Scheme for Certification of Design (Building Structures)

Monitoring of certification during Covid-19 pandemic: guidance for Approved Certifiers and Approved Bodies

Revision B – May 2021

Aims and objectives

A key requirement of the SER Scheme is the auditing of members. It is through the process of auditing that the activities of Approved Certifiers and Approved Bodies are monitored to see whether or not the legislative and scheme requirements are being met. SER has always conducted its audits face-to-face and maintains that this is beneficial for all involved.

As a result of the measures taken to combat the COVID-19 pandemic, it was agreed with the Scottish Government's Building Standards Division that it was necessary to pause the usual SER Audit Programme. However, in order to be able to monitor certification activities during this time, it has further been agreed with the Building Standards Division that a process of remote monitoring is introduced.

The aim of remote monitoring is not to replicate or replace the process of auditing, but is to gauge whether or not Approved Certifiers are meeting the Scheme requirements during the current circumstances, by reviewing their certification records and where possible some of the project records.

Monitoring will be carried out by means of video and/or telephone calls, with information for review being made available on a cloud-based site such as Dropbox, Google Drive, OneDrive or via a secure shared area on the firm's server. All information relating to projects monitored which may have been downloaded by Monitors in the course of the monitoring will be deleted at the conclusion of that monitoring.

Monitoring is not intended to replace any required audit; however, future audits will be assigned using a risk-based approach which will take into account the outcomes of any monitoring that has been undertaken in the interim. Note that it is also possible that the same projects which have been monitored will be audited.

There will be no charges for monitoring.

Monitoring Initiation

SER may initiate monitoring for Approved Certifiers at any time. The timing will depend on a number of factors, including:

i. The number of certificates produced since the Certifier was last audited or monitored.
ii. The outcome of the Certifiers last audit or monitoring.
iii. Those who have not been audited since they joined the SER Scheme.
iv. Those who are certifying significant stages or amendments for RG3 buildings.
v. Those whose certification practice has been below the expected standard, or for whom SER have become aware of possible poor practice.

However, there may be other reasons for monitoring to be undertaken and it is possible Approved Certifiers will be selected even if they do not fall into these categories.

Approved Bodies will not be monitored directly as they would at an audit, but the Monitors will be looking to see that Approved Certifiers are being sufficiently supported by their Approved Body during this period, including that appropriate checking procedures are still in place and that the Approved Certifier has access to required technical information.

Monitoring outcomes

The possible outcomes of monitoring will be as follows:

- The Approved Certifier appears to be certifying in accordance with the Scheme requirements. No further action is required.

- The Approved Certifier's certification practice appears to be falling short of Scheme requirements. It is recommended that further monitoring should be carried out.

- The Approved Certifier's certification practice still appears to be falling short of Scheme requirements. It is recommended that mentoring and further monitoring should be carried out. *This will be considered in situations where one poor review of certification practice, either by auditing or by monitoring, precedes this review.*

- The Approved Certifier's certification practice still appears to be falling short of Scheme requirements. It is recommended that suspension of membership and mentoring is carried out. *This will be considered in situations where two poor reviews of certification practice, either by auditing or by monitoring, precede this review or in cases where:*
  - *the Certifier has shown a blatant disregard for the legislative and scheme requirements, or*
  - *there is a concern that the Certifier may present a danger to the health and safety of people in and around buildings through poor certification practice.*

- There are concerns regarding support being provided to the Approved Certifier by the Approved Body. This will be raised with the Approved Body, with reference being made to their obligations under the Scheme.

- Termination of membership will be considered where a further review following suspension shows continuing poor certification performance.

Note that if an Approved Certifier does not respond to requests and engage with the monitoring process, the situation will be referred to the SER Board for a decision as to whether they should be allowed to continue certifying. Similarly, if an Approved Body does not respond to concerns regarding the support being provided to their Approved Certifier(s), the situation will be referred to the SER Board for a decision as to whether their Approved Certifiers should be allowed to continue to generate certificates.

Monitoring process

Note that the monitoring process will be taking place outwith the SER database. This means that Approved Certifiers will not need to log into their accounts in order to engage with the process.

1. When monitoring is assigned, SER Admin will contact Approved Certifiers who have been selected to inform them of this and who their Monitors are. SER Admin will also contact the Approved Body at this stage to inform them that their Approved Certifier is to be monitored.

2. If an Approved Certifier is contacted regarding monitoring and are currently furloughed, the monitoring will be cancelled until such time as they resume certifying.

3. The Lead Monitor will select a maximum of three projects to be reviewed. Only projects where certificates have been issued since 24 March 2020 are eligible for selection for monitoring, this being the date that restrictions on movement were imposed. If an Approved Certifier is certifying for more than one Approved Body, only projects certified for a single Approved Body will be selected for monitoring.

4. The Lead Monitor will then contact the Approved Certifier via a phone/video call to discuss arrangements for the monitoring process and to advise what information is to be made available for the initial review.

    4.1. Prior to the call, SER Admin will email the Approved Certifier with details of the projects/certificates to be monitored.

    4.2. During the call, the Approved Certifier will be advised of the potential outcomes as summarised above. For further monitoring sessions, the Approved Certifier will also be advised that if responses are requested, a failure to fully address the matters noted in 19 below is likely to affect the outcome recommendation.

    4.3. The Approved Certifier will then be asked to give a brief summary of each of the projects and to explain if there will be any issues with supplying the requested information.

    4.4. A timescale for the provision of the information will also be agreed.

    4.5. The call will be followed up with an email from the Lead Monitor confirming the information that should be made available and ideally uploaded.

5. Initially, Approved Certifiers are likely to be requested to make available, and ideally upload, as much of the following principal information as possible:

    5.1. Typical architectural and engineering drawings showing the scope of the project – e.g. GA's, plans, elevations etc

    5.2. Scoping document/Certification Plan

    5.3. Any records indicating how compliance with the standards was established

    5.4. A design summary which contains the following[1], if relevant:

        5.4.1. A list of the structural design codes with which it complies

        5.4.2. An explanation of the basis of design so the structural principles may be understood

        5.4.3. Building risk group and a description of the measures taken to guard against disproportionate collapse

        5.4.4. Statement on how lateral stability is achieved

        5.4.5. A summary of the loadings used in the design

        5.4.6. Details of any software used for design

    5.5. Existing building appraisal/summary where appropriate

    5.6. Ground investigation report summary

    5.7. A list of designers and checkers, including the name of the organisation, or individual, who has overall responsibility for the stability of the structure as required by the design codes.

    It is recognised that certification records come in many different forms, so Monitors will be flexible in their requests. However, it will be necessary to provide sufficient information to enable a meaningful review of the process to be completed.

6. The Monitors will review the information made available, and determine which, if any, areas of the designs should be targeted for further examination, particularly any safety critical elements.

    6.1. The Monitors will agree between themselves arrangements for the review process and a timetable for the review. They will keep the Approved Certifier informed of the timetable.

    6.2. Where information requested is not available for review the Monitors will query this with the Approved Certifier to see how certification was undertaken, what records were kept and why the records are not available.

6.3. The Monitors may not monitor all selected projects if, after two projects, there is reasonable confidence that the Approved Certifier is undertaking certification in accordance with the Scheme's requirements.

7. The Monitors will also enquire to see that the Approved Body is supporting the Approved Certifier and that the Approved Certifier has access to required technical information while they are certifying remotely and that checking procedures are being properly implemented.

8. When the initial review is complete, the lead Monitor will liaise directly with the Approved Certifier via a phone/video call to discuss how the Approved Certifier went about the certification process, and clarify requests for further information, where required. For the target areas, report summaries and sample calculations/drawings/details/ specifications should be uploaded.

9. When the additional information has been made available, the Monitors will review as in 5.

10. If the Monitors find errors or omissions that suggest deficiencies in the certification process which may indicate that the requirements of Standards 1.1 and 1.2 are not being met for a project, they will:

    10.1. Note the details

    10.2. Discuss the project and the identified issues with the Approved Certifier to see if they agree and confirm what action the Approved Certifier and the Approved Body will take

    10.3. Raise the issue when the report is discussed with SRB.

11. When review is complete, a final phone or video call will be arranged with the Approved Certifier and both Monitors to go through the findings and agree how any shortfalls will be avoided in the future.

12. Following this call, the Lead Monitor will complete the Monitoring Report and Decision Forms which will be checked by the Second Monitor.

13. The Monitoring Forms are sent to SER Admin to be reviewed by the SRB at their next meeting and an outcome as listed above recommended. The review also ensures that monitoring is being carried out in the same way and to the same standards by all SRB members.

14. The recommendations from the SRB will be sent to the SER Board for confirmation. When the result of the monitoring has been confirmed by SER Board, the Approved Certifier will be sent confirmation of the result of the monitoring, together with a copy of the Monitoring Report Form.

15. Approved Bodies and Approved Certifiers may, after the issue of a monitoring result notification, make representations to the Board of SER concerning any action that has been imposed by the Board of SER as the result of the monitoring or the way in which the monitoring was conducted. Any such representations received will be dealt with via usual SER procedures.

Further monitoring

16. Further monitoring is conducted using the Monitoring process described above until point 12.

17. On completion of the Monitoring Report Form, the Monitors should determine whether the extent and/or severity of any findings merits further response by the Certifier. If the Monitors consider that the findings of the further monitoring are not significant, the recommendation for no further monitoring may be concluded at that stage and the Monitoring Report and Decision forms will be sent to SER Admin for review and confirmation by the SRB and SER Board as in points 13 and 14 above.

18. If the Monitors consider that there are still significant shortfalls in the quality of certification practice since the last review or that the findings are significant, the Certifier will be invited to provide responses to each of the findings raised. The requirement for responses will be discussed at the final phone or video call with the Certifier. The Lead monitor will advise SER Admin of the requirement for responses and the

Certifier will be emailed by SER Admin to confirm what is required. Certifiers will be given 10 working days from the date of the email to provide responses.

19. Responses should demonstrate an understanding of why the various issues were raised and describe what corrective actions will be taken to ensure that they are addressed in any future certification. If responses are not received within the timescale, SER Admin will warn the Certifier of potential suspension and if responses are not received within a further 10 working days (or valid reason for failure to respond given), the Certifier will be temporarily suspended from the Scheme pending receipt of suitable responses.

20. More detailed responses may be requested where:

    20.1. Suspension or withdrawal is considered to be a likely outcome.

    20.2. A clear understanding of the issues raised is apparent in most responses, but a few minor issues would benefit from clarification.

    20.3. Covid-19 restrictions have hampered access to the information which may have affected the Certifier's ability to respond fully.

21. When more detailed responses have been requested, the Lead Monitor should indicate those areas which merit review and resubmission. Certifiers will be emailed by SER Admin to confirm what is required and given a further 5 days in which to provide responses.

22. On receipt of the responses the Monitors will agree the recommended outcome and the completed Monitoring Report and Decision forms will be sent to SER Admin to be reviewed and confirmed by the SRB and SER Board as in points 13 and 14 above.

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[1] This list is adapted from that in the following article: The Institution of Structural Engineers Business Practice and Regulatory Control Committee. 2015. *Guidance on the submission of structural calculations to Building Control.* p35. Vol.93, Issue 2. Accessed at https://www.istructe.org/journal/volumes/volume-93-(2015)/issue-2/professional-guidance-guidance-on-the-submission-o/

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