

**Minimum Competence Requirements
for
Work Undertaken Through Competent Person
Schemes Approved Under Schedule 3 of the
Building Regulations (England and Wales)**

Contents

Definitions of terms used

1. Introduction
2. Requirements relating to the ability of an individual to meet the minimum competency criteria
3. Assessment of Competence
4. Test Instruments
5. Certification and Reporting
6. Insurance
7. Complaints
8. Health and Safety
9. Records
10. Continuing Professional Development
11. Technical Reference Document Requirements

Definitions

Appliance = Apparatus intended for household or similar use

Assessed Enterprise = an enterprise which has been assessed in accordance with the requirements of this document as competent, and which possesses a current Assessment Certificate.

Assessor = Individuals, on behalf of a competent persons scheme operator, carrying out an assessment of a persons professional competence as defined by National Occupational Standards, or a recognised Standard Setting Body fuel specific pathway that has been adopted within this MTC document.

Building Regulations = In England and Wales, Building Regulations made under the Building Act 1984 (as amended) and all subsequent Building Regulations (Amendment) Regulations.

Client = the person ordering the work who may or may not be the user of the premises.

Commissioning = The testing and adjustment as necessary of energy efficient fixed building services with effective controls to ensure that they use no more fuel and power than is reasonable in the circumstances. It is recognised that compliance with good installation practice may also require competence to carry out a commissioning activity for aspects of the installation that are an addition to energy efficiency

Competent = in possession of the necessary technical knowledge, skill and experience for the nature of the heating work undertaken and the ability to prevent danger and/or where appropriate injury.

Competent Person Scheme Operator = a body offering a self-certification scheme meeting the requirements of this document and listed by Government in schedule 3 of the Building Regulations 2010, as amended.

Enterprise = each address and trading title of a sole trader, partnership, private limited company, public limited company, public body or other legal entity.

Installation work = the design, installation, commissioning and testing of a building services engineering system and/or associated controls.

Individual = a man or a woman carrying out the relevant work.

Inspector = Individuals, on behalf of a competent person's scheme operator, carrying out an inspection of an enterprise, its systems and compliance with scheme registration requirements.

Off site = training/assessment facility.

On site = a location of relevant work-based activity.

Person = an enterprise or individual acting as a business.

Sufficient Involvement = carrying out heating installation work, including as relevant the design, installation, commissioning and testing of that work in accordance with the requirements of the relevant Regulations and British/European Standards.

1. Introduction

1.1 This document sets out the minimum knowledge, practical skills and experience requirements that will ensure that an organisation or individual has the appropriate skills to undertake work in a Competent Person Scheme designated in Schedule 3 of the Building Regulations.

The purpose of Competent Person Schemes is to allow approved persons to self certify the compliance of controlled work in buildings that are subject to the Building Regulations. This process removes the need to seek approval from building control before work starts.

A person operating under an approved Competent Person Scheme has a duty to comply with all aspects of the Building Regulations not just the core aspects of the work being undertaken.

Evidence of training and assessment alone are not sufficient to prove that an individual has the skills to plan, install and commission work in compliance with the Building Regulations. Therefore, adequate experience and skills knowledge and the ability to apply such knowledge in the workplace are an essential part of the entry requirements for Competent Person Scheme registration.

1.2 National Occupational Standards

The competence requirements within this document are based on National Occupational Standards (NOS). NOS are statements of the skills, knowledge and understanding needed in employment and clearly define the outcomes of competent performance. Developed by representatives of employment sectors on a UK-wide basis, NOS are used for a range of purposes including the development of occupational qualifications. For more information on NOS please visit <http://nos.ukces.org.uk>

National Vocational Qualification Diploma and certificates are work-related, competence-based qualifications. They reflect the skills and knowledge needed to do a job effectively, and show that a candidate is competent in the area of work the Qualification framework represents.

1.2 Competence

Competence involves the application of knowledge in a broad range of varied work activities performed in a wide variety of contexts, most of which are complex and non-routine. There is considerable responsibility and autonomy and control or guidance of others is often required.

These requirements will be taken into account when scheme applicants apply for registration with a Competent Person Scheme provider as they help to define areas of expertise and common competences and ensure a consistent approach to registration.

2. Requirements relating to the ability of an enterprise to meet the minimum competency criteria

2.1 The minimum competency criteria within the annexes referred to in this document define the requirements for competent enterprises working directly on the installation for which self-certification is required under the Building Regulations. In accordance with EN45011/ISO17065 an enterprise may nominate one or more competent individuals for each sector in which they operate.

2.2 For enterprises carrying out work on combustion appliances (Gas, Oil, Solid Fuel, Biomass) and associated systems, ALL individuals working directly on the installation must hold the

relevant qualification identified within the appropriate annex and this qualification MUST be renewed every 5 years. (Note: this does not apply to labour, apprentices or other specialists).

- 2.3 The Competent Person Scheme Operator shall ensure that there is a record of each competent individual capable of completing self-certification and the limits of their competence. Details of the registered enterprise shall be published to the central Competent Person Register.
- 2.4 The Competent Person Scheme Operator shall have systems in place to ensure that each registered enterprise has sufficient competent individuals to ensure the compliance of the work undertaken by each registered enterprise, that work is certified only by competent individuals who have demonstrated the required competence and have had sufficient involvement to do so. The work of each competent individual shall be periodically randomly monitored by the scheme operator to check on its compliance.
- 2.5 Where an enterprise sub contracts part of the works to a third party, this shall be managed through a formal subcontract agreement between the two parties. Under these circumstances the enterprise undertaking a contract with the customer retains full responsibility for the installation. The Competent Person Scheme Operator shall ensure that the enterprise has adequate measures in place to ensure the integrity of the installation.
- 2.5 It is recognised that competent individuals may be supported by other individuals who do not meet the criteria (such as labourers, fitters mates, apprentices or other specialists) in which case the competent individuals shall be assessed to ensure they recognise that they have the responsibility for the safety and compliance of the work with the Building Regulations and shall have sufficient involvement in the work that they are able to ensure this.
- 2.6 The Competent Persons Forum Minimum Competency Groups (or recognised industry representative groups) shall remain active and meet as necessary to reflect any changes in Legislation, National Occupational Standards or Technical Standards.

3. Assessment of Competence

- 3.1 Competent Person Scheme Operators shall be responsible for assessing the competence of enterprises wishing to join a Competent Person Scheme.
- 3.2 Competent Person Scheme Operators shall comply with the DCLG Conditions of Authorisation.
- 3.3 If an applicant enterprise satisfies one of the appropriate routes to registration by providing evidence of formal qualification, the Competent Person Scheme Operators shall conduct an on-site sample audit of the competence requirements as appropriate to their scope of registration and taking into consideration the competence criteria detailed in the relevant appendices.

Where the enterprise cannot provide evidence of formal qualification the Competent Person Scheme Operator may conduct a full audit in accordance with the full list of competencies identified in the appropriate appendices.

- 3.4 Competent Person Scheme assessors shall meet the following requirements:

- I. Assessors shall be able to demonstrate the levels of competence recommended in BS EN ISO 19011:2011 Clause 7
- II. Evidence of competence in the area of work being assessed. Evidence may be in the form of a qualification or certificate issued by a recognised awarding/certification organisation or other recorded evidence to confirm competence that covers the knowledge and practical skill outcomes contained within the relevant annexes to this document

The competence of assessors shall be updated on a regular basis and be periodically reconfirmed by the Competent Person Scheme.

4. Test Instruments

- 4.1 Each enterprise shall have or have access to a sufficient number of test instruments appropriate to its nature of work that will enable them to accurately carry out and record the outcomes of tests.
- 4.2 Test equipment shall be:
 - Maintained in clean, working condition, and;
 - Used in a workmanlike manner in accordance with the manufacturer's instructions.
- 4.3 The enterprise shall have a suitable system in place to ensure that all test instruments used for testing, whether owned or hired by the enterprise, are accurate consistent and where appropriate calibrated.

5. Certification and Reporting

- 5.1 The enterprise shall issue as required the appropriate commissioning record to the client; detailing the results of the performance tests carried out as required by the relevant Standards and Regulations.
- 5.2 The enterprise shall issue the appropriate Building Regulations compliance notification in accordance with the relevant Standards and Regulations for all of the work that it carries out. This may be carried out by the Competent Person Scheme Operator on behalf of the enterprise.
- 5.3 Where appropriate the enterprise shall issue the appropriate logbook / checklist or update any existing compliant logbook / checklist to include the work it has carried out.
- 5.4 Where appropriate the Enterprise shall issue the appropriate Building Regulations compliant guidance to the client on the use and operation of the installed system(s).

6. Insurance

- 6.1 The enterprise shall hold a minimum of £2 million of public liability insurance covering all of the work that it carries out within the scope of their registration.

Note: Where design is undertaken, it is recommended that the enterprise holds a minimum of £250,000 of Professional Indemnity insurance or as appropriate to their scope of work.

7. Complaints

- 7.1 The assessed enterprise shall maintain a record of all complaints received over at least the previous six years, concerning the compliance with Building Regulations of the work it has carried out, together with the details of the action taken to resolve these complaints.

8. Health and Safety

- 8.1 The assessed enterprise shall comply with the requirements of the Health and Safety at Work etc Act 1974, shall have a written health and safety policy statement where required by law and shall carry out risk assessments where necessary.
- 8.2 Individuals undertaking work shall have the appropriate level of health and safety competence as detailed in the relevant appendix for the scope of works being conducted.

9. Records

The assessed enterprise shall hold:

- 9.1 a list of all work carried out.
- 9.2 design data, specifications, drawings, commissioning records, logbooks, needs and requirements user advice and compliance certificates relating to installation work, carried out and in progress, as appropriate.

10. Professional Development

- 10.1 Competent Person Scheme Operators shall specify any requirements for CPD to satisfy ongoing registration.
- 10.2 The relevant Minimum Competency Group (or recognised industry representative groups) shall adjudicate and assess the knowledge and skills requirements in the event of changes/amendments' to the Building Regulations.

11. Technical Reference Document Requirements

- 11.1 The assessed enterprise shall hold or have access to current editions, including all amendments, of the documents (or recognised equivalent documents) as listed in the tables within each annex.