

BSR Building Control Professional Standards

- **Regulation of the Building Control Profession.**
- **Feedback to the building control profession - March 2025**



Introduction by Ged Cooper

- BSR - PROFESSIONAL STANDARDS UNIT

1. Acting with honesty

2. Acting with integrity

3. Maintaining professional competence

4. Delivering services with professional skill and care

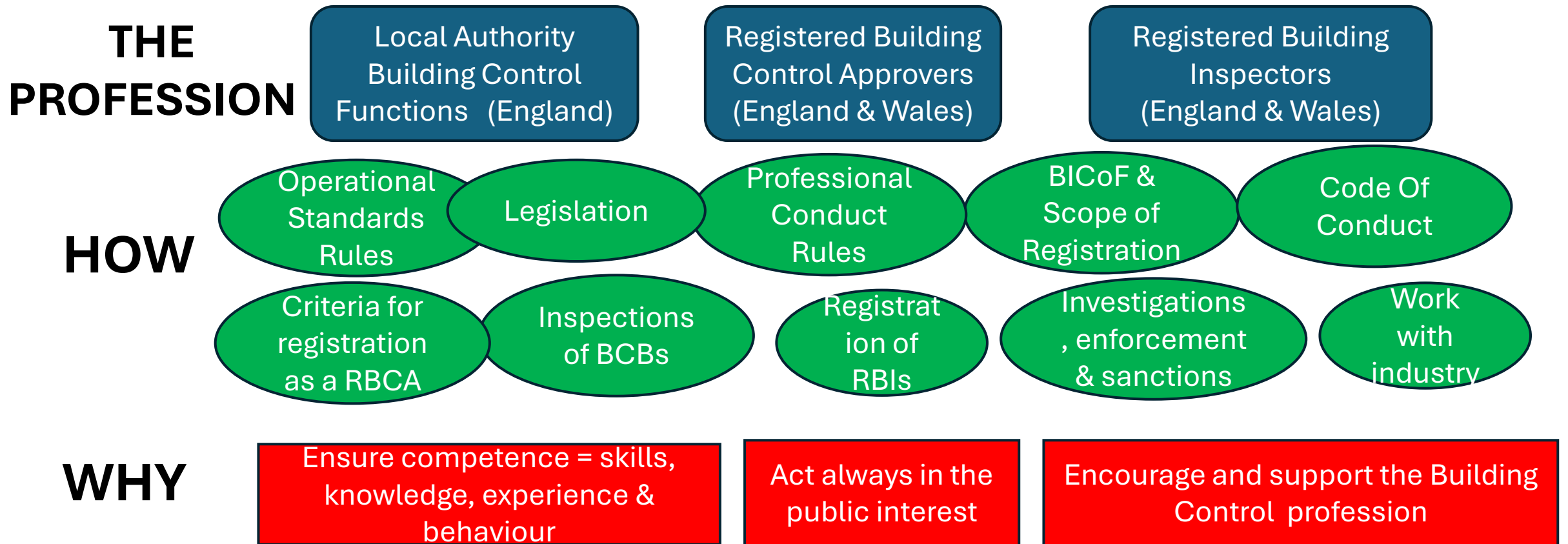
5. Upholding public trust and confidence in the provision of services and the profession

6. Treating everyone fairly and act in compliance with your legal obligation

Today's session

1. The regulated profession by Ged Cooper, Head of Building Control Professional Standards
2. Building Control response to the call to action - Anne Foster, Operational Policy Manager.
3. Inspections of Building Control Bodies – Paula Clarke, Audit Manager.
4. Investigations into professional standards – Kevin Murray, Investigations Manager.
5. Close Presentation
6. Questions

Building Control - The Regulated Profession



What is a Regulated Profession



Regulated profession means a profession which is regulated by law.

- The most common definition of ‘regulated profession’ is that the profession has a governing or regulatory body that is defined in statute to govern or regulate a profession.
- There are over 120 regulated professions in the UK.
- A list is kept by Government and available on Gov.uk.
- Regulated professions act in the public interest.

RBIs - Being a regulated professional

- Meeting the requirements for registration set by the regulator
- Continuing to meet the requirements for registration
- adherence to a code of conduct (the standards expected of the profession) and any other requirements the relevant regulator puts in place.
- Professionals are expected to demonstrate **a greater level of integrity**: A greater level of integrity is expected of professionals within their professional lives and to a certain extent, their personal lives.
- This is so as not to undermine the trust and confidence which the public places in the profession and which the profession expects of them.

Industry response to the call to action - Anne Foster

- Independent assessment of competence
- Registration of AIs as RBCAs
- Registration of RBIs
- RBI numbers
- Movement up the classes
- Class 1?

Inspections of Building Control Bodies – Paula C

- PSU inspections – delivered by a team of professional Auditors
- Inspections are planned
- PSU take a risk-based and targeted approach to inspection activity
- Delivery of inspections began in May
- Aim to deliver approx. 65 inspections by end of March
- Focus on compliance with OSRs but also have a role in supporting the raising of standards
- We have seen positive engagement from Building Control Bodies with the Inspection process

Inspections of Building Control Bodies – Emerging themes

- BCBs lacked preparedness for the regulatory regime change
- Significant amount of non-compliance with the OSRs suggesting we are focussing on the right risk areas
- RBI capacity constraints
- Systems are not fully ready to deliver compliance with OSRs
- Class 1 undertaking restricted activities without appropriate supervision

Inspections of Building Control Bodies – Lessons Learned for BCBs

Inspections are cost recoverable - increase efficiency and decrease costs by:

- Once notified - make the inspection a top priority.
- Review and understand the ToR and risk factors that we have identified and set out.
- Engage positively and efficiently.
- Respond immediately or asap to call forward for information.
- Be prepared to demonstrate, with evidence, how you are satisfied that your building control function is managing its risks.
- Tell us immediately if you are aware OSRs are breached.
- Letters of Contravention - take the appropriate action in line with due dates.
- For LAs, ensure your annual building regulations charges finance report is published.

Professional Standards Failings

Kevin Murray Investigations Manager

- PSU Investigation Unit consists of a team of dedicated Investigators, recruited from the Criminal Justice and Regulatory sectors.
- Since launch, we have responded to over 250 raised concerns around professional standards failings in the BC Profession, resulting in the initiation of over 120 formal investigations.
- Identified breaches include but are not limited to, Failure to Notify a change of circumstances; failure to deliver a building control function resulting in suspension, Operating out of scope of registration or accreditation; Failure to issue valid Initial Notice and failure to issue a valid Completion Certificate.
- It is apparent in this new regulatory regime that understanding of Individual / Organisational responsibilities under the Act and aligned regulations, is inconsistent in some areas across the Profession.
- Whilst the BSR will adopt a pragmatic response profile, the full spectrum of intervention and sanction, including criminal prosecution, will be applied subject to the level of offending identified, in accordance with the Regulator's code.

Professional Standards Failings

Kev Murray Investigations Manager

- In an investigation, statutory provisions and Professional Conduct Rules mandate for Building Control Bodies, (BCBs) to provide requested information and documents to the Regulator.
- PSU Investigations have generally been met with a cooperative response, but there have been instances of BCBs demonstrating a lack of awareness / understanding as to their obligation to provide.
- Failure to provide requested information / material will invariably impact the length of cost-recoverable resource allocation to Investigation, as well as increase scope of regulatory response and sanction.
- In an early analysis of outcomes, PSU reported a 46% figure of formal sanctions issued, reflective of that pragmatic response profile.
- The sanctions issued to date include letters of contravention, notice of improvement and suspension from the register.

Close Presentation – Ged

Question and Answer Session

