

# CIC Approved Inspectors Register (CICAIR) Monitoring and Re-Approvals Protocol



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This protocol sets out how CICAIR Limited (*herein referred to as CICAIR*) will conduct annual monitoring and audits of Approved Inspectors.

Approved Inspectors are issued with a Notice of Approval by CICAIR which is valid for a period of five years, after which time they must seek re-approval from CICAIR to maintain the Notice of Approval. To ensure that professional standards are maintained, the relevant legislation and the CICAIR Code of Conduct is adhered to, and for an Approved Inspector to be eligible to have the Notice of Approval renewed, they must have successfully completed CICAIR’s annual monitoring and audit process.

The CICAIR monitoring and re-approvals committee will be responsible for overseeing CICAIR’s processes and procedures for the annual monitoring of Approved Inspectors and for conducting the programme of audits of Approved Inspectors.

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## Annual Monitoring

Approved Inspectors are required to return annual monitoring information electronically to CICAIR.

Where any concern is identified on the information returned the CICAIR Registrar will, at his or her discretion:

- Speak to the Approved Inspector to agree an action plan to remedy any minor shortcomings, or
- Refer more significant concerns to the Chair and/or Deputy Chair of the monitoring and re-approvals committee.

The Chair (and/or Deputy Chair) can:

- Recommend that no action be taken
- Ask the Registrar to discuss specific issues with the Approved Inspector
- Carry out a review of the Approved Inspector’s systems and procedures
- Carry out a review of a random sample of the Approved Inspector’s project files, or
- Refer the issue to a panel of at least two members appointed from the monitoring and re-approvals committee to determine what, if any, action should be taken. This could include requesting that the Approved Inspector attend a formal interview to discuss the issue(s).

Information provided through the annual monitoring process shall be made available to any CICAIR panel where CICAIR deem it necessary.

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## **Audit**

All Approved Inspectors are audited at least once every five years at a time decided by CICAIR. All new Approved Inspectors are initially audited once within 12 months of the approval being granted and then again before the expiry of the Notice of Approval.

Each audit will involve at least one day on site at the Approved Inspector's premises. CICAIR reserve the right to conduct a multi-day audit or to audit satellite or branch offices. The decision to undertake a multi-day audit is at the Registrar's discretion and would usually be considered where an Approved Inspector has more than five satellite or branch offices and/or more than 30 technical staff or Professional Consultants. Should it not be possible to complete the audit or the necessary information or evidence cannot be obtained during the audit, CICAIR reserve the right to extend the audit over additional day(s) in order to conclude the audit. If a multi-day audit is required additional fees will apply.

Information provided through the audit process shall be made available to any CICAIR panel where CICAIR deem it necessary.

### **CICAIR Audit Principles**

CICAIR will conduct audits to satisfy the following broad principles and objectives:

- To establish that the Approved Inspector is operating in accordance with and meets the requirements of the relevant legislation, the Code of Conduct for Approved Inspectors and the Building Control Performance Standards
- To verify that the Approved Inspector is operating in accordance with the information provided throughout the application process and/or the annual monitoring process
- To establish that there is a suitable evidence base to demonstrate compliance with the Approved Inspector's Quality Management System including internal policies and procedures
- To establish that there is a suitable evidence base to demonstrate compliance with the business systems, building control process and project audit requirements of this protocol
- To establish that the Approved Inspector is sufficiently capable and competent for the types of projects that it is providing building control services on
- To review the internal audit process operated by the Approved Inspector to assess the adequacy of the controls and capabilities for assessing conformity, evaluating effectiveness and identifying opportunities for improvement
- To test the robustness of the evidence base across the Approved Inspector's operations through random project file sampling

### **The Audit Process**

#### ***Audit Team Composition***

Audits will be conducted by an audit team of up to four members with one of the members being the Registrar or Assistant Registrar. The audit team will be selected by CICAIR from the members of the monitoring and re-approvals committee and the number of auditors assigned to an audit will be dependent on the Approved Inspector's size and/or the outcomes from any previous audits or other CICAIR interventions.

In the case of an audit of a new Approved Inspector, the audit team will include at least one member from the original approval panel.

***Conflict of Interest***

The proposed auditors will be notified to the Approved Inspector in advance of the audit to ascertain whether the Approved Inspector considers there to be any conflict of interest. Approved Inspectors and auditors may never act in a way that could breach confidentiality and/or infer a conflict of interest and are obliged to inform the Registrar immediately if a conflict of interest should affect their ability to carry out their role. If any party consider a conflict of interest to exist, they will notify CICAIR of the reasons and the Registrar will make a decision over whether to replace the auditor. The Registrar may refer the matter to the Chair and/or Deputy Chair of the monitoring and re-approvals committee for a final determination. Should both the Chair and Deputy Chair also declare a conflict of interest the matter will be considered by the CICAIR Board of Directors.

***Notification***

CICAIR will notify the Approved Inspector of an upcoming audit in writing giving at least three months notice.

***Audit Pro Forma***

The audit notification will include the pre-audit pro forma and a list of documents that CICAIR will require from the Approved Inspector in advance of the audit. Approved Inspectors are required to complete each area of the pro forma by succinctly describing, in no more than 300 words, how the Approved Inspector satisfies each auditable area. The pre-audit pro forma must be completed in full and returned, along with the required documents, to CICAIR within one calendar month from the date of the notification letter.

Incomplete or unsatisfactory pro formas will be returned to the Approved Inspector for review and resubmission.

***Audit Plan***

CICAIR will review the pre-audit submission and prepare an audit plan which will be provided to the Approved Inspector approximately two weeks prior to the audit along with the names of any directly employed staff or Professional Consultants that are required to be present during the audit. CICAIR would expect the director(s) of the company to be present during the audit.

***The Audit***

An opening meeting will take place between the auditors and the director(s) and/or senior management of the Approved Inspector. The opening meeting will cover the purpose of the audit, how the audit will be conducted and will provide an opportunity for the Approved Inspector to ask any general questions concerning the audit and the audit process. The Approved Inspector will be expected to make an introductory overview presentation of no more than 15 minutes during the opening meeting.

After the opening meeting, the auditors will begin the audit. This will predominantly consist of reviewing the outcomes of the previous audit, verifying and evidencing the information provided by the Approved Inspector on the pre-audit pro forma and undertaking project reviews. To achieve this, the auditors will learn about the processes of the business, review procedural manuals, assess the adequacy of internal controls, interrogate the IT and database systems, review the handling of any complaints, interview staff and consultants, review a random sample of project files and assess any other aspects of the business that are relevant to the audit principles.

The Approved Inspector will be required to provide access to any directly employed staff or Professional Consultants and make available all project files, electronic and hardcopy systems, QA documents and internal policies and procedures to enable the auditors to complete the audit.

A closing meeting will take place at the end of the audit to provide for any final statements and for the auditors to outline how the remainder of the audit process will be undertaken.

### ***Audit Report***

After the audit has taken place CICAIR will draft an audit report. The format of the audit report will include an overview of the Approved Inspector, the scope of the audit, the findings of the audited areas, an overall conclusion of performance and the required action(s) to be taken. The audit report will also identify good practice and give constructive feedback on performance where relevant.

CICAIR will normally provide the audit report to the Approved Inspector within one calendar month of the audit date. Should additional time be required to complete the audit report, CICAIR will advise the Approved Inspector accordingly but the audit report will be provided to the Approved Inspector within a maximum of two calendar months after the audit.

### ***Management Response and Action Plan***

CICAIR will request the Approved Inspector's management response to the report within one calendar month from the distribution of the audit report. The Approved Inspector may, in exceptional circumstances, request an extension to the deadline but any extension request must be made in good time and acceptance of the request is at the discretion of CICAIR.

Failure to provide the management response and action plan by the deadline or failure to provide an adequate response may result in the audit being failed and the re-approval of the Approved Inspector not being granted.

The management response and action plan will be returned to CICAIR on the prescribed pro forma and will consist of two components: 1) commentary on the audit findings and the outcomes of the audit and 2) a detailed proposed action plan, with appropriate timeframes, for correcting any identified deficiencies and implementing the audit's action points.

Should the Approved Inspector be unclear as to what is required in relation to any of the remedial work or have any further queries these should be raised at this point in the audit process.

### ***Management Response and Action Plan Review***

The auditors will review the Approved Inspector's management response in order to determine if a satisfactory action plan has been proposed and appropriate timescales for implementing improvements have been put forward. CICAIR reserve the right to request that the Approved Inspector extend, amend, modify or alter the action plan at any point during the audit process.

### ***Progress Reporting***

CICAIR will request at least one progress report, usually after three months. The Approved Inspector will provide the progress report to CICAIR on the prescribed pro forma which will follow the format of the audit report. The progress report will address every action point in sufficient detail including the expected timescales for resolving any residual items that have not been completed. Supporting evidence to substantiate every action point and demonstrate that appropriate corrective action has been taken will also need to be provided and the supporting evidence must be clearly labelled with the action point number/audit reference to which it relates.

The Approved Inspector may, in exceptional circumstances, request an extension to the deadline but any extension request must be made in good time and acceptance of the request is at the discretion of CICAIR.

Failure to provide the progress report by the deadline or failure to provide an adequate progress report may result in the audit being failed and the re-approval of the Approved Inspector not being granted.

It may be necessary for a second progress report to be submitted but should this be required CICAIR will advise the Approved Inspector accordingly.

### ***Re-Audit***

Should the information provided through the progress reporting stage not fully address the action points, the auditors are unable to make a meaningful assessment of progress in order to enable a decision to be made concerning the renewal of the Notice of Approval, or the auditors determine that unsatisfactory progress has been made, CICAIR may conduct a re-audit to verify progress and establish whether the Approved Inspector has satisfactorily addressed the action points.

If required, the re-audit process will specifically focus on the action points that were put forward as a result of the original audit and CICAIR will expect the Approved Inspector to robustly and comprehensively evidence that the action points have been fully addressed.

CICAIR will not be required to provide any notice for a re-audit and, if a re-audit is required, an additional fee will apply.

### ***Outcome Notification***

When the auditors have reviewed the progress report(s) and, if required, undertaken a re-audit, the auditors will issue their conclusions to CICAIR and CICAIR will notify the Approved Inspector of the outcome.

The auditors may, on receipt of the management response and action plan, the progress report(s) or as a result of any re-audit, conclude that the audit has been passed and recommend that CICAIR renew the Notice of Approval of an Approved Inspector. In this case, subject to the adequate submission of the CICAIR annual monitoring returns and no unexpected matters arising that require CICAIR intervention, the Notice of Approval for the Approved Inspector will be automatically renewed upon expiry and the registration form for renewing the Notice of Approval will be sent to the Approved Inspector approximately one month before the expiry of the current approval.

The auditors may, on receipt of the management response and action plan, the progress report(s) or as a result of any re-audit, conclude that the audit has been failed and recommend that CICAIR do not renew the Notice of Approval of an Approved Inspector and that the Approved Inspector is removed from the Register. In this case, the Approved Inspector may appeal such an outcome and the appeal will be conducted in accordance with the *CICAIR Monitoring and Re-Approvals Appeal Protocol*.

## Audit Content

The list below provides information on the areas that an audit team will focus on and describes the minimum standards that CICAIR expects Approved Inspectors to be able to evidence. CICAIR considers that the areas listed below should be subject to management control to allow the opportunity for review and continuous improvement.

The Approved Inspector will be required to submit a pre-audit pro forma outlining how the below areas/processes are being met within the business and, during the audit, the auditors will verify and evidence the commentary that has been provided on the pre-audit pro forma.

CICAIR acknowledges that the size and areas of operation of Approved Inspectors can vary and this will be taken into account when reviewing the adequacy of the evidence provided.

The list is not exhaustive and the auditors may explore other areas not included below.

### **PART 1 – BUSINESS SYSTEMS**

#### **Business Management and Information Technology**

REF	AREA/PROCESS
BM1	Does the Approved Inspector have a business policy in place to meet the requirements and supporting guidance of the Building Control Performance Standards?
BM2	Are Approved Inspector personnel and Professional Consultants familiar with the Code of Conduct and the Building Control Performance Standards and how does the Approved Inspector ensure that all staff and Professional Consultants adhere to the Code and Standards?
BM3	Is there an active business plan in place setting out the governance, operation, limit of function, management control, contingency planning and financial requirements necessary to operate as an Approved Inspector?
BM4	What does the database and IT infrastructure consist of and what are the data backup and data security policies and systems? Are systems in place to retain building control records for a 15 year period and what are the arrangements for the transfer of building control records in the event of the Approved Inspector ceasing to trade?
BM5	What training is given to new and existing users to ensure the IT systems are used appropriately?

#### **Quality Management System (QMS) and Operational Procedures**

REF	AREA/PROCESS
QM1	Does the Approved Inspector have a Quality Management System (QMS) in place to meet the requirements of the Building Control Performance Standards? If an ISO 9001 system is in place is this certified by a UKAS accredited certification body and are external audit reports available?
QM2	Does the Approved Inspector have an operating procedures manual in place for the building control service and are these procedures regularly reviewed and updated?
QM3	How are the QMS and operating procedures communicated to Approved Inspector staff and consultants and what training is provided? What processes are in place to ensure that the QMS and operating systems are being followed?
QM4	Who is responsible for internal auditing and compliance with the QMS and operating procedures

	and are internal audits and technical peer reviews of project files taking place? If so, are these documented and how have non-compliances been addressed?
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### Independence

REF	AREA/PROCESS
I1	What is the range of services provided by the Approved Inspector and any affiliated companies?
I2	Do the director(s), staff or Professional Consultants engaged by the company have any shareholdings, ownership or directorships stakes with any other companies, dormant or active? If so, what is the nature of these companies?
I3	Is the Approved Inspector aware of the requirements of regulation 9 of the Building (Approved Inspectors etc.) Regulations 2010, the business and professional ethics section of the Building Control Performance Standards and the Building Control Alliance's impartiality guidance note? Is there a policy or procedure in place for ensuring that these are adhered to?

### Resources

REF	AREA/PROCESS
R1	What sector(s) does the Approved Inspector work in, what is the geographical distribution of projects and is there sufficient surveyor resource to effectively service these projects?
R2	Does the Approved Inspector have a method of calculating and evaluating fees to ensure that projects will be adequately resourced?
R3	How does the Approved Inspector manage, monitor and control workload?
R4	Is there a procedure to ensure that the workload of surveyors is assessed against their experience and competency relative to the nature and complexity of their projects?
R5	Does the Approved Inspector have an appropriate balance of qualified technical personnel, non-qualified technical personnel and administrative personnel?

### Professional and Specialist Consultants

REF	AREA/PROCESS
PSC1	Does the Approved Inspector delegate plan checks or site inspections to Professional Consultants or other Approved Inspectors? If so, to what extent?
PSC2	Does the Approved Inspector engage consultants for specialist functions such as fire or structural engineering support?
PSC3	Does the Approved Inspector have a policy for the selection, monitoring, review and auditing of Professional and/or Specialist Consultants and how is this adhered to?
PSC4	Does the Approved Inspector have formal agreements in place with the Professional and/or Specialist Consultants that it works with?

## Training and CPD

REF	AREA/PROCESS
TCPD1	How are technical outcomes achieved consistently across the organisation?
TCPD2	What internal and external training is provided on new regulations, regulation changes or government and industry guidance?
TCPD3	Does the CPD that has been undertaken meet the requirements of the CICAIR Code of Conduct and is the proportion of self directed learning and structured training adequate?
TCPD4	How does the Approved Inspector objectively measure its personnel against the CICAIR Knowledge Base Matrix? How regularly is this undertaken?
TCPD5	Does the Approved Inspector produce training plans for its non-qualified surveyors and what is the performance assessment and appraisal process to ensure that all personnel and Professional Consultants are competent to perform their tasks?
TCPD6	Does the Approved Inspector have access to an online system of technical information and are surveyors aware of how to access it?
TCPD7	What technical support is available to non-qualified surveyors?

## Customer Feedback and Complaints

REF	AREA/PROCESS
C1	Is there a documented process for investigating complaints and is this in line with the requirements of CICAIR and the Building Control Performance Standards? Are all expressions of service dissatisfaction being recorded?
C2	How many complaints have been received since the Approved Inspector's approval or the last audit and how many were escalated to CICAIR? What were the reasons and outcomes? How are complaints reviewed? Is customer feedback sought?

## PART 2 – BUILDING CONTROL PROCESS

### Initial Notices

REF	AREA/PROCESS
IN1	Is there a documented process for the serving of Initial Notices under s.47 of the Building Act 1984?
IN2	Is there a documented process for the cancelling of Initial Notices by the Approved Inspector under s.52(1) of the Building Act 1984, the person carrying out the work under s.52(3) or by the local authority under s.52(5)?
IN3	Who signs Initial Notices?
IN4	Are personnel clear on the grounds for rejection of an Initial Notice under Schedule 2 of the Building (Approved Inspectors etc.) Regulations 2010 and the required actions following a valid rejection?
IN5	Is the person carrying out the work advised of the five day period before work can start?
IN6	If the Initial Notice is signed on behalf of the person carrying out the work, does the Approved Inspector have the authority to do so in writing? Does the Approved Inspector have a working



	knowledge of the Building Control Alliance's Initial Notice Protocol?
IN7	Is there a documented process for events that cause an Initial Notice to cease to be in force under regulation 17 of the Building (Approved Inspectors etc.) Regulations 2010 and, where appropriate, for the seeking of an extension of time to prevent this occurring? How many projects does the Approved Inspector have that are exposed to non-compliance with regulation 17?

### Amendment Notices

REF	AREA/PROCESS
AN1	Is there a documented process for the serving of Amendment Notices under s.51A of the Building Act 1984?
AN2	Who signs Amendment Notices?
AN3	Are personnel clear on the grounds for rejection of an Amendment Notice under Schedule 2 of the Building (Approved Inspectors etc.) Regulations 2010 and the required actions following a valid rejection?

### Plans Assessment and Plan Certificates

REF	AREA/PROCESS
PAPC1	Is there a documented process for the serving of Plans Certificates under s.50 of the Building Act 1984?
PAPC2	Are personnel clear on the grounds for the rejection of a Plans Certificate or a Plans Certificate combined with an Initial Notice under Schedules 2 and 3 of the Building (Approved Inspectors etc.) Regulations 2010 and the required actions following a valid rejection?
PAPC3	Were the outcomes of plan checks communicated to the designer and the person carrying out the work in writing detailing compliance and/or non-compliance issues? What records exist of the plans assessment process?

### Statutory Consultations

REF	AREA/PROCESS
SC1	Is there a documented process for carrying out consultations with the fire and rescue authority and sewerage undertaker under regulations 12 and 13 of the Building (Approved Inspectors etc.) Regulations 2010?
SC2	How are observations from the fire and rescue authority and sewerage undertaker considered and are these being communicated to the person carrying out the work in writing?
SC3	How are statutory consultations monitored throughout the life of the project and managed to allow for the 15 day response period prior to the issue of a Plans Certificate or Final Certificate? What safeguards are in place to ensure that the necessary consultations are carried out where required?

### Inspections, Contraventions and Reversions

REF	AREA/PROCESS
ICR1	Is there a documented process for the production of site inspection plans that is in accordance with the requirements of the Building Control Performance Standards?

ICR2	Is there a documented process for undertaking and recording site inspections and what is the Approved Inspector's approach to remote inspection techniques? What are the timescales from the inspection to the recording of this information on the database system? What is the procedure for carrying out follow up inspections?
ICR3	Is the Approved Inspector conforming with the CICAIR expectation that projects are contacted at least once every 28 days for active projects and at least once every 90 days for dormant projects in order to ensure that legal control is maintained?
ICR4	Is there a documented process for recording and communicating contraventions taking into account the requirements of regulation 18 of the Building (Approved Inspectors etc.) Regulations 2010?
ICR5	Are Approved Inspector personnel clear on the rules governing reversions and the powers of local authorities in relation to partly completed work? Does the Approved Inspector have a working knowledge of the Building Control Alliance Transfer of Work Protocol?

### Fire Safety Information, Testing & Certification

REF	AREA/PROCESS
FSTC1	Is there a documented process in place for informing the person carrying out the work of their obligation under regulation 20 of the Building Regulations 2010?
FSTC2	Is there a documented process in place for informing the person carrying out the work of their obligations under regulation 38, 39 and 40 of the Building Regulations 2010?
FSTC3	Is there a process for ensuring the Approved Inspector has received and verified the necessary testing and commissioning certification documentation in order to enable the issuing of a Final Certificate?

### Final Certificates

REF	AREA/PROCESS
BCFC1	Is there a documented process for the serving of Final Certificates under s.51 of the Building Act 1984?
BCFC2	Who signs Part Final or Final Certificates?
BCFC3	Are personnel clear on the grounds for rejection of a Final Certificate under Schedule 4 of the Building (Approved Inspectors etc.) Regulations 2010 and the required actions following a valid rejection?
BCFC4	What is the file review and authorisation process before a Final Certificate is issued?
BCFC5	How many projects have not had Final Certificates issued and are there sufficiently valid reasons?
BCFC6	What is the Approved Inspector's approach to the use of Part Final Certificates and does the Approved Inspector have a working knowledge of the Building Control Alliance's Final Certificate guidance note?

### **PART 3 – PROJECT AUDITS**

A number of project files across various risk profiles will be reviewed to assess the following key areas:

<b>REF</b>	<b>AREA/PROCESS</b>
PA1	Were pre-application discussions held and were these satisfactory? Was there a single point of contact within the Approved Inspector for pre-application discussions and advice provision?
PA2	Was there a suitable written contract or agreement and terms and conditions of service between the Approved Inspector and the person carrying out the work and was this in place at the time of the appointment?
PA3	Did the Approved Inspector notify the end user and/or the person carrying out the work of their appointment if they were appointed by someone on their behalf?
PA4	Was a review of competency and resource availability undertaken before the project was allocated to a surveyor?
PA5	If Professional Consultants were used, how were they monitored and reviewed through the life of the project? Were appropriate contracts or memorandums of understanding with the consultants in place?
PA6	Was the Initial Notice served correctly and was the review and authorisation process satisfactory?
PA7	Were plans received and, if so, was a plans assessment carried out and communicated to the person carrying out the work? Was this to a suitable and sufficient standard?
PA8	Was a Plans Certificate served and, if so, was the review and authorisation process satisfactory?
PA9	Were all necessary consultations carried out at the appropriate times and was there evidence of feedback being communicated to the person carrying out the work?
PA10	Was the person carrying out the work given a service/inspection plan matched to the project and was this monitored and reviewed against delivery? How was the plan determined?
PA11	Were site inspections carried out in accordance with the plan? Were site inspections carried out to a satisfactory standard and were they recorded in line with the requirements of the Building Control Performance Standards?
PA12	Where contraventions were identified, were these adequately communicated, followed up on and closed out?
PA13	Were project completion processes concluded timely and appropriately? Was an extension of time requested if required?
PA14	Was a Final Certificate issued? If not, why not? If a Final Certificate was issued, was the review and authorisation process satisfactory and were checks made to ensure that no outstanding conditions or contraventions remained on the project? Was the Final Certificate served correctly?
PA15	Was the project file archived appropriately upon completion?
PA16	Overall, was the project undertaken satisfactorily and in accordance with the Approved Inspector's QMS and operational policies?