



House of Commons
Communities and Local
Government Committee

Building Regulations certification of domestic electrical work

Seventh Report of Session 2013–14

*Report, together with formal minutes relating
to the report*

*Ordered by the House of Commons
to be printed 24 February 2014*

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 and its associated public bodies.

Current membership

[Mr Clive Betts MP](#) (*Labour, Sheffield South-East*) (Chair)
[Bob Blackman MP](#) (*Conservative, Harrow East*)
[Simon Danczuk MP](#) (*Labour, Rochdale*)
[Mrs Mary Glendon MP](#) (*Labour, North Tyneside*)
[David Heyes MP](#) (*Labour, Ashton under Lyne*)
[James Morris MP](#) (*Conservative, Halesowen and Rowley Regis*)
[Mark Pawsey MP](#) (*Conservative, Rugby*)
[John Pugh MP](#) (*Liberal Democrat, Southport*)
[John Stevenson MP](#) (*Conservative, Carlisle*)
[Heather Wheeler MP](#) (*Conservative, South Derbyshire*)
[Chris Williamson MP](#) (*Labour, Derby North*)

Powers

The committee is one of the departmental select committees, the powers of which are set out in House of Commons Standing Orders, principally in SO No 152. These are available on the internet via www.parliament.uk.

Publication

Committee reports are published on the Committee's website at www.parliament.uk/clg and by The Stationary Office by Order of the House.

[Evidence relating to this report](#) is published on the Committee's website.

Committee staff

The current staff of the Committee are Glenn McKee (Clerk), Sarah Coe (Second Clerk), Stephen Habberley (Inquiry Manager), Kevin Maddison (Committee Specialist), Emma McIntosh (Senior Committee Assistant), David Foster (Assistant Media Officer) and Jonathan Olivier Wright (Web and Publications Assistant).

Contacts

All correspondence should be addressed to the Clerk of the Communities and Local Government Committee, House of Commons, 7 Millbank, London SW1P 3JA. The telephone number for general enquiries is 020 7219 1234; the Committee's email address is clgcom@parliament.uk,

Contents

Report	<i>Page</i>
Summary	3
1 Introduction	4
Follow-up oral evidence session on 2 September 2013	4
Call for written submissions	5
This report	5
2 The 2013 revisions to Part P	7
Justification for changing Part P	8
Review of Part P	8
Timetable and terms of the 2015 review	9
UKAS review	10
3 Competent persons schemes	12
Introduction	12
<i>Electricians'</i> competence	12
Other benefits	15
The qualified supervisor	15
Ratio of electricians to Qualified Supervisors	17
Conclusions on the operation competent persons schemes	17
4 Public awareness	19
Extent of public awareness of competent persons schemes	19
The need for a single register	20
The single register and publicity	21
5 Enforcement	22
Introduction	22
Monitoring by scheme operators	22
Local authority enforcement	22
Conclusions and recommendations on enforcement	24
Conclusions and recommendations	26
Formal Minutes	30
Witnesses	31
Published written evidence	32
List of Reports from the Committee during the current Parliament	34

Summary

Since its introduction over eight years ago Part P, which brought some domestic electrical work within building control, has pushed domestic electrical installation standards up. But it is now clear that further improvement is needed. We have particular concerns about the competence of those actually carrying out electrical works in domestic homes and about the negative effect on their training. Our key recommendations are that the competence and qualifications of those actually carrying out work must be raised.

Under competent persons schemes—the main mechanism for certifying that domestic electrical work complies with the Building Regulations—compliance is checked by a qualified supervisor. This means that the person who turns up on the doorstep does not have to be a qualified electrician and the scheme has the effect of branding as competent some who may be incompetent. We call for competence requirements to be rolled out to all those doing electrical work to which Part P applies.

In the meantime the qualified supervisor will continue to have a crucial role in ensuring the integrity of the system. We welcome the recent raising of the requirements for new qualified supervisors. In addition, there has to be a limit on the number of notifications that a single qualified supervisor can authorise in a year, to ensure qualified supervisors devote an adequate amount of time to checking each job.

Public awareness of Part P stands at a dismal 14%, which may even be an over-estimate, and which compares to 45% for Gas Safe, the replacement for CORGI. The Government should aim to double this figure within two years and aim for a public awareness level broadly comparable with Gas Safe within five years. We urge the Government working with the scheme operators and those concerned with domestic safety to make a determined push to raise awareness with a focus on the new brand and the register which schemes operators are now at last finalising.

Enforcement by local authorities is patchy. Local authorities need to have more resources to tackle those who put the public at risk by breaching Part P. We recommend a package of measures from improvements, to make it easier to report breaches, to on-the-spot-fines for those in breach of Part P.

If the competent persons schemes are to continue as the Government's preferred route for compliance with building control, it needs to tighten the operation of the schemes and ensure that those who stay outside a scheme and attempt to carry out notifiable work in breach of building control are identified and stopped. In the absence of a determined drive to improve the competent persons schemes for domestic electrical work the case for moving over to require a mandatory use of registered installers will become overwhelming.

1 Introduction

1. It is a testament to the success of our system of building control that it is not often in the news because, for the most part, we have sound arrangements to ensure that buildings are well constructed and safe. Building Regulations are at the centre of the system, and scrutiny of Building Regulations falls within our responsibility. This is our second report on building control in this parliament. The stimulus for our first report, *Building Regulations applying to electrical and gas installation and repairs in dwellings*, was a Government review in 2012 of the Building Regulations.¹ As a result of that work we decided, as well as pressing for the implementation of our recommendations and findings, to monitor developments.²

Follow-up oral evidence session on 2 September 2013

2. Domestic electrical work was brought within the building control system in 2005 by the introduction of Part P of the Building Regulations. The 2005 change would have potentially brought many thousands of domestic electrical works and operations into the notification and inspection processes of the building control system. As an alternative to submitting a building regulation application to the local authority or having to use an approved inspector for approval under Part P, the Government favoured the use of a competent persons mechanism approved by it. The competent persons scheme is intended to be the main delivery mechanism for ensuring compliance with Part P in order that the burdens of this requirement on established and well-operated electrical businesses and on local authority building control departments is minimised. The competent persons scheme is meant to allow those businesses which are providing a competent service on the doorstep of the consumer the reward of exemption from the bureaucracy of a formal building regulation application and inspection. The arrangement would provide building regulation self-certification for those with recognised levels of competence who would submit themselves to membership of a self-regulating scheme. For the arrangement to operate effectively, public awareness of the competent person route is crucial. Following from our work in 2012, we had a concern that the bodies which certify domestic electrical work lacked a single website or brand and that this was not only holding back public understanding but also impairing the Government's approach of self-certification. We, like most of the public, found the alphabet soup of acronyms and initials of the organisations in the sector—NICEIC, NAPIT, Certsure, ELECSA, Benchmark, BSI, BESCA, OFTEC, Stroma, APHC—confusing. We asked that the organisations to consider launching and maintaining a single brand.

1 Communities and Local Government Committee, Tenth Report of Session 2010-12, [Building Regulations applying to electrical and gas installation and repairs in dwellings](#), HC 1851-I, para 4 and following

2 As well as the operation of the competent persons schemes, which is the main focus of this report, we made a recommendation that sockets and other electrical equipment sold by DIY stores should carry a health warning that it was illegal for an unregistered person to carry out most electrical works in the home without checks being completed to ensure compliance with building control (para 49, HC (2010-12) 1851-I). We have followed this recommendation up with the British Retail Consortium, co-ordinating for the major electrical retailers, which has produced working to alert consumers to the requirements of building control. We are monitoring implementation and may return the issue before the end of the parliament.

3. We took oral evidence on 2 September 2013 from the bodies that had a major responsibility, in our view, to provide a single register.³ A number of those who watched the webcast of the session wrote to express concern about the operation of the schemes.⁴ The nature of these submissions was such that we concluded that further scrutiny was called for, to establish whether the matters raised were isolated problems or pointed to wider, systemic inadequacies within the competent persons schemes for Part P.

Call for written submissions

4. On 23 October we invited representations explaining that we were keen to establish:

- the extent to which members of the public were aware of the competent persons schemes and that certain domestic electrical works needed to be reviewed and certified to meet the requirements of Building Regulations;
- the extent to which those carrying out electrical works were adequately trained to meet the requirements of the Building Regulations and the extent to which all those working for a company were brought up to the same level of skills;
- the extent to which those carrying out electrical works, to which the Building Regulations apply, reviewed or had their work reviewed to ensure that it met the requirements of the Regulations;
- the adequacy of the review of electrical works carried out by Competent Persons;
- the effect of competition between accreditation bodies, and the two separate registers of electricians, on the standards of review of domestic electrical work; and
- the adequacy of the supervision by the Department for Communities and Local Government (DCLG) of the accreditation schemes.

This report

5. We received over 75 written submissions. Having reviewed the contents we decided to take the matter further and to take oral evidence. We held two oral evidence sessions in January 2014, inviting five people who had submitted written evidence, witnesses from the relevant electrical organisations and the Government. We are grateful to all those who gave oral evidence, and we would also like to thank our specialist adviser, David McCullough.⁵

3 Oral evidence taken on [2 September 2013](#), HC (2013-14) 829-i

4 Arcus Electrics Ltd ([BRC 12](#)), Skelton Electrical Ltd ([BRC 11](#)), Scott Electrotechnical Assessment Link Ltd ([BRC 10](#)), Bailey Pollock Electrical Services Ltd ([BRC 09](#)), Astute Technical Services Ltd ([BRC 08](#)), That's Electric! Ltd ([BRC 06](#)), Benjamin Lenyk ([BRC 05](#)), AEW Electrical (Edinburgh) ([BRC 03](#)), EleInfo Ltd ([BRC 07](#)) and Dr Robert Judson ([BRC 02](#))

5 Employment as Group Director, TPS, a multi-disciplinary design consultancy (architects, engineers, project managers and surveyors – including an arm's length Approved Inspector Building Control Body, Carillion Specialist Services); TPS is part of the Carillion group. Building Regulations advisor to Royal Institution of Chartered Surveyors (RICS); RICS Governing Council member and member of RICS Knowledge Board. Director of the Building Control Alliance, a pan sector Building Control organisation aiming to give a unified voice. on non-sector related building control issues; representation on behalf of RICS, other members are LABC (Local Authority Building Control), ACAI (Association of Consultant Approved Inspectors), ABE (Association of Building Engineers) and CIOB (Chartered Institute of Building). Chairman of Industry Group commenting on closing the compliance gap in the area of Building Regulations (Energy Conservation Regulations). Trustee of KnowHow North East, Stockton on Tees, a youth work charity. Trustee of Norton (Teesside) Sports Complex, a sports based charity.

6. Our further work has identified three areas where we have concerns and where we call for changes. First, the competent persons schemes underpinning Part P need a programme of improvement and we set out, in chapter 3, our concerns and the changes we consider are needed. Second, in chapter 4 we review public awareness of the competent persons schemes and we return to the question of a single brand and register of electrical contractors operating within the competent persons schemes. Finally, enforcement, or the lack of it, worried us and we set out our concerns and recommendation for changes in chapter 0. We start, however, in chapter 5, by returning to one of the main issues we addressed in our March 2012 report: the Government's proposed changes to Part P. The Government announced its conclusions in December 2012.⁶ It decided to make changes to the scope of works that were notifiable and thus fell under building control by virtue of Part P. The changes came into force on 6 April 2013 and we therefore start with those changes in the next chapter.⁷

6 HC Deb, 18 December 2012, [cols 83-84WS](#) [Commons written ministerial statement]; see also DCLG, [2012 consultation on changes to the Building Regulations in England: Summary of responses](#), 18 December 2012 and para 8 below.

7 DCLG ([BRC 44](#)), para 3

2 The 2013 revisions to Part P

7. In our 2012 report we were satisfied that “Part P has been successful in driving up standards and in reducing the number of electrical faults”.⁸ We reiterate that much has been achieved. As the Minister, Stephen Williams MP, pointed out: “About 40,000 are now competent persons within the scheme, which is a 27,000 increase from where we were when Part P was introduced”.⁹ The positive side of Part P is a general change of attitude amongst registered, self-employed electricians, new and old, towards safety, sticking to the regulations and working in a responsible manner and as a consequence knowledge and skills levels are much higher than, say, 10 years ago. As was pointed out to us in a submission: “Part P has increased electrical safety standards in dwellings by forcing many previously unregistered contractors to adhere to common industry standards and regulations”.¹⁰ We were also mindful of the need to introduce Part P, which was highlighted in the case in 2004 when Mary Wherry, 34, the mother of two young sons, and daughter of Jenny Tonge then an MP, who was electrocuted, according to the Coroner, as “the consequence of home improvement work” in a kitchen.¹¹

8. Commenting on the Government’s 2012 proposed changes to Part P we did not, however, “endorse any diminution of Part P, taking minor works in areas of higher risk such as kitchens, bathrooms and gardens out of its reach”.¹² When the Government responded to our report in July 2012 it explained that it was “still considering proposals to amend Part P”, which aimed “to reduce the bureaucracy and costs for electricians and DIY-ers, particularly when doing simpler jobs in the home”. It said that the proposed changes were “expected to cut down on the number of inspections that local authorities have to carry out and strip away unnecessary cost and bureaucracy while maintaining public safety”.¹³ As we have noted, the Government announced its conclusions on changes to Part P on 18 December 2012 and it said that:

Part P has been a success—but we do recognise that there is scope to streamline the requirements by removing the requirement to notify smaller-scale, lower-risk electrical work to a building control body. Currently homeowners can face building control fees of upwards of £240 to have simple electrical work, such as an additional plug socket in a kitchen, approved by a local authority. This change will see the notification requirements focused on higher-risk jobs like the installation of new circuits, or work in the vicinity of showers and baths, which is the right approach. There will, of course, remain a duty for these non-notifiable works to comply with the safety provisions required by the regulations and which we have also updated.

8 Communities and Local Government Committee, [Building Regulations applying to electrical and gas installation and repairs in dwellings](#), para 33

9 Q158

10 Shepherd Engineering Services ([BRC 59](#)); see also Derek Evans ([BRC 50](#)).

11 “*MP’s daughter electrocuted in botched fitted kitchen*”, The Daily Telegraph, 12 October 2004

12 Communities and Local Government Committee, [Building Regulations applying to electrical and gas installation and repairs in dwellings](#), para 34

13 Government response to the Communities and Local Government Select Committee Report: Building Regulations applying to electrical and gas installation and repairs in dwellings, [Cm 8369](#), para 23

The new Part P seeks to achieve a reasonable balance of risk. We will continue to monitor indicators which can help identify the impact of the changes and keep this under review. But the key to ensuring electrical work is done properly is to employ competent electricians and so the department will continue to work closely with external partners to identify what more can be done to promote the importance of complying with the provisions of Part P through use of a suitably-qualified electrician.¹⁴

9. In its response to our 2012 report the Government accepted our recommendation to monitor the success of any changes made to Part P as a result of the consultation process and it agreed to report back to us its findings and evidence within two years of when any changes take effect,¹⁵ that is in 2015 on whether a mandatory use of registered installers—the main alternative route to competent persons schemes—would be required.¹⁶ While we are grateful for the Government’s undertaking and we accept that at this point a comprehensive review of Part P would be premature, we must put on record a number of concerns, some of which we consider the Government should take into account when it does come to review Part P.

Justification for changing Part P

10. First, this inquiry gives us the opportunity to question some of the Government’s justifications for making changes to Part P. We found little or no evidence—back in 2011-12 or in 2013—that homeowners either carrying out their own DIY or using a small builder were facing, as the Government claimed, “building control fees of upwards of £240 to have simple electrical work, such as an additional plug socket in a kitchen, approved by a local authority”. We examine enforcement in detail in chapter 5. The point at issue is the adequacy of enforcement, not an alleged heavy-handed, enforcement by local authorities directed at homeowners. Similarly, the Government’s claim that, once items were removed from Part P, that there would “remain a duty for [...] non-notifiable works to comply with the safety provisions” we found to be unconvincing. In the absence of any measures to raise public awareness or to enforce these provisions—and we detected neither—the Government’s assertion is effectively a dead letter.

11. We found some of the arguments that the Government advanced on 18 December 2012, to justify narrowing the scope of Part P, to lack evidence and therefore to be unconvincing.

Review of Part P

12. Our second concern was the effect of the changes to Part P in 2013. During this inquiry we received no persuasive evidence to allay our previous concerns about the reduction in the scope of Part P. Any reduction by the Government, to relieve concerns from the DIY sector and very small enterprises, of the scope of electrical installation work requiring

14 HC Deb, 18 December 2012, [cols 83-84WS](#) [Commons written ministerial statement]

15 Government response to the Communities and Local Government Select Committee Report: Building Regulations applying to electrical and gas installation and repairs in dwellings, [Cm 8369](#), para 28

16 See para 22 below.

notification to a local authority (or, from 2014, third party certifier) or use of a competent persons scheme, has the potential to have a deleterious effect on safety. Although there is disagreement about the extent to which Part P has raised standards, it is clear to us that without Part P large amounts of sloppy electrical work would be carried out, particularly in the small operations ‘marketplace’ where many of the incompetent appear to have been working. From the evidence we received it was for this area that Part P complaints were coming,¹⁷ not those carrying out ‘Whole House’ rewiring. This raises the concern for us that the 2013 revisions ‘rewarded’ the DIY sector and very small enterprises which probably need the most scrutiny and also removed a significant stimulus of public awareness of Part P in this area. Moreover, moving the boundary between notifiable and non-notifiable work muddles the operation of the Part P which is at best dimly understood by many electrical contractors and the public.¹⁸ Finally, as we have noted, while the safety obligation, to which the Minister referred,¹⁹ remains for domestic electrical work that is no longer notifiable under Part P, it does so without the need for third party inspection by an ‘authority’. As a consequence the awareness of the requirements that remain must diminish.

13. We recommend that when the Government reviews the operation of Part P in 2015 that, as well as the effects on safety and the burden on business and local government, it assess the impact that making the 2013 changes has had on public awareness of Part P and on the understanding that (i) those carrying out DIY and large and small contractors have of what is and what is not notifiable for the purpose of building control and (ii) all work is still subject to compliance with relevant standards.

Timetable and terms of the 2015 review

14. When the Minister gave evidence about the review of Part P, he explained that there were two reviews in prospect: (a) the 2015 review, which we have noted, and (b) a review to be completed this summer, which we consider later in this chapter. On the 2015 exercise he confirmed that the review would be “of the entirety of Part P, which will come back in the spring of 2015” and he added that “one of the advantages of a fixed term Parliament” was “that we ought to be able to make sure that that comes back on a timely basis for this Committee to look at”.²⁰ We welcome the Minister’s confirmation that there will be a review and that he is working to a timetable that will allow us to review the outcome of the review before the end of this parliament.

15. In order to allow us to review the outcome of the 2015 review of Part P, it would assist us if in response to this report the Minister could supply the following. First, the Department’s timetable for carrying out the work and confirmation that the work will be completed and passed to us by the end of February 2015, to allow us to consider it and, if necessary, take evidence and report before the end of the parliament. Second, it would be of assistance to know: (i) against what criteria Part P will be reviewed (including those we have suggested in this report), (ii) who will carry out the review,

17 See para 25 and following.

18 See para 44.

19 See para 8.

20 Q163

(iii) how the evidence will be collected and (iv) the degree of independence in the process.

UKAS review

16. The second review will report this year. Bob Ledsoe, Deputy Director and Head, Building Regulations and Standards Division, DCLG, explained that it was the

culmination of two years' worth of work that has been undertaken by the UK Accreditation Service to look at the competent person scheme operators—those working both on electrical work and across the field in all areas that are covered by the competent person scheme arrangements.²¹

When we pressed the Minister on whether the outcome of the review would be made public, he responded that he would have to look at the findings when they were produced but he believed transparency was “a good thing” and so he would want to “see a very good reason, if that information was provided to Government, as to why it should not be published”.²² In a supplementary submission the Minister said that he would “report [to us] the results of the UKAS assessment [...] as soon as possible” after the Government received them.²³

17. We cannot see any convincing reason why results of the UK Accreditation Service review of the competent persons schemes should not be published in full and indeed any reticence or withholding of the results risks being counter-productive and interpreted as screening the operation of the Part P competent persons schemes from scrutiny and criticism. We recommend that the results of the UK Accreditation Service review of the Part P competent persons scheme operators due in June 2014 be published in full.

18. The UKAS review raises for us the question of competence—particularly that of the “electrician” on the doorstep—and this is at the heart of this inquiry. Under the competent persons schemes for Part P every registered business must have qualified supervisors who have the required competences, as set out in the Electrotechnical Assessment Specification, and only qualified supervisors can certify work as compliant on behalf of their business.²⁴ When we asked about the competence of the person on the doorstep, Mr Ledsoe explained that the way the system operated was that the organisation needed “to be able to assure the competent person scheme operator that the members of that company are competent to do whatever work they are asked to do”.²⁵ We pressed him further asking if “the individual doing the work—the full work of installing a shower or bath, rewiring a house—does not need to have any training or any qualifications. That is true, isn’t it?” He replied: “Well, it depends—yes.”²⁶ The Minister added:

21 Q165

22 Q169

23 DCLG ([BRC 85](#))

24 DCLG ([BRC 44](#)), para 10

25 Q154

26 Q157

But they would not be able to walk away and advise the householder that it was now safe to use that shower or turn on the electrics at the fuse box, unless the qualified supervisor from that firm had signed off the work. It is up to the competent person—the owner of the business in this case, whether it is a sole trader or a limited company—to satisfy themselves that the people who are doing work on their behalf are trained to a sufficient standard. This is obviously work predominantly carried out in the private sector, where reputation is everything. You would hope that common sense suggests that, if you are the competent person, you would not want incompetent people carrying out work in your name.²⁷

19. In conducting its review the Government has asked UKAS to do two things.

- a) To review each of the scheme operators to see whether they are worthy of accreditation against a formal quality standard that covers the sorts of work that the competent person scheme operators undertake. That is called EN 45011. So there is a formal review by UKAS of the management systems of the organisation to meet the quality standards therein.
- b) To look specifically at the conditions of authorisation that the Government issued in June 2012. These are the formal conditions that govern whether it would accept and authorise a competent person scheme operator to act in that role.²⁸

20. Mr Ledsome explained that:

We would be expecting UKAS, as part of its assessment work, to be looking at how the scheme operator undertakes and meets [condition 9]²⁹ what does the operator do to go round and assess competence? That could involve a number of things. It would involve some deskwork, looking at records and so on, but it does involve UKAS going out to witness some of this work as it is happening. So it is not just, “Have you got the right piece of paper?” and we will tick the box. There is more to it than that.³⁰

21. We welcome the UKAS review and when it produces its findings we shall pay close attention to what it reports on competence. It will, understandably, measure the operation of the system against the rules set by government. We would therefore expect it to focus on the competence of the qualified supervisor rather than directly on that of the electrician on the doorstep. The concerns put to us go to the competence of the electrician on the doorstep and whether the qualified supervisor ensures such competence, which is a question we examine later in this report.

27 Q157

28 Q165 [Bob Ledsome]

29 Installers who want to be members of a scheme are assessed as technically competent against the relevant occupational standards.

30 Q166

3 Competent persons schemes

Introduction

22. In our 2012 report we considered whether the competent persons schemes for Part P should be replaced with a mandatory requirement to use qualified electricians to fit any electrical installation—in effect, the Gas Safe model applied to electrical work with its mandatory use of registered installers. We were not convinced “on balance [...] that such a scheme would be justified for electrical works at the present time”. Our view then was that it was “better to improve the current arrangements” with “a strengthened Part P Building Regulation regime”. We made it clear that we did not regard the matter as closed and, in effect, we wanted to see evidence of improvement when the 2015 review took place.³¹

23. In our view the Government has until 2015 to show that the competent persons scheme model can work effectively for domestic electrical installation. We emphasise that it is for the Government—not the competent persons scheme operators or local authorities—to ensure the effective and consistent operation of Part P. This Government and its predecessors have favoured the competent persons model for the implementation of building control compliance over a mandatory requirement to use a qualified electrician. The Government has to demonstrate that its preferred model can match a mandatory model.

24. From the evidence we received we identified two issues that we consider are essential for the effective operation of the competent persons scheme model for Part P. The first, as we have mentioned, is the competence of the person who turns up on the doorstep to carry out domestic electrical work falling within Part P. The second is the competence and role of the Qualified Supervisor. We examine each.

Electricians' competence

25. We have called this section 'Electricians' competence' but this heading is problematic and that is at the core of our concerns. What we mean is the person who turns up and carries out domestic electrical work. In many cases such people will be what the public would hope was a “qualified” electrician, that is a person with technical qualifications who has completed successfully an extensive programme of on the job training under supervision and has experience in the work to be undertaken. We took evidence that some of those carrying out work notifiable under Part P would not meet these tests. Here is some of the evidence we received from electrical contractors.

- I am regularly carrying out work to rectify non-compliant and dangerous work carried out by registered 'electricians' who are deemed competent by competent persons schemes. The once respected craft of being a skilled and qualified electrician has now been devalued to such a point where you can now be [...] referred to as an 'electrician'

31 Communities and Local Government Committee, [Building Regulations applying to electrical and gas installation and repairs in dwellings](#), para 44

by a government authorised competent persons scheme to work on electrical installations in people's homes after having sat just a two hour open book exam.³²

- The reality is that attending a course for three days on the Wiring Regulations can qualify an individual to rewire a dwelling in full or part. Many times I have seen dangerous and non-compliant work undertaken by those who are registered but incompetent.³³
- If a householder knows about Part P and takes the time and trouble to select a Competent Person scheme operator they no doubt have a reasonable belief a competent person will turn up on the doorstep to do the work. In many cases they stand as much chance of getting a competent person as asking a bloke down the pub to do the job.³⁴

26. We examined how these levels of ignorance and hazardous workmanship could be tackled. Part of the solution put forward to us was a requirement for the person carrying out the work to have a recognised technical qualification. (Other measures include raising awareness and better enforcement of Part P, which we consider in later chapters.) Mark Pollock, electrical contractor, told us that the public:

have a right to know that if they are picking somebody from a register, that person is a qualified electrician. In terms of my view of what qualified is, the current available qualification is the City and Guilds 2357 with an NVQ and the AM2; that is a qualification route.³⁵

27. Phil Watts, a lecturer at Ascot College of Electrical Studies, suggested how a qualification combined with on the job training might operate:

There is currently a scheme, which is operated by JIB—the electrical certification scheme—whereby electricians can apply for grading and get a membership card. That gives them an identification card that they can show to customers. I believe that a scheme along those lines, fine-tuned a little, with a bit of tweaking here and there, would benefit the electrical industry and the customers. There are various grades, so if you have, say, a 2357—the electrical apprenticeship with the NVQ—you get a certain grade. The problem with the NVQ scheme is that, if you are not in the industry—if you are an adult student looking for a career change—there is little chance of you getting an NVQ, because you have to be working in the industry to fulfil the profile of the assessment.

The 2365 is an alternative scheme to that. It provides a technical certificate over a three or four-year base, but does not provide an AM2. We need to look at a combination of different qualifications and an approach to when we call an electrician qualified. As well as the 17th edition, we also need to think about inspection and testing courses, because once you have installed electrics, you are duty-bound to inspect and test them, and that is where a lot of electricians fall down.

32 Skelton Electrical Ltd ([BRC 11](#))

33 Bailey Pollock Electrical Services Ltd ([BRC 09](#))

34 Astute Technical Services Ltd ([BRC 08](#)), para 3

35 Q17; Level 3 NVQ Diplomas in Electrotechnical Technology with Electrotechnical Occupational competence.

They can install it, or throw it in, and get it to work, but it does not mean it is safe, and they fall down on the inspection and testing.³⁶

28. We also heard how short courses—producing what are disparagingly known as "five week wonders" and "five day wonders"—had proliferated. Peter Morris, electrical contractor, explained that:

The short-course route—the two or three weeks—was originally known as the "five-day wonders", which was a short course on the basics of the regulations, which was designed for people with experience who did not have any formal qualification, but had been doing it for 20 years or whatever, to get a regulations examination. You did a short course, then you joined a scheme and then you would be given a period of time to get that qualification in some cases.³⁷

29. Mr Watts explained that currently "'plastered' all over the internet [were] opportunities for people to 'train as an electrician in five weeks'". He said that these courses included training on the 17th Edition Wiring Regulations [the current required standard], inspection and testing, Building Regulations, as well as teaching the basic electrical principles and practices. He did not believe that such complex matters could be covered in five weeks to a "satisfactory standard".³⁸

30. David Cowburn from NAPIT Registration, which is a competent persons scheme operator, confirmed the person who carried out domestic electrical work did not need to have any qualification, pointing out that they "have to be found to be competent by some other means, potentially".³⁹

31. In our view the case for requiring a baseline technical qualification for all those carrying out domestic electrical work falling within Part P is convincing. We agree with Andrew Kidd, qualified electrician, that "the basic principle of a trained, qualified and experienced individual working, often unsupervised, in the homes of the public is simple and straightforward".⁴⁰ He explained:

In my considerable experience, the probability of domestic electrical work complying with the Wiring Regulations (BS7671 – the British Standard against which electrical installation work is certified as compliant) is primarily determined by whether or not the INSTALLER that actually carried out the work is a trained, qualified and experienced electrician.⁴¹

When Part P was set up it may have been the case that, as the industry was brought within regulation for the first time in 2005, there were factors that militated against the immediate implementation of a requirement for those carrying out work to be trained, qualified and experienced. In particular, many had extensive expertise gained from supervised training. Circumstances have changed. The short courses suitable for those with years of experience

36 Q18

37 Q5

38 Phil Watts ([BRC 66](#))

39 Q55

40 Andrew Kidd ([BRC 65](#)), para 1

41 Andrew Kidd ([BRC 65](#)), para 2

appear to have degenerated into "five week wonder" courses giving entry into the profession for those with little or no previous experience. This gives us cause for serious concern.

32. We recommend that the Government change the terms of the competent persons schemes for Part P to require by a specified date that all those carrying out domestic electrical work have a qualification equivalent to NVQ, Level III and to have completed successfully a significant period of supervised on the job training for the work they undertake, which is notifiable under Part P. Our aim is to ensure that all work notifiable for the purposes of Part P will have to be carried out by a suitable qualified person.

Other benefits

33. In our view a requirement for those carrying out notifiable domestic electrical work to have a qualification equivalent to NVQ, Level III and to have completed successfully a significant period of supervised on the job training would have additional benefits. It could feature in a campaign to raise public awareness as a guarantee of an assured standard by the person carrying out the electrical work and also in the longer term reduce the need for vigorous enforcement as the quality of work improved.

The qualified supervisor

34. The lynchpin of the current competent persons schemes. The need for this position was, according to the Government, because it was "impracticable to require every member of a business to have electrical qualifications" but instead every registered business would be required to "have qualified supervisors who have the required competences, as set out in the Electrotechnical Assessment Specification". The qualified supervisor is that competent person. Under this arrangement "only qualified supervisors can certify work as compliant on behalf of their business",⁴² the person on the doorstep is not subject to a mandatory competence requirement.

35. The Electrical Safety Council, told us that since 2004-05 it had "increased the requirements for the qualified supervisor so that they are more robust and more demanding."⁴³ NAPIT Registration pointed out that the standards required of qualified supervisors had been increased by the Government in 2012 when it changed the *Building Regulations: Competent Person Self-Certification Schemes—Conditions of Authorisation from 6 June 2012*.⁴⁴ Among the new conditions was a requirement that all scheme providers achieve and maintain UKAS accreditation to standard BS EN 45011: 1998 (or latest equivalent). NAPIT said that one "significant improvement" on the 2010 Conditions was that the "route to being deemed competent without prior experience is no longer available".⁴⁵ The Electrical Contractors' Association said that the adoption of the higher

42 DCLG ([BRC 44](#)), para 10

43 Q120

44 DCLG, [Building Regulations: Competent Person Self-Certification Schemes—Conditions of Authorisation from 6 June 2012](#)

45 NAPIT Registration ([BRC 35](#)), paras 2.2-2.4

minimum standards for qualified supervisors would apply to "new entrants and those moving jobs" and it believed that "over time these changes will allow us to raise standards in the industry by increasing the numbers of operatives [who] acquire formal Level 3 qualifications".⁴⁶

36. Notwithstanding these changes, NAPIT Registration said that it had "never subscribed" to the qualified supervisor model.⁴⁷ It pointed out that the model may

allow "electricians" who may be neither properly trained nor genuinely monitored to carry out electrical installations. Qualified supervisors are ultimately responsible for confirming the safety and compliance of these installations but, as part of a busy electrical contracting firm, perhaps supervising multiple individuals, their ability to adequately check electrical works at all stages of the installation process is questionable.⁴⁸

37. The NAPIT Trade Association supported these concerns with the results of a survey: "When questioned on the qualified supervisor model, 64.4 per cent of respondents said that it was unacceptable and dangerous as the [qualified supervisor] may not always be present at all stages of an installation process and may not see a potential fault".⁴⁹ Dr Robert Judson, engineer, project manager and building services contractor, told us that:

Once you are Part P accredited the notification process is an absolute joke. It requires a Part P accredited electrician to go on line and fill in a form with the name and address of the customer, a description of the installation, and the name and address of the Building Regulation Authority. There is no requirement to give any more information other than any reference number that the electrician may have given a particular job. The Accrediting organisation then send out a notice to the customer to say that their installation has been tested [...] and a similar notice to the relevant Building Control Authority.⁵⁰

38. Implementation of our recommendation for the person carrying out work to be qualified and trained would have the effect of imposing a competency requirement close to that stipulated by the *Building Regulations: Competent Person Self-Certification Schemes—Conditions of Authorisation from 6 June 2012* on new qualified supervisors, and as a consequence make the role of qualified supervisor narrower—it could, for example, reduce to that of an audit function. In the interim (or if the Government does not accept our recommendation) we consider that a number of changes should be made to improve the *Conditions of Authorisation*. First, 'grandfather' rights—that is entry to a scheme for those who became qualified supervisors before 2012 without a qualification—should be phased out. **We recommend that all qualified supervisors—not just those new to the profession or moving within the profession—be required to meet the standards, including qualifications, set out in the Building Regulations: Competent Person Self-**

46 Electrical Contractors' Association ([BRC 69](#))

47 NAPIT Registration ([BRC 35](#)), para 2.8

48 NAPIT Registration ([BRC 35](#)), para 2.7

49 NAPIT Trade Association ([BRC 46](#)), para 2.6

50 Dr Robert Judson ([BRC 02](#))

Certification Schemes—Conditions of Authorisation from 6 June 2012 within the next 10 years.

Ratio of electricians to Qualified Supervisors

39. One issue which was raised during our inquiry was the ratio of 'electricians' carrying out work to qualified supervisors. Certsure in a supplementary memorandum explained that: "the answer may be one [qualified supervisor] or possibly a significant number, depending on the type, extent and location of the company's work and the number of locations from which it operates" and it provided several examples.

- Firm A – A typical micro enterprise issuing 412 notifications⁵¹ per annum with 1 qualified supervisor and 1 employee.
- Firm B – A major national company issuing 24,084 notifications per annum has 7 qualified supervisors nationwide and 400 employees including sub-contractors. The company also employs a contracts manager, site agents and quantity surveyors, different roles all contributing to the overall management and supervision of their projects.
- Firm C – 1,850 notifications per annum with 2 qualified supervisors operating out of one office serving East Anglia and Greater London with 80 employees.⁵²

40. These figures give us some unease, showing a variation in the ratio of qualified supervisors to notifications from 1:412 to 1:3,441 per annum. First, they show the burden of regulation is falling more heavily on the small companies, though that is not a reason to increase the burden on larger companies. Second, they raise a question: how can one qualified supervisor adequately supervise 3,441 notifications in one year? Unless all those carrying out the work do so to a high standard and thus are fully competent themselves, there must be a doubt that the system is operating satisfactorily. With such a variation in ratios there must be a greater risk of substandard work carried out by the unscrupulous or incompetent not being picked up. **We recommend that there should be a limit on the maximum number of transactions that a single qualified supervisor/competent person can effectively review each year. The purpose of our recommendation is to increase the time that a qualified supervisor has to review the work carried out by those who are not competent persons for the purpose of a Part P scheme. We do not specify a ratio. Instead, the Government and the competent persons scheme operators should agree what is a reasonable number given the obvious current imbalance. They could, for example, define what a reasonable audit process would be, which would give a number of audits and with a given time per audit that would define reasonable numbers.**

Conclusions on the operation competent persons schemes

41. In summary, to strengthen the competent persons schemes we propose the following changes:

⁵¹ That is for notifiable works falling within Part P.

⁵² Certsure ([BRC 75](#))

- a) by a specified date those carrying out domestic electrical work must have a qualification and have completed successfully a significant period of supervised on the job training for work notifiable under Part P; and
- b) in the meantime all qualified supervisors not just those new to the profession or moving within the profession be required to meet the standards, including the qualifications, set out in the *Building Regulations: Competent Person Self-Certification Schemes Conditions of Authorisation from 6 June 2012* within 10 years, and that the Government working with the industry agree and place a limit on the maximum number of transactions that a single qualified supervisor/competent person can review each year within the next ten years.

42. In a supplementary submission Certsure raised fears that the "costs associated with the training and assessment of more individuals would increase and make it more expensive for contracting firms to register" and as a consequence more contractors might be driven "out of the scope of any regulatory framework".⁵³ We were not persuaded by these arguments. If it is the case as the scheme operators told us in their evidence that standards are high⁵⁴ then the changes which we conclude are necessary should be within reach. Contractors leaving the schemes but continuing to carry out notifiable work is primarily a question of enforcement, which we examine in chapter 5. **In our view it is not acceptable to say that, because enforcement is poor, improvements cannot be made to the Part P competent persons schemes. We conclude that the Part P competent persons schemes need to change. All those carrying out domestic electrical work should be brought up to the competency level of those who meet the 2012 requirements for a qualified supervisor. When this is achieved the need for qualified supervisors will reduce. We recognise that such a change will take time and we propose that this adjustment be made over a five year period. At the end of this period any person carrying out domestic electrical work would have to be certified competent, which would mean that they were qualified, trained and experienced. At the moment the scheme has the effect of branding as competent some who are plainly incompetent and in the process undermining the operation of competent persons schemes. Pending the full implementation there needs to be an end over time to the 'grandfather' rights enjoyed by those qualified supervisors who came into a scheme before 2013 and a limit on the number of notifications that a single qualified supervisor can authorise in a year.**

53 Certsure ([BRC 75](#))

54 Certsure ([BRC 58](#)), NAPIT Registration ([BRC 35](#)), Q120 [Phil Buckle]

4 Public awareness

Extent of public awareness of competent persons schemes

43. The Electrical safety Council told us that public awareness of Part P was “around 14%”,⁵⁵ though several of our witness doubted it was even as high as this.⁵⁶ Mark Pollock said: “14% may have heard of something, but very few people have awareness.” Such a level of public awareness of Part P or the competent persons schemes gives us serious concern. This is after Part P has been in operation since 2005, and compares to 45% for Gas Safe.⁵⁷ We would add that before we started our previous inquiry into Part P we as individuals were unaware of the requirements of Part P or the competent persons schemes. The Minister, Stephen Williams, was also unaware of Part P when he had electrical work carried out on his home.⁵⁸ At the evidence session he illustrated the problem we all face when searching for an electrician:

I googled “Electricians, Bristol” just to see what the results would be. Lo and behold, most of the earlier results were adverts, for which people had obviously paid to have a higher Google alert. The rest were general trade directories, such as Yell or Thomson. I could not easily find whether any of these people were competent persons or not. From a consumer’s perspective, I can certainly recognise the problem.⁵⁹

We have shared his experience and agree with him that there is a problem and indeed we raised the lack of public awareness in our 2012 report.⁶⁰

44. We received evidence that this lack of knowledge extended to professionals. Mark Baugh, a qualified electrician, qualified electrical inspector and qualified project manager, told us:

Every electrician that I have met and every electrician that I have conversed with on forums have not fully understood all of the following; the direct link between competent person schemes and the building regulations; the difference between notifiable and non-notifiable electrical works and that Part P is not the only part of the building regulations that domestic electrical installations need to be compliant with.

Common misconceptions

- Part P allows builders, plumbers and carpenters to steal our work
- I don’t need Part P, I am a fully qualified electrician

55 Q114 [Phil Buckle]

56 Q35 [Damian Skelton, Mark Pollock and Dr Robert Judson]

57 Q114 [Phil Buckle]

58 Q176

59 *As above*

60 Communities and Local Government Committee, [Building Regulations applying to electrical and gas installation and repairs in dwellings](#), paras 51-55

- Part P notification doesn't apply in this case as it is an old property
- The extension has planning permission so Part P doesn't apply
- I have re-wired the home and given them an [electrical installation condition report] so the home-owner is covered
- Part P is just a money-spinner for the trade-bodies.⁶¹

45. It is unacceptable to have a public awareness response of at best just 14% for an arrangement vital to safety in the home. When we pressed the Minister about the level of awareness, he would like to see within, for example, 18 months, he was "sceptical of Government targets" and "loath to put a figure on it" but he indicated that the Government "would certainly aim for significantly higher than" 14%.⁶² **Our inquiry is not the vehicle to examine the merits or otherwise of targets but it must be accepted that 14% public awareness of Part P or of the competent persons schemes that implement compliance is unacceptable. We conclude that the Government should aim to double this figure within two years and aim for an awareness level broadly comparable with Gas Safe within five years.**

The need for a single register

46. There are currently eight organisations operating competent persons schemes for Part P and they are in competition with each other. Conscious of the need to improve public awareness of Part P as a result of our earlier inquiry, in early 2013 we entered into correspondence with Certsure, the Electrical Contractors' Association, the Electrical Safety Council and NAPIT.⁶³ We were pleased to learn of plans to bring together the competent persons scheme operators but were concerned when they failed to agree a single register targeted at the homeowner looking for an electrical contractor. Although some progress was made towards agreeing a single brand,⁶⁴ we considered that it was insufficient and as a result called these bodies back to give oral evidence on 2 September 2013.⁶⁵

47. At the subsequent oral evidence session on 6 January 2014, after we started this inquiry, Emma Clancy, from Certsure, told us that progress towards a single register had been made and that:

We have listened very carefully to the concerns of the Committee and have decided that we can create one register underpinning a mark that we believe it will be easy for consumers to identify. That will apply across all the scheme operators that exist currently, not just NAPIT and what exists now but also the six or so other scheme operators. We have a meeting with the Minister next week—we want to talk to him to make sure it has his blessing as a way forward—and then we will move as swiftly

61 Hulsea Ltd ([BRC 16](#)), para 3.2

62 Q179

63 Building Regulations applying to electrical and gas installation and repairs in dwellings: [follow up Written Evidence received up to 27 August 2013](#)

64 Building Regulations applying to electrical and gas installation and repairs in dwellings: [follow up Written Evidence received up to 27 August 2013](#), Committee's letter of 7 February 2013

65 Oral evidence taken on [2 September 2013](#), HC (2013-14) 829-i

as possible. At that point, we will find a way to either take down or reference the existing two registers into the new site.⁶⁶

When he gave evidence the Minister reported that the "two biggest brand holders in this area are now going to come together and come up with a common domain name".⁶⁷

48. When we pressed Ms Clancy on the timetable, she hoped that it would take less than six months to set up the single register. She pointed out that it would be necessary to ensure that they were "representing people correctly, and that we have dealt with all the data issues associated with that. I am just giving us a little bit of time to do the proper job".⁶⁸ David Cowburn, NAPIT Registration, added that "that would include registering the mark itself [...] to protect that mark so we can act legally if it is misused".⁶⁹

49. We welcome the establishment of a single register open to, and covering, all those registered with a competent persons scheme for Part P. We urge the competent persons scheme operators to build on the work they have done and to ensure that a single register linked to a single brand is fully operational by 30 June this year.

The single register and publicity

50. We commend the work which bodies such as the Electrical Safety Council have done to raise public awareness of electrical safety.⁷⁰ In our view the establishment of a single register will provide the opportunity for a fresh start on raising public awareness of both electrical safety and Part P. **We recommend that the Government, through the conditions of the Building Regulations: Competent Person Self-Certification Schemes—Conditions of Authorisation permit, or if necessary seek legislative provision, to require the competent persons scheme operators for Part P to focus publicity on the single electrical register and linked brand mark.**

66 Q144

67 Q200

68 Q146

69 *As above*

70 Electrical Safety Council ([BRC 54](#)), para 3

5 Enforcement

Introduction

51. There are three monitoring and enforcement mechanisms regulating compliance with Part P:

- a) the checks and tests carried out by the competent person (or qualified supervisor), the role of which we have examined in chapter 3;
- b) the monitoring and supervision of the competent person by the eight competent persons scheme operators; and
- c) enforcement by local authorities to ensure the requirements of Part P of the Building Regulations have been met or to remedy a breach of building control. This enforcement can be applied to any case of non-compliance whether it is in relation to operations outside the competent persons schemes or indeed to non-compliant work carried out within the schemes.

Monitoring by scheme operators

52. We sought and received evidence that questioned the effectiveness of the supervision by the scheme operators.⁷¹ In rejoinder the scheme operators set out the systems that they had in place to meet the terms of *Building Regulations: Competent Person Self-Certification Schemes—Conditions of Authorisation from 6 June 2012*.⁷² Day to day assessment and supervision of the schemes is carried out by UKAS on DCLG's behalf.⁷³ As we have noted, in June 2012 DCLG issued new *Conditions of Authorisation* for competent person schemes, which include a new condition that all schemes have to achieve accreditation by the UK Accreditation Service (UKAS) against the standard BS EN 45011, *General requirements for bodies operating product certification systems*, by June 2014.⁷⁴ As we were told—see paragraph 16—UKAS is currently carrying out an assessment of each scheme operator against BS EN 45011. **With the results of the UKAS review of the Part P competent persons scheme operators due in June 2014 and on the basis that the report is published in full, we conclude that it would be premature in this report to comment further on the monitoring and supervision of the competent persons by the scheme operators. We shall consider the matter further when the UKAS review has been completed and consider the matter again.**

Local authority enforcement

53. A theme running through the evidence we received was the absence of enforcement by local authorities. Damian Skelton, electrical contractor, told us:

71 For example, Dr Robert Judson ([BRC 02](#)), FUSE Services Ltd ([BRC 53](#)) and Phil Watts ([BRC 66](#))

72 Certsure ([BRC 58](#)), para 4, NAPIT Registration ([BRC 35](#)), section D, NAPIT Governing Board ([BRC 57](#)); and see also DCLG ([BRC 44](#)), paras 20, 23-25, Electrical Contractors' Association ([BRC 55](#)), section D

73 UKAS ([BRC 70](#)), para 7

74 DCLG ([BRC 44](#)), para 5

I have tried on a number of occasions to report dangerous work carried out by unregistered people and my local authority has told me quite categorically that they don't carry out enforcement. The furthest I have come to helping customers claim money back for dangerous work carried out is through dealings with trading standards who although very helpful can only deal with cases of fraud and/or mis-selling of services.⁷⁵

On the competent persons scheme operators' side there was also concern. Steve Bratt, Electrical Contractors' Association, said that:

some things are out of our control. One of the things that we need some help in resolving is the issue of enforcement. We [have] tried to provide a carrot, but ultimately there has to be some form of stick. Where our industry differs from some of the others is that there is very limited enforcement. We talked about the gas industry, for example, with health and safety to enforce—just not being Gas Safe registered is an offence and will be acted upon. Not being in the [electrical] scheme is unlikely to result in any kind of censure, unless you have done something seriously wrong. The enforcement end of things needs some work—that is outside our control, but we would happily work to resolve that and to create a framework that would be effective.⁷⁶

NAPIT Trade Association said in its written submission:

The limitations of current Building Control enforcement of Building Regulation compliance were highlighted in a DCLG report commissioned during the consultation process for changes to Part P which took place in 2012. The report, compiled by EC Harris, noted: “The building control enforcement landscape is one of extremes. On the one hand there is an extremely, perhaps unduly, low level of formal enforcement applied. Against this there is a massive (5 million p.a.) portfolio of informal compliance interventions being conducted. It has also been shaped by the particular unwieldiness of building control law and the constraints of its formal enforcement procedures”.

The lack of adequate enforcement of the Building Regulations alluded to here, and supported by extensive anecdotal evidence from NAPIT members, means unregistered installers and cowboys who chose not to comply with the regulations or notify work are able to undercut those competent registered electricians.⁷⁷

The Electrical Safety Roundtable suggested in its memorandum that the lack of public awareness was due, in part, to “low levels of enforcement of Part P”.⁷⁸ Richard Hall, an electrical contractor, told us that he had used the Freedom of Information Act to ask his local authority Building Control Department “how many enforcements or prosecutions they have made under the auspices of Part P. None in 7-8 years”.⁷⁹ Finally, at the oral

75 Skelton Electrical Ltd ([BRC 11](#))

76 Q112

77 NAPIT Trading ([BRC 46](#)), paras 1.5-1.6

78 Electrical Safety Roundtable ([BRC 44](#)), para 2.2

79 Red Kite Electrical ([BRC 21](#))

evidence session on 6 January we asked the competent persons scheme operators how many prosecutions for non-compliance had taken place as a result of work not being up to standard. Emma Clancy, Certsure, replied that she was aware of three in the past year.⁸⁰

54. The evidence we received points to a serious weakness in the system: poor proactive and reactive enforcement of Part P by local authorities. When we put this concern to the Minister, Stephen Williams, he responded that enforcement was "the responsibility of the local authority, because it is their job to enforce the general application of all Building Regulations".⁸¹ While the Minister is correct in law, there is more to it. The purpose of a competent persons scheme is to relieve the burden on local authorities and so criticism of local authorities for not enforcing against work carried out by a scheme member is harsh when it should be, in the first instance, for the scheme operator to receive the complaint and seek to rectify the problem. In addition, Bob Ledsome, Deputy Director and Head, Building Regulations and Standards Division, DCLG, drew attention to a survey undertaken under the aegis of the Building Control Alliance, which recorded that there were over 9,000 interventions by building control bodies relating to Part P in November 2011. He said that the "idea that building control bodies do not get involved in Part P is not substantiated by that report".⁸² In our view the Minister may have been nearer the mark when he said that there "might be an issue as to what particular priority local authorities decide to give to enforcement, whether or not it is of building regulations".⁸³ We cannot see that the current arrangements provide an incentive to local authorities to give greater priority to enforcement of Part P.

Conclusions and recommendations on enforcement

55. **We conclude that the evidence points at best to patchy enforcement by local authorities, though for understandable reasons. If the competent persons schemes continue and if the changes we have recommended in this report are made, it is essential that those who stay outside a scheme and attempt to carry out notifiable work in breach of building control be identified, reported and prosecuted. We recommend that as a matter of urgency the Government put in place new arrangements to incentivise and assist local authorities to strengthen enforcement of Part P. We suggest such arrangements could include the following:**

- a) **a levy on those registered with a competent persons scheme to be used to provide a fund to enhance enforcement; the funding arrangements for enforcement could be managed on behalf of local authorities, possibly through an agency such as LABC;**
- b) **local authorities to inspect a sample of the notifications;**
- c) **the Government working with local authorities to put in place and publicise arrangements to allow householders, contractors and scheme operators to report work carried out in breach of Part P;**

80 Q83

81 Q206

82 Q208

83 Q207

- d) **where there is prima facie evidence of a breach the local authority should investigate and, where a breach has been found to have occurred, the authority should have a range of sanctions available including on-the-spot fines; and**
- e) **where a local authority successfully prosecutes a breach through the courts, the court should as a matter of course award the local authority its full costs from initiating and pursuing the prosecution and a portion of the fine imposed because of the breach.**

Conclusions and recommendations

The 2013 revisions to Part P

1. *We found some of the arguments that the Government advanced on 18 December 2012, to justify narrowing the scope of Part P, to lack evidence and therefore to be unconvincing. (Paragraph 11)*
2. We recommend that when the Government reviews the operation of Part P in 2015 that, as well as the effects on safety and the burden on business and local government, it assess the impact that making the 2013 changes has had on public awareness of Part P and on the understanding that (i) those carrying out DIY and large and small contractors have of what is and what is not notifiable for the purpose of building control and (ii) all work is still subject to compliance with relevant standards. (Paragraph 13)
3. *In order to allow us to review the outcome of the 2015 review of Part P, it would assist us if in response to this report the Minister could supply the following. First, the Department's timetable for carrying out the work and confirmation that the work will be completed and passed to us by the end of February 2015, to allow us to consider it and, if necessary, take evidence and report before the end of the parliament. Second, it would be of assistance to know: (i) against what criteria Part P will be reviewed (including those we have suggested in this report), (ii) who will carry out the review, (iii) how the evidence will be collected and (iv) the degree of independence in the process. (Paragraph 15)*

UK Accreditation Service review

4. We cannot see any convincing reason why results of the UK Accreditation Service review of the competent persons schemes should not be published in full and indeed any reticence or withholding of the results risks being counter-productive and interpreted as screening the operation of the Part P competent persons schemes from scrutiny and criticism. We recommend that the results of the UK Accreditation Service review of the Part P competent persons scheme operators due in June 2014 be published in full. (Paragraph 17)
5. *We welcome the UKAS review and when it produces its findings we shall pay close attention to what it reports on competence. It will, understandably, measure the operation of the system against the rules set by government. We would therefore expect it to focus on the competence of the qualified supervisor rather than directly on that of the electrician on the doorstep. The concerns put to us go to the competence of the electrician on the doorstep and whether the qualified supervisor ensures such competence, which is a question we examine later in this report. (Paragraph 21)*

Competent persons schemes

6. *In our view the Government has until 2015 to show that the competent persons scheme model can work effectively for domestic electrical installation. We emphasise that it is for the Government—not the competent persons scheme operators or local authorities—to ensure the effective and consistent operation of Part P. This Government and its predecessors have favoured the competent persons model for the implementation of building control compliance over a mandatory requirement to use a qualified electrician. The Government has to demonstrate that its preferred model can match a mandatory model. (Paragraph 23)*

Qualifications

7. We recommend that the Government change the terms of the competent persons schemes for Part P to require by a specified date that all those carrying out domestic electrical work have a qualification equivalent to NVQ, Level III and to have completed successfully a significant period of supervised on the job training for the work they undertake, which is notifiable under Part P. Our aim is to ensure that all work notifiable for the purposes of Part P will have to be carried out by a suitable qualified person. (Paragraph 32)
8. *In our view a requirement for those carrying out notifiable domestic electrical work to have a qualification equivalent to NVQ, Level III and to have completed successfully a significant period of supervised on the job training would have additional benefits. It could feature in a campaign to raise public awareness as a guarantee of an assured standard by the person carrying out the electrical work and also in the longer term reduce the need for vigorous enforcement as the quality of work improved. (Paragraph 33)*

Qualified supervisor

9. We recommend that all qualified supervisors—not just those new to the profession or moving within the profession—be required to meet the standards, including qualifications, set out in the Building Regulations: Competent Person Self-Certification Schemes—Conditions of Authorisation from 6 June 2012 within the next 10 years. (Paragraph 38)
10. We recommend that there should be a limit on the maximum number of transactions that a single qualified supervisor/competent person can effectively review each year. The purpose of our recommendation is to increase the time that a qualified supervisor has to review the work carried out by those who are not competent persons for the purpose of a Part P scheme. We do not specify a ratio. Instead, the Government and the competent persons scheme operators should agree what is a reasonable number given the obvious current imbalance. They could, for example, define what a reasonable audit process would be, which would give a number of audits and with a given time per audit that would define reasonable numbers. (Paragraph 40)

Conclusions on competent persons schemes

11. *In our view it is not acceptable to say that, because enforcement is poor, improvements cannot be made to the Part P competent persons schemes. We conclude that the Part P competent persons schemes need to change. All those carrying out domestic electrical work should be brought up to the competency level of those who meet the 2012 requirements for a qualified supervisor. When this is achieved the need for qualified supervisors will reduce. We recognise that such a change will take time and we propose that this adjustment be made over a five year period. At the end of this period any person carrying out domestic electrical work would have to be certified competent, which would mean that they were qualified, trained and experienced. At the moment the scheme has the effect of branding as competent some who are plainly incompetent and in the process undermining the operation of competent persons schemes. Pending the full implementation there needs to be an end to the 'grandfather' rights enjoyed by those qualified supervisors who came into a scheme before 2013 and a limit on the number of notifications that a single qualified supervisor can authorise in a year. (Paragraph 42)*

Public awareness

12. *Our inquiry is not the vehicle to examine the merits or otherwise of targets but it must be accepted that 14% public awareness of Part P or of the competent persons schemes that implement compliance is unacceptable. We conclude that the Government should aim to double this figure within two years and aim for an awareness level broadly comparable with Gas Safe within five years. (Paragraph 45)*
13. *We welcome the establishment of a single register open to, and covering, all those registered with a competent persons scheme for Part P. We urge the competent persons scheme operators to build on the work they have done and to ensure that a single register linked to a single brand is fully operational by 30 June this year. (Paragraph 49)*
14. *We recommend that the Government, through the conditions of the Building Regulations: Competent Person Self-Certification Schemes—Conditions of Authorisation permit, or if necessary seek legislative provision, to require the competent persons scheme operators for Part P to focus publicity on the single electrical register and linked brand mark. (Paragraph 50)*

Enforcement

15. *With the results of the UKAS review of the Part P competent persons scheme operators due in June 2014 and on the basis that the report is published in full, we conclude that it would be premature in this report to comment further on the monitoring and supervision of the competent persons by the scheme operators. We shall consider the matter further when the UKAS review has been completed and consider the matter again. (Paragraph 52)*
16. *We conclude that the evidence points at best to patchy enforcement by local authorities, though for understandable reasons. If the competent persons schemes*

continue and if the changes we have recommended in this report are made, it is essential that those who stay outside a scheme and attempt to carry out notifiable work in breach of building control be identified, reported and prosecuted. We recommend that as a matter of urgency the Government put in place new arrangements to incentivise and assist local authorities to strengthen enforcement of Part P. We suggest such arrangements could include the following:

- a) a levy on those registered with a competent persons scheme to be used to provide a fund to enhance enforcement; the funding arrangements for enforcement could be managed on behalf of local authorities, possibly through an agency such as LABC;
- b) local authorities to inspect a sample of the notifications;
- c) the Government working with local authorities to put in place and publicise arrangements to allow householders, contractors and scheme operators to report work carried out in breach of Part P;
- d) where there is prima facie evidence of a breach the local authority should investigate and, where a breach has been found to have occurred, the authority should have a range of sanctions available including on-the-spot fines; and
- e) where a local authority successfully prosecutes a breach through the courts, the court should as a matter of course award the local authority its full costs from initiating and pursuing the prosecution and a portion of the fine imposed because of the breach. (Paragraph 55)

Formal Minutes

Monday 24 February 2014

Members present:

Mr Clive Betts, in the Chair

Bob Blackman

Simon Danczuk

Mrs Mary Glendon

Mark Pawsey

John Pugh

John Stevenson

Heather Wheeler

Chris Williamson

Draft Report (*Building Regulations certification of domestic electrical work*), proposed by the Chair, brought up and read.

Ordered, That the Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 55 read and agreed to.

Summary agreed to.

Resolved, That the Report be the Seventh Report of the Committee to the House.

Ordered, That the Chair make the Report to the House.

Ordered, That embargoed copies of the Report be made available, in accordance with the provisions of Standing Order No. 134.

The following written evidence was ordered to be reported to the House for publication on the internet: the Department for Communities and Local Government.

Written evidence was ordered to be reported to the House for printing with the Report (ordered to be reported for publishing on 18 and 25 November, 2, 9 and 16 December 2013, 6, 13, 20 and 27 January, 3, and 10 and 24 February 2014).

[Adjourned till 4.00 pm on Wednesday 26 February

Witnesses

Monday 6 January 2014

Dr Robert Judson, engineer, project manager and building services contractor, **Peter Morris**, electrical contractor, **Mark Pollock**, Bailey Pollock Electrical Services, electrical contractor, **Damian Skelton**, Skelton Electrical Ltd, electrical contractor, and **Phil Watts**, lecturer, Ascot College of Electrical Studies

Steve Bratt, Chief Executive, Electrical Contractors' Association, **Phil Buckle**, Director General, Electrical Safety Council, **Emma Clancy**, Chief Executive Officer, Certsure, and **David Cowburn**, Managing Director, NAPIT Registration

[Q1 - 148](#)

Monday 20 January 2014

Stephen Williams MP, Parliamentary Under-Secretary of State, and **Bob Ledson**, Deputy Director and Head, Building Regulations and Standards Division, Department for Communities and Local Government

[Q149 - 227](#)

Published written evidence

The following written evidence was received and can be viewed on the Committee's [inquiry's web page](#). BRC numbers are generated by the evidence processing system and so may not be complete.

- 1 Abertawe Engineering Services Limited (BRC0045)
- 2 Andrew Cooper (BRC0073)
- 3 Andrew Hirst (BRC0040)
- 4 Andrew Kidd (BRC0062, 65)
- 5 Andy White (BRC0003)
- 6 Barry Anderson (BRC0027)
- 7 Benjamin C Lenyk (BRC0005)
- 8 Bill Manning (BRC0068)
- 9 British Gas Services Ltd (BRC0047)
- 10 Certsure (BRC0058, 75)
- 11 Ces Electrical Contractors (BRC0042)
- 12 Charles Tanswell (BRC0048)
- 13 Chris Davey (BRC0006)
- 14 Clive Hamilton (BRC0004, 78)
- 15 Clive Mitchell (BRC0031)
- 16 Damian Skelton (BRC0011, 81)
- 17 David Hodson (Senior) (BRC0029)
- 18 David Jones (BRC0018)
- 19 Dennis Pendleton (BRC0014)
- 20 Department for Communities and Local Government (BRC0044, 45, 85)
- 21 Derek Evans (BRC0050)
- 22 Dr Robert Judson (BRC0001, 02)
- 23 Electrical Contractors' Association (BRC0069)
- 24 Electrical Safety Council (BRC0054, 79)
- 25 Electrical Safety Roundtable (BRC0041)
- 26 Electroworks Ltd (BRC0039)
- 27 Errol Taylor (BRC0056)
- 28 Federation Of Master Builders (BRC0055)
- 29 G W & E Wright Ltd (BRC0030)
- 30 Gordon Sim (BRC0071)
- 31 Harold Roger Lovegrove (BRC0032, 33)
- 32 Harry Bloomfield (BRC0013)
- 33 Imtech G&H Ltd (BRC0070)
- 34 John O'reilly (BRC0023)
- 35 John Peckham (BRC0008, 82)
- 36 Joint Industry Board (BRC0080)
- 37 Jon Vanstone, Competent Person Scheme Forum (BRC0074)
- 38 Keith Brook (BRC0084)

- 39 Kev Lee (BRC0053)
- 40 LABC (BRC0038)
- 41 Leon Markwell (BRC0061)
- 42 London Fire Brigade (BRC0067)
- 43 Maria Clack (BRC0072)
- 44 Mark Baugh (BRC0016)
- 45 Mark Pollock (BRC0009)
- 46 NAPIT Governing Board (BRC0057)
- 47 Napit Registration (BRC0035, 77, 83)
- 48 Napit Trade Association (BRC0046)
- 49 Nigel Harman (BRC0028)
- 50 Paul Wicks (BRC0037)
- 51 Peter Morris (BRC0007, 64)
- 52 Peter Smith (BRC0025)
- 53 Phil Watts (BRC0066, 76)
- 54 Pro Electrical Services (BRC0024)
- 55 Richard Brooks (BRC0019)
- 56 Richard Hall (BRC0021)
- 57 Richard Townsend (BRC0043)
- 58 Robert Alexander (BRC0022)
- 59 Robert Hansler (BRC0015)
- 60 Roy Bailey (BRC0049)
- 61 Roy Sherliker (BRC0020)
- 62 Safe Install Electrical Solutions (BRC0036)
- 63 Scotteal@Tiscali.Co.Uk (BRC0010)
- 64 Shepherd Engineering Services (BRC0059)
- 65 Stephen Biddle (BRC0063)
- 66 Steve Evans (BRC0026)
- 67 Stuart Law (BRC0017)
- 68 The Joint Industry Board For The Electrical Contracting Industry (BRC0052)
- 69 Timothy Oldershaw (BRC0051)
- 70 Tradeskills4u Ltd (BRC0034)
- 71 United Kingdom Accreditation Service (BRC0060)

List of Reports from the Committee during the current Parliament

The reference number of the Government's response to each Report is printed in brackets after the HC printing number.

Session 2013–14

First Report	The Private Rented Sector	HC 50 (CM 8730)
First Special Report	Committee's response to the Government's consultation on permitted development rights for homeowners: Government response to the Committee's Seventh Report of Session 2012–13	HC 173
Second Report	The work of the Regulation Committee of the Homes and Communities Agency	HC 310 (HC 836)
Third Report	Community Budgets	HC 163
Fourth Report	Post-legislative scrutiny of the Greater London Authority Act 2007 and the London Assembly	HC 213 (CM 8761)
Fifth Report	Further review of the work of the Local Government Ombudsman	HC 866
Sixth Report	Local Government Procurement [<i>not yet published</i>]	HC 712

HC Session 2012–13

First Report	Park Homes	HC 177-I (CM 8424)
Second Report	European Regional Development Fund	HC 81 (CM 8389)
Third Report	The work of the Local Government Ombudsman	HC 431 (HC 615 & HC 650)
Fourth Report	Pre-appointment hearing for the Chair of the Audit Commission	HC 553
Fifth Report	Mutual and co-operative approaches to delivering local services	HC 112 (CM 8547 & HC 1091)
Sixth Report	Councillors on the frontline	HC 432 (CM 8582)
Seventh Report	The Committee's response to the Government's consultation on permitted development rights for homeowners	HC 830 (HC 173, 2013–14)
Eighth Report	The role of local authorities in health issues	HC 694 (CM 8638)
Ninth Report	Implementation of welfare reform by local authorities	HC 833 (CM 8635)

Session 2010–12

First Special Report	Beyond Decent Homes: Government response to the Committee's Fourth Report of Session 2009–10	HC 746
First Report	Local Authority Publications	HC 666 (HC 834)
Second Special Report	Local Authority Publications: Government response to the Committee's Sixth Report of Session 2010-11	HC 834
Second Report	Abolition of Regional Spatial Strategies: a planning vacuum?	HC 517 (CM 8103)
Third Special Report	FiReControl: Government response to the Committee's Fifth Report of Session 2009–10	HC 835
Third Report	Localism	HC 547 (CM 8183)
Fourth Report	Audit and inspection of local authorities	HC 763 (CM 8209)
Fifth Report	Localisation issues in welfare reform	HC 1406 (CM 8272)
Sixth Report	Regeneration	HC 1014 (CM 8264)
Seventh Report	Pre-appointment hearing for the Government's preferred nominee for Chair of the Homes and Communities Agency Regulation Committee	HC 1612
Eighth Report	The National Planning Policy Framework	HC 1526 (CM 8322)
Ninth Report	Taking forward Community Budgets	HC 1750
Tenth Report	Building regulations applying to electrical and gas installation and repairs in dwellings	HC 1851 (CM 8369)
Fourth Special Report	Preventing violent extremism: Government response to the Committee's Sixth Report of Session 2009–10	HC 1951
Eleventh Report	Financing of new housing supply	HC 1652 (CM 8401)