

CIC Approved Inspectors Register (CICAIR)

Sanctions Guidance



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This protocol sets out the range of sanctions available to CICAIR Limited (*herein referred to as CICAIR*) that can be applied following an upheld complaint and/or disciplinary proceedings against an Approved Inspector.

The sanctions available to the Registrar, based upon a recommendation from a complaint panel, disciplinary panel or appeal panel are as follows:

Sanction Level	Sanction Type	Sanction
Level 1	Minor Breach	<ul style="list-style-type: none">• Caution recorded on file
Level 2	Serious Breach	<ul style="list-style-type: none">• Formal reprimand recorded on file• Sanction published on the CIC website for a minimum of 12 months
Level 3	Unacceptable Breach	<ul style="list-style-type: none">• Withdrawal of approval and removal from Register• Sanction published on the CIC website for the period of withdrawal

For sanctions of levels 1 and 2, the Registrar, in notifying the Approved Inspector of the sanction, will set out the likely outcome of further breaches of the Code of Conduct.

For a sanction of level 3, the Registrar, in notifying the Approved Inspector of the sanction, will set out the period of withdrawal based on the recommendation from the disciplinary or appeal panel.

For a sanction of level 3, and upon the expiry of the period of withdrawal, the Approved Inspector will be required to re-apply as a new Approved Inspector applicant in order to be considered for reinstatement on the Register.

A record of any sanction imposed shall be kept on the Approved Inspector's file and shall be made available to any CICAIR panel.

Where a sanction is published on the CIC website, this will be notified to DCLG, the Welsh Government, the Association of Consultant Approved Inspectors (ACAI), Local Authority Building Control (LABC), the Approved Insurance Scheme providers and any relevant professional or regulatory bodies.

Where an Approved Inspector is convicted of an offence under s.57 of the Building Act 1984, the Approved Inspector is required to notify CICAIR of such a conviction and approval may be withdrawn. Where that approval is withdrawn pursuant to s.6(4) of the Building (Approved Inspectors etc.)

Regulations 2010, no further application from that Approved Inspector or the Directors of that Approved Inspector shall be considered for a period of five years beginning with the date of conviction.

Where an Approved Inspector, one of their directors, a staff member or others working on their behalf is convicted of a civil, criminal or regulatory offence, otherwise than under s.57 of the Building Act 1984, the Approved Inspector is required to notify CICAIR of such a conviction and the matter may be referred to the CICAIR disciplinary committee for consideration as to whether any disciplinary action should be taken.

Where approval is withdrawn pursuant to s.6(4) of the Building (Approved Inspectors etc.) Regulations 2010, the approval will be withdrawn immediately and no appeal will be considered.

In all other cases of approval withdrawal, the period of notice that will be given before an Approved Inspector's approval is withdrawn will be 30 working days from the date of the written notification of the decision. This period will be to allow for an appeal against the decision to be lodged should the Approved Inspector choose to appeal or for the notification to insurers and clients of the withdrawal of approval and for the appropriate transfer of work arrangements to be put in place.

Where an Approved Inspector has had its approval withdrawn, CICAIR will amend the list of Approved Inspectors held by it under s.7(3)(a) of the Building (Approved Inspectors etc.) Regulations 2010, and the Registrar shall notify the Department for Communities and Local Government (DCLG), the Welsh Government, the Association of Consultant Approved Inspectors (ACAI), Local Authority Building Control (LABC) and the Approved Insurance Scheme providers as soon as reasonably practicable of the withdrawal of approval of an Approved Inspector in accordance with s.7(3)(b) of the Regulations.