



Scheme for Certification of Design (Building Structures)

Procedures for Auditing the Activities of Approved Bodies and Approved Certifiers

Appendix A: Criteria for the Assessment of Approved Bodies

March 2022

A1 Requirements for Membership of the Scheme

Approved Bodies will have made a number of declarations in their application, demonstrating compliance with the criteria for membership of the Scheme. The accuracy of these declarations will be checked by the audit.

Key Factors

The Building (Scotland) Procedures Regulations 2004 set out criteria which can be considered to promote good practice. These are financial probity, insurance relevant to certification, adoption of quality assurance systems with regard to checking design and ready access to appropriate standards and guidance documents. SER has incorporated these into the criteria for membership of Approved Bodies to the Scheme and added an additional requirement in relation to training of certification staff.

Ref	Performance Criteria	Major Non-conformances	Improvement Issues
A1.1	<p>Appointment of Certification Coordinator</p> <p>Approved Bodies shall appoint a Certification Coordinator who will monitor that the conditions under which membership of the scheme was granted are being fulfilled and maintained and will bring any shortcomings to the attention of the management of the Approved Body.</p>	<p>The Certification Coordinator does not understand the conditions under which membership of the scheme were granted.</p> <p>A lack of evidence that the Certification Coordinator is monitoring that the conditions under which membership of the scheme was granted are being fulfilled and maintained.</p> <p>Failure of the management of the Approved Body to take action when shortcomings are identified.</p>	<p>Deficiencies in the Certification Coordinator's understanding of the conditions under which membership of the scheme were granted.</p>
A1.2	<p>Support for Approved Certifiers</p> <p>Approved Bodies shall provide an environment which supports their Approved Certifiers.</p> <p>Approved Bodies shall agree a programme for the certification process with their client that is consistent with the legislative requirements of the buildings standards system.</p>	<p>The Approved Body does not appear to be providing an environment which supports its Approved Certifiers.</p> <p>The Approved Body does not appear to have taken reasonable steps to see that the legislative requirements are met.</p> <p>Evidence suggests that adequate time and resource is not being allocated to the certification process</p>	<p>Insufficient evidence to show that the Approved Body has taken reasonable steps to see that the legislative requirements are met.</p> <p>Insufficient evidence to demonstrate that designs presented to the Approved Certifier have been checked in accordance with the scheme requirements.</p> <p>Inadequate evidence to demonstrate that designs presented to the Approved Certifier have been</p>

Ref	Performance Criteria	Major Non-conformances	Improvement Issues
	<p>Approved Bodies shall allocate adequate time and resource to the certification process.</p> <p>Approved Bodies shall ensure that designs that are presented to their Approved Certifier for certification are presented timeously, are complete, except where work is to be undertaken in a later stage, are of an appropriate quality and have been checked in accordance with the scheme requirements.</p>	A lack of evidence to demonstrate that designs presented to the Approved Certifier have been checked in accordance with the scheme requirements.	checked in accordance with the scheme requirements.
A1.3	<p>Access to Information</p> <p>Approved Bodies shall provide access for their Approved Certifiers to technical information that is required for the type of work being certified.</p> <p>Approved Bodies shall monitor that technical information being used by their Approved Certifiers is current and has not been superseded.</p>	Approved Certifiers do not have readily available access to up-to-date technical information necessary to undertake the scope of work being certified.	A lack of evidence to demonstrate that the currency of technical information being used by their Approved Certifiers is being monitored.
A1.4	<p>Training</p> <p>Approved Bodies shall support the CPD of all Approved Certifiers employed or engaged by the Body</p>	<p>A lack of evidence to show that the Approved Body is supporting the CPD of Approved Certifiers working for the Approved Body.</p> <p>A lack of evidence to demonstrate that the Approved Body is monitoring the level of CPD being undertaken by its Approved Certifiers</p>	<p>Deficiencies in the level of support being provided by the Approved Body.</p> <p>Any one of the Certifiers failing to undertake CPD which is appropriate to the size and complexity of the projects being certified.</p>
A1.5	<p>Insurance</p> <p>Approved Bodies shall maintain adequate Professional Indemnity Insurance for any project certified by one of their Approved Certifiers of Design and shall provide evidence of cover whenever requested by SER</p>	No evidence that PI insurance is being maintained made available at audit	N/A

Ref	Performance Criteria	Major Non-conformances	Improvement Issues
A1.6	Employment Approved Bodies shall employ at least one Approved Certifier	Absence of evidence to demonstrate that the Approved Body employed an Approved Certifier, at a time when certificates were being countersigned by the Certification Coordinator.	N/A

A2 Obligations of an Approved Body

The Approved Body is required by the Scheme to provide an environment that supports the Certifiers that it employs and must ensure that adequate resources are allocated to the certification role.

Key Factors

Contractual arrangements for the provision of certification services must be made on the basis of appropriate terms and conditions which take account of the risks and liabilities associated with the certification role and provide a reasonable degree of protection to certifiers employed by the Approved Body.

Ref	Performance Criteria	Major Non-conformances	Improvement Issues
A2.1	<p>Protection of Certifiers from Financial Loss (not required for sole practitioners)</p> <p>Approved Bodies shall take a responsible approach to protecting their Approved Certifiers against the consequences of claims arising from certification appointments, for example by maintaining PI insurance that indemnifies employees and former employees in respect of any claims that may be brought against such individuals personally or by indemnifying their Approved Certifiers against any economic consequences of any claims that may be made against them in the course of their certification duties both during and after his or her employment by that firm.</p>	<p>A lack of or insufficient evidence that the Approved Body is taking a responsible approach to protecting their Approved Certifiers against the consequences of claims arising from certification appointments.</p> <p>Failure to make reasonable provision in appointments to prevent clients seeking to recover loss from Certifiers, whether current or former employees.</p>	<p>No evidence that the Approved Body has informed its certifiers of the means by which it is protecting them from the consequences of claims arising from certification appointments.</p>
A2.2	<p>Management of Risk</p> <p>Approved Bodies shall assess the risks associated with an appointment to undertake certification and shall make appointments on contractual terms and conditions that manage the risk.</p>	<p>No evidence that the Approved Body is actively managing contractual risks in appointments that involve certification.</p>	<p>No evidence that the Approved Body has specifically addressed the contractual risks associated with certification in its appointments.</p>

Ref	Performance Criteria	Major Non-conformances	Improvement Issues
A2.3	<p>Management of Certifier Activities</p> <p>Approved Bodies shall monitor the application of SER guidance and procedures by the Approved Certifiers in its employment.</p>	<p>Failure to take any steps to monitor and coordinate Certifiers' activities.</p> <p>Poor performance of Certifiers with any Certifier obtaining a project score of 20 or greater.</p> <p>Failure to demonstrate that adequate time and resource is being allocated to the certification process</p>	<p>Inconsistent performance of Certifiers (as determined by their audit outcome) with any Certifier obtaining a project score of 14 or greater.</p>
A2.4	<p>Management of Post Certification Design Changes</p> <p>Approved Bodies shall have procedures in place to manage post-certification design changes.</p> <p>Approved Bodies shall inform the Client and/or any agent or third party acting on behalf of the Client in writing that any changes to the design reflected on drawings issued by any designer working on the project subsequent to those on which the certificate was based, as noted on the Schedule to the certificate listing the information used for certification, will not be covered by the certificate and may require the submission of an Amendment to Warrant and an amended design certificate.</p> <p>Approved Bodies shall ensure that the Certifier is made aware of any changes to the design that are reflected on drawings issued to the Approved Body by any designer working on the project.</p> <p>The Approved Body shall inform the Client and/or any agent or third-party acting on behalf of the Client in writing of any changes to the design reflected on drawings issued by any designer working on the project subsequent to those on which a certificate was based, as noted on the Schedule to the certificate listing the information used for certification, and</p>	<p>Failure to take reasonable steps to obtain confirmation as to the drawings, etc. that were submitted with the warrant application.</p> <p>Failure to advise the Certifier of any post-certification changes to the certified design.</p> <p>Failure to manage post-certification design changes and, where there have been changes to the structural design, to inform the Client and/or any agent acting on behalf of the Client that there have been post-certification design changes which affect the reliability of the certificate and that an Amendment to Warrant and amended certificate is required.</p> <p>Where the Approved Body is engaged by a third-party, failure to advise that third-party that there have been changes to the structural design and/or to seek confirmation that the third party has informed the Client and/or any agent acting on behalf of the Client that there have been post-certification design changes which affect the reliability of the certificate and that an Amendment to Warrant and amended certificate is required.</p>	<p>Failure to inform the Client and/or any agent acting on behalf of the Client that any design changes reflected on drawings issued subsequent to those on which the certificate was based, as noted on the Schedule to the certificate listing the information used for certification, are not covered by the certificate and may require the submission of an Amendment to Warrant and an amended design certificate.</p> <p>Where the Approved Body is engaged by a third-party, failure to advise that third-party that they must inform the Client and/or any agent acting on behalf of the Client that any design changes reflected on drawings issued subsequent to those on which the certificate was based, as noted on the Schedule to the certificate listing the information used for certification, are not covered by the certificate and may require the submission of an Amendment to Warrant and an amended design certificate.</p>

Ref	Performance Criteria	Major Non-conformances	Improvement Issues
	<p>advise that these will not be covered by the certificate and may require the submission of an Amendment to Warrant and an amended design certificate.</p> <p>Approved Bodies shall ensure that Approved Certifiers in its employment are aware of the recommendations provided in SER Guidance on Managing Post Certification Design Changes.</p>		
A2.5	<p>Maintenance of Records</p> <p>Approved Bodies shall maintain adequate records of projects certified to allow their Approved Certifiers to comply with their obligations under the Building (Scotland) (Procedure) Regulations 2004.</p> <p>Approved Bodies shall present records of projects certified in a manner suitable for audit at such dates and times as may be arranged to allow SER to monitor and assess their activities.</p>	<p>Failure to demonstrate that there are adequate procedures in place for the maintenance of records for projects certified.</p> <p>Failure to present adequate records for audit for any single project.</p>	<p>Records presented for audit are deficient with respect to some minor elements.</p>
A2.6	Withdrawn		
A2.7	<p>Complaints Procedures</p> <p>Approved Bodies shall have procedures in place to ensure that complaints made against the Approved Body and any of its certifiers with respect to certification are handled fairly, consistently, and wherever possible resolved to the complainant's satisfaction.</p> <p>Approved Bodies shall keep records of the particulars of any complaints received and the manner in which such complaints are dealt with</p>	<p>Failure to demonstrate that there are procedures in place to deal with complaints.</p> <p>Lack of evidence to demonstrate that complaints are being handled effectively.</p> <p>Lack of records to demonstrate that complaints received have been dealt with effectively.</p>	<p>Insufficient evidence to demonstrate that complaints are being handled effectively.</p>

Ref	Performance Criteria	Major Non-conformances	Improvement Issues
A2.8	<p>Reporting of non-compliances</p> <p>Approved Bodies shall make a report to SER as soon as they become aware of an alleged failure of any part of a building to meet either of Standards 1.1 or 1.2, where the design of that building was certified by one of its Approved Certifiers.</p> <p>Approved Bodies shall have procedures in place to monitor that, when they become aware of an alleged failure of any part of a building to meet either of Standards 1.1 or 1.2 where the design of that building was certified by one of its Approved Certifiers, SER is informed immediately</p>	Failure to inform SER of an alleged failure of any part of a building to meet either of Standards 1.1 or 1.2	Absence of procedures to monitor that SER is informed of an alleged failure of any part of a building to meet either of Standards 1.1 or 1.2
A2.9	<p>Use of Third Party Designed Details Option</p> <p>Within the constraints of the appropriate use of Schedule 1 as described in guidance published by BSD and SER, the following shall apply:</p> <p>Prior to their Approved Certifier undertaking any certification of the project, Approved Bodies shall agree with the various designers those elements of the building the final design and detailing of which will be carried out by designers working for the contractor or any sub-contractors and that will be included on Schedule 1 to the certificate.</p> <p>Prior to their Approved Certifier undertaking any certification of the project, Approved Bodies shall see that the Client, and/or any agent acting on behalf of the Client, has been informed of those elements that will be included on Schedule 1 to the certificate and of the implications of using Schedule 1.</p>	N/A	<p>Insufficient evidence that the Approved Body agreed with the various designers those elements of the building that were included on Schedule 1 to the certificate, prior to their Approved Certifier undertaking any certification of the project.</p> <p>Insufficient evidence that the Client and/or any agent acting on behalf of the Client was informed, prior to their Approved Certifier undertaking any certification of the project, of those elements that were included on Schedule 1 to the certificate and of the implications of using Schedule 1.</p>