role

### **Level 2 – Appreciation (Ap)**

The Building Standards Professional has general background knowledge of the subject but may require the specialist input of others to assess compliance

### **Level 3- Understanding (U)**

The Building Standards Professional has sufficient knowledge of the complexities involved, in order to make independent decisions and assessment in controlling compliance of typical building work relating to an HRRB, including utilising input from other specialists.

## **Level 4 – Comprehensive (C)**

The Building Standards Professional has sufficiently detailed knowledge and skill to make decisions on complex issues relating to the design and construction of HRRB and the ability to commission and interrogate specialist assistance where necessary

Starting with the normalised self-assessment template, the role or work of the Building Standards Professional should be reviewed and adjusted accordingly, reflecting the level of competency required in relation to each aspect of the overall competency framework.

This can then be used to set out the level of competency required for a new job, as the basis of validation of competency for an existing role, or to support personal development and career progression.

Building Standards Professionals who are rated at levels 1 and 2 would be expected to be supervised by a level 3 or 4 professional.

### 10. Continuing Professional Development (CPD)

Building Standards Professionals should attain a minimum of 20-hours CPD per annum, 10-hours of which should be through formal training in relation to HRRB.

### 11. Validation / Quality Assurance processes

Organisations who employ Building Standards Professionals should themselves have in place a system of quality management that effectively provides for the monitoring and recording of the CPD and competence assessment of individual professionals.

Building Standards Professionals who are members of a professional body, should ensure they also meet the standards for CPD of their particular body, to ensure they can maintain their professional credentials.

Organisations who employ Building Standards Professionals should be able to demonstrate, through an effective quality management system, that they have mechanisms in place to effectively identify those professionals who can work on HRRB, and where necessary manage HRRB workload to ensure effective and equitable workload and, where necessary, that any professional not competent to work on HRRB as an entirety, is suitable to work on parts of HRRB either with or without supervision, having regard to the nature of the work being inspected and the risk that decisions might have on the overall safety of the building and its residents.

### 12. Third Party Accreditation

Membership of an Overarching Competency Body (OCB) approved scheme or professional body will be required.

### 13. Re-assessment of Competency

To be continuously assessed (annually by way of personal appraisal/review) within the workplace by way of the inspection of CPD records, particularly CPD relating to

HRRB and to undergo an independent peer review assessment at least once every 5-years on those matters that are an essential component of HRRB – for example – Fire safety competence.

(Re)assessment should be undertaken by way of an independent assessment/interview via a suitably recognised body for such purposes: for example a professional members' organisation or other entity that might be approved for such purposes for those Building Standards Professionals who are not a member of any particular professional body.