

SANCTION OF APPROVED INSPECTOR –Harwood Building Control Approved Inspectors Ltd (#141)

Published: 25 September 2023

Sanction Expiry: 10 August 2025

Disciplinary Hearing: 17 July 2023

A disciplinary hearing was held following a complaint lodged with CICAIR against Harwood Building Control Approved Inspectors Ltd (#141)

The disciplinary panel upheld eight breaches of the CICAIR Code of Conduct for Approved Inspectors (2017).

1. FAILURE TO COMPLY WITH CLAUSE 1.1 OF THE CODE OF CONDUCT (in respect of integrity only)

Clause 1.1 of the Code of Conduct provides:

Approved Inspectors must always act with honesty and integrity.

2. FAILURE TO COMPLY WITH CLAUSE 1.4 OF THE CODE OF CONDUCT

Clause 1.4 of the Code of Conduct provides:

Approved Inspectors must avoid any actions or situations that are inconsistent with their professional obligations.

3. FAILURE TO COMPLY WITH CLAUSE 2.1 OF THE CODE OF CONDUCT

Clause 2.1 of the Code of Conduct provides:

Approved Inspectors must provide an appropriate standard of service.

4. FAILURE TO COMPLY WITH CLAUSE 2.2 OF THE CODE OF CONDUCT

Clause 2.2 of the Code of Conduct provides:

Approved Inspectors must act with professional skill, care and/or diligence.

5. FAILURE TO COMPLY WITH CLAUSE 2.5 OF THE CODE OF CONDUCT

Clause 2.5 of the Code of Conduct provides:

Approved Inspectors must always comply with the Building Control Performance Standards.

6. FAILURE TO COMPLY WITH CLAUSE 2.6 OF THE CODE OF CONDUCT

Clause 2.6 of the Code of Conduct provides:

Approved Inspectors must pay due regard to industry best practice, technical and professional standards and to the CICAIR Code of Conduct Guidance Notes.

7. FAILURE TO COMPLY WITH CLAUSE 3.1 OF THE CODE OF CONDUCT

Clause 3.1 of the Code of Conduct provides:

8. *Approved Inspectors must be accountable for their decisions and for duties and tasks they delegate to others.* FAILURE TO COMPLY WITH CLAUSE 3.6 OF THE CODE OF CONDUCT

Clause 3.6 of the Code of Conduct provides:

Approved Inspectors must uphold the reputation of the profession and of CICAIR at all times.

In accordance with the CICAIR's Sanctions Guidance, the Disciplinary Panel determined the appropriate sanction was a Level 2 – Moderate Breach sanction.

The Disciplinary Panel directed that the following sanctions should be applied:

- a. **The Approved Inspector shall be issued with a letter of warning in relation to its failure to adhere to Standards 6 (Site Inspections) and 7 (Communications and Records of the Building Control Performance Standards). If these matters are not remedied or brought up to standard, this could result in a higher-level sanction being imposed;**
- b. **The Approved Inspector shall be required to apologise personally to the Complainants in writing, with copy to CICAIR; and**
- c. **The Approved Inspector shall provide training to all its technical staff in relation to the Code of Conduct, including with specific reference to the required conduct during site inspections and to the recording of site inspections.**

The Level 2 disciplinary sanction will be recorded on the Approved Inspector's CICAIR file along with the Disciplinary Panel's written decision and terms of the requirements imposed. It will be made available to any future CICAIR panel which upholds a complaint or allegation against the Approved Inspector prior to the delivery of a sanction (Paragraph 5.13 of the Sanctions Guidance).

The Level 2 sanction will be published on the CICAIR website for a period of 24 months (Paragraph 5.14 of the Sanctions Guidance).

Non-compliance with this sanction may lead to further disciplinary action (Paragraph 5.15 of the Sanctions Guidance).

This Level 2 sanction does not prevent Harwood Building Control Approved Inspectors Ltd from continuing to practise as an Approved Inspector.