



House of Commons
Communities and Local
Government Committee

**Building Regulations
applying to electrical and
gas installation and
repairs in dwellings**

Tenth Report of Session 2010–12

Volume II

Additional written evidence

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The Communities and Local Government Committee

The Communities and Local Government Committee is appointed by the House of Commons to examine the expenditure, administration, and policy of the Department for Communities and Local Government.

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The Reports of the Committee, the formal minutes relating to that report, oral evidence taken and some or all written evidence are available in a printed volume.

Additional written evidence may be published on the internet only.

Committee staff

The current staff of the Committee are Glenn McKee (Clerk), Edward White (Second Clerk), Josephine Willows (Inquiry Manager), Kevin Maddison (Committee Specialist), Emily Gregory (Senior Committee Assistant), Mandy Sullivan (Committee Assistant), Stewart McIlvenna, (Committee Support Assistant) and Hannah Pearce (Media Officer).

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Chief Fire Officers Association (CFOA)

Written evidence

Written evidence submitted by the Federation of Private Residents Associations Ltd

We are the national body that represents the interests of long leaseholders in England and Wales which we do via their Resident Associations, Resident Management Companies, Right to Manage Companies and similar groups many of which have responsibilities for Electrical & Gas installation for the blocks of flats where they live.

The issues raised will be of interest to many of our members' and I have attached some of the issues shared by one of them in their own block which they have agreed to share to help others in a similar position, many of whom are volunteer Directors carrying out these duties and I hope your committee will consider them during the enquiry.

We would ask that in your deliberations you give careful consideration to how these issues will impact upon blocks of flats and estates that are managed collectively and where they are governed by legislation in the leasehold sector?

I advise our members on the issue of chimney flues and access to them for maintenance, however my comments are from a practical perspective as the FPRA health & safety advisor and RMC Director not a legal one, we refer any legal aspects to one of our legal advisors to consider the issue of responsibility which is often complicated in many blocks as not all leases are clear in this regard.

Replacement and Maintenance of fire places in many older blocks is a common problem due to access requirements which have changed in recent years due to the new regulations and difficulties around ownership of access areas.

Current Building Regulations specify that the location and installation of flues should have been closely regulated when the blocks were converted/built so as not to disfigure the appearance of the buildings if you live in a Conservation Area or the building is listed this will add further complications and therefore if this is the case we strongly recommend seeking advice from the Conservation Officer in the Council's Planning Dept and through them, the Buildings Inspector within Building Control section of the Council.

It is important for both leasehold flat owners and any Freehold company or managing agent to be aware where the responsibilities for the "common parts" start and finish to establish who should pay the costs. It is this point that gives our legal advisors the greatest difficulty as each lease is different and not always clear.

This difficulty has to be addressed by the Freehold Company and/or Management company in consultation with the leaseholders and the contractors, our best guess is that if access is required to an area owned by the Freehold Company then the responsibility will be with the Freehold company and not each individual lessee, however this point may need legal interpretation of the lease and therefore greater clarity in Building Regulations would be helpful as all "common parts" of blocks are different.

Actions taken by the Directors of our members which are attached to issue Guidelines to be followed by leaseholders and the management company on an annual basis are excellent, however there should be legal clarity with the siting and installation of flues in common parts of blocks of flats to ensure consistency of approach?

The Directors in this case study have formally adopted these Guidelines and issue a letter to all leaseholders requiring compliance with them in their building, however what is the position where there is non compliance? We would hope the Government may issue some clarity in this area?

The internal works may require replacement of existing flues may requiring planning permission or listed building consent to comply with Building Regulations.

If external changes are needed they will probably require listed building or planning consents, depending upon their impact upon the appearance of the building. From a conservation point of view, the Council will be looking to minimise the impact of these changes, compared to the impact of the existing external flues and pipes, which are of a standard design and occupy regular positions across the front elevation such that their impact is relatively minor.

Replacement external fittings which comply with the following guidelines will not require listed building consent or planning permission from the Council:

The new flue must be located in the same position as the existing flue.

The flue shall not project further than 50% beyond the existing flue in relation to the brickwork.

The flue shall not be of greater diameter than the existing.

The flue and any associated collar must be coloured black, dark grey or dark brown. White fittings may require listed building consent.

There will be no other external pipe work; this will mean that disposal of condensate has to be effected internally.

The new flue must be fitted by a “clean cut” in the brickwork; making good of damaged surfaces by means of mortar cladding will not be acceptable.

Fittings which cannot comply with these guidelines may require listed building consent from the Council, but examples which depart significantly from the appearance of the existing or others introduced in accordance with these guidelines are unlikely to be acceptable.

If there is a particular point that you would like to discuss with us, please email us again and we will endeavour to assist you.

January 2012

Written evidence submitted by Mark Wilkinson

I am the owner of Mark Wilkinson Electrical and work in the electrical and building trade I would like to give my views to help with the inquiry into building regulations.

My current views towards gas works I think is good and does not need to be changed but I feel this is irrelevant as I have no knowledge of gas and this question should be given to a member of gas safe, my views towards electricity Regulations Part P etc I feel should be enforced better and more strict.

I think there are too many governing bodies for electricity contracting examples being the NICEIC (which I am a member of) NAPIT and ELESIA it is currently costly to be a member of a scheme which I don't see a problem with it is a privilege to be with them not a right.

The electricity certification would be a lot more effective if it was recognised as very few of my clients (all of which are domestic) know what the NICEIC is or understand why they have got a certificate or why they need one this could be easily changed with a electric safe scheme and scrapping all other schemes and having one which is well advertised to the public to allow them to have a better understanding.

In my time as an electrician I have seen many shocking things such as burnt cables which could of very nearly burned houses down but could of been avoided if the correct rated cable was installed. I have also seen DIY works consisting of mains gas run in a garden hose and many other things I am sure the reduction or removal of current regulations would be a big mistake to make and would allow more “cowboys” into the industry therefore increasing accident and deaths caused by gas and Electricity both of which are very dangerous and should be respected.

Written evidence submitted by Steve Lomax

Written by the proprietor of a small electrical contacting business established in 1986 and have been NICEIC approved since 1989.

Is Part P adequate in safeguarding electrical health and safety in domestic dwellings?

Part P is adequate in safeguarding electrical safety because only those installations which are already compliant with BS7671 (the wiring regulations) are notified under part P. Those installations that are not compliant with BS7671 are not notified under Part P either by ignorance or defiance. This constitutes most installations.

What are the costs of complying with the Regulations?

Maintaining approval with an authorised body constitutes the largest part of the cost. This, along with administration costs would come to typically £800–£1,000 per annum, with a cost of around £4.00 per job in certification. This is a flat rate and would represent around 10% of a small job or 0.2% of a medium re-wire. These would include some re-training and re-qualification for the “Qualified supervisor” each time the regulations are upgraded. Typically once or twice every 10 years. The extra cost of complying with Part P, is very small in addition to previous authority approval maintenance costs.

How could Part P Regulations be revised to be streamlined and made more effective?

Abolish Part P altogether. It is too complicated and unworkable without a major awareness advertising campaign and policing. It is largely ignored. As an industry, electricity does not pose a large enough risk to be worthy of a scheme this complex. A law that made it a requirement that a property could not be sold, let or leased as “habitable” without a satisfactory electrical installation report, would be more effective in ensuring electrical safety than Part P.

What would be the consequence of the removal or significant reduction of the scope of the Building Regulations so far as they apply to electrical and gas installation and repairs in dwellings?

Very little. The mandatory regulations would remain. The unworkable and largely ignored statutory regulations would be lost. Installers may choose to remain approved or not. The public may undertake or appoint trades as they feel fit. The vast majority do not understand the system as it exists at this time anyhow.

What reasons are given for the above answers?

Part P requirements have split the industry into three types of contractor or installers (including DIY):

1. Those installers that are competent, experienced and qualified tend to comply with the requirements. This extra statutory requirement is therefore largely superfluous as these installers already complying with mandatory regulations.
2. Those installers that are incompetent, inexperienced and unqualified who are unaware of the requirement.
3. Those installers that may or may not be incompetent, inexperienced and unqualified, but choose to ignore the requirement as they see the regulations as un-necessary and inconsequential if breached.

The householders and clients fall into three categories:

1. Those that are aware that such regulations exist and would recognise non-compliance of them.
2. Those that are unconcerned with regulations and will appoint the installer who will work at the lowest price, which may be themselves, irrespective of compliance.
3. Those that are unaware of the regulations.

Since the introduction of the regulations in 2005, in the day to day experience of meeting customers and general public, currently:

- Less than 2% of the public are fully aware of the regulations and would recognise the certification they would expect to receive to confirm compliance with them.
- Around 80% are aware that some form of regulation or code of practice exists, but would not demand certification if none were offered, nor would they question the validity of any certification offered.
- Almost 20% are totally unaware of any regulation.

The costs of maintaining the compliance, scheme registration, administration, training and certification required by the regulations are very significant. Compliant installers who need to meet these overhead costs are usually undercut by non-compliant installers who do not have such costs.

There is no effective policing of the regulations.

There is no public advertising that the regulations exist. It is the householder who is ultimately liable for non-conformity of the regulations, not the installer, yet the majority of householders are unaware of this liability.

The regulation is further complicated in the fact that different methods of compliance and requirements exist for gas, electric, water and glazing installations. The householder has little choice other than to accept what he is told by the tradesman, whether this is accurate or not.

The introduction of the Part P regulations was haphazard, and over too short a period of time. The industry is still suffering the haste of implementation in inefficient systems, poor continuity across and within trades and inadequate policing.

Prior to the introduction, clients had confidence that all work carried out by NICEIC or ECA approved contractors was to the highest standard of safety compliance. To accommodate Part P, those contractors that could not meet the strict criteria that approval by these organisations required, now needed some other form of approval, and an over-complicated multi-tier system has evolved, with a significant drop in the overall level of competency. The general public now have no idea which level of competency the contractor they are appointing has. There are so many levels of approval by so many different authorities that even the building trade itself has difficulty determining the competency or scope of approval of any given contractor.

The introduction of the scheme has not rid the trade of unregistered and incompetent installers. Indeed, the over complication has made it easier for these contractors to trade undetected. There are too many "Approval" logos the general public now need to recognise.

The requirement has more to do with paperwork and liability and than with competent, safe working practice. An installer not prepared to accept liability is unlikely to be concerned with safety.

There are virtually no penalties for installers who blatantly display or imply that they are approved by organisations that they are not affiliated with. It tends to be other contractors that notice this but trading standards, the authority policing such infringements can only act on public complaints and even then have little power to act.

It is possible for an individual to attain the required electrical qualification and approval criteria within a matter of weeks without ever undertaking any on-site work, other than that in their own home. The industry is flooded with “approved” and “qualified” contractors with no skills or experience in safe working.

The approval authorities are commercial companies that derive income by the number of contractors they ‘sign up’ and then sell certificate forms, tools and other merchandise to. They stand to lose income by rejecting applications or revoking the approval of unsafe installers. This is a conflict of interests.

I am aware of, or have heard of only three convictions under this law since 2005:

- This low conviction number is grossly disproportionate to the number of offences committed.
- If the conviction rate is higher than three in six years then this should be more widely publicised for the law to function as a deterrent against unsafe installation.
- The low conviction rate demonstrates that there is not a problem, and the law is not needed.
- The conviction rate is certainly disproportionate to the number of circuit breakers sold by DIY stores, each of which should carry a warning that it is breaking the law for an unregistered person to fit this item.

December 2011

Written submission from Unite the Union

INTRODUCTION

Please find here the submission of Unite the Union to the Communities and Local Government Committee inquiry into the operation of the Building Regulations applying to electrical and gas installation and repairs in dwellings.

Unite the Union argues that more effective regulations are necessary to safeguard homeowners from cowboys and shoddy workmanship.

The Committee asks the questions:

- Are the Building Regulations adequate in safeguarding health and safety in domestic dwellings?
- What are the costs of complying with the Regulations?
- How could the Regulations be revised to be streamlined and made more effective?
- What would be the consequence of the removal or significant reduction of the scope of the Building Regulations so far as they apply to electrical and gas installation and repairs in dwellings?

Unite the Union believe that the questions are inextricably linked, this submission therefore endeavours to convey the position in two sections, section A regarding electrical installations in dwellings, and section B regarding gas installations in dwellings.

EXECUTIVE SUMMARY

Section A: Electrical Installations and Repairs in Dwellings

- Section A of this submission comments on *Part P of the Building Regulations* in England and Wales in regard to electrical installations and repairs in dwellings.
- Unite the Union has serious concerns regarding the requirements within *Part P of Building Regulations* on what actually constitutes “competency” in electrical installation.
- Examples are given of best practice established by the industry under the ECS (Electrotechnical Certification Scheme) and best practice under Scottish Building Standards.
- This submission in its conclusion calls for compulsory and qualitative registration of Electrical Contractors and Operatives, via an industry led system of Licence to Practice.

Section B: Gas Installations and Repairs in Dwellings

- Section B gives Unite’s opinion on Gas Safe and its Governance.
- Unite the Union believes that statutory registration at both company and individual level in regard to ensuring safe installations in dwellings and structures is an essential part of UK Building Regulation. The fact that gas systems, appliances and installations should be correctly installed, commissioned and maintained is a given.
- Unite the Union believe the Gas Safe register must enshrine its not for profit roots when CORGI was formed in 1968, and that its Governance should include the most representative stakeholders from the industry, being the relevant Trade Associations, Trade Unions, Technical experts and Consumer interests for the steering of long term success of the scheme.

SECTION A: ELECTRICAL INSTALLATIONS AND REPAIRS IN DWELLINGS—(*Part P of the Building Regulations in England and Wales*)

1. Unite the Union believes that Part P in its current form fails to tackle rogue traders, safety measures implemented with the introduction of *Part P of the Building Regulations*, designed to stamp out shoddy electrical work in the home, have in fact effectively alienated large numbers of highly qualified electricians, and worryingly have lent a misleading air of credibility to the unqualified.

2. Unite the Union believe that requirements for electrical installations (ie BS7671) should fundamentally be required under the Building Regulations. However, this submission argues that review of Part P and its competency requirements are needed with substantial amendments for best standards and best practice, rather than simple abolition of the document, we do not advocate that DCLG “throw out the baby with the bathwater”.

3. On 1 January 2005, *Part P of the Building Regulations* for England and Wales came into force, seeking to establish safer electrical installations for homeowners.

4. Previously, the industry had regulated itself, but an ever growing number of unqualified DIY enthusiasts, coupled with media attention focused on rogue traders, meant that government intervention was long overdue.

5. According to statistics from the NICEIC and ODPM at that time, faulty electrics had resulted in over 2,000 fires, caused 19 deaths, 750 serious injuries and over 2,000 non-fatal electric shock accidents each year.

6. Before Part P, electrical installations in the home were not subject to statutory Building Regulations, so employing bona fide competent electricians and electrical contractors to carry out electrical installation work was down to the common sense of the homeowner.

7. However, now since the introduction of Part P, homeowners are faced with further confusion. To comply with Part P, a number of “competent person” self-certification schemes have been established, a “competent person” confusingly meaning a firm (as in the “person” being the legal entity of a company) and not an individual. Of course, a company can be a single person entity, as in a sole trader, but it is not for example an Employee.

8. The Schemes are commercially motivated, which Unite the Union believes sadly detracts from raising the bar to the best standards in the field, instead the set up encourages the pursuit of more companies to sign up to the schemes, to the detriment of bona fide highly skilled Contractors and Operatives, who find the “level playing field” based on highest standards in the domestic market eroded by those who are less scrupulous and less committed to the very best in quality, competence, customer services and workmanship within the trade.

9. Under some of these schemes, a part trained, under qualified Part P listed kitchen fitter, or someone pertaining to be an “electrician” with minimal training and experience for instance, has the right to self-certify electrical work, thus circumventing the notification process that an ordinary fully qualified electrician has to go through.

10. Of course, it makes sense for bona fide electrical firms and sole traders whom undertake a lot of domestic work to join such schemes to cut down on paperwork and Local Authority inspections, whilst still proving compliance with the Building Regulations. However, originally in the 2005 document, no recognition was given to properly qualified electrician, who was for instance, an employee, and occasionally undertook in-scope work in their spare time (particularly on their own property or for family etc).

11. At that time, Unite’s predecessor Union, Amicus the Union, argued that such an individual simply needs to notify the in-scope work to their Local Authority Building Control department and have relevant insurance in place. For such an electrician to join one of the self-certification schemes was costly and completely unnecessary.

12. The Union then welcomed the amendment to Part P introduced in April 2006, under *Certification of notifiable work (b)*, which gave an air of recognition and flexibility to the bona fide competent installation electrician. However, the document failed to remedy the Unions concerns regarding under or non-qualified individuals and firms operating in the electrical installation market place of domestic dwellings.

13. Unite the Union are not arguing against notification, it is a fundamental principle of the regulations; however, Unite members have pointed to high building control fees, which vary between Local Authorities (a nonsensical situation where fees can be higher than if they got someone in to do the work for them that they are trained and qualified to undertake in the first place), therefore Unite believe that this scenario penalises qualified practitioners whilst giving inaccurate kudos to non-electricians. Understandably, irritated electricians rightly feel that they have not been given the credit they deserve.

14. The Union viewed the introduction of Part P with trepidation as, in Unite’s view, it is not stringent enough. In 1977, the ECA (Electrical Contractors Association) and the union (then EETPU) developed “*The case for compulsory qualitative registration of electrical contractors and operative*”, which would have seen a system of licensing introduced for both electrical contractors at the company level, and electricians at the individual level in the UK, going way beyond the requirements of Part P today.

15. This stalled in 1980 due to the change of Government. With this in mind, the JIB (Joint Industry Board for the Electrical Contracting Industry) carried on with its own voluntary register. This evolved into the UK

Register of Electricians, which then incorporated open access JIB grading to form the Electrotechnical Certification Scheme.

16. The JIB is all about standards, Employers and Employees working together for the improvement and progress of the industry in the public interest.

17. Establishing and developing the level of skill and proficiency of individual electricians is of primary importance to the Board. Over 9,000 apprentice electricians are currently registered and undertaking the progression based JIB apprenticeship scheme throughout England, Wales and Northern Ireland (plus the SJIB in Scotland). These apprenticeship schemes take an average of four years to complete.

18. In contrast, and very worryingly, since the introduction of Part P, five day “Part P” courses have been offered to all and sundry to deem themselves “competent” to meet the bare bones requirements laid down in section 1 of the Approved Document. Knowledge based update courses in the Wiring Regulations, developed for qualified practicing electricians to keep up to speed with changes, have been booked up with non electricians, those individuals then meeting the “minimum level competencies” in Part P to join a “Competent Person Scheme”, but with no fundamental experience, assessment or NVQ3 to industry recognised standards.

19. Unite argues that this scenario is illogical, dangerous and undermines our industry apprentice framework. Furthermore, such courses have been pedalled and mis-sold in the current economic climate to people made redundant and looking for a change in career direction, with unscrupulous providers offering “fast track” routes to becoming an “electrician”.

20. A lot of time, investment and energy is expended by Government, industry, the Sector Skills Council and others in developing bona fide frameworks to the competency level of a bona fide industry recognised electrician, including via the provision of apprenticeship frameworks, apprenticeships, development and maintenance of National Occupational Standards (NOS) and the like, and not least Employers investing time, mentoring and wages into young apprentices to give them a career for life.

21. Despite this, in England and Wales there is still no statutory definition of what actually constitutes an “Electrician”, and in the current environment, an individual can simply set themselves up and call themselves an “Electrician”, and as described, enrol for some courses to obtain basic underpinning knowledge in BS7671 for example, but having achieved little or no experience, which again Unite reiterate can only come through proper learning, mentoring and work based learning, leading to recognised qualified competency within the industry and Sector Skills Council. The current state of affairs is nonsensical when considering the time and effort expended, Tax Payers, Employers, and Learners time and money in developing bona fide industry recognised routes to competence and quality craftsmanship.

22. The aforementioned JIB register evolved into the ECS (Electrotechnical Certification Scheme), which now has a membership of 130,000 cardholders.

23. The product of nearly 40 years of industry development, the ECS is not for profit, and administered by the JIB for England, Wales and Northern Ireland, and SJIB for Scotland.

24. The scheme records and establishes an electrician’s exact level of qualifications and training, recording everything from details of their apprenticeship through to inspection and testing, and more specialist bolt-on qualifications.

25. In Scotland, it is a requirement under Scottish Building Standards that only an Approved Electrician under the ECS and SJIB can undertake the role of an Approved Certifier of Construction (ACC), this ensures the competency of the individual, furthermore the standards demand the trustworthiness of the company by demonstrating membership of a suitable approved body where the consumer or client is offered the peace of mind the relevant insurances and warranties are in place should something go wrong. This is in effect a de facto Licence to Practice system. Such Licence to Practice structures for Electrical Installations, requiring competence at both individual and company level are in place in most other advanced western economies.

26. For added security and convenience, ECS data is further incorporated into one smartcard with a passport photograph and, in addition, shows continued monitoring of awareness in the required Health & Safety, and is affiliated to the Government backed CSCS (Construction Skills Certification Scheme) card scheme.

27. The ECS scheme and card shows one or more of an operative’s exact occupational disciplines (eg Installation Electrician, Maintenance Electrician), and the criteria on how they got there, for instance via a completed apprenticeship, or industry assessment against the NVQ Level 3 (Now QCF Level 3 NVQ Diploma), or the relevant industry recognised pathway prior to the introduction of NVQs. Furthermore, underpinning knowledge via the requisite Technical Certificates, and the industry’s final “capstone” assessment being the AM2 (Achievement Measurement 2) trade test (In Scotland the FICA—Final Integrated Competence Assessment), the unit now being mandatory in the apprenticeship framework is required, which is independently assessed away from colleges and training providers who may have a conflict of interest in a successful completion, to prove competence as an Electrician.

28. The card clearly defines and covers all disciplines from a general labourer through to electricians and technicians, through objective and independent registration, grading and adjudication.

29. In regard to “Limited Scope” work, such as simple connections made by Plumbers and Heating Fitters, the UK-PHMES (United Kingdom Plumbing Heating and Mechanical Engineering Services) CSCS affiliated card scheme endorses the competency of individuals through to Advanced Craft and Technician levels.

30. With electricity like its gas counterpart being a “silent killer” via electrocution or serious injury via electric shock, as well as a source of potential fire hazards, Unite draw the Committees attention to one of the most important elements of the Electricity at Work Regulations 1989 which is Regulation 16 on competence. It is an absolute condition that individual operatives should be assessed for competence in terms of knowledge, training and experience, to ensure that they are suitably qualified to carry out the tasks at hand. Electrical safety like gas safety is a matter of life or death.

31. Unite believe that the creation of a Licence to Practice, utilising the ECS and its longstanding pedigree, so that individuals are verified to the requisite level of competence as defined by the Joint Industry Boards, underpinned by the National Occupational Standards and requirements as laid down by SummitSkills, the Sector Skills Council for the Building Services Engineering sector is the way forward. Such a scheme would see a bona fide electrician, under the industry recognised structures being defined as “a member of a class of persons”, and therefore competent and qualified to carry out the work. This would be governed by the industry, with representation from Contractors and Operatives as is currently the case, and representation from both the technical and electrical safety experts in the industry and importantly consumers.

32. This approach combined with the effective delivery of standards like BS7671 17th Edition IEE Wiring Regulations ensures safe working, competence and quality of installations by properly qualified individuals, leading to safe and quality installations for consumers in their dwellings.

33. Such a requirement for qualitative registration of both Contractors through appropriate bodies, and Operatives through the ECS, under a common umbrella standard would therefore be similar in nature to Gas Safe (of which we refer to later in section B), and could initially be a voluntary Licence to Practice model, with the intention of moving towards a mandatory system. However, importantly Governance should lay in the hands of the industry, with the aforementioned technical and safety standards and consumer interests integral to that.

34. Unfortunately, we believe that Part P in its current form does not adequately address whether or not people are suitably qualified for the task, and that the new regulations will not stop the cowboys and incompetents from carrying out sub-standard electrical work in people’s homes. As it stands, rogue traders will continue operating within an ambiguous framework that does not guarantee genuine competency to the consumer.

35. In stark contrast, Unite’s electrician members are fully qualified. Their level of competence is by far over and above the standards required by Part P. They undertake work in the total Electrotechnical process, working on everything from house rewires to commissioning a power station.

36. Furthermore, the current format of Part P does not produce a situation where a register of competent individuals is required. It is an individual (and as described, one who is not necessarily adequately qualified) who is linked with a company that does not necessarily have a track record of electrical installation.

37. What is needed is a register of a class of competent electrical persons, and the ECS precisely fits such a scenario and would go a long way to settle down the issues that Part P has created, and will ultimately contribute to building regulations for electrical safety becoming a success.

38. It is Unite’s view and concern that, if the issues described here are not addressed, qualified individuals will seek to circumvent Part P (and are already doing so), therefore meaning that both the “grey market” and “black market” will continue in electrical work, and therefore the Regulations will not have the maximum impact intended on improving electrical safety in the home. We believe that, if Unite’s members’ views are taken on-board, a marked increase in real compliance will be forthcoming.

39. However, despite all of the above, whilst DIY enthusiasts can buy electrical accessories off-the-shelf with no checks and balances in place, any hopes and expectations that Part P will bring order to the DIY market is, in Unite’s view, over optimistic to say the least.

40. The above outlines Unite would want to see the Building Regulations progress for increased electrical safety in dwellings, with successful and popular regulation, so that the cowboys are driven out once and for all.

CONCLUSION

Unite the Union call upon the Communities and Local Government Committee to explore with the industry the case for establishing compulsory and qualitative registration of Electrical Contractors and Operatives under an industry led Licence to Practice, being not for profit and underpinned by ECS and SummitSkills competency requirements for electricians, complimented with necessary warranties and insurances in place to protect Consumers moving forward through the relevant trade bodies.

USEFUL ELECTRICAL INDUSTRY, SAFETY AND COMPETENCY ACCREDITATION LINKS

www.ecscard.org.uk (ECS—Electrotechnical Certification Scheme)

www.jib.org.uk. (JIB—Joint Industry Board for the Electrical Contracting Industry)

www.sjib.org.uk (SJIB—Scottish Joint Industry Board for the Electrical Contracting Industry)

www.eca.co.uk (ECA—Electrical Contractors Association)

www.select.org.uk (SELECT—The Electrical Contractors Association of Scotland)

www.unitetheunion.org (Unite the Union)

www.clescotland.co.uk (CLE—Construction Licensing Executive Scotland)

www.esc.org.uk (Electrical Safety Council)

www.theiet.org/resources/wiring-regulations (IET Wiring Regulations BS 7671:2008(2011))

SECTION B: GAS INSTALLATIONS AND REPAIRS IN DWELLINGS—(GAS SAFE REGISTER)

1. Unite the Union believes that statutory registration at both company and individual level in regard to ensuring safe gas installations and repairs in dwellings and structures is an essential part of UK regulation. The fact that gas systems, appliances and installations should be correctly installed, commissioned and maintained is a given fact.

2. The lessons learnt from tragedies of the past mean that a robust system must remain in place for the protection of consumers and society as a whole, not least because of the dangers of creating explosions due to bad workmanship or insufficient maintenance, but also to protect people from the silent killer of carbon monoxide poisoning.

3. With the establishment of CORGI, evolving from the voluntary “Confederation for the Registration of Gas Installers” established in 1968, to the “Council for Registered Gas Installers” when registration became statutory in 1991 via the Health & Safety Executive (HSE) and changes to legislation in Great Britain relating to gas work; introducing the requirement that anyone working on gas must be “a member of a class of persons”, gas safety and registration is something that the general public are very aware of.

4. The delivery of registration then passed from CORGI to the Gas Safe Register. Leading up to this, criticisms of CORGI were made by the CORGI Interest Group, established by and comprising of the leading Trade Associations in the field, some of these criticisms were in regard to the a perception of the organisation losing its way, having started as a voluntary organisation following the tragedy at Ronan Point, and at the end of its tenure of the Register, they argued that its voluntary not for profit roots were arguably overshadowed by the pursuit of more commercial interests.

5. Unite believe that the Gas Safe Register must not succumb to previous criticisms of the operation of the Register.

6. Unite the Union believe the Gas Safe register must enshrine its not for profit roots and safety orientated when CORGI was formed in 1968, and that its Governance should include the most representative stakeholders from the industry, being the relevant HSE, Trade Associations, Trade Unions, Technical experts and Consumer interests for the steering of the direction of the Register and long term success of the scheme.

January 2012

Written submission from the Association of Registered Gas Installers

ARGI contains members from across the UK and across the broad spectrum of gas installation and servicing work in both the domestic and commercial environments.

1. Are the Building Regulations adequate in safeguarding health and safety in domestic dwellings?

The regulations are adequate in policing the qualified and competent tradesmen that do their utmost to comply. This puts them at a serious financial disadvantage to those that do not fall within this criteria.

It is our considered opinion that the issue to be addressed firstly is that of unqualified and illegal gas work. At the last gas safety review we submitted that a least 50% of all gas work carried out in the UK was what is considered to be illegal, to date nothing has come about to make us re-consider this opinion.

January 2012

Written evidence submitted by NAPIT Registration Ltd

SUMMARY

- NAPIT considers that the provisions of the Building Regulations are technically adequate for safeguarding health and safety in domestic dwellings because they require compliance with a robust technical standard (BS7671).
- However, NAPIT feel that the approach to registration, enforcement and a lack of publicity for the use of registered companies all undermine the application of the Regulations.
- This paper makes suggestions for improving each of these aspects and notes that in the electrical sector 85% of registered companies want to keep and improve the current regulations.
- NAPIT notes that the DCLG impact analysis for the imminent consultation on Part P of the Building Regulations will identify a net cost associated with revoking the regulations and will suggest revising measures to reduce the cost burden to the industry.
- NAPIT believe that there is a case for a license to practice in the electrical industry which would improve electrical safety and go beyond the limitations of Building Regulations.
- NAPIT consider that the monopoly operation of Gas Safe Register should be replaced by a single register delivered by a number of scheme operators in a model not dissimilar to that intended for Green Deal.

BACKGROUND TO NAPIT

NAPIT Registration is one of the organisations authorised by DCLG to operate a Competent Person Scheme allowing self-certification under the Building Regulations. NAPIT's scope covers electrical installation and heating (relevant to the inquiry) as well as plumbing, ventilation and renewable energy. Gas safety is excluded from our scope of activities as it is mandated via the Gas Safe Register. NAPIT is the second largest registration body for electrical contractors (with over 20% of full-scope electrical contractors and over 30% of defined scope organisations).¹ NAPIT's UKAS accredited certification scheme covers competencies outside the confines of the Building Regulations and includes the activity of inspecting and testing existing electrical installations which is central to ongoing maintenance. This submission will focus primarily on electrical work, with a short comment on the situation for gas.

Current Registration Issues

The Committee will be aware that a consultation is imminent on the future of Part P (electrical installation) of the Building Regulations, preparing for changes in 2013. At the time of this submission the consultation has not yet been published. In preparing for this NAPIT ran a survey of its members to which 1,037 companies responded (14% of members at that time). This was combined with parallel surveys carried out by NICEIC and Elecsa to bring the total to 3763 contractors (10% of all approved installers) and the results supplied to the BRAC Working Party.²

The views of NAPIT approved companies were published³ in 2011 and without repeating this in detail, the main weaknesses from their perspective can be summarised as:

- the semi-voluntary nature of registration;
- the lack of publicity and promotion of competent installers; and
- the weakness of the enforcement regime.

Taken together, these are the issues that may result in property owners choosing unregistered, often incompetent companies in order to save money and often breaking regulatory requirements but without any real risk of being penalised for it.

The survey highlighted many benefits of the self-certification approach and members of all the schemes felt that if these issues were addressed they would wish to see such registration continue.

Is there a case for mandatory registration? NAPIT members would say yes. In the survey, 85% of members asked for changes, not revocation (a figure also consistent with the view from Elecsa and NICEIC members). DCLG's impact analysis for this year's review will indicate that electrical safety did improve following the introduction of Part P in 2005.⁴ It is also the case that as a result of the increase in the number of registered companies from 15,000 prior to Part P to a current level of 40,000,⁵ the number of people undergoing

¹ <http://www.communities.gov.uk/planningandbuilding/buildingregulations/competentpersonsschemes/cpsstatsinfo> , the most recent data is to September 2011. Defined scope organisations are those who carry out an element of electrical work in support of their primary trade, such as a heating engineer adding an electrical supply to a boiler. They account for only 2% of all organisations registered for electrical installation work.

² This was submitted to the Building Regulations Advisory Committee (BRAC) Technical Working Party for Part P 2013 Review and should be available to the inquiry as paper TWPP(11)P11.

³ The Competent Person Magazine 2011 Issue Number 4, pages 10–11 (a copy is supplied with this paper).

⁴ Impact Assessment (IA)—Building Regulations Part P, available from DCLG/BRAC.

⁵ <http://www.communities.gov.uk/planningandbuilding/buildingregulations/competentpersonsschemes/cpsstatsinfo> , the most recent data is to September 2011. Total Part P membership at that time was 39,609.

training and holding qualifications has increased significantly which can only benefit the knowledge-base and professionalism within the industry.

The Part P consultation impact analysis also assesses quite carefully the costs of complying with the regulations and NAPIT provided information and evidence for its preparation, as such no further evidence is submitted with this paper.

Qualifications and Competence

It is NAPIT's view that the single most important element of electrical safety is the competence of the individual who inspects, tests and certifies all new work, or who inspects, tests and reports on an existing installation in order to confirm its ongoing safety (this second activity is not regulated via the Building Regulations). It was this critical "work quality" role that inspired the formation of the National Association of Professional Inspectors and Testers in 1992 and the importance of this role has not diminished since that time. NAPIT have stated many times that the industry model of focussing on a Qualified Supervisor runs too great a risk of work being completed by installers who are neither properly trained nor genuinely monitored, while busy and pressured Qualified Supervisors perform a role that at its worst is merely the rubber stamping of work that may be inadequate and even dangerous. A recent Coroners Report⁶ highlighted this issue referring to the "highly unsatisfactory and indeed dangerous practice", and asking that industry ensure that "the testing inspector is personally liable for the authenticity of the entries he makes on the certificate in question and that the practice of relaying on another is to be deplored".

NAPIT have never subscribed to this model and we require the person who takes genuine responsibility for the inspection, testing and certification to be qualified and to be *the* competent person. This doesn't necessarily mean that every individual within a company must be assessed every year, but that the same amount of inspection effort can be refocused to look beyond this single QS individual and see how competent work is delivered by other individuals.

This approach of considering the competence of individuals is closer to that used by the Gas Safe Register under the responsibility of BIS/HSE, but is also used in some Competent Person Schemes such as those for oil and solid fuel heating.

Electrical registration is based on an assessment carried out against a specification published by the Institution of Engineering and Technology (IET).⁷ Since the introduction of Part P self-certification in 2005 the level of qualifications required have been reduced, removing the requirements covering testing and inspection and allowing knowledge of the Wiring Regulations⁸ and a short site assessment to be sufficient for registration. NAPIT have set requirements that exceed this minimum specification and the revisions to the specification due in 2013 address the competence requirements by matching some of NAPIT's entry criteria for the first time. However, the specification is still based on the competence of a supervisor rather than the individual actually carrying out the inspection, testing and certification.

Enforcement

The most commonly expressed frustration with the current Regulations is the fact that NAPIT approved companies are aware of many unregistered competitors who are carrying out work that is in breach of the Building Regulations, but who are not taken to task for such breaches. Typical breaches would include failure to notify, as well as work not conforming to BS7671.

Part of the problem lies in the limited resources and technical capability of Building Control officials. Another part of the problem is that when using an unregistered company, a householder will often not be aware that this is the case and will not be aware that they are responsible for notifying Building Control before the work takes place. They will almost certainly presume that the installer is responsible for complying with the Regulations. This results in a situation where it is a householder rather than an unregistered company that could be penalised for a breach of the Building Regulations. As this is often perceived as unfair local authorities prefer to take action to correct the breach, and are unable to take direct action against the installer.

The introduction of The Building (Local Authority Charges) Regulations 2010 was a first step in helping this situation as it allowed local authorities to bring in external expertise and capability, as well as being able to vary building control fees based on whether or not the installer was registered. The NAPIT Approved Inspector scheme was introduced to provide this expertise to local authorities and a lack of willingness to enforce the regulations is now the only barrier to all work being properly inspected either by a competent installer or by an Approved Inspector.

The Competent Persons Forum Enforcement Committee reported the willingness of LABC to support increased flexibility and all parties felt that one more tool was essential to push forward the enforcement

⁶ Black Country Coroner's District Rule 43 Report "Emma Louise Shaw deceased", Robin J Balmain, HM Coroner, 23 January 2012.

⁷ "Electrotechnical assessment specification for use by certification and registration bodies", IET March 2010 available at <http://electrical.theiet.org/building-regulations/eas/index.cfm>. The March 2010 version will be replaced in April 2013 in line with revisions to the Building Regulations. The 2012 edition is available at the same website address.

⁸ BS 7671:2008(2011) "Requirements for Electrical Installations (IET Wiring Regulations 17th Edition).

agenda. This is the introduction of fixed penalty enforcement notices, or an “Administrative Offence” as it is officially known.

We understand that these can be imposed in situations where the evidence is clear, such as a failure to notify the local authority, or a failure to issue a building regulations compliance certificate within 30 days. The ease of applying such penalties and the fact that the income can be retained by the local authority would therefore encourage enforcement. The first step to achieving this was achieved in 2010 when primary legislation allowed the approach in principle. The 2012 consultations on Building Control provide an opportunity to take this a step further and apply it specifically to notification and self-certification under the Building Regulations.

Publicity

A scheme with solid, appropriate competence requirements and robust enforcement would be a superb way for the competent electrical firm to differentiate themselves against their competitors.

But even this will not work effectively unless customers know what the requirements are, and how to find an approved company.

So far publicity has been very limited and disjointed. Members of the public understand planning but not Building Control and while approved companies will and do provide help and advice, their unregistered competitors have an incentive not to. Schemes and the government have a part to play, both alone and together.

The DCLG have produced guidance⁹ which NAPIT has sent out to both members of the public and our members and most of the schemes have worked together to take forward the Competent Persons Forum website¹⁰ so that it lists the members of all schemes and starts to provide impartial information about Building Regulations to consumers.

Many local authorities are starting to promote the use of competent persons because the charging flexibility allows them to encourage their use in order to save the local authority cost and effort. NAPIT have been focussed on local authority recognition and collaborative promotion of scheme members, but have recognised the growing need for direct promotion to consumers and will be increasing these activities in 2012.

A Case for Licensing

In 2006 the Leitch Report¹¹ on UK skills concluded that systems such as a license to practise were a valuable tool which should not be imposed by government but could be introduced “where a clear majority in that sector support it”.

While the industry-wide consultation showed that industry wanted registration (85% in favour), NAPIT’s members went further and 78% supported a suggestion for individual licensing.

While this would require new legislation and could not be introduced by just amending Part P, even a government highly focussed on deregulation should not ignore the potential for such an approach to deliver better, safer work. If it further removed the need for local authority inspection of electrical work it could in fact be seen as a deregulatory step.

There are several models for licensing and further work would be needed, but the most effective models seem to combine qualifications (or certificates of competence) for individuals with a risk based approach to company inspections. This model is used for example in Australia.¹² In the UK, the closest example would be the Gas Safe Register, which seems to demand more of individuals but ultimately delivers this at a cost and time commitment no greater than that imposed by Competent Person Schemes and could be expanded to cover the non-domestic electrical sector as well.

A licensing scheme would remove confusion from consumers as it would cover all work. If it was decoupled from Building Regulations it would be concerned with all elements of electrical safety including maintenance and hence registration would align with the Wiring Regulations.

NAPIT do not consider that this should introduce another monopoly scheme such as Gas Safe Register and its predecessor CORGI. NAPIT suggest that it should lead to a single register and 91% of Competent Person Scheme members felt that registration should be covered by a single, government owned brand or mark, as first called for by NAPIT in 2010.¹³

But the route to that register is compliance and to minimise the financial and regulatory burden on electrical installers, the market should support demonstration of compliance through several bodies so that the energy and innovation of a competitive market can thrive.

⁹ DCLG, “Building work, replacement and repairs to your home (revised January 2011)” available at <http://www.communities.gov.uk/publications/planningandbuilding/buildingworkleaflet>

¹⁰ www.competentperson.co.uk

¹¹ Leitch Review of Skills “Prosperity for all in the global economy—world class skills”, December 2006.

¹² <http://www.esv.vic.gov.au/Electricity-Professionals/Licensing-and-registration>

¹³ <http://www.communities.gov.uk/publications/planningandbuilding/competentschemechangesconsult> “Building Regulations Competent Person Self-certification Schemes: Consultation paper”. NAPIT responded to this consultation in March 2010 reporting that 91% of surveyed members had asked for a single brand.

This approach would also link with improving publicity since a single brand, promoted jointly by industry, would be the strongest promotion of all.

A single brand and a comprehensive register of individuals would also allow a more effective use of individual identity cards which in itself would be a strong enforcement tool. NAPIT members already carry ID cards while other schemes have a voluntary card for some individuals, but 93% of NAPIT members felt that a universal card (89% when including Elecsa and NICEIC) should be supported.

This general approach of a consumer facing brand underpinned by flexible routes to compliance and competition between scheme operators is effectively the model chosen by Green Deal (and by the Microgeneration Certification Scheme).

CONCLUSION

There is a strong case not only for registration of companies, but for licensing of individuals within the electrical sector. This is not only driven by the need for electrical safety but by the potential to drive forward the professionalism of competent electricians. Too often we hear of a damaged profession, sometimes viewed as cowboys by the public and often undervalued by consumers, building contractors and large employers alike.

Some of this damage is directly down to the weaknesses in the current system, making it too easy for the incompetent competitor to trade. This situation can lead companies that would otherwise be willing to comply, to lower their standards in order to compete. This in turn fails to provide the degree of protection to consumers that we would wish.

The provisions of the Building Regulations are technically adequate for safeguarding health and safety in domestic dwellings insofar as they require compliance with a robust technical standard for installation work. They do not provide a specific safeguard for repairs unless they constitute installation work. The problem is the implementation of the Regulations rather than their content, and addressing these issues as discussed in this paper would remove the weaknesses that currently exist.

Removal of these provisions from the Building Regulations would be a retrograde step unless they were replaced with something else such as a license to practice. Installers have responded overwhelmingly to say they should be retained and improved. We are aware that DCLG's own impact analysis has identified a strong preference for changes rather than revocation, and has identified a net cost associated with revoking Part P, not a saving.

GAS ISSUES

The safety of gas installation is primarily delivered by the Gas Safety (Installation and Use) Regulations rather than Building Regulations. NAPIT's involvement with gas safety is concerned with registered installers who work in fields other than gas (such as plumbing or wider building works).

When HSE carried out the review that replaced CORGI with Gas Safe Register, NAPIT were one of the organisations that tendered for operating the register. NAPIT's proposal was to allow multiple scheme operators to carry out assessments that would lead to this single government owned/endorsed register, thus operating in a similar manner to that described earlier in this paper and adopted for Green Deal and the Microgeneration Certification Scheme.

NAPIT withdrew from the process when HSE decided that a single scheme operator would be appointed. However, it was noted at the time that the concept of multiple routes to the register would not be ruled out permanently and would be revisited when the contract was next tendered.

The use of alternative routes to the register would allow companies who are registered with other scheme operators for other activities to undergo a single assessment and registration process for all their work. The Association of Heating and Plumbing Contractors have produced a model¹⁴ that would address this issue which NAPIT would largely endorse with the additional view that linking the model to Regulations would be more likely to safeguard health and safety than reliance on a voluntary industry scheme.

January 2012

¹⁴ "Establishing an equitable competency solution for multi-skilled building services businesses and their operatives in the residential sector in England and Wales", APHC Sustainability Group, December 2011.

Written evidence submitted by Adam Heeley MRICS

- There is a general feeling that the Building Regulations go a long way to ensuring Health and safety throughout the Building Industry.
- These would appear to be low if you do sufficient volume of work as the only costs above those that would be required without the scheme in place are, annual membership of the scheme and notification costs.
- However for very occasional users of the scheme the annual membership costs could be seen as a barrier.
- The types of when notification is not required could be made simpler to understand.
- Removal or reduction of the scope of Building Regulations is likely to lead to the situation reverting to how it was before the regulations were brought in.

In discussion with contractors who are members of competent persons schemes and other Building professionals there is a belief that those following the requirements are meeting the standards but more needs to be done to catch those who are carrying out notifiable or even in some cases non-notifiable work who do not meet the required standards. Long term statistics should be useful in highlighting whether there has been a reduction in casualties, fatalities and electrically related fires. Where works were carried out under the competent persons scheme.

However the biggest problem with the current system is the the fact that notification is not required to be provided to the enforcing bodies (Local Authorities) until up to 30 days from completion of the works. Currently if we see electrical work being carried out we have no reason to suspect the works are being carried out improperly until 30 days have elapsed. The installer has long since disappeared and the owner is left with potentially non-compliant work and the authority having to take action against the owner and not the installer.

If we are aiming for better standards and more enforcement against cowboy installers the installation address should be notified to the local authority with details of the installer and the outline of the work to be undertaken. If this was some sort of free or very low cost notification all electrical work including that which is non-notifiable would be sent to the local authorities and the only the work requiring notification would issue the second notification which indicated that all the work was in compliance with the regulations.

Customers could then check that initial notification had been received by the local authority before the installer started work on site to give themselves some security that the contractor is complying with the legislation.

There are also some instances although these are few where electrical or gas installation work is noticed in the course of carrying out other Building Control inspections that does not comply with the relevant standards despite the fact that contractors are notifying through the competent persons scheme. This is usually rectified and all is well but the number of times when we are on site to see this type of work is minimal and the competent persons schemes do not seem to inspect that many installations from each installer to ensure that the standards are maintained by their members are their set percentages of work they should be checking.. There are also vast numbers of jobs where the only work is being carried out under a competent persons scheme that our officers never set foot on.

January 2012

Written evidence submitted by Greater Manchester Local Authority Building Control North West County Group

SUMMARY

- The Building Regulations provide a significant contribution to Health and Safety in and around dwellings. Evidence can be sought from LABC interventions. However, the competitive business environment of building control is diluting compliance.
- There are existing and emerging risks particularly with the increased use of low carbon technologies.
- Problems exist with enforcement.
- The rules around competency appear to work better for gas appliances.
- There are emerging risks from low carbon technologies, particularly wood burning stoves.
- Prosecutions have been possible preventing dangerous installations and possible fatalities. However, CP Schemes appear unwilling to get involved with enforcement.
- With respect to Part P, clearer guidance is required to define competency and to clarify which types of installations do not require notification.
- The benefits of joining a CPS scheme for contractors needs to be clearer.
- Removal or significant reduction would encourage non-compliance and would not deal with emerging risks.

- Greater Manchester Local Authority Building Control would be willing to assist with further consultation.

Are Building Regulations adequate in safeguarding Health and Safety in domestic dwellings?

Greater Manchester LABC (GMLABC) believes that building regulations have contributed a great deal to securing health and safety in domestic dwellings. Evidence for this can be taken from LABC's pre-contravention intervention data, which shows a significant number of contraventions are prevented through the LABC process of plans approval and timely and focused site inspections. It is worth noting however that GMLABC believe that the current competitive business environment is contributing to a dilution in compliance in some cases. This is due to business pressure to reduce cost and complexity for clients at the expense of regulatory compliance.

In terms of current compliance, there are existing and emerging risks that are not adequately dealt with, particularly around electrical work and low carbon technologies.

Part P has been problematic for Building Control since its inception, particularly following revisions to the original Approved Document, which was amended to express that responsibility for safety lies with the building control body. This is at odds with the general understanding that it is the person undertaking the building work that is responsible for ensuring building regulation compliance. In many cases, the designer and applicant will declare an exempt Part P competent person electrician at plan approval stage and it is common to discover after installation that the electrician is not a member of a CPS scheme. This produces a very difficult enforcement problem with Periodic Electrical Certificates (now replaced with Electrical Installation Condition Reports) being used as a method of determining compliance. The acceptance of periodic certificates for new installations varies and leads to confusion and a lack of consistency.

In terms of gas safety, the system of requiring a Gas Safe installer works better than the Part P electrical process, which allows DIY and/or non-CPS installers. The Gas Safe scheme removes any ambiguity and the rules for competency appear to be a lot clearer. However, there are still some issues with evidence that not all gas installations are being reported through the CP Scheme and there appears to be reluctance from Gas Safe to get involved in any enforcement. It would appear that Gas Safe does not hold the same technical expertise as the previous CORGI organisation. Therefore, when a complaint is received regarding a gas appliance, which has not been installed by a Gas Safe contractor, it is unclear what enforcement should take place by the CPS scheme and what enforcement should be taken by local authorities. If a complaint is made, even if an installation has been installed by a CPS member, Gas Safe appears reluctant to take any action.

This reluctance to get involved in enforcement appears common to most CPS schemes, particularly with respect to the fraudulent use of part P electrical certificates.

In terms of emerging risks there is a growing trend for home owners to turn to low carbon technologies, particularly solid fuel burning appliances. There are a significant number of appliances now on the open market and a temptation for DIY installation without a full understanding of the risks from carbon monoxide and fire. Clearer and updated guidance is needed on the types of installations available and the risks associated with incorrect installations.

Similarly the installation of solar and photo voltaic panels are presenting problems with Building Regulations compliance particularly with respect to identifying competent persons and installations that comply. The situation is exacerbated as it is common for this building work to be completed before it comes to the attention of building control. Therefore, consideration should be given to a requirement for prior notification of all works that are executed under a competent person scheme.

What are the costs of complying with the regulations?

LABC charges are set to recover the cost of delivering the service and charges are subject to competition. Competent Person Schemes must remain competitive therefore the cost to the public must be low compared to the outcomes of increased health and safety

How could the Regulations be revised to be streamlined and made more effective?

There is little doubt that the introduction of Part P has raised electrical standards in domestic properties. There have been prosecutions under building regulations in Greater Manchester, which have, in our view, prevented highly dangerous installations, which could have lead to fatalities.

However, there is evidence of some confusion amongst electricians with respect to defining a competent person. Competent Person is defined in BS7671 and many electricians do not understand why they are required to be part of a separate Competent Person Scheme. Part P does not adequately define a competent person. Most electricians have heard of Part P but are not clear about what it is. Some electricians have left CP Schemes as they do not recognise any benefit from being a member.

The regulations could be revised by making it clearer what type of work is not notifiable. For example, it is not clear in the approved document whether replacing an electrical shower unit is notifiable. This is a common domestic alteration that should be clear in the guidance to improve avoidable contact. Therefore, it is our view

that the regulations should be more prescriptive with respect to what work can be undertaken without notification with more common domestic examples given.

What would be the consequence of removal or significant reduction?

It is our opinion that removal or significant reduction would be a retrograde step, leading to a significant increase in risk for homeowners and a reduction of the achieved standards, particularly for the most vulnerable groups. Whilst improvements can be made to Part P, particularly in respect to the guidance in the approved document, removal or reduction of the regulation would open the market place to less competent and qualified contractors to the detriment of the better quality organisations now operating.

Greater Manchester Local Authority Building Control would welcome an opportunity to assist further with consultation or future proposals.

January 2012

Written evidence submitted by Fred Williams

SUMMARY

- Existing HSE regulations on electrical and gas installation and repairs.
- HSE regulations are clear, set goals, and have good free guidance.
- No need for officially qualified electricians.
- Gas installers registered officially by HSE.
- Building Regulations on electrical and gas installation and repairs are unnecessary.
- Costs of qualified electricians for minor works out of all proportion to risks.
- Review existing guidance and educational material, make it free, fill gaps.
- Knowledge reduces risks.

I am a home owner and former landlord.

The Health and Safety Executive (HSE) has two sets of regulations on electrical and gas installation and repairs which cover all the key issues. These regulations are:

The Electricity at Work Regulations 1989 and
 The Gas Safety Installation and Use Regulations 1998
 at
<http://www.legislation.gov.uk/uksi/1989/635/contents/made> and
<http://www.legislation.gov.uk/uksi/1998/2451/contents/made>

Like most HSE regulations they have been subject to intense scrutiny before being made and in their use in the day to day enforcement by inspectors and challenge in the Courts. These regulations are clear to read. They set goals to achieve by whatever means, rather than making dictats which are supposed to be solutions but are centrally conceived by regulators with no knowledge of individual local conditions. These regulations are supported by clear and free guidance at:

<http://www.hse.gov.uk/pubns/books/l56.htm> and
<http://www.hse.gov.uk/pubns/books/hsr25.htm> and elsewhere on the HSE website.

Some years ago the HSE evaluated the need for a law requiring electricians to be officially qualified, as with gas installers, and concluded that there was insufficient evidence to support such a requirement. Gas installers are registered through HSE's own Gas Safe scheme.

The parts of the Building Regulations which concern electrical and gas installation and repairs in dwellings are therefore unnecessary. They could be revoked with no ill effect. The costs of getting qualified electricians to do minor work in dwellings under Part P are out of all proportion to the safety risks.

Electrical and gas safety risks could be reduced more cost effectively by reviewing existing guidance and educational material to make it freely available, as practised by HSE. If necessary any gaps in the available material could be filled with helpful free material which sets standards and explains the proper way to do the work. This would allow householders and landlords to recognise bad work and refuse to pay for it. It would allow those who seek to work as electricians and gas installers to be aware of the risks and the proper ways to do the work, and encourage them to get the right equipment and training. Competent but unregistered gas installers are safer than ignorant ones.

January 2012

Written evidence submitted by All Party Parliamentary Gas Safe Group

SUMMARY

- Part J of the Building Regulations should be reviewed with CO monitors required to be fitted in all new build houses.
- The Government should consider both the public asset message and the possibility that new appliances may breakdown, when determining the requirement for carbon monoxide alarms.

The APPGSG believe preventing carbon monoxide poisoning must become a key priority for government. The current chance to review the Building Regulations through this select committee inquiry and the proposed Department for Communities and Local Government Inquiry is an opportunity to improve health and safety protection for CO poisoning.

Although the Department of Health reports as many as 4,000 people each year diagnosed with low-level carbon monoxide exposure, and a further 200 admittances to hospital with serious injuries, and 50 fatalities every year, it is thought that the true numbers may be considerably higher.

In order to avoid this unnecessary suffering and cost improve regulation a recent report by the APPGSG proposed the better use of detection and diagnosis equipment in buildings and through Building Regulations.

The APPGSG report recommends that where fossil fuels are used in the home, safety considerations should outweigh any commitment to deregulation because of the dual risks of fire and carbon monoxide poisoning. Many respondents to the report felt that regulation safeguarding consumers should be kept up-to-date to reflect technological and cultural developments.

Consequently the inquiry examined regulation germane to gas safety and identified Part J of the Building Regulations as being among those in need of updating. The report found that the Government should consider both the public asset message and the possibility that new appliances may breakdown when determining the requirement for an EN 50291-compliant carbon monoxide alarm in Part J of the Building Regulations.

We refer the select committee the APPGSG report in full, which can be found here <http://www.policyconnect.org.uk/appgsg/node/494>

INQUIRY QUESTIONS

Are the Building Regulations adequate in safeguarding health and safety in domestic dwellings?

Currently the Building Regulations only require a CO monitor to be fitted where there is a solid fuel appliance, other fuel types, such as gas do not currently have the same requirement. The APPGSG believe the building regulations, specifically Part J (which deals with heat producing appliances) would be improved if they were to require new EN 50291-compliant carbon monoxide alarm for all new-build housing. This would send a clear signal to the public about the dangers of CO poisoning.

What would be the consequence of the removal or significant reduction of the scope of the Building Regulations so far as they apply to electrical and gas installation and repairs in dwellings?

Given the current lack of adequacy of Building Regulations, as they stand, in providing protection from the risks of CO poisoning, which in part adds to the Department of Health's estimation that 4,000 people attend A&E each year with CO poisoning, a removal or reduction of these regulations could have massive ramifications for the health of the population.

January 2012

Written evidence submitted by Philip Jamieson

Part P of the building regulations allows no reasonable scope for well qualified electricians who are not part of a competent persons scheme because of exorbitant building control charges

I am writing to you about the farce that is Part P of the building regulations with regards to qualified electricians.

My situation is this—having been a science teacher for 30 years I decided to retrain as an electrician so that I could maintain the properties I own and in the process gain more practical experience so that I might eventually start my own small business. I trained full time at college for two years doing C&G 2330 L2 and L3. At evening classes I did the C&G 17th edition wiring regulations and then the C&G 2391 inspection and testing examination. I gained the highest available pass in every exam i took and in the process spent over £3000 in course fees and building up a tool kit with all the correct testing equipment and literature for reference. I am now better qualified than many Part P electricians

However I now find myself in a situation where *every* time I want to do a small job, eg move a socket in a kitchen, I am expected to pay my LABC a fee of £179.75 because I am not a member of a Part P scheme like NICEIC, NAPIT or ELECSA.

I could pay somebody, less qualified than myself, to do the job for less than that fee! What a ridiculous situation.

If I were to join one of these schemes it would cost me approximately £600 in fees, assessment and insurances every year. However at present i do not want to be a full time electrician but instead to slowly gain experience by improving my own property. This unnecessary expense and *red tape* hardly encourages anyone to obey the letter of the law with regard to notifiable work and Building Control. If I was a member of a part P scheme there would be no charge!! and no check would be carried out on my work. Although Charnwood council do not appear to fully recognise my qualification as an electrician by wanting to charge me a plan fee of £179.75 for every notifiable piece of work; companies like Screwfix recognise me as an electrician because *they inspected my qualifications* and were then happy to give me a trade account.

I want to be able to carry out electrical work in my own property now that I am highly qualified without having to pay unfair, ridiculous and unnecessary fees. I took and passed the nationally recognised qualifications which I am happy to show to anyone. In time i would hope to progress to maybe having my own small business, however the combination of fees from part P schemes and Building Control makes me think that this will never happen and that training to be an electrician has been a waste of time and money.

Although I have not ignored any of the rules I am well aware that there are many who do. Also that there are many experienced electricians who are very unhappy with what is effectively an annual tax on them by these unnecessary organisations (of which the public know very little). As a car driver I passed my test and was then qualified to drive, as a teacher I took my qualifications—completed a probationary year and then was qualified to teach. Why as a qualified electrician do I have to pay every year to a part P scheme, or for every notifiable job, to a local authority building control. As a qualified driver, or teacher, i am allowed to continue until i show myself to be incompetent. I do not have to pay just to continue.

Surely my competence is proved by my qualifications. A system involving a single national photo ID card that shows my qualifications, rather like a driver's licence that shows the class of vehicles I can drive, would surely be easy to operate. A government web site could explain the levels of qualification to members of the public.

There have been industry surveys saying that there is support for Part P , but these are carried out amongst people who have already become members of schemes so support is hardly surprising! and even amongst those I believe 85% said it should be improved! It is hardly surprising that these organisations produce evidence that supports their existence!

I have been informed that Part P of the building regulations is being reviewed I hope that you can see the present system is unfair and that in many instances part p is ignored and is not understood by the general public. Also that Building control is not offering value for money to qualified people. Hopefully a fairer system that will encourage people to want to build up small businesses, rather than stand in the way of them.

January 2012

Written evidence submitted by Council of Gas Detection & Environmental Monitoring

The Council of Gas Detection and Environmental Monitoring (CoGDEM) was established in 1974, and is the UK trade association for manufacturers and other experts in the industry of gas detection equipment used for safety applications. Our expertise is called on by many organisations, and we were interviewed twice during the research prior to the October 2010 amendments to Approved Document J of Building Regulations.

In general, we do not believe that Building Regulations need to be relaxed with respect to domestic gas installations and repairs.

Our submission is quite straightforward:

- *Building Regulations should contain a wider requirement for the fitting of carbon monoxide alarms*

Although we were pleased that carbon monoxide hazards were mentioned in the 2010 amendments to Approved Document J, we were surprised that only solid-fuel appliance installations require the compulsory fitting of a carbon monoxide alarm. We consider that the installation of any new heating appliance, irrespective of whether fuelled by solid-fuel, oil, piped gas or bottled gas (LPG), should require the fitting of a carbon monoxide alarm compliant with the relevant safety standard BS EN 50291.

Interestingly, we understand that Northern Ireland's version of Building Regs will contain exactly this requirement. Now that the cost of CO alarms is low (typically retailing at less than £20, and perhaps half this figure to the trade), this does not represent an unfair burden. Given the HSE and BIS investigation into CO incidents linked to gas-fired condensing boilers, it is clear that the risk of CO from the poor installation of even the safest appliances warrants the fitting of suitable CO alarms.

This simple proposal could fit into your four suggested questions in the following way:

- *Are the Building Regulations adequate in safeguarding health and safety in domestic dwellings?*
There is inadequate protection against carbon monoxide hazards, this could be addressed by making the fitting of CO alarms compulsory when any type of fossil-fuel combustion appliance is installed.
- *What are the costs of complying with the Regulations?*
Adding CO alarms would add around £15 to the installers' costs.
- *How could the Regulations be revised to be streamlined and made more effective?*
By amending App.Doc. J so CO alarms become mandatory across *all* fuels, it will in fact streamline the Building Regulations, as the separate requirement written in for solid-fuel appliances can be removed.
- *What would be the consequence of the removal or significant reduction of the scope of the Building Regulations so far as they apply to electrical and gas installation and repairs in dwellings?*
We are concerned by the implications of a significant reduction of the scope of Building Regs, but we feel that a more widespread use of domestic carbon monoxide alarms would mitigate the safety risks of such a reduction in scope.

January 2012

Written evidence submitted by Dr E C Walker MB ChB FRCA PGCert toxicol

I am a medical advisor to the registered charity Carbon Monoxide Awareness. I have been involved in charity work relating to cases of carbon monoxide poisoning for 14 years. My specific expertise in the matter hopefully means that I may be of some assistance to the Committee.

It is necessary to establish some basic facts about carbon monoxide.

Carbon monoxide remains the most common cause of death by poisoning in the United Kingdom, and indeed throughout the world. The chemical symbol for carbon monoxide is CO, and I shall refer to CO throughout this document. Carbon monoxide should not be confused with carbon dioxide, CO₂, the so-called "greenhouse gas".

The likeliest source of CO in "accidental" (I prefer the term "preventable") cases of exposure is through the incomplete combustion of carbon-containing fuels. Such fuels include gas used for cooking and heating (usually methane, propane or butane, either bottled or mains-supplied), fuel oil (sometimes referred to as kerosene), paraffin, coal, charcoal, wood, paper, petrol and diesel. Essentially anything used to provide heat for cooking or home heating, to heat water, or to power an engine can produce CO.

Ideal combustion of carbonaceous fuel will produce CO₂, water vapour, and energy. If the combustion is less than optimal, CO in varying amounts will be produced instead of CO₂. In reality, combustion is hardly ever complete or ideal—measurable CO will be present in the exhaust gas of many properly functioning appliances, in widely varying concentrations. It is therefore important that exhaust gas is effectively vented, and in such a way that it is not possible for that exhaust to mix with the breathable atmosphere.

It can be seen from the above that the combination of poor combustion and inefficient removal of exhaust gas is a particularly dangerous situation.

Current figures suggest that in the UK, annually, there are some 50 deaths and around 4,000 recognised hospital attendances resulting from CO exposure. Lethal outcomes are sometimes the result of a single, acute episode of exposure to high concentrations of CO. Sometimes there has been chronic, undiagnosed or misdiagnosed exposure in the weeks, months or years leading up to the fatal episode. In other cases, people are poisoned at so-called 'low-levels' over a prolonged period of time, but not so severely poisoned as to be killed before a diagnosis is finally established.

CO is thought to exert much of its toxic effect through its ability to combine with the haemoglobin in red blood cells, and prevent them from carrying oxygen. It is also now recognised to be directly toxic to many bodily systems through mechanisms separate from this haemoglobin effect. It exerts a particularly noxious effect on the central nervous system, resulting in deficiencies in intellect and voluntary control of muscles. Such effects may last for a long time after active exposure ends, and become permanent in some cases.

CO in the air is usually expressed in "parts per million". For example, 500,000ppm equates to 50% CO, and 10,000ppm is equivalent to 1% concentration. The latest World Health Organisation publication of relevance suggests six parts per million over a 24 hour period as the highest allowable time/concentration pattern that humans should ever experience, although even this should not be considered "safe". Current regulations (British Standard EN50291:2001) regarding the levels at which domestic CO alarms should trigger are given below.

<i>CO Concentration</i>	<i>No alarm before</i>	<i>Alarm before</i>
30ppm	120 minutes	—
50ppm	60 minutes	90 minutes
100ppm	10 minutes	40 minutes
300ppm	—	3 minutes

It should be appreciated that there is no known safe limit of exposure for carbon monoxide.

There is a test for exposure to CO in humans, which is to measure the concentration of carboxyhaemoglobin (COHb) in their blood. COHb is the compound resulting from the combination of CO with haemoglobin. Normal non-smoking subjects may have around 4% COHb present for physiological reasons. Heavy smokers may have up to 10% COHb measurable. A level in excess of 60% is incompatible with life for anything other than a very short period of time.

The interpretation of COHb levels is however fraught with difficulties. COHb levels drop by a half for every four hour period that a subject is breathing clean, CO-free air. There is often a considerable delay between supposed exposure and a COHb measurement being undertaken. The best advice therefore is to use a ‘positive’ COHb result (ie significantly higher than expected, taking into account smoking status of the subject) to make a diagnosis of definite CO exposure; but never to use a ‘negative’ COHb result (ie low or normal) to definitely rule out CO exposure. There is no diagnostic test available that will allow a physician to say that a subject definitely has not been exposed to CO. The most accurate way of assessing risk in this situation is to measure COHb levels whilst the subject is actually in the suspect property.

RECOMMENDATIONS

Proper installation of appliances by suitably qualified engineers is essential. In my opinion, nobody should be able to buy, as an example, a gas central heating boiler unless they can demonstrate that they are qualified to fit it. There are, as I understand it, regulations in place governing the installation of gas appliances, but anybody may attempt to install oil or solid fuel burning appliances, any of which can give rise to the presence of CO in the breathable atmosphere.

Appliances must also be serviced regularly, but someone suitably qualified to do so. Such services should also be regulated in such a way as to ensure the customer is left with a safe appliance. Too often it seems that ‘services’ are little more than a wipe down and clean-up of the appliance.

Even the most carefully installed and maintained appliance may suddenly malfunction, or its exhaust outlet become suddenly obstructed. This is why the installation of CO alarms in domestic properties is so important.

CO alarms cost around £15–£20, and the sensor has a lifetime of about seven years. Equipment which sounds an audible alarm is to be preferred over the “colour change” sensors which are available. Ideally there should be one CO alarm near every potential source of CO in the house (including integral garages where car engines may be running).

Several US states have now enacted legislation governing CO alarms in domestic properties. New York State has “Amanda’s Law” named after Amanda Hansen, a teenage girl who lost her life to CO poisoning from a defective boiler when sleeping over at a friend’s house in January 2009. The law states that CO alarms must be installed in all new and existing one and two-family dwellings, multifamily dwellings and rental properties having a fuel-burning appliance, system or attached garage. The National Fire Protection Association (NFPA) recommends CO alarms be installed in a central location outside each sleeping area and on every level of the home.

I would suggest that every house in England and Wales that changes ownership should have to have at least one CO alarm fitted, and ideally one in every room in the house. Such CO protection should be a condition of contract exchange.

Newly built houses should also be required to have CO protection installed. The safest alarms are those which are connected to the mains electricity supply (rather than relying on batteries). Many new properties now have intruder alarm systems installed during the build. It would be a simple matter to install CO protection at the same time. CO protection of older properties not changing hands is more problematic. I would support vigorous public health campaigns in this area, but I realise that this is probably outside the remit of this inquiry.

At present, people are dying and being left permanently disabled through preventable exposure to a common toxin. Current UK legislation in this area would therefore appear to be falling. Legislation currently in place needs to be enforced more vigorously, and there is surely a place for mandating some kind of installation programme of CO alarms in domestic properties.

There is no effective treatment for the long-term effects of CO exposure. The adage “prevention is better than cure” is particularly apt, especially as there is no cure, and prevention is so easy.

Written evidence submitted by Andy White

I am a self employed electrician and I am dismayed at the way our industry is going I am not against regulation but as far as I am concerned there are too many fingers in the pies and below is a few points:

1. There are too many registration companies within the industry who in my view are more interested in collecting members fees rather than police their own members. There should be one registration company that each person or business pays into and their registration should be made public ie on the web where the public can view an individual's qualifications and even if they have Public and Professional liability insurance the Joint Industry Board in England and Wales plus the Scottish Joint Industry Board would be in a good position to manage and operate this system.

I would point to the DVLC system that allows an individual to purchase road tax for a vehicle but the system can check if the vehicle has current MOT and insurance.

2. The registration companies already offer training and have an input into changing the regulations and this should be their main brief.
3. Also the review and changes to the electrical regulations is a big cost to small businesses as publications have to be replaced for them to comply we should look at the American system where amendments are printed and the relevant regulation sections could be changed. The current EICR/PIR debacle is an example of too many cooks scenario.
4. Also to say that every electrical business or individual who runs one must be registered with one of the registration companies is I feel breaking the European law on free trade as a individual who has the necessary qualifications and insurance cover does comply in my view with British and European law.
5. If safety is the main priority we could go the same way as the GAS Safe system but if this is felt to be too constraining then the committee may want to look into retailers who basically can sell any electrical equipment to the members of the public in other words Joe Public can buy a fuseboard and if he or she wants to can attempt to change it him or herself this make any regulations a farce where we are saying only a competent qualified person should do this but we will sell you a fuseboard anyway. So why not limit this to Joe public can purchase replacement lights sockets switches but to purchase a fuseboard then a JIB or SJIB card with the electricians picture and qualifications are listed should be presented.

January 2012

Written evidence submitted by McCarthy & Stone

SUMMARY

- McCarthy & Stone provides 70% of retirement and extra care schemes built for purchase by older homeowners in the UK. The average age of residents is in the late 70s and apartments include varying levels of care, management and support. Since 1977, McCarthy & Stone has delivered approximately 1,000 developments and nearly 50,000 apartments.
- Retirement housing is affected more adversely by building's regulatory burden than any other form of development. The impact of national building regulations on this type of accommodation to date has been overlooked because of the unique nature of older people's housing.¹⁵ Given the real benefits of this form of accommodation to residents and communities, as well as the rising numbers of older people and the increasing demand for better housing choices for the elderly, McCarthy & Stone is calling for a national review of all regulatory burdens that unduly affect specialist housing for older people.
- With regard to this inquiry, McCarthy & Stone feels that Part P of the Building Regulations (which refer to electrical installations) is effectively redundant. McCarthy & Stone's schemes are already built to IEE regulation Standards, which is a mandatory requirement and well above the needs of Part P of the Building regulations. Part P is inadequate and results in additional costs, paperwork and time for providers. It is one example of how the national regulatory burden negatively affects the delivery of an important form of care and accommodation for older people.

INTRODUCTION

What is specialist housing for older people?

1. Specialist housing for older people includes retirement apartments (similar to Category II Sheltered Housing) and extra care schemes. It enables older people to maintain home ownership while having access to varying levels of care and support. Each apartment within a scheme has its own front door, a residents' lounge, communal laundry, lifts, a House Manager and camera entry systems—they are designed to promote

¹⁵ Prof Ball, University of Reading, Housing Markets and Independence in Old Age: Expanding the Opportunities, May 2011.

independent living in a secure environment and offer an ability to meet and socialise and possibly the preparation of meals and a dining room.

2. McCarthy & Stone's three scheme types are:

- (i) *Retirement Living* (since 1977)—Similar to traditional “Category 2” type sheltered housing. Now built to Lifetime Homes Standards. It includes a House Manager, lounge, communal “laundry”, CCTV and camera entry system, guest suite and lifts to all floors. Residents have active, independent lifestyles in a safe but private environment. The average resident age is approximately 78.
- (ii) *Extra Care (Assisted Living)* (since 2000)—McCarthy & Stone has 42 Assisted Living schemes, either open or in planning, making us one of the largest private Extra Care providers in the UK. These dwellings are as above but are designed to full wheelchair housing standards and widths, and include more services such as 24-hour attendance, a restaurant, lounge and one hour per week of domestic assistance, with additional domestic and care packages available. The average age is approximately 83. Schemes are managed by a CQC-registered joint venture between McCarthy & Stone and Somerset Care.
- (iii) *Extra Care (Tailored Care Living)* (since 2011)—McCarthy & Stone's first scheme at Littlehampton, West Sussex, was released for sale in summer/autumn 2011. It is similar to the above, but with assessment of care needs/packages on entering, with assisted bathing, treatment rooms, spa and hairdressing facilities. It is a direct alternative to traditional residential care but with home ownership retained. Residents are in their mid 80s and will generally be frailer and with specific care needs at the point of entry.

3. Ownership for each of these schemes is self-funding through the release of the £980 billion that older people hold in housing equity. There is no reliance on state funding.

4. However, although the number of people aged over 65 will grow from 10 million to 16.7 million by 2035,¹⁶ the UK has built just 105,000 specialist retirement homes for ownership, significantly less than other developed countries. Half of new household growth by 2026 will be by those aged over 65. One of the historic reasons for under-supply in retirement housing is because of the high regulatory burden which serves to increase cost and complexity of delivering what is already a tricky market in which to succeed.

Part P of the Building Regulations

5. Part P of the Building Regulations—the subject of this inquiry—deals with electrical installation and safety in dwellings. It was introduced primarily to control the DIY-type electrical works carried out on refurbished buildings, although it is a requirement that actually affects all forms of development. This submission refers to electrical installations rather than gas installations as few McCarthy & Stone developments use gas.

6. In our view, Part P is effectively redundant and not relevant to new build schemes as the requirements of the Institute of Electrical Engineers' (IEE) far surpass its regulations. However, McCarthy & Stone still has to complete all of the paperwork for Part P as well as for the IEE. It is therefore forced to comply with two forms of regulations for the same piece of work.

7. All electrical work undertaken by McCarthy & Stone must be to IEE regulation Standards (BS 7671:2008+A1:2011 Requirements for Electrical Installations: BS 7671:2008 Incorporating Amendment No 1: 2011: IET Wiring Regulations) and is mandatory, including all works and parts of works being carried out by NICEIC Approved contractors. This is well above the requirements of Part P.

8. Part P does have some value with refurbishment and does provide some safety cover for DIY type electrical matters. However, in speaking with governing bodies, anecdotally there is a consideration that DIY activities are not truly being covered by Part P so it is not doing its job.

9. It is worth noting that, where gas is used for heating apartments as opposed to houses, the cost burden is much higher as fire and building regulations impose more onerous conditions in order to provide safe use. We agree with these extra measures but it does or can cost substantially more.

Why the burden is higher on retirement housing

10. Retirement housing is a significantly different form of accommodation to traditional house building, yet regulations follow a one-size-fits-all approach. Examples of these differences and the impact this has on regulations are noted below.

11. Sites for retirement housing are often small, relatively high density and close to town centres and amenities as these are the areas where older people wish to live. Residents tend to be in their late 70s and early 80s and therefore have different design requirements to traditional home owners. Developers must deliver a lifestyle, not just a building, so schemes are specially designed, including bespoke doors and windows. They also include care, management and support teams and other facilities such as treatment rooms. Communal

¹⁶ All Party Parliamentary Group on Housing and Care for Older People. Living Well at Home Inquiry, P7, July 2011.

space such as residents lounges, restaurants, function rooms and health areas are not usually supplied within other forms of housing, yet in retirement housing, they are extensive and usually account for up to 30% being “non-saleable” floor space.

12. These are some of the differences, and there are many examples in national building regulations where they are not recognised, including:

- (a) The Code for Sustainable Homes provides credits for cycle storage and for the ability to work from home, but residents in retirement schemes are on average in their late 70s and usually neither work nor cycle.
- (b) The Floods and Water Management Act 2010 requires developers to provide on-site Sustainable Urban Drainage systems (ie underground water storage tanks), but while this is fine for house builders on edge of town sites with sufficient space, it is near impossible to provide in dense urban areas.
- (c) *Secured by Design* certificates require residents’ front doors to be designed to a specific safety standard, but residents’ front doors in McCarthy & Stone apartments are within the scheme and open onto secure internal corridors. In addition, the wider scheme also has a robust security perimeter, camera entry door and a House Manager. There is no need to provide such heavy-duty and expensive doors within a scheme.

13. These are just some examples of the burden. Many others can be provided.

CONCLUSION

14. McCarthy & Stone welcomes the inquiry into Part P of the building regulations. It would also like to see a wider national review of how the regulatory burden impacts adversely on the building of new homes for older people.

January 2012

Written evidence submitted by the Energy Networks Association

Energy Networks Association (ENA) welcome the opportunity to respond to the Communities and Local Government Committee’s inquiry into the operation of the Building Regulations applying to electrical and gas installation and repairs in dwellings. ENA represents the interests of its member companies who operate the national and regional networks for energy to transport gas and electricity into UK and Ireland homes and businesses.

This response is made on behalf of ENA’s Gas Distribution Networks (GDN) members who comprise of Scotia Gas Networks, Northern Gas Networks, National Grid Distribution and Wales & West Utilities.

Our members believe that the existing Building Regulations (Part J) should be revised to require audible carbon monoxide alarms be fitted in all new build homes, not just those with a solid fuel appliance, as currently suggested.

Given that such alarms cost less than £20, revisiting these regulations through the Select Committee inquiry and the Loftstedt Review represents a real opportunity to improve the safety of households across the UK and save lives for a relatively low cost.

ENA also believes preventing carbon monoxide poisoning should be key priority for the Government. Recently the Department of Health published figures that suggested as many as 4,000 people every year present themselves at A&E departments and are diagnosed with CO poisoning (and sent home after treatment), whilst a further 200 are admitted to hospital, and at least 50 die every year. However it is believed that the actual number of injuries and fatalities are much higher.

More recently the All Party Parliamentary Gas Safety Group (APPGSG) published the report *Preventing Carbon Monoxide Poisoning*, which considered these matters further. Our members are supportive of this report and its proposals, including the requirement for any domestic, residential property, where there is an appliance that uses any fossil fuel (gas, solid fuel, oil) an audible carbon monoxide alarm should be fitted. Indeed our members agree with the point made by the APPGSG report that safety considerations should outweigh any commitment to deregulation because of the risks of both fire and carbon monoxide poisoning.

With the introduction of DECC’s Green Deal, the UK is about to commence a significant programme of environmental and efficiency improvements of the UK’s housing stock. ENA believe that the Government should have regard to any unintended consequence of these improvements, for example by improving a house’s insulation, thereby making it more airtight, there is increased risk of carbon monoxide poisoning in the event of a fossil fuel burning appliance breaking down. As such the fitting of audible carbon monoxide alarms should be a key component of any Green Deal work which includes the installation of any new appliances that burns fossil fuels.

I trust that you will give our submissions due consideration and we would be happy to discuss further on behalf of our members.

January 2012

Written evidence submitted by Wales & West Utilities Limited

SUMMARY

Our proposal is that UK Building Regulations should contain provisions preventing persons building over gas service pipes, similar to those that exist in Regulation 19 of the Gas Safety (Installation and Use) Regulations 1996, preventing gas pipes being installed under buildings.

DETAIL OF RESPONSE

Relatively frequently we encounter circumstances when householders build extensions to their premises and their builder builds over our gas pipes. The gas service pipe is owned by us from the point where it leaves the main up to the emergency control valve. We are under a statutory duty to maintain the pipe and this is, naturally, rendered impossible by the actions of the householder/their builder. This situation also gives rise to potentially unsafe situations, particularly if mechanical stress is put on the pipe as a result of the works. If the pipe is metal one it may be more subject to corrosion and therefore leakage.

A potentially even more serious situation arises where a gas main (a pipe which is feeding multiple properties) is built over. The volume of gas within these pipes is greater due to the larger diameter and the risks greater should leakage occur.

The legal position is however less than satisfactory as there are no specific statutory provisions which cover the position. There are provisions in the Gas Safety (Installation and Use) Regulations 1998 (regulation 19), which include provisions that persons may not install gas pipes under buildings. There are however no provisions which deal conversely, with people not erecting buildings over existing gas service pipes.

It does seem to us that it would be useful for such a provision to be made as it would give clarity to transporters, consumers, builders and building regulation authorities, in the interest of the safety of consumers. As we believe that all, or nearly all, extensions to properties would be subject to building regulation control it would seem a simple provision to, say, provide in the notification process that the building extension was not being built in such a way as to be built over a gas service pipe.

January 2012

Written evidence CO-Gas Safety

SUMMARY

CO-Gas Safety is an independent registered charity, which works to try to stop people dying from carbon monoxide (CO) and other gas dangers from fuel. We also help victims and their families. We are run almost completely by volunteers and mainly victims.

In our view Building Regulations should require that all new dwelling places or workplaces have a wired in CO alarm to EN 50291 fitted, whatever carbon based fuel is to be used in that dwelling or workplace. This is basically what Recommendation 15 of the All Party Parliamentary Gas Safety Group report stated. Also Northern Ireland either has brought in or is bringing in this regulation. I understand that it is argued that the risk is higher with solid fuel and therefore justified compared with gas. However, as there is no automatic testing on dead bodies for CO, it is impossible to ascertain the true number of deaths from CO. Also there are far more users of gas than solid fuel, so even if the risk per user might be less, the opportunity to save lives is huge and the cost per alarm is not high.

There is also an argument for all flats or terraced houses to be fitted with wired in CO alarms to EN 5029, whether or not they have an appliance fitted that uses a carbon based fuel, because there have been deaths due to CO leaking from next door or from another flat (eg Dominic Rodgers, aged 10 in 2004).

QUESTIONS

1. *Are the Building Regulations adequate in safeguarding health and safety in domestic dwellings?*

No.

2. *What are the costs of complying with the Regulations?*

We are not able to comment except to say that the costs of poor health and death are huge.

3. *How could the Regulations be revised to be streamlined and made more effective?*

We are not really able to comment.

4. *What would be the consequence of the removal or significant reduction of the scope of the Building Regulations so far as they apply to electrical and gas installation and repairs in dwellings?*

We can only really comment with regard to the building regulations, which require a carbon monoxide (CO) alarm in buildings which are going to have a solid fuel appliance fitted. This is good but why is this provision restricted to solid fuel? All carbon based fuels that burn can produce carbon monoxide (gas, coal, oil, wood, paper etc.) so surely all houses that could have appliances using such fuels, should have a wired in, up to date CO alarm to EN 50291?

However, we do not think merely relying on an alarm is good enough because we have recently come across a case where apparently the alarm failed. So why not insist that all appliances using fuels that can produce carbon monoxide are properly installed by qualified people, have regular servicing by properly qualified people, have chimneys and flues swept regularly, ensure adequate ventilation and have a CO alarm to EN 50291? However, this would not be something building regulations could deal with. With rented accommodation licensing of landlords could provide a way of ensuring these sensible life saving measures. The gas safety certificate is not worth the paper it is written on. Katie Overton died in 2003 aged 11 and the gas safety certificate had only run out a few days before her death. The gas appliance had not been serviced for years.

In our view Building Regulations should require that all new dwelling places or workplaces have a wired in CO alarm to EN 50291 fitted, *whatever carbon based fuel is to be used* in that dwelling or workplace.

There is also an argument for all flats or terraced houses to be fitted with wired in CO alarms to EN 5029, whether or not they have an appliance fitted that uses a carbon based fuel, because there have been deaths due to CO leaking from next door or from another flat (eg Dominic Rodgers, aged 10 in 2004).

January 2012

Written evidence submitted by Energy UK

INTRODUCTION

Energy UK was set up in 2009 to represent Britain's gas and electricity industry in the media and with key stakeholders including government, consumer organisations and charities. Energy UK runs an annual campaign—*Carbon Monoxide—Be Alarmed!* which is aimed at cutting the number of deaths and injuries caused by carbon monoxide poisoning. Energy UK runs the campaign on behalf of British Gas, EDF Energy, E.ON UK, RWE npower, ScottishPower and SSE, in partnership with the Dominic Rodgers Trust.

SUMMARY

- Building regulations currently require a wired-in smoke alarm to be fitted in all new build homes and a carbon monoxide alarm to be fitted where there is a solid fuel appliance. The Government could consider changing the building regulations so all new-build homes are required to be fitted with carbon monoxide alarms.
- According to the Department of Health, 50 people died from carbon monoxide poisoning last year and another 4,000 were treated in hospital.

INFORMATION

Carbon monoxide is a highly poisonous gas that has no colour, taste or smell. Fuel burning appliances such as stoves, fires, boilers and water heaters can produce carbon monoxide if they are incorrectly fitted, badly repaired or poorly maintained or if flues, chimneys or vents are blocked. Gas, oil and solid fuels such as coal, coke and wood can all produce carbon monoxide.

According to the Department of Health, 50 people died from carbon monoxide poisoning last year and another 4,000 were treated in hospital. However, the true number is likely to be much higher as the early symptoms can easily be mistaken for flu or tiredness. Even if not fatal, carbon monoxide poisoning can leave lasting problems. Amongst survivors it can leave lasting brain and nervous system damage. It can also lead to heart disease or incontinence and damage unborn children. The early symptoms can easily be mistaken for tiredness, flu or food poisoning and so are very hard to recognise.

This could be prevented if there was more awareness of the dangers of carbon monoxide and if everyone had their boilers serviced annually. Death or injury could also be prevented if an audible carbon monoxide alarm was fitted in the home. Only about a third of homes have a carbon monoxide alarm at the moment.

Energy UK believes that every new home should be fitted with an audible carbon monoxide alarm. To mirror the current requirement for a wired-in smoke alarm to be fitted in all new-build homes, Building Regulations could be amended to require an audible carbon monoxide alarm to be installed. This is a simple measure which would likely add little significant cost to homebuilders.

Following a consultation exercise in 2008–09, the Government amended part J of the Building Regulations to require the provision of a carbon monoxide alarm when solid fuel appliances are installed. Energy UK believe this requirement could be extended, via the next review of the Building Regulations, to cover the installation of all fuel appliances.

January 2012

Written evidence submitted by Phil Watts

I am writing in response to your invitation for submissions from interested parties on the adequacy of the operation of the current Building Regulations so far as they apply to electrical and gas installation and repairs in dwellings.

I have been in electrical contracting, including domestic work, for the last 25 years, and still work “on-site”, mainly in a Consultative capacity, but involve myself in as much practical installation as time allows.

Over the last seven years I have “migrated” into teaching and training, and currently teach three days a week at East Berkshire College in Langley, Berkshire, delivering Level 3 NVQ Diploma in Electrotechnical Technology (City & Guilds 2357) and Level 3 Certificate in Electrotechnical Technology (City & Guilds 2330).

I also run my own private Training College, Ascot College, where I teach the electrical short courses:

City & Guilds 2382–12, Level 3 Certificate in the Requirements for Electrical Installations (BS7671:2011);

City & Guilds 2392–10, Level 2 Certificate in Fundamental Inspection and Testing of Electrical Installations;

City & Guilds 2391–10, Level 3 Certificate in Inspection, Testing and Certification of Electrical Installations;

City & Guilds 2391–20, Level 3 Certificate in Design, Erection and Verification of Electrical Installations;

City & Guilds 2393–10, Level 3 Certificate in the Building Regulations for Electrical Installations in Dwellings; and the

City & Guilds 4065–10, Level 2 Award or Certificate in Health and Safety in the Workplace.

I also assess NVQ’s and am a Technical Member of the Institution of Engineering and Technology. My reason for giving a “mini-CV” is not because I want to sell myself, but rather to indicate my unique range of experience. I know many electricians, and a lot of college lecturers, but there are not so many that teach in the public sector and the private sector, AND also still work on the tools, at the “sharp end” of any changes in legislation. It is my belief that:

- The current system is inadequate in safeguarding health and safety in domestic dwellings.
- The system is being administered incorrectly.
- There is widespread confusion about what is required, Part P, qualifications etc.
- Electricians, electrical contractors, electrical installers and electrical engineers should be licensed

The current system is inadequate in safeguarding health and safety in domestic dwellings

- Many non-notifiable works are being carried out incorrectly.
- This is due to lack of knowledge and understanding of electrical systems.
- These works present a hazard to health and safety in many circumstances.
- Removing the option of non-notifiable works will streamline the Regs and make them more effective.

Non-notifiable works includes changing socket outlet and switch plates, which are often replaced with a more decorative option, ie brass or chrome or some other metallic finish. These MUST be earthed by connection to the circuit protective conductor, but often in the case of switch plates especially, this is overlooked, as the existing cpc is often terminated into the back of the switch box.

Non-notifiable works includes replacing ceiling roses, where often there is confusion over the correct connections, due to the colouring of the conductor insulation on switch lines. I have often been called “retrospectively” to sort out a situation where a “DIYer” has connected “all the reds together and all the blacks together” (or browns and blues) and then cannot understand why the circuit trips out as soon as they try to re-energise. Also the rose may be changed for a luminaire, which, if Class I, requires earthing, and often this is overlooked.

Many decorative luminaires do not have adequate space for proper termination of all the circuit conductors on a standard lighting circuit, so these connections are often made into “connector-blocks” and then stuffed into the ceiling void above the luminaire, where they cannot be reached for maintenance, and I have even seen the broken remains of ceiling roses used for this purpose, hence “live” connections are left lying openly under the floors of bedrooms.

There are still many older installations in use that do not incorporate a circuit protective conductor in the lighting circuits, as was the standard when they were installed. It is imperative that no Class I equipment, switches, controls or luminaires are connected to these circuits, and this again is an area where non-qualified “DIYers” lack the knowledge and understanding to safely work on these systems. There are safe methods of installation (as suggested by the Best Practice Guides issued by the Electrical Safety Council), and these are best left to qualified electricians to deal with.

Adding lighting points and adding socket outlets (and fused spurs) to existing circuits involves extending the length of the circuit in addition to the installed design. This will then increase the value of earth fault loop impedance (Zs) for the altered circuit. The circuit will need to be tested to check that the Zs value is still within the parameters laid down in BS7671:2011, to ensure that the circuit protective device still operates within the disconnection time (0.4 seconds for TN-S and TN-C-S systems *or* 0.2 seconds for TT systems). If the disconnection time is not achieved, circuit conductors may overheat causing damage, or even a fire. Again, only qualified electricians will have sufficient understanding of these issues.

Any additional socket outlet installed will generally need to be protected by an RCD, (which may be integral with the socket for ease of installation), which will need to be tested in accordance with BS7671:2011. Appropriate testing equipment and knowledge is again required.

Any cabling installed to supply “additional sockets, switches and lighting points on an existing circuit” will need to be installed in accordance with BS7671:2008, as well as the Building Regulations. Design and installation knowledge and experience is required if these cables are to be installed correctly and safely, for example, cable calculations must be correctly performed for cables that run through thermal insulation, are grouped with other circuits, are exposed to ambient temperatures above 30 degrees or are protected by BS3036 semi-enclosed fuses. Cables not 50mm deep if concealed into a wall must be adequately mechanically protected, or protected by an RCD, as well as being in the proposed safe zones. Only qualified electricians will have sufficient knowledge and understanding to ensure that these “non-notifiable” works are carried out safely.

Anyone working on electrical systems should have full understanding of the dangers that electricity poses, and in line with the Health and Safety at Work Act 1974 and the Electricity at Work Regulations 1989, proper isolation of all live conductors should be carried out BEFORE any electrical work is started. Again, I have experienced many times where this has not been the case when people are undertaking electrical work in their own home.

To summarise, non-notifiable work is just as likely to cause the same hazards and risks as the notifiable work, as currently defined. By deeming the above types of work to be non-notifiable, we are leaving a loophole whereby non-qualified persons are altering electrical installations and having a detrimental effect on the safety of themselves and the persons currently residing there, visitors, future tenants or occupiers, and possibly neighbouring properties and emergency services in the event of fire.

Most non-notifiable work does not get tested or certified, despite the existence of the Minor Works Certificate, as the vast majority of those carrying out these works are unqualified and are not experienced in inspection and testing. By removing the category of “non-notifiable minor work”, the confusion over what is and is not notifiable will be removed. Only qualified electricians will be able to work on electrical systems, and all work will get inspected, tested and certified properly, and be effectively documented for future information.

Some people will not be happy at the prospect of not being able to do what they want in their own home, and DIY shops may be worried about losing sales, but I believe the benefits to home safety far outweigh these issues. Besides, people can still have whatever they want in their homes, but they will just need to have it done properly and safely by a qualified electrician. They can still buy the accessories from the DIY shops, (I do actually quite often select luminaires from these sources), but they will be installed by someone who knows what they are doing, and the work will be certified at the end, which surely, is what every responsible person wants.

The system is being administered incorrectly

- Some local Building Control bodies are still unsure/incapable of administering the system.
- The Competent Person/Enterprise self certification scheme is flawed.
- Domestic Installer schemes are undermining the system.

In my experience, there is a great deal of uncertainty over the administration of the Building Regulations, specifically Part P—Electrical safety. I have dealt with a number of different Building Control bodies over time, and there has been a range of responses to notification. One that I applied to in fact did not understand exactly what needed to be done, and I effectively talked them through it!

I even had to tell them how much to charge me, and then they admitted that they did not have anyone suitably qualified to come out and inspect my work against the requirements. Another, as recently as December 2011, just asked for a completed Electrical Installation Certificate, and they were happy with that! It is apparent that many local Building Control bodies have not got sufficient resources, either in terms of suitably qualified staff, or time, or both, to administer this system correctly.

Another avenue, of course, is self certification, as a registered competent enterprise. I have, in the past, been an NICEIC approved electrician, as it was necessary for the type of work I was undertaking at the time. I am currently the Qualifying Supervisor for an NICEIC approved firm, in one of my consultative roles, but personally do not subscribe to any of the approving bodies, for a number of reasons.

The self-certification scheme works to a point, in that assessed enterprises “complete” the relevant documentation (certification) after carrying out the works, and send these to the approving body, and for a few pounds the documentation and notification process is completed. The local Building Control receive the documentation from the approving bodies, and issue the notification documents, and the person ordering the work receives the complete set of documents, and everyone is happy.

However in my experience, not everyone who receives “competent enterprise/person status” from the approving bodies is actually competent, let alone a qualified electrician! Domestic Installer courses run by some of the approving bodies last just five days, and one-and-a-half days of that are spent on assessment! Even though they are not supposed to be for inexperienced persons, I am aware that this is not always stringently controlled. Just this week I had a student relay to a class that I was taking, his account of an enquiry he made to the NICEIC about Domestic Installer status. He was advised that all he needed was the City & Guilds 2382 “17th Edition” qualification and that in their view he was “overqualified” because he was completing the City & Guilds 2330 Level 3, and wanted to continue his training with the 2392 and 2391 courses. This may well be an uninformed sales individual relaying incorrect information, but it is apparent that it is not an isolated incident.

Domestic Installer schemes seem to be creating another class of electrical operative, who have not got the required knowledge and understanding of design, installation practices, inspection and testing or certification to be classed as an electrician. These skills cannot be gained on a five day course, but require the commitment of completing a course such as the City & Guilds 2330 Level 3, or the City & Guilds 2357 Level 3 Diploma, plus some of the short courses. Or are we suggesting that domestic electrical installations and safety are not so important and can be completed to a lower standard? I do hope not. In which case, those operating under the banner of “Domestic Installer” or “Part P Qualified” should be “encouraged” to prove their competence properly, by the gaining of meaningful qualifications or assessment.

The awarding bodies have used the competent person scheme as a recruitment tool, and I am dismayed sometimes by the lack of knowledge that some of these “competent persons” display. There are no real checks on qualifications and knowledge, and for larger firms there is still only the requirement for one Qualifying Supervisor who knows how to install and inspect and test properly, and then the whole firm can become an approved enterprise. In this way a firm may have dozens of operatives and many vans, all displaying “approved contractor” or “domestic installer” banners, which the public are being educated to trust, yet they may actually get a non-qualified person completing their work!

There is widespread confusion about what is required, Part P, qualifications etc

- The term “Part P qualified” is misleading and often deliberately misrepresentational.
- The definition of “qualified electrician” is elusive at best.
- The requirements for persons involved in electrical installation work should be clearly defined and regulated.
- Full information of these issues should be made easily accessible to all.

How many times do we see “Part P qualified” or “Part P approved” written into marketing literature and on the side of vans, yet those of us that are properly informed know that the successful completion of a Part P course DOES NOT make someone a competent enterprise, or a qualified electrician! Unfortunately, the general public do not know this.

The number of “Part P” courses that have no real value is also a problem. For example, when Part P was introduced, I “filled in” for a sick colleague, and delivered several lessons of a Part P course at a local F.E. College. During a discussion with the class, it was apparent that they believed they were gaining a qualification which enabled them to “self certify” their own work. I had to inform them that only the approving bodies could award them “competent enterprise status”, and that the course, that they had paid £600 for, was informative only so they would also have to pay to be assessed by one of the approving bodies. Needless to say, they were not best pleased at the news, but thanked me for clearing things up for them.

This type of confusion is still rife within the industry, and clear, non-biased information is required to ensure that everyone knows exactly what is required. Remember also that there is a constant influx of new apprentices and other trainees into the industry, they all deserve to receive the correct information right from the beginning of their training.

So how do we define a qualified electrician, and at what stage do we look at someone and say, yes, you are qualified, I would trust you to undertake my electrical work?

The EAWR 1989 and BS7671:2011 both state that persons undertaking electrical work should be competent enough to avoid danger. Neither uses the term “qualified”. So what do we mean by the term? Taking two definitions from different sources, the term qualified is defined as:

- (a) meeting the proper standards and requirements and training for an office or position or task; or
- (b) quality or skill needed for a particular activity.

The Wiring Regulations (BS7671:2011) defines a competent person as someone who:

Possesses sufficient technical knowledge, relevant practical skills and experience for the nature of the electrical work undertaken and is able at all times to prevent danger and, where appropriate, injury to him/herself and others.

The National Occupational Standards detail the knowledge and skills requirements for persons involved in electrical installation work, so why do we allow people who have clearly not attained these standards to carry out electrical work?

As someone involved both in installation and in training, I have a pretty clear idea of the standard of tradesperson I would allow to work in my house. They must know how to plan and design the installation before they start, and have taken into account the safety of myself and my family. They must possess the knowledge and understanding of electrical systems, to enable them to deal with any issues arising from the alteration of my installation. They must know how to inspect and test the installed installation correctly and safely, and be able to provide me with the proper documentation. They must be aware of how the installation process may affect the structure and characteristics of my home, (sound travel, fire safety, ventilation etc). They must work diligently and prevent any damage to mine or my neighbours home or the environment, and provide me with a guarantee of their workmanship and materials. So what do I ask them for when they come to tender for the work?

Do I ask to see their qualifications, and if so, which ones, and do qualifications on their own prove competence? How much experience do they have, or are they fresh out of college? Membership to any of the “approving bodies” does not impress me either, as I have experienced many times situations where “members” do not have a full understanding of what they are attempting to install.

Having studied the National Occupational Standards, I am amazed that they seem to be “ignored” so blatantly by some of the “agencies” that should be helping to maintain the standards. These NOS’s are already written, and provide good criteria of what we should be looking for in an electrician. I would suggest that if more attention was paid to keeping to these standards, and incorporating them in any future developments in the training, assessment and qualification of electricians, the home would be a safer place.

So is there any existing system that sets a sensible benchmark for electrical qualifications, experience and knowledge, as well as checking health and safety awareness? Well, yes there is. Currently the J.I.B. operate a system that recognises qualifications, job experience and knowledge, and grades applicants accordingly. In conjunction with the E.C.A. they administer the E.C.S. card system (Electrotechnical Certification Scheme).

Briefly, the ECS card is the “electrical equivalent” of the CSCS card that is operated on most construction sites, where possession of a card is required for all personnel to gain access to work on site. The CSCS card is awarded following successful completion of a Health & safety test. The ECS card, which should be a requirement for all persons carrying out electrical installation, requires two things:

The successful completion of a health & safety exam (a different one to the CSCS card recognising the additional hazards of electricity).

Application and award of a JIB grade based on qualifications, experience and knowledge.

On successful achievement an applicant is provided with the ECS card which details their grading as assessed by JIB and their details, which can then be shown to potential customers. This provides the customer with proof of identification and gives them a guide as to the competency of the person tendering for the work. The cost of the JIB application, grading and exam is £78 in total, which is in my opinion very good value for a system which checks and assesses your qualifications and experience, your health and safety knowledge and awareness and provides an identification card for you to show to customers.

I understand that the JIB set wage rates that are currently above some of the cheaper “outside” labour rates, and hence some firms are looking to move away from them, in order to utilise this cheaper labour and cut costs. In the current economic climate obviously firms are looking at all possibilities when it comes to cutting their costs to remain competitive. However, we must ensure that this does not also involve cutting the skills and knowledge levels of the workforce. Surely it is worth paying a little more for competent, skilled operatives, after all we would not accept imported cable just because it is cheaper, *unless* it was up to standard. The JIB/ECA administered ECS card scheme is the one scheme that is currently capable of grading all operatives with at least some level of accuracy. We might not always be happy with the grade they set, BUT at least they have standards, and if someone wants to progress up through the levels they can, with training and experience. I suggest this system is adopted because I do not believe in re-inventing the wheel, (although that is another

option) but I am also suggesting that we go one step further, and develop the scheme into a license to practice, as exists in many other countries.

Electricians, electrical contractors, electrical installers and electrical engineers should be licensed

The average person would not know how to assess the competence of anyone trading as an electrician, just like with a doctor or a dentist, they would rely on “the authorities” to identify and assess those plying their trade accordingly. I do not have a clue about medical issues, so when I visit the doctor I am totally reliant upon her judgement. She could prescribe weed killer as a tonic, and I would never know, well, not until I was having my stomach pumped anyway! The trouble is that, with electrical work, even incompetent persons can get lights and sockets to work, but are they safe?

The development of a “license” is a must for this industry. We can play around with “competent person” and “competent enterprise” schemes forever, but it will not prevent unqualified, unskilled or incompetent persons from having a go at “installing some electrics”.

A license of “electrician” grade should be a requirement for buying electrical installation equipment (cables, containment, distribution boards, circuit breakers, socket outlets, switches etc), just like having a fire-arms license, and let’s face it, electricity can be just as deadly as a gun in the wrong hands.

Only licensed operatives should be allowed on any site, most of the large contractors already operate this way so it will be a case of widening the current system and making it a requirement on ALL sites. The current “competent person/enterprise” scheme needs adjusting, so that ONLY licensed operatives can apply, and that all staff working for “an enterprise” should be registered and licensed. The criteria for membership to the approving bodies (NICEIC, ECA, NAPIT etc) should be standardised if they are to continue “approving”, so that there is a minimum standard across the board, and the grade awarded on the individual license should be taken into account. Either that or separate the membership process from the “approval” process, and standardise the “approval” process! The term “domestic installer” should be dropped, either you are an electrician, or you are not!

Clarity of all requirements for all grading should be made available to the industry and the public, so everyone knows where they stand, and can choose accordingly. Then, when I next knock on somebody’s door, I can show them my license displaying my grade, and they will know who I am and whether I can do their job.

January 2012

Written evidence submitted by the Electrotechnical National Forum

The ENF was established in January 2009 following individual efforts by lecturers and external verifiers of colleges and private training organisations across England and Wales. The intent of the ENF is to drive efforts to develop and improve electrical installation training—in particular, with regard to safety and technical skill/expertise.

All members are committed to high quality training and believe that vocational qualifications, as well as easy access routes into the electrical industry, may be proceeding in an undesirable direction.

As a national body, the ENF feels compelled to express its concerns.

It is a fact that many colleges have similar concerns with the delivery of qualifications presented to us by the vocational qualification awarding bodies. Further, there exist similar issues with the new government guidelines set for personnel who work, or intend to work within the electrical industry.

These concerns have materialised from individual regional area meetings in England and Wales and subsequently, as a national forum, we seek acknowledgement from all relevant awarding bodies as well as Government, QCA (Qualifications and Curriculum Authority), Summit Skills and the Sector Councils to improve content, standardisation and delivery methods of electrical training courses.

MISSION STATEMENT

To convey the opinions of colleges, training providers and employers in matters of electrotechnical training.

To work with awarding organisations, sector skills councils and other stakeholders to improve and standardise qualifications in the Electrotechnical Industry.

THE ENF VISION

To work alongside awarding organisations and sector skills councils and to provide feedback on qualifications in terms of quality, practicality and relevance

THE ENF AIMS

The forum meets as a minimum on a quarterly basis following regional meetings. Its aim is to work with industry, sector skills councils and all awarding organisations which contribute to education and training in the electrotechnical sector/industry.

To be the focus of regional aspirations and concerns voiced at national level.

To share good practice and to promote standardisation.

THOUGHTS ON THE PART P SCHEME

We wish to take this opportunity to accept your invitation to submit our views on this subject—particularly concerning the “Part P Domestic Installer”.

At its inception, there existed acceptance of the introduction of Part P. It was generally agreed that such a qualification was desirable for tradespersons such as plumbers, kitchen fitters and bathroom installers. For the most part, these trades held no electrical qualifications entitling them to install electrical equipment. Still, they were undertaking these activities with, at best, limited electrical installation knowledge and experience and indeed, little understanding of the wiring regulations. The notion of Part P therefore, was well intended -unfortunately though, as it transpires, if Part P is right and proper then the apprenticeship is no more.

It used to be that skills were passed on to apprentices. For centuries, traditional apprenticeships were served over four, five or more years. It has been tacitly understood that the acquisition of knowledge, skills and experience takes time—indeed, years. Seemingly, as if to support this maxim, the definition of competence for electricians within BS 7671 (Wiring Regulations) is: “*that blend of knowledge, skill and experience necessary to undertake electrical work.*” (IET Wiring regulations 2008 amended 2011)

Domestic electrical installations have become increasingly complex. Nowadays it is common to find twelve or more circuits in a home; from under-floor heating to detached workshops, from garden pond equipment to shower enclosures that come with integral TV, phone, internet access and massaging water jets and yet more recently, PV systems—with potentially extremely destructive and dangerous direct current.

Now, more than ever the domestic electrician must demonstrate the ability to safely install, maintain, inspect and test, complex wiring systems, having initially assessed the suitability of the existing installation for additional circuits. It takes years of learning—by study, by trial and error, by being drip fed information and by acquiring skills so as to become a competent electrician. By definition, an electrician is in control of an awesomely powerful force—one that regularly kills people and destroys property. He or she must then, accept this responsibility only if they are adequately prepared to do so. Can Part P prepare him or her for this?

The intentions of Part P are honourable enough—to improve safety by ensuring that associated trades acknowledge the danger associated with unsafe working practises in relation to electrical work and to enable them to self certificate and assume responsibility for electrical circuits that they may install.

The reality though, is that after eight days of training (fifty hours as recommended by EAL awarding body and even five days with some institutions), a kitchen fitter or other tradesperson, is entitled to call himself/herself a Part P domestic installer.

This entitles him/her to assess installations; calculate maximum demand taking into account diversity, assess external influences and suitability, calculate cable sizes taking into account ambient temperature, grouping and installation methods.

He/she can then complete the installation work and undertake initial verification. He/she must then carry out the entire test procedures, both dead and live in a manner which does not compromise the safety of him/her self or others.

The results of these involved and complex tests must be compared with the tabulated values within BS 7671 to ensure compliance. Installation certificates must be completed and signed and then the installation must be commissioned for normal use.

These then are the intentions of Part P—a five to eight day course for novices. The truth is that Part P is a piece of well meaning though ill-conceived legislation. It is being abused on an enormous scale. Workers with as little as eight days training on a rudimentary course, the content of which contains little academic rigour, are competing for work with time served, diligent and conscientious electricians who have invested years and thousands of pounds in themselves. Put like this, Part P cannot be justified.

Many feel that the Part P certification schemes have developed into an avenue for the realisation of financial gain for individuals and organisations so that the main focus—that of improving safety, has become an unnecessary or irritating adjunct.

A Part P domestic installer is not and has not, been trained as an electrician. He/She cannot therefore call themselves electricians. Indeed, this is stipulated in course syllabi for Part P qualifications.

The Part P qualification is a considerably inferior qualification compared to the pre-existing first year level 2 electrical installation qualifications—which entail twelve months of study for an apprentice.

Level 2 apprentice electricians are not permitted to work on their own. They must be supervised at all times, however; the Part P “qualified” person may register with a body, without any former electrical installation training and be observed annually in order to assess compliance and ability. Much can happen in one year.

The adequacy of building regulations in providing safeguards for health and safety in domestic dwellings

The regulation is deemed adequate in relation to the above, however; the context in which Part P operates is poorly managed. Personnel are entering the electrical contracting industry via the ‘back door’. Simply attending a short training course and paying fees to a “Government-Approved Scheme” does not guarantee safety and competence.

The financial implications of complying with the Regulations

Pay the fees to an approved scheme provider and you are in.

Conversely, the most important cost is safety. The regulation and management of Part P does not enhance safety. On the contrary, due to the level of competence and knowledge of some registered Part P installers, safety is further compromised.

A further point is that apprenticed learners ask why they have to complete a three to four year apprenticeship to become an electrician, when they could follow the Part P route.

In the long term, if all apprentices were to embark upon the Part P route to training, then in forthcoming years there would exist an alarming shortage of skilled and qualified electricians.

Revision and streamlining of regulations for greater effectiveness

Government-approved scheme providers should be scrutinised by an independent organisation which checks the eligibility (competence) of registered companies and individuals. This measure could ensure that financial gain is not prioritised ahead of safety.

All Part P Certified Domestic Installers (not electricians), should achieve appropriate higher level qualifications before they are entitled to register with a government-approved scheme.

Currently, a plethora of differing “Part P” courses offer qualifications which fail to provide a national benchmark against which, installers may be measured.

Most domestic installer registration bodies accept installers who possess only a 17th Edition certificate such as City & Guilds 2382. This certificate can be obtained by anyone who takes the course of training and, to gain acceptance onto the training course, some knowledge of electrical science is regarded as desirable but not a prerequisite. Postmen, bakers and indeed anyone else are easily capable of gaining this qualification. This is clearly unsatisfactory.

Current Part P Provision can be seen as fudge. The required qualifications should stand within the existing framework of QCF(Quality and Curriculum Framework) qualifications to include: 17th Edition, Inspection and Testing and a competency based assessment which could either be achieved ‘on site’ or along the lines of the ACS assessments for Gas Safe operatives.

How can it be that any individual may be deemed electrically competent if they do not hold at least minimum qualifications in the current edition of the wiring regulations and formal level two electrical qualifications? The existing Part P “qualification” provides only a loophole in a system in which non-electrical persons can become pseudo-electricians who bypass the accepted qualification routes.

Currently, there exist far too many registration bodies and Part P is unenforceable. The Gas Safe registration is under the auspices of just one body—so why does the electrical sector need five or more? =

Allegedly, self-certification scheme providers attempt to persuade operatives to extend their level of competence (Level B to A) within a short period of time. Perhaps then, time limitations should be applied before an operative can change levels. This might exist alongside the acquisition of more advanced electrical qualifications and not simply be reliant upon practical assessment alone. Qualifications exist as evidence of competence and perhaps expertise, ability and knowledge, therefore one wonders why qualifications for electricians are being ignored by scheme providers?

When the domestic installer qualification was introduced, it and the existing C&G 2360 part one should have been examined together. All electrical installations must and should have been installed such that no section of the Building Regulations is compromised—a point missed.

It appears that the perceived obsession in quoting “*complies with Part P*”, totally excludes the fundamental need for a sound grasp, grounding and understanding of basic electrical installation work.

Any revision of Part P courses should involve integration into the predominant electrical installation qualifications framework. Presently there exists the C&G 2357 unit based qualification—surely some of the units could or should have replaced the existing Part P?

Scheme providers are currently providing a version of the Part P qualification and assessing delegates during the courses. A cynic might wonder whether these delegates would be allowed to fail by providers when they want them to register under their own scheme. Should this assessment not be carried out by independent organisations?

Is it right that these scheme providers allow their members to inspect and test domestic installations when they do not possess the level 3–2391 Inspection and testing qualification? Indeed many have failed the examination for this competence; knowledge based qualification and yet still become registered.

The potential consequences of reduction in scope of Building Regulations inasmuch as they apply to electrical and gas work in dwellings

As stated, Part P was introduced, for example, to permit kitchen fitters to reposition an existing electrical socket or to provide an additional socket to the existing circuit whilst installing a new kitchen. Part P was definitely *not* designed to allow a kitchen fitter to design, install, inspect, test and certificate new installations. This is the current state of affairs which has become acceptable practice for many government-approved scheme providers.

Part P must be repealed or radically amended. It was intended that Part P would enhance electrical safety and safe working practises—neither of which have been achieved. More to the point, Part P exacerbates electrical danger.

February 2012

Written evidence from Richard Hall

EXECUTIVE SUMMARY

- Electrical installation work is easy to make “work”, and even easier to do wrong, but there maybe a long delay before the problems become apparent.
- The Part P self certification scheme has willed the ends but not the means to prevent incompetent electrical work inside private dwellings.
- Public ignorance of the implications of Part P remains huge.
- The existing arrangements put competent and conscientious trades people at a competitive disadvantage, and is therefore having the opposite result to that intended.
- Public policy makers need to choose between an effective system of regulation and a more laissez faire approach.

INTRODUCTION

As someone who has only been working as an electrician for six years I have no experience of how domestic electrical work was policed before “Part P” was introduced. However, I can say that when I did my training course it was common currency that the new system was only being introduced because “an MP’s daughter was electrocuted” (this was Jenny Tonge’s daughter).

I decided to make this submission because I sincerely believe, for the reasons I discuss below that what was undoubtedly a well meaning attempt to improve standards is not only failing to achieve this laudable aim but actually causing more and more domestic electrical work to be done without proper regard to BS7671.

A short technical note about electrical circuits and the implications for those trying to earn a living as an electrician

Unlike most modern technology an electrical circuit is;

- (a) extremely easy to install with very little skill or technical know how so that it works, in the sense that it will supply an electric current to electrical apparatus;
- (b) can continue to operate to the apparent satisfaction of the end user installed incorrectly for an extended period. This is particularly true of the bizarre arrangement, unique to Britain (I believe), known as a ring final circuit—the most common arrangement for the installation of standard square three pin 13 amp socket outlets in the United Kingdom; and
- (c) consumers have an extremely optimistic view of the safe lifespan of an electrical installation, and little understanding that wiring just like an electrical appliance wears out, degrades or from time to time is superseded by new equipment. Most people do not consider the wires hidden in their walls but focus on the aesthetic properties of the visual aspects of the system or light fittings and the convenience of the locations and quantity of sockets. No one ever had their friends round to show them their new consumer unit.

But the more technical part of the job is:

- (a) to be able to understand in general terms the practical implications of BS 7671 (the Wiring Regulations - a volume of 464 close typed A3 pages in its latest version) for a particular project. Correctly applied these regulations will ensure that the correct cable and associated equipment are installed for a particular application; and
- (b) to be able to conduct tests using specialist instruments, and understand and interpret the results of those tests, that can confirm the safety and long term integrity of an electrical circuit before mains voltage electricity is passed through it.

But in practice lack of this knowledge or wilful disregard of it will not prevent incorrectly installed circuits and equipment Working. For example, an electrical circuit wired in the wrong cross sectional area (size) of cable may operate for years before it finally fails, or, more likely, finally causes a fire from over heating or arcing (sparks jumping across incorrectly wired cables and fittings). Similarly a circuit may work satisfactorily for years with no connection to electrical earth, until a fault occurs and someone receives an electric shock, because there was no way for the voltage to pass safely back to earth.

This creates a dilemma for those who are trying to earn a living doing the work properly, which obviously takes longer and costs more. This has probably always been the case but the inept system of regulation known as Part P self certification has simply entrenched the situation.

Problems with the current Part P regulation

General building control relies on enforcement when it is obvious that a building's structure or use has been changed without permission. As the great majority of electrical work is internal, and therefore hidden, there is no effective means of detection of such changes and hence of enforcement.

To comply with "Part P" those electricians who wish to trade legally but avoid the necessity to pay for a local authority building control officer to certify their work (and become hopelessly uneconomic as a result) must join one of a number of organisations licenced to administer the Part P regulation scheme so that they can certify their own work as compliant with BS7671. But because of the enforcement problem (see above) there is no effective sanction if they do not -only the theoretical sanction of prosecution if their work causes harm to people or damage to property.

Joining a Part P scheme imposes a significant financial disadvantage. Scheme membership typically costs around £400 per electrician per year. In addition each job notified as compliant will attract an additional charge, and each operative within a business that is in charge of issuing the official certificates for a job must have an annual inspection. This typically takes half a day, when one cannot earn money. It involves asking the favour of a particular client to re-visit work done. (And as an aside as the operative selects the job to be inspected a reasonable person might also query the effectiveness of such an inspection, as only a fool would choose a job where they knew problems would be revealed).

Another inherent weakness of the inspection regime is that those being inspected are those paying the bills. For the several organisations (unlike the single one for gas) this creates an invidious position. They inevitably compete with one another for paying members. If these competing inspection organisations set their standards too high trades people will simply switch organisation. It is common currency amongst practitioners that the largest of the "Part P" organisations is the largest for the simple reason. It has the lowest standards.

For the individual trader there also exists a considerable dilemma. As discussed above diy (or poor quality paid for) refurbishment work that goes on inside a property is effectively unenforceable. As discussed above this is a particular problem for electricians.

But because it is easy for the unregulated operative, doing work that neither he nor the customer will report to the local authority to install equipment that works—albeit dangerously—the bona fide trader is under cut by the cow boy, who does not have to pay for the overhead of joining a scheme. In practice such a practitioner is most unlikely to be prosecuted until the worst happens—and someone is hurt or worse as a result of their work.

By the time the problem occurs the most likely scenario is that the householder will have no records, or not even be the owner that commissioned the work that caused the problem. I routinely ask customers if I can see the certification, and building control notification for work that has clearly been done since the Part P scheme began. It is unusual for customer to have such documentation. (I wonder if members of the committee have such paperwork for their own properties, or know when their electrical installation is next due for inspection?)

In economics as the committee are no doubt are well aware the aphorism is that "bad money drives out good" but in the case of electrical work it would be fair to adapt it to say that bad installations are driving out good ones—by charging less and cutting corners with safety. The Part P organisations will only intervene to help a consumer where it can be demonstrated that one of their members is at fault. But the majority of problems are caused either by trades people who never joined a scheme at all or did a "cash" job without issuing the proper paperwork.

Another commercial problem for those trying to work within the rules is the level of public ignorance. Even years after its introduction the great majority of the general public have only the haziest notion of what “Part P” is and what this means for their relationship with a trade that, by its very nature, most of us will only need a handful of times in our adult lives. Indeed, CORGI the now defunct Gas installation inspector has far higher true recognition than any of the electrical associations managing Part P self certification schemes.

On my website <http://www.redkiteelectrical.co.uk> I try to explain the value that Part P electrical work brings to the commissioner of electrical works, and to explain why more modern electrical devices like consumer units are a major improvement in safety when compared with the old fuse board. This message is not getting through.

A routine part of my working life is explaining to customers with an old style re-wireable fuseboard that I am not allowed to add a new socket, or change the light circuit until I have modernised the disconnection apparatus, or installed a missing main equipotential bond cable. I am often greeted with a response along the lines of “but we’ve never had any problems with it”, which is a euphemism for the thought that the customer does not know what I am talking about, and suspects I am trying to add unnecessary costs to the bill. All too often in these circumstances I hear nothing more from the potential customer. One can only speculate how much work then gets done without regard to Part P rules.

In conclusion I believe the Part P regulation system is not helping domestic electrical safety. Its rules are only observed by those competent professionals who would have done the work correctly anyway without the system being in place. Because those of us that are trying to play by the rules are being commercially undermined by those that are not more and more work is won by those who do not know how design and test a safe installation, or do not care, and will most probably be untraceable by the time their hazardous wiring causes a problem.

RECOMMENDATIONS

Overall public policy makers need to be clearer about what they are trying to achieve. Specifically:

1. If the aim is to drive out the hazard of bad workmanship from the electrical trade by regulatory action then prosecutions must be brought against unregulated traders for trading outside of the “Part P” system, not only in the event that they actually do some harm and can be found. Quite simply if one takes money to perform electrical work in someone else’s home without being in a Part P scheme you are guilty of an offence.
2. Those entering the profession should be required to demonstrate literacy and numeracy skills sufficient to understand the wiring regulations, complete and calculate test documents and communicate the results to their customers effectively.
3. As part of this tighter regulatory regime DIY “sheds” should no longer be able to sell equipment such as consumer units to general public the installation of which must, by definition, be part of job notifiable under Part P rules. An amateur or unqualified person can’t buy most gas fittings so why can they buy a consumer unit or other electrical item which must necessarily form part of a notifiable job?
4. If a tighter regime of consumer protection is desired, then some onus should be placed on the householder to provide up to date documentation on the routine inspection of their installation and its safety at the time of a house sale, coupled to a public education campaign.
5. If tighter regulation is the aim the system cannot be administered by competitive commercial organisations.
6. Similarly it cannot work effectively if those that are being regulated are paying for the service, and simply go elsewhere if they are not happy with the result of their inspection.
7. I do not believe that altering the list of work that is notifiable will address the problems of the current regulatory system. It will merely serve to confuse the consumer still further and create new opportunities for unscrupulous installers who are not part of any organisation for Part P self certification.
8. Conversely decision makers may take the view that in an imperfect world the best role of the public authorities is to publish simple clear advice to the general public on selecting a competent tradesman and leave citizens to make their own decisions about who, and on what terms, they engage an electrician.
9. The status quo is undermining not assisting electrical safety in British homes.

Written evidence submitted by the National Landlords Association

SUMMARY

- The NLA recognises the importance of both electrical and gas safety in the home.
- NLA landlords have not highlighted any serious concerns from landlords about how Part P currently works.
- In respect to any proposed reforms affecting Part P, the utmost concern to landlords will be having certainty over their responsibilities.
- The NLA will be looking to organisations and the Government to provide a clear idea of what alternatives to Part P might look like in practice.
- Landlords will want to ensure any reform does not increase direct or indirect burdens on landlord looking to ensure they are meeting their electrical and gas safety requirements.

ABOUT THE NATIONAL LANDLORDS ASSOCIATION

The National Landlords Association (NLA) is UK's leading organisation for private-residential landlords. It has over 20,000 paid-up members, ranging from full-time landlords with large property portfolios to those with just a single letting. NLA membership helps landlords make a success of their lettings business by providing a wide range of information, advice and services. The NLA campaigns for the legitimate interests of landlords by seeking to influence decision-makers at all levels of government and by making landlords' collective voice heard in the media. It seeks to raise standards in the private-rented sector while aiming to ensure that landlords are aware of their statutory rights and responsibilities. Based at its head office in Central London, the NLA currently employs over 40 full-time staff and has a network of more than 40 regional representatives and branches throughout the UK.

INTRODUCTION

The National Landlords Association (NLA) welcomes Committee's inquiry into Building Regulations applying to electrical and gas installations and repairs in dwellings. The NLA recognises the importance of both electrical and gas safety in the home, irrespective of the tenure of the property.

The private-rented sector already has significantly higher regulatory responsibilities when it comes to gas safety. Annual gas safety checks have been mandatory in the private rented sector since 1998. The Landlord and Tenant Act 1985 requires the landlord to ensure the electrical installation is safe when the tenancy begins and that it is maintained in a safe condition throughout that tenancy.

PART P, BUILDING REGULATIONS

The NLA provides members with access to a dedicated advice line where they can obtain expert advice on the full range of landlording issues. This advice line receives upwards of 30,000 calls per year. In addition the NLA regularly conducts research amongst NLA members to identify relevant issues affecting the sector and landlords more generally.

Both our recent research amongst landlords and a review of the calls received by the NLA's advice line over the last year have not highlighted any serious concerns from landlords about how Part P currently works. That isn't to say that the system is working perfectly, or that improvements cannot be made, just that landlords are not highlighting particular problems with the current regulations.

In respect to any proposed reforms affecting Part P, the utmost concern to landlords will be having certainty over their responsibilities. Any alternative system should leave the landlord more confident that they understand and can meet their responsibilities. A lack of ambiguity is critical in ensuring that landlords can confidently have works carried out for and on behalf of their tenants.

Being able to easily identify those persons sufficiently qualified to undertake work that may come under Part P is crucial. One of the benefits of gas safety regulation is the security landlords have in knowing that a Gas Safe gas engineer is approved to undertake necessary works.

The NLA will be looking to organisations and the Government to provide a clear idea of what alternatives to Part P might look like in practice. Landlords will want to ensure any reform does not increase direct or indirect burdens on landlord looking to ensure they are meeting their electrical and gas safety requirements.

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