

Building Safety Competence Foundation

Rules of Registration for Person Certification Services

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Preamble

Rules of Registration between Building Safety Competence Foundation CIC (BSCF) and the Certificated Person (individual assessed and certified by BSCF).

These Rules of Registration are legally binding on both parties and commence on the date that the Certificated Person's application for Registration is accepted by BSCF. A separate document covering the use of certification and or accreditation marks and BSCF logos forms part of this agreement which can be viewed at www.thebscf.org and the Certificated Person in applying for Registration also agrees to follow these Rules of Registration.

Introduction

Building Safety Competence Foundation (BSCF) provides certification services to persons who undertake a building control function or activity on behalf of a Building Control Body.

A person directly carrying out a building control function or activity and wishing to be assessed in accordance with the 'Rules Relating to Registration of Building Control Professionals' may make an application for registration to BSCF. Where the person's competence to undertake a building control function or activity are subsequently assessed and found to meet the requirements of these Rules, the individual may be granted registration.

Continued registration will be subject to surveillance confirming that the person continues to comply with the requirements of these Rules.

These Rules of Registration have been drawn up in accordance with the requirements placed upon BSCF by Accreditation Bodies such as UKAS. BSCF must and shall abide by these requirements which are detailed in ISO 17024 and other related documents and standards.

The scope of accreditation issued by relevant accreditation bodies i.e. UKAS is an acknowledgement that BSCF has the necessary expertise and ability to manage assessments in those sectors. Details of all accredited scopes held by BSCF are available on request or by visiting www.ukas.com. If a particular sector is outside the present accredited scope of BSCF then an unaccredited certificate may be offered at the discretion of BSCF. Accredited certificates therefore refer to certificates issued by BSCF where BSCF has been accredited by a national Accreditation Body such as UKAS to issue certificates against the requirements of the certification scheme.

Definitions

Accredited/Unaccredited Scope – Accredited means the scope of activities for which BSCF has received authorisation from UKAS (or other national Accreditation Body) to issue certificates which bear the UKAS certification mark. Unaccredited scopes are therefore scopes which are not accredited by UKAS. Unaccredited certificates will only bear BSCF's logo.

Applicant – a person applying for Registration.

Certificate of Competence – a certificate awarded by BSCF.

Certificated Person – a person who has been assessed in accordance with these Rules and who possesses a valid Certificate of Competence.

BSCF Certification – the legal entity responsible for the issue of individual certificates of competence under UKAS Accreditation for BS EN ISO17024.

BSCF Accredited Competent Person Mark - the BSCF Logo and Building Control Professional (and their scope of certification) below on a coloured background with the UKAS product certification mark enclosed in a rectangle.

Registration – is the ongoing process through which Certificated Persons gain and maintain certification against a particular certification scheme. Registration therefore encompasses all certification activities, including all activities outside of the certification process required to maintain Registration i.e., payment terms and conditions. Registration also refers to BSCF only and does not include Registrations with any other organisation.

Rules of Registration – means the rules governing the Registration of this Service

Scope of Registration - means those activities undertaken by the Certificated Person that are assessed by BSCF and specified (or will be specified) on the certificate.

Scope of the rules of registration

BSCF undertakes the review, assessment and certification of those responsible for the regulation, design, construction and maintenance of our built environment. The Certificated Person agrees to supply all necessary information to BSCF as required by the schemes and that any work covered by the Certificated Person continue to fulfil the scheme requirements.

Personnel, impartiality and confidentiality

BSCF undertakes to provide suitable and technically competent personnel for all assessments using its own staff or competent subcontractors. All members of BSCF (employees and subcontractors) are required to sign confidentiality and impartiality agreements and declare any conflict prior to the assessments or as soon as they become aware that a threat to the impartiality of the assessment has been identified.

The Certificated Person has the right to object to the appointment of a particular assessor. Any objection should be in writing giving the reasons for the objections and raised immediately prior to the booking of the assessment.

The Certificated Person is also required to declare if any link or relationship (commercial or personal) exists between themselves and BSCF personnel involved in the assessment or certification activities which may bring into question the impartiality or independence of the assessment or certification process.

Reports produced as part of the assessment process together with all information and documents will remain confidential; only available to BSCF, the Certificated Person and the relevant accreditation body unless required as part of an investigation conducted by a body that has a legitimate and legal right to view any such report. However, BSCF does retain the right to inform the relevant authorities if breaches of legislation are discovered as part of the assessment process.

BSCF will not disclose any confidential information to a third party without the written consent of the Certificated Person or individual concerned. Where BSCF is required by law to release confidential information to a third party, the Certificated Person or individual concerned shall, unless regulated by law, be notified in advance of the information provided. BSCF will comply with all requirements of the Data Protection Act 1998 (as amended) and Freedom of Information Act 2000 (as amended).

BSCF will make publicly available through its website a facility to check that a certificate issued by BSCF is current and valid. The website will show the name, relative normative document (UKAS accredited standard together with any other specific requirements), scope and geographic location (e.g. city and county) for each Certificated Person. Access to this information will only become publicly accessible when a certificate has been issued and will require the Registration Number (also referred as the Certificate Number) to be entered as the search criteria.

BSCF Certification does not, and will not, offer any training relating to competence assessments.

Application for initial registration

The applicant (Certificated Person) will complete the application form and forward it with payment, if appropriate, to BSCF. Prior to acceptance, BSCF will review the application and determine whether the payment is appropriate.

Completion and the signing of the application form signifies acceptance by the Certificated Person of the Rules of Registration and Terms of the Certification Scheme. The Certificated Person is responsible for ensuring that they provide all required information to assess their application against the requirements of the certification scheme.

No further application form is required or requested unless the Certificated Person wishes to change the scope of their application.

BSCF reserves the right to refuse to provide certification services if there is a risk to impartiality, risk to our assessment through threat or if BSCF do not hold the relevant scope of accreditation.

Assessment method

The initial assessment is conducted in three stages:

Application review stage is designed to demonstrate that the applicant (Certificated Person) meets the requirements of the appropriate scheme. It will normally involve a review of the application relative to the scope of certification sought.

A report will be given to the applicant (Certificated Person) in circumstances where the conclusions reached at application review are that the applicant (Certificated Person) should gain more experience &/or learning in a particular area to ensure that they meet the requirements of the scheme.

The assessment is conducted at a location specified by BSCF. Following certification, BSCF must be informed, by the Certificated Person, if any circumstances occur which significantly affect the Registration. BSCF reserves the right to re-assessment if necessary.

The assessment methods used may be interviews, observation of activities, review of hard copy documentation, review of documentation retained electronically and a review of records and written assessment papers. The conclusion is based upon the evidence obtained during the assessment.

Neither BSCF nor any of its employees or agents warrant the accuracy of any assessment, review, information, certification, service or advice supplied.

Certification

On completion of the assessment, the assessment team submits a full report to BSCF. On receiving a report stating that the Certificated Person is recommended as meeting the requirements of the relevant scheme, the report will be reviewed together with supporting documentation by a suitably qualified, independent and authorised member of BSCF's staff who will, if agreeing with the recommendation, authorise the issue of a certificate with the Registration Number and Scope of Registration.

The certificate and reports remain the property of BSCF. The certificate is valid for up to four years (depending upon the relevant scheme). Should the Certificated Person cease to be registered, BSCF will require any certificates issued to the Certificated Person to be returned.

Annual registration, surveillance, recertification visits and short notice assessments

Following initial Registration and after the issue of a certificate, to maintain Registration, surveillance assessments will be conducted at a frequency determined by BSCF. It is, however, a condition of Registration that an assessment is conducted at least once biennially and a further condition that the Certificated Person maintains the competence subject to assessment in accordance with the requirements of the certification scheme.

To extend the certification beyond the 4-year period (or any other period covered by a particular scheme) a recertification assessment is required. This takes place prior to the expiry date of the certificate.

Recertification will involve additional fees to cover the costs of administration. The Certificated Person also agrees to meet any extra costs incurred where a further assessment (re-take) is required to verify that effective competence requirements have been met.

It may be necessary for BSCF to conduct an assessment to investigate complaints or in response to change or to follow up on suspended Certificated Persons. In such cases, BSCF will make known to the Certificated Person the circumstances and conditions under which the requirement to conduct a short notice assessment have been determined. The Certificated Person agrees to meet the extra costs relating to such assessments.

Publicity

Once a certificate has been issued, but not before, the Certificated Person has the right to publish the fact. The relevant certification marks or accreditation marks and logos can be used on stationery and websites, relating only to the assessed scope of Registration and the relevant certification scheme and as detailed on the certificate.

A separate document relating to the Rules of Use of certification marks or accreditation marks and logos is available via the BSCF website or direct from BSCF. These Rules cover both BSCF's logo and where an accredited certificate is issued, the Rules relating to the accreditation bodies certification marks i.e. UKAS.

The Certificated Person must not make or permit any misleading statement regarding their certification, the scope and/or scheme covered by certification or permit the use of a certification document or any part thereof in a misleading manner. Any references to the Certificated Person's certification must not imply that BSCF certifies a product, service or process.

Once registered, BSCF may contact Certificated Persons by post, email, fax or telephone in connection with the certification and other services that may be considered of interest.

Certificate misuse

BSCF will provide written guidance and take all reasonable precautions to ensure that there is no misuse of its certificate, certification or accreditation marks or logos. The Certificated Person undertakes only to use BSCF's logo and certification marks or accreditation marks as appropriate to their assessed Scope of Registration and relevant certification scheme.

The Certificated Person must not use certification marks or accreditation marks in such a manner that would bring BSCF and/or the certification scheme and/or the Accreditation Body into disrepute. The Certificated Person must not make any false claims regarding the scope of certification issued.

Fees

Details of all fees payable can be obtained by contacting the BSCF Validations team. All fees paid to BSCF are strictly non-refundable. Initial Certification, Recertification or additional fees are payable as per the payment terms indicated on the invoice.

Annual Registration fees are payable in advance of the certificate anniversary dates and are to maintain Registration. These fees are normally invoiced in the same month each year (prior to the anniversary of Registration) and will cover all anticipated activities required for the Certificated Person to maintain Registration.

Additional fees are payable for certificates that need to be re-issued for such reasons as a change of company name or address or minor changes to scopes of certification.

Fees for reinstatement of Registration following a period of suspension or withdrawal will be incurred. BSCF will specify the fees required together with any other conditions relating to the lifting of a suspension or reinstatement following withdrawal.

All invoices are payable within 30 days of the date of the invoice unless specified under a different section of these Rules of Registration or on the invoice. Time for payment shall be of the essence.

BSCF will review the annual Registration fees for certification activities and all other fees from time to time. Any increase to fees will be shown on the annual invoice [Certificated Persons may cancel annual renewal without liability provided that such cancellation notice is received by BSCF no later than one month before the date of implementation of the increased price].

If the Certificated Person fails to make any payment in full on the due date, BSCF may cancel a planned assessment which may also result in Registration being suspended and withdraw.

Certificate suspension, withdrawal or restoring certification

[See also section on Appeals Procedure](#)

Following a successful assessment of a Certificated Person to the appropriate scheme, the certificate may be suspended or withdrawn as follows:

Suspended for a short period due to:

- (i) Continued misuse of certification marks and/or BSCF logos.
- (ii) Failure to allow an assessment to be conducted i.e., annual surveillance assessment.
- (iii) Failure to pay an invoice within timescales specified in these Rules of Registration.
- (iv) Breaches in legislation relevant to the scope of activities covered by Registration.
- (v) Any other breach of BSCF's Rules of Registration, Code of Conduct or Certification Scheme requirements.

Withdrawn due to the Certificated Person's:

- (i) Failure to respond to requests made by BSCF after suspension of a certificate.
- (ii) Failure of a Certificated Person to settle financial accounts.
- (iii) Persistent breach of any the Rules of Registration, Code of Conduct or Certification Scheme requirements.
- (iv) Appearance of being about to suffer all or any of the above; and/or
- (v) Request to withdraw.

Upon suspension or withdrawal of its certification, the Certificated Person must discontinue any claim of certification with BSCF and remove all references to BSCF and certification from all material that contains a reference to certification.

In the event that following withdrawal of certification the Certificated Person continues to claim certification then BSCF maintains the right to report the Certificated Person to the relevant legal authority and to take appropriate legal action.

A fee will apply for re-instatement following suspension.

Certificates cannot be extended beyond the expiry date and if a certificate does expire the Certificated Person will be contacted and the consequences will be explained. Failure to complete the recertification assessment could also result in withdrawal of the certificate. Following withdrawal, the certificate can be restored if the Certificated Person re-applies, subject to technical review and completion of the recertification assessment process.

Appeals procedure

If for any reason a Certificated Person is not in agreement with the assessment outcome, suspension or withdrawal of a certificate, they are at liberty to lodge an appeal with BSCF. All appeals will be held in the presence of an independent committee convened by BSCF. The committee, in addition to requiring documents, will hear evidence from the Certificated Person's representative and the relevant BSCF representative. The decision of the committee is final and binding on both the Certificated Person and BSCF. No counter claims will be allowed by either party. No costs, for whatever reason, will be allowed for either party because of an appeal. In the event of an appeal being lodged, full details of the process will be provided.

Complaints and requests for information

If a Certificated Person has reason to complain this should be sent in writing to BSCF. BSCF's Quality Management System includes documented procedures for handling complaints. All complaints will be responded to within three working days and thoroughly investigated. The result of the investigation will be communicated to the Certificated Person in writing. If following investigation of the complaint the Certificated Person is not satisfied with the outcome the complaint will be referred to a director or the Certificated Person requested to lodge an appeal.

Any requests for information of any kind should be directed to the relevant department of BSCF. Contact details are available on the website.

Assessment team

BSCF will employ an appropriately qualified, competent and impartial Assessment Team or individual Assessor to conduct the Assessment in accordance with the certification scheme requirements. In addition to assessors the assessment team may be supplemented by the inclusion of technical experts, translators, or interpreters.

The Certificated Person does not have the right to require that a specified named individual assessor conducts a particular assessment.

To ensure that the Impartiality of an assessment is maintained BSCF will keep under review the number of assessments an individual assessor will conduct for a Certificated Person. It may be necessary therefore to change the assessor should BSCF believe that Impartiality is threatened due to over familiarity.

The assessment team may at times be supplemented by trainees. Trainees will have no status at the assessment and will be supervised by the Lead Assessor.

Assessors acting on behalf of BSCF will act fairly and impartially and will reach a decision based solely on the evidence. The Certificated Person in agreeing to the Rules of Registration also agrees that no pressure, intimidation or inducement will be offered to assessors designed to change or alter the decision made by the assessor or subsequently by BSCF staff who review those decisions. BSCF staff are instructed to immediately report any such instances to the most senior BSCF member of staff available.

Additional rules for specific standards/schemes/specifications

In agreeing to abide by these Rules of Registration, the Certificated Person also agrees to abide by any rules, requirements or conditions laid down by other organisations or the specific requirements of a particular certification scheme as notified from time to time where that organisation controls or has a valid interest in the issue of a certificate.

Note that the requirements contained in certification schemes are liable to change and it is the Certificated Person's responsibility to ensure that any changes are identified, considered and where necessary acted upon.

Third party rights

All third-party rights are excluded, and no third party shall have any right to enforce these Rules of Registration. This shall not apply to any member of BSCF's parent group from time to time who shall, subject to BSCF's consent have the right to enforce these Rules of Registration as if they were BSCF.