



Homes
England

Date: 16 December 2024

Our Ref: RFI4950

Tel: 0300 1234 500

Email: infogov@homesengland.gov.uk

[REDACTED]
By Email Only

Dear [REDACTED]

RE: Request for Information – RFI4950

Thank you for your request for information which was processed in accordance with the Freedom of Information Act 2000 (FOIA).

You requested the following information:

- 1. Full list of firms and individuals on the CSS Assessor panel**
- 2. Confirmation of the vetting process applied to CSS Assessor panel applicant panel firms prior to appointment**
- 3. Confirmation of the ongoing supervision of CSS Assessor panel firms post appointment**
- 4. Copy of complaints registered against CSS Assessor panel firms from inception of the scheme to end October 2024 and the status of each complaint at time of response**
- 5. Confirmation of CSS Assessor panel firms that have been removed from the panel and the reason for removal (if not answered in Question 4)**

Response

We can confirm that we do hold some of the requested information. We will answer your questions in turn below:

2nd Floor
The Lumen
St James Boulevard, Newcastle Helix
Newcastle upon Tyne, NE4 5BZ

0300 1234 500
@HomesEngland
www.gov.uk/homes-england





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1. Full list of firms and individuals on the CSS Assessor panel

We can inform you that we do hold the information that you have requested. However, we rely on section 21, exemption where information is available to the applicant elsewhere.

The full text of the legislation can be found on the following link and we have quoted section 21 below for ease.

<https://www.legislation.gov.uk/ukpga/2000/36/section/21>

Advice and Assistance

We have a duty to provide advice and assistance in accordance with Section 16 of the FOIA. In order to comply with this duty we can confirm that the CSS assessor list is accessible online via the following link:

<https://claddingsafetyscheme.homesengland.org.uk>

You can find the assessor list at the bottom of the page on the above link, under the section entitled 'Before you start'.

2. Confirmation of the vetting process applied to CSS Assessor panel applicant panel firms prior to appointment

We can confirm that we hold the information. Please see **Annex A** attached to this response which contains the participation agreement for the assessor panel. All new firms must submit evidence to support the eligibility criteria prior to being added to the panel, the details of which are to be found in the participation agreement appendix.

3. Confirmation of the ongoing supervision of CSS Assessor panel firms post appointment

We can confirm that each calendar year panel firms are asked to self-certify their eligibility to remain on the panel. Any firms who do not provide evidence or no longer meet the eligibility criteria are removed from the panel. We hold quarterly round tables with the panel and meet with individual firms as and when required.

4. Copy of complaints registered against CSS Assessor panel firms from inception of the scheme to end October 2024 and the status of each complaint at time of response

We can confirm that Homes England does not hold the information detailed in your request.

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To conclude that the information is not held, we have searched with our Cladding Safety team who would have the requested information if held.

The FOIA does not oblige a public authority to create information to answer a request if the requested information is not held. The duty under section 1(1) is only to provide the recorded information held.

The full text of section 1 in the legislation can be found here:

<https://www.legislation.gov.uk/ukpga/2000/36/section/1>

Advice and Assistance

We have a duty to provide advice and assistance in accordance with Section 16 of the FOIA. To comply with this duty we are able to confirm we have not received any complaints registered directly against the CSS Assessor panel.

5. Confirmation of CSS Assessor panel firms that have been removed from the panel and the reason for removal (if not answered in Question 4)

Since the launch of the scheme we have removed 7 firms from the panel. One firm raised capacity issues and asked to be removed (they have since re-applied and are back on the panel) and 6 were removed as they did not complete their annual self-certification.

Right to Appeal

If you are not happy with the information that has been provided or the way in which your request has been handled, you may request an internal review. You can request an internal review by writing to Homes England via the details below, quoting the reference number at the top of this letter.

Email: infogov@homesengland.gov.uk

Information Governance Team
Homes England
The Lumen

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Newcastle upon Tyne, NE4 5BZ

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United Kingdom

Your request for review must be made in writing, explain why you wish to appeal, and be received within 40 working days of the date of this response. Failure to meet this criteria may lead to your request being refused.

Upon receipt, your request for review will be passed to an independent party not involved in your original request. We aim to issue a response within 20 working days.

You may also complain to the Information Commissioner's Office (ICO) however, the Information Commissioner does usually expect the internal review procedure to be exhausted in the first instance.

The Information Commissioner's details can be found via the following link:

<https://ico.org.uk/>

Please note that the contents of your request and this response are also subject to the Freedom of Information Act 2000. Homes England may be required to disclose your request and our response accordingly.

Yours sincerely,

The Information Governance Team
For Homes England

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Homes
England

The Housing and Regeneration Agency

[Date]

[Organisation]
Sent by email only

Attn [Full Name]

Dear [First Name]

Participation Agreement for the Cladding Safety Scheme Fire Risk Assessor Panel

Thank you and your firm for applying to the Homes England Cladding Safety Scheme Fire Risk Assessor Panel. We have reviewed your responses and would like to invite your firm to join our panel, subject to the terms of this Participation Agreement.

Operation of the panel

The list of panel member firms is made available to applicants through the digital service when applying to the Cladding Safety Scheme. Panel member firms will be the only firms able to complete FRAEW's for applicants to the Cladding Safety Scheme.

Our intention is also to use the panel as a forum for member firms to share best practice in this still emerging area of work, and we appreciate your firm participating in any initiatives we organise in that respect.

We will run an introductory webinar for new firms joining the assessor panel. Please send at least one representative to that session.

Homes England will, as part of our assurance of the panel, carry out assurance/audit of a sample of FRAEW's you carry out for the Cladding Safety Scheme.

We will renew membership of the panel annually, working with panel members in the interim to check they continue to meet the eligibility criteria, as part of our assurance of the FRAEW process for the Cladding Safety Scheme.

Terms of participation for the panel are set out below:

- Your firm agrees to being contacted by applicants who are looking to commission FRAEW's and to respond to that contact within a reasonable timeframe. By this we do not mean that you must work with any applicant that contacts you, but instead you respond to approaches and let applicants know in a timely way if you can provide a FRAEW for them
- Where an applicant has applied to the Cladding Safety Scheme and registered their building, we will give that building a reference number. Your firm agrees to carry out FRAEW's for applicants only upon receipt of an application reference number, and thereafter use this reference number in all future correspondence



with that applicant relating to that Cladding Safety Scheme application. When the scheme opens, we would therefore encourage you to get clients to submit initial details of their buildings to help give us visibility of the likely pipeline, and a reference number.

- Your firm agrees to the non-personal data submitted in your application form being shared publicly with applicants to the scheme so that they can identify and contact an appropriate assessor firm.
- In terms of communications and publicity, it is permissible whilst your firm is part of the panel to refer to your firm's membership of the assessor panel for the Cladding Safety Scheme, administered by Homes England, or broadly similar language. We would ask you not to use the Homes England logo. We are not planning to produce any branding around the assessor panel.
- Please could we also ask that you avoid creating the impression in any communications and publicity that this panel is a new qualification or standard in relation to building safety or implying that Homes England has any regulatory role in relation to building safety.
- Your firm agrees to notify Homes England within a reasonable timeframe of any issues that may cause your firm, and by extension Homes England, significant reputational risk in relation to Fire Risk Assessments of External Walls undertaken for the Cladding Safety Scheme.
- Once you have been instructed to carry out a FRAEW, your firm agrees to respond to applicants within a reasonable timeframe to confirm a start date.
- Your firm agrees to inform Homes England of any backlogs or capacity issues which may impact your ability to carry out FRAEW's for applicants or lead to excessive lead times.
- Your firm agrees to adhere to the PAS 9980:2022 guidance for all assessments carried out for the Cladding Safety Scheme.
- Your firm agrees to complete the FRAEW Summary form (attached to this email) or future variations for all assessments completed for the Cladding Safety Scheme. We will work with firms on the panel to evolve the format that works best both in terms of content and with any software you may be using to produce reports
- Homes England reserves the right to take further action in response to the outcome of independent assurance checks of FRAEW's submitted to the scheme. This is likely to be mainly dialogue and discussion to reach a consensus on what good practice should be on a particular issue but may in the worst case include the removal of firms from the panel.
- Your firm agrees to the non-personal data submitted in your application form for the assessor panel being used to analyse performance of the panel by Homes England and the Department for Levelling Up, Housing and Communities (DLUHC).
- Homes England reserves the right to contact you to discuss your experience of the panel and the Cladding Safety Scheme, any live assessments being carried out, and any issues, queries or changes in circumstances.
- Your firm agrees to provide monthly updates of the number of FRAEW's in progress for medium rise buildings to Homes England in a format agreed by Homes England.
- Your firm agrees to notify Homes England immediately of any changes in operational circumstances, including availability and regions of coverage.
- If at any point you want to opt out of membership of the panel, please could you provide 3 months' notice.

- If requested, and you have had appropriate involvement with the remediation work, your firm agrees to complete the 'exit FRAEW' for all applicants it completes original assessments for. The exit FRAEW being the assessment of fire safety following the completion of remediation works.
- Your firm agrees to an annual renewal process for the panel which will include re-confirmation of the eligibility criteria included in Appendix 1 below.

Our data privacy notice can be found [here](#).

What you need to do

You will need to review the terms of participation set out above and respond to the Cladding Safety Scheme Commercial team mailbox (CSSCommercial@homesengland.gov.uk) confirming your agreement to these terms.

Please also find a summary of the Assessor Panel eligibility criteria in Appendix 1 below.

We have also enclosed with this letter an initial version of the proposed FRAEW Summary form that we will require members of the panel to complete for any assessments completed for the Cladding Safety Scheme.

What happens next

We will review your response to this participation agreement. If the terms of participation are agreed, we will add you to the panel and record your details in our list of accredited firms.

From the date Homes England receive receipt of your confirmation to this participation agreement, you can expect applicants to begin contacting you with a view to completing a FRAEW. Applicants will contract with firms directly and pay for the FRAEW.

We will also provide a point of contact here at Homes England with whom you can resolve any queries about your membership of the assessor panel.

Contact us

To contact us email CSSCommercial@homesengland.gov.uk.

Kind regards,

Cladding Safety Team
Homes England

Appendix 1- Cladding Safety Scheme Fire Risk Assessor Panel Eligibility Criteria

Entry Criteria	Evidence to meet Criteria
<p>1. Qualifications and experience of member firms to align with PAS9980 (2022) requirements:</p> <p>Firms to nominate individuals who will undertake FRAEWs and detail their qualifications. As per PAS 9980 guidance, they must be a RICS chartered building surveyor or equivalent qualified chartered professional (for example an architect) with competence and experience of the assessment of fire safety of medium and high-rise residential buildings. Chartered Engineers to be used for complex assessments.</p>	<ul style="list-style-type: none"> Firms to self-certify that FRAEW's are undertaken by RICS chartered building surveyor or chartered equivalent for each person nominated within firm. FRAEW's summaries and FRAEW's submitted to the Cladding Safety Scheme will be checked for evidence of suitable qualifications.
<p>2. Complex assessments – To be undertaken by chartered engineer with suitable competence and experience:</p> <p>Complex assessments should be an undertaken by a chartered engineer as per PAS9980 guidance. All panel firm candidates will need access to a chartered engineer with suitable competence and experience who should be covered by the firms PII insurance if working for the firm on a consultancy basis.</p>	<ul style="list-style-type: none"> Firms to self-certify. FRAEW's summaries and FRAEW's submitted to the Cladding Safety Scheme will be checked for evidence of suitable qualifications.
<p>3. Quality control procedures:</p> <p>ISO 9001 or equivalent approach to quality control must be in place, including peer review which can be evidenced.</p>	<ul style="list-style-type: none"> Firms to self-certify in application. Assured by sample audit.
<p>4. Professional Indemnity Insurance:</p> <p>Firms must certify they have appropriate Professional Indemnity Insurance (PII) in place covering the value of remediation work identified in FRAEW's.</p>	<ul style="list-style-type: none"> Self-certification. Minimum of £1million PII, covering FRAEW reports. Significantly more expected for larger firms proportionate to value of work covered. Sample audit of policies.
<p>5. FRAEW summary to be prepared using Cladding Safety Scheme template:</p> <p>Firms must agree to provide an Annex to the report which contains the FRAEW summary Homes England have devised, so this information is available to applicants in a consistent form for their application to the Cladding Safety Scheme.</p>	<ul style="list-style-type: none"> Self-certification that the fire risk assessor will provide the FRAEW summary using the template Homes England develop.
<p>6. Firms to identify areas of England they can cover:</p>	<ul style="list-style-type: none"> Identification of the region (or regions, or 'national') that the firm will cover.
<p>7. Firms to certify they will follow PAS 9980 (2022) guidance and take a proportionate approach.</p>	<ul style="list-style-type: none"> Self-certification and assurance of FRAEW submitted to the Cladding Safety Scheme.