

# CIC Approved Inspectors Register (CICAIR) Monitoring and Re-Approvals Protocol



CICAIR Limited, 26 Store Street, London, WC1E 7BT  
T: 020 7399 7403 E: [cicair@cic.org.uk](mailto:cicair@cic.org.uk)

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This protocol sets out how CICAIR Limited (*herein referred to as CICAIR*) will conduct annual monitoring and audits of Approved Inspectors.

Approved Inspectors are issued with a Notice of Approval by CICAIR which is valid for a period of five years, after which time they must seek re-approval from CICAIR to maintain Notice of Approval. To ensure that professional standards are maintained, the relevant legislation and the CICAIR Code of Conduct is adhered to, and for an Approved Inspector to be eligible to have the Notice of Approval renewed, they must have successfully completed CICAIR's annual monitoring and audit process.

The CICAIR monitoring and re-approvals committee will be responsible for overseeing CICAIR's processes and procedures for the annual monitoring of Approved Inspectors and for conducting the programme of audits of Approved Inspectors.

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## Annual Monitoring

Approved Inspectors are required to return annual monitoring information electronically to CICAIR.

Where any concern is identified on the information returned, the CICAIR Registrar will:

- Speak to the Approved Inspector to agree an action plan to remedy minor shortcomings, or
- Refer more significant concerns to the Chair and/or Deputy Chair of the monitoring and re-approvals committee.

The Chair (and/or Deputy Chair) can:

- Recommend that no action be taken
- Ask the Registrar to discuss specific issues with the Approved Inspector, or
- Refer the issue to a panel of at least two members formed from members of the monitoring and re-approvals committee to determine what, if any, action should be taken. This could include requesting further information from the Approved Inspector or requesting that they attend a formal interview to discuss the issue(s).

Information provided through the annual monitoring process shall be made available to any CICAIR panel where CICAIR deem it necessary.

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## **Audit**

All Approved Inspectors are audited at least once every five years at a time decided by CICAIR. All new Approved Inspectors are initially audited once within 12 months of the approval being granted and then again before the expiry of the Notice of Approval.

Each audit will involve at least a day on site at the Approved Inspector's premises. CICAIR reserve the right to conduct a multi-day audit or to audit satellite or branch offices. The decision to undertake a multi-day audit is at the Registrar's discretion and would usually be considered where an Approved Inspector has more than five satellite or branch offices and/or more than 30 technical staff or Professional Consultants. If a multi-day audit is required additional charges may apply.

Information provided through the audit process shall be made available to any CICAIR panel where CICAIR deem it necessary.

### **CICAIR Audit Principles**

CICAIR will conduct audits with the following broad principles and objectives in mind:

- To establish that the Approved Inspector is operating in accordance with and meets the requirements of the relevant legislation, the Code of Conduct for Approved Inspectors, and the Building Control Performance Standards
- To verify that the Approved Inspector is operating in accordance with the information provided throughout the application process and/ or the annual monitoring process
- To establish that there is a suitable evidence base to demonstrate compliance with the Approved Inspector's Quality Management System including internal policies and procedures
- To establish that there is a suitable evidence base to demonstrate compliance with the business systems, building control process and project audit requirements of this protocol
- To test the robustness of the evidence base across the Approved Inspector's operations through random project file sampling
- To review the internal audit process operated by the Approved Inspector to assess the adequacy of controls and the capabilities of assessing conformity, evaluating effectiveness and identifying opportunities for improvement.

### **The Audit Process**

#### ***Notification***

CICAIR will notify the Approved Inspector of an upcoming audit in writing giving at least two months notice. The notification will include the documents that CICAIR require from the Approved Inspector in advance of the audit and the Approved Inspector will provide this information within one calendar month from the date of the notification letter.

#### ***Audit Team Composition***

Audits will be conducted by an audit team of up to three members with one of the members being the Registrar or Assistant Registrar. The audit team will be selected by CICAIR from the members of the monitoring and re-approvals committee.

In the case of an audit of a new Approved Inspector, the audit team will include at least one member from the original approval panel members that sat on the approval interview.

***Conflict of Interest***

The proposed auditors will be notified to the Approved Inspector in advance of the audit to ascertain whether the Approved Inspector considers there to be any conflict of interest. Approved Inspectors and auditors may never act in a way that could breach confidentiality and/or infer a conflict of interest and are obliged to inform the Registrar immediately if a conflict of interest should affect their ability to carry out their role. If any party consider a conflict of interest to exist, they will notify CICAIR of the reasons and the Registrar will make a decision over whether to replace the auditor. The Registrar may refer the matter to the Chair and/or Deputy Chair of the monitoring and re-approvals committee for a final determination. Should both the Chair and Deputy Chair also declare a conflict of interest the matter will be considered by the CICAIR Board of Directors.

***Audit Plan***

CICAIR will prepare an audit plan and this will be provided to the Approved Inspector along with the names of any directly employed staff or Professional Consultants that need to be present during the audit.

***The Audit***

An opening meeting will take place between the auditors and the directors and/or senior management of the Approved Inspector. The initial meeting will cover the purpose of the audit and how the audit will be conducted. The opening meeting will be an opportunity for the Approved Inspector to provide the auditors with an overview of their business and for any general questions to be asked of the auditors and the Approved Inspector.

After the opening meeting, the auditors will begin the audit. This will typically consist of talking with staff, reviewing procedural manuals, learning about the business processes, assessing the adequacy of internal controls, reviewing random sample project files, reviewing the handling of any complaints, interrogating database systems, and any other aspects of the business that the auditors feel is relevant to the audit principles.

The Approved Inspector will be required to make available all project files, electronic and hardcopy systems, QA documents, internal policies and procedures, and provide access to any directly employed staff or Professional Consultants to enable the auditors to complete the audit.

A closing meeting will take place at the end of the audit to provide for any final statements and for the auditors to outline how the audit will be concluded and/or followed up on.

***Audit Report***

After the audit has taken place, CICAIR will draft an audit report. The format of the audit report will include an overview of the Approved Inspector, the scope of the audit, the overall conclusion of performance and any issues identified by the audit together with a list of action points. It will also identify good practice and give positive constructive feedback on performance.

CICAIR will normally provide the audit report to the Approved Inspector within one calendar month of the audit date. Should additional time be required to complete the audit report, CICAIR will advise the Approved Inspector accordingly.

***Management Response and Action Plan***

CICAIR will request the Approved Inspector's management response to the report within one calendar month of distributing the report. The response will consist of two components: commentary on the audit findings and the outcomes of the audit and a detailed proposed action plan, with appropriate timeframes, for correcting any identified deficiencies and implementing the Action Points. Failure to provide the management response and action plan by the deadline or failure

to provide an adequate response may result in disciplinary action. The Approved Inspector may, in exceptional circumstances, request an extension to this deadline but it must be made in good time and is at the discretion of CICAIR.

#### ***Management Response and Action Plan Review***

The auditors will review the Approved Inspector's management response in order to determine if a satisfactory action plan has been proposed and appropriate timescales for implementing improvements have been put forward. CICAIR reserve the right to request that the Approved Inspector extend, amend, modify or alter the action plan.

#### ***Progress Report(s)***

CICAIR will request at least one progress report within a reasonable timeframe, usually after three or six months. The progress report will follow the format of the audit report and the management response and address every action point in sufficient detail including the expected timescales for resolving any residual items that the action plan has set out. Supporting evidence will also need to be provided to substantiate every action point. It may be necessary for a second progress report to be submitted but should this be required CICAIR will advise the Approved Inspector accordingly.

#### ***Re-Audit***

Should the information provided through the progress reporting mechanism not fully address the action points, unsatisfactory progress has been made, or the auditors are unable to make a meaningful assessment of progress in order to enable a decision to be made concerning the renewal of the Notice of Approval, CICAIR may conduct a follow-up audit to verify that the Approved Inspector has implemented the action plan.

If required, the re-audit will specifically focus on the action points that were put forward as a result of the original audit and CICAIR will expect the Approved Inspector to robustly and comprehensively evidence that the action points have been fully addressed.

The procedure for any follow up audit will be similar to that of the original audit but CICAIR will not be required to provide any notice for any follow up audits. If a follow-up audit is required an additional charge will apply.

#### ***Outcome Notification***

When the auditors have reviewed the progress report(s) and, if required, undertaken a follow-up audit, the auditors will issue their conclusions to CICAIR and CICAIR will notify the Approved Inspector of the outcome.

The auditors may, on receipt of the management response and action plan, the progress report(s), or as a result of any follow-up audit, conclude that the audit has been passed and recommend that CICAIR renew the Notice of Approval of an Approved Inspector. In this case, subject to the adequate submission of the CICAIR annual monitoring returns and no unexpected matters arising that require CICAIR intervention, the Notice of Approval for the Approved Inspector will be automatically renewed upon expiry and the registration form for renewing the Notice of Approval will be sent to the Approved Inspector approximately one month before the expiry of the current approval.

The auditors may, on receipt of the management response and action plan, the progress report(s), or as a result of any follow-up audit, conclude that the audit has not been passed and recommend that CICAIR do not to renew the Notice of Approval of an Approved Inspector. In this case, the Approved Inspector may appeal such an outcome and the appeal will be conducted in accordance with the *CICAIR Monitoring and Re-Approvals Appeal Protocol*.

## Audit Content

The list below is intended to provide information on the areas that an audit team will focus on and describes the minimum standards that CICAIR expects Approved Inspectors to be able to evidence. CICAIR considers that the areas listed below should be subject to management control to allow the opportunity for review and continuous improvement.

The list is not exhaustive and the auditors may explore areas not included below.

### **PART 1 – BUSINESS SYSTEMS**

#### **Business Management and Information Technology**

<b>REF</b>	<b>AREA/PROCESS</b>
BM1	Does the Approved Inspector have a business policy in place to meet the requirements of the CICAIR Code of Conduct and the Building Control Performance Standards?
BM2	Are Approved Inspector personnel and Professional Consultants familiar with the Code of Conduct and the Building Control Performance Standards and how does the Approved Inspector ensure that all personnel and Professional Consultants adhere to the Code and Standards?
BM3	Is there a business plan in place setting out the operation, limit of function, management control, contingency planning and independence required to operate as an Approved Inspector. How is this managed and monitored on an operational basis?
BM4	What does the database and IT infrastructure consist of and what are the data backup policies and systems? Are systems in place to retain building control records for a 15 year period?
BM5	What training is given to new and existing users to ensure the IT systems are used appropriately?

#### **Quality Management System (QMS) and Operational Procedures**

<b>REF</b>	<b>AREA/PROCESS</b>
QM1	Does the Approved Inspector have a Quality Management System (QMS) in place to meet the requirements of the Building Control Performance Standards?
QM2	Does the Approved Inspector have a full suite of operating policies and procedures in place and are these regularly reviewed and updated?
QM3	How are the QMS and operating procedures communicated to Approved Inspector personnel and what training is provided? What processes are in place to ensure that the systems are being followed?
QM4	Is the QMS internally audited? If so, when was the last audit and is there a report of the findings? Have any audits identified any non-compliances and how have these been addressed?
QM5	Is the QMS externally audited? If so, when was the last audit and is there a report of the findings? Have any audits identified any non-compliances and how have these been addressed?

## Independence

REF	AREA/PROCESS
I1	What is the range of services provided by the Approved Inspector and any affiliated companies?
I2	Do the Directors, Approved Inspector personnel or Professional Consultants engaged by the company have any shareholdings, ownership or directorships stakes with any other companies, dormant or active? If so, what is the nature of these companies?
I3	Is the Approved Inspector aware of the requirements of regulation 9 of the Building (Approved Inspectors etc.) Regulations 2010 and the business and professional ethics section of the Building Control Performance Standards? Are there processes in place for ensuring that these are adhered to?

## Resources

REF	AREA/PROCESS
R1	What sector(s) does the Approved Inspector work in, what is the geographical distribution of projects and are there resources available to effectively service these projects?
R2	How does the Approved Inspector manage and monitor workload?
R3	Have there been any significant changes to personnel type or levels since the Approved Inspector's approval or the last monitoring cycle?
R4	What is the ratio of qualified technical personnel to non-qualified technical personnel?
R5	What is the ratio of technical personnel to administrative personnel?

## Professional and Specialist Consultants

REF	AREA/PROCESS
PSC1	Does the Approved Inspector delegate plan checks or site inspections to Professional Consultants or other Approved Inspectors? If so, to what extent?
PSC2	Is the Approved Inspector aware of the rules and their obligations when engaging and delegating to Professional and/or Specialist Consultants?
PSC3	Does the Approved Inspector have a policy for the selection, monitoring, review and auditing of Professional Consultants and how is this adhered to?
PSC4	Does the Approved Inspector have in place formal agreements with the Professional and/or Specialist Consultants that it works with?
PSC5	How does the Approved Inspector ensure that Professional and/or Specialist Consultants adhere to the CICAIR Code of Conduct and the Building Control Performance Standards?

## Training and Technical Competency

REF	AREA/PROCESS
TTC1	What was the general level of demonstrated technical knowledge?

TTC2	How is technical consistency achieved?
TTC3	What internal and external training is provided on new regulations or regulation changes?
TTC4	How does the Approved Inspector objectively measure its personnel against the CICAIR Knowledge Base Matrix? How regularly is this undertaken?
TTC5	Does the Approved Inspector produce training plans for its personnel?
TTC6	Does the Approved Inspector have access to an online system of technical information? How do personnel access this technical information? Is it available to all surveyors or limited to specific individuals?
TTC7	What is the performance assessment and appraisal process to ensure that all personnel and Professional Consultants are competent to perform their tasks?
TTC8	Is there a procedure to ensure that the workload of surveyors is assessed against their experience and competency?
TTC9	What technical support is available to trainee, graduate and junior surveyors?

## CPD

REF	AREA/PROCESS
CPD1	Are CPD records for Approved Inspector personnel and Professional Consultants available and up to date?
CPD2	Is the proportion of self directed learning and structured training adequate?
CPD3	Does the CPD undertaken meet the requirements of the CICAIR Code of Conduct?

## Customer Feedback and Complaints

REF	AREA/PROCESS
C1	Is there a documented process for investigating complaints and is this in line with the requirements of CICAIR and the Building Control Performance Standards?
C2	How many complaints have been received since the Approved Inspector's approval or the last monitoring cycle and how many were escalated to CICAIR? What were the reasons and outcomes? How many are outstanding?
C3	Does the Approved Inspector seek customer feedback? Is there a root cause analysis of complaints and how does this feed into the quality management system? Is there a pattern of causality?

## **PART 2 – BUILDING CONTROL PROCESS**

### Initial Notices

REF	AREA/PROCESS
BCIN1	Is there a documented process for the serving of Initial Notices under s.47 of the Building Act 1984?
BCIN2	Is there a documented process for the cancelling of Initial Notices by the Approved Inspector under

	s.52(1) of the Building Act 1984, the person carrying out the work under s.52(3) or by the local authority under s.52(5)?
BCIN3	Who signs Initial Notices?
BCIN4	Are personnel clear on the grounds for rejection of an Initial Notice under Schedule 2 of the Building (Approved Inspectors etc.) Regulations 2010 and the required actions following a valid rejection?
BCIN5	Is the person carrying out the work advised of the five day period before work can start? What is the process for checking whether works have started?
BCIN6	If the Initial Notice is signed on behalf of the person carrying out the work, does the Approved Inspector have the authority to do so in writing? Does the Approved Inspector have a working knowledge of the Building Control Alliance Initial Notice Protocol?
BCIN7	What audits are carried out on Initial Notices served and what actions have resulted from these audits?

### Amendment Notices

REF	AREA/PROCESS
BCAN1	Is there a documented process for the serving of Amendment Notices under s.51A of the Building Act 1984?
BCAN2	Who signs Amendment Notices?
BCAN3	Are personnel clear on the grounds for rejection of an Amendment Notice under Schedule 2 of the Building (Approved Inspectors etc.) Regulations 2010 and the required actions following a valid rejection?
BCAN4	What audits are carried out on Amendment Notices served and what actions have resulted from these audits?

### Plans Assessment and Plan Certificates

REF	AREA/PROCESS
BCPC1	Is there a documented process for the serving of Plans Certificates under s.50 of the Building Act 1984?
BCPC2	Are personnel clear on the grounds for the rejection of a Plans Certificate or a Plans Certificate combined with an Initial Notice under Schedules 2 and 3 of the Building (Approved Inspectors etc.) Regulations 2010 and the required actions following a valid rejection?
BCPC3	Were the outcomes of plan checks communicated to the designer and the person carrying out the work in writing detailing compliance and/or non-compliance issues? What records exist of the plans assessment process?
BCPC4	What audits are carried out on Plans Certificates served and what actions have resulted from these audits?

## Statutory Consultations

REF	AREA/PROCESS
BCSC1	Is there a documented process for carrying out consultations with the fire and rescue authority and sewerage undertaker under regulations 12 and 13 of the Building (Approved Inspectors etc.) Regulations 2010?
BCSC2	How are observations from the fire and rescue authority and sewerage undertaker considered and are these being communicated to the person carrying out the work in writing? In what circumstances are additional consultations carried out?
BCSC3	How are statutory consultations monitored throughout the life of the project and managed to allow for the 15 day response period prior to the issue of a Plans Certificate or Final Certificate? What safeguards are in place to ensure that consultations are carried out where required?

## Site Inspections

REF	AREA/PROCESS
BCSI1	Is there a documented process for the production of site inspection plans that is in accordance with the Building Control Performance Standards?
BCSI2	Is there a documented process for undertaking and recording site inspections? What are the timescales from the inspection to the recording of this information on the database system? What is the procedure for carrying out follow up inspections?
BCSI3	Is there a documented process for recording and communicating contraventions, taking into account the requirements of regulation 18 of the Building (Approved Inspectors etc.) Regulations 2010?
BCSI4	How are statutory consultees notified of any significant departure from plans?
BCSI5	Is the method of recording information about a project sufficient to enable a meaningful project audit to be carried out?

## Final Certificates

REF	AREA/PROCESS
BCFC1	Is there a documented process for the serving of Final Certificates under s.51 of the Building Act 1984?
BCFC2	Who signs Final Certificates?
BCFC3	Are personnel clear on the grounds for rejection of a Final Certificate under Schedule 4 of the Building (Approved Inspectors etc.) Regulations 2010 and the required actions following a valid rejection?
BCFC4	Is there a documented process for events that cause an Initial Notice to cease to be in force under regulation 17 of the Building (Approved Inspectors etc.) Regulations 2010 and, where appropriate, for the seeking of an extension of time to prevent this occurring?
BCFC5	How many projects have not had Final Certificates issued and are there valid reasons?
BCFC6	What is the Approved Inspector's approach to the use of Part Final Certificates?

BCFC7	What audits are carried out on Final Certificates served and what actions have result from these audits?
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### Fire Safety Information

REF	AREA/PROCESS
BCFSI1	Is there a documented process in place informing the person carrying out the work of their obligation under regulation 38 of the Building Regulations 2010?

### Reversions

REF	AREA/PROCESS
BCR1	Is there a documented process for reverting projects to local authority control under regulation 19 of the Building (Approved Inspectors etc.) Regulations 2010?
BCR2	Are Approved Inspector personnel clear on the rules governing reversions and the powers of local authorities in relation to partly completed work? Does the Approved Inspector have a working knowledge of the Building Control Alliance Transfer of Work Protocol?
BCR3	How many projects have been reverted to local authorities since the approval or the last monitoring cycle?

### **PART 3 – PROJECT AUDITS**

A random sample of project files will be reviewed to assess the following key areas:

REF	AREA/PROCESS
PSA1	Were pre-application discussions held and were these satisfactory? Was there a single point of contact within the Approved Inspector for pre-application discussions and advice provision?
PSA2	Was there a suitable contract or agreement and terms and conditions of service in writing between the Approved Inspector and the person carrying out the work?
PSA3	Did the Approved Inspector notify the end user or the person carrying out the work of their appointment if they were appointed by someone on their behalf?
PSA4	Was a review of competency and resource availability undertaken before the project was allocated to the surveyor?
PSA5	If Professional Consultants were used, how were they monitored and reviewed through the life of the project?
PSA6	Was the Initial Notice correctly served and received by the local authority?
PSA7	Was a plans assessment carried out and communicated to the person carrying out the work? Was this to a satisfactory standard?
PSA8	Was a Plans Certificate issued (if requested) and was this completed satisfactorily?
PSA9	Were all necessary consultations carried out at the appropriate times and was there evidence of any feedback being communicated to the person carrying out the work?

PSA10	Was the person carrying out the work given a service plan matched to the project and was this monitored and reviewed against delivery? How was the inspection plan determined and were site inspections carried out in accordance with the plan? Was the recording of site inspections to a satisfactory standard?
PSA11	Where contraventions were identified, were these adequately communicated and followed up on?
PSA12	Were project completion processes concluded timely and appropriately? Was an extension of time requested if required?
PSA13	Was a Final Certificate issued? If not, why not? If a Final Certificate was issued, was the review and authorisation process adequate and were checks made to ensure that no outstanding conditions or contraventions remain on the project? Was the Final Certificate served correctly?
PSA14	Was the project file archived appropriately upon completion?
PSA15	Overall, was the project undertaken satisfactorily and in accordance with the Approved Inspector's QMS and operational policies?