

Building standards and compliance: how it's done in Scotland

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Building Standards

- Building (Scotland) Act 2003, replaced the 1959 Act
- Building Regulations 2005: commencement of system
- Mandatory Functional Standards
- Technical Handbooks with guidance
- Pre-emptive system, obtain building warrant before commencing work
- Full building warrant for all work, or a staged warrant
- Roles and responsibilities

Building Standards

- Ministerial Working Group on Building and Fire Safety was set up following high-profile building failures
- Two Review Panels: Fire (Safety) and Compliance and Enforcement – set of recommendations



Building Standards

- Is there a problem and what is it
- Roles and responsibilities
- Lack of notification and inspection
- Who is responsible for compliance
- Impact of recession and resource scarcity
- Workforce and career
- If we stop trying to improve then we go backwards
- Without change there is no innovation, creativity or incentive for improvement
- Those who initiate change will have a better opportunity to manage the change that is inevitable

BS Futures Board

- Futures Board: guidance and direction on the development and implementation of the Review Panels recommendations
- Remit: sustainable improvements to and strengthening of the building standards system and increase levels of compliance with building regulations
- Chaired by Craig Hatton, CE of North Ayrshire Council the Board has members from across Industry, Academia, Professional bodies, COSLA and Local Authority Building Standards Scotland

Building Standards Futures Board



- Compliance Plan Approach
- Verification Delivery Model
- Digital Transformation
- Workforce Strategy
- Certification Strategy
- Technical Strategy
- Verification Strategy



Compliance Plan Approach

- Verifiers and applicants to fully understand and deliver on their responsibilities
- Education and training of individuals
- Do their work effectively
- Corporate commitment to change needed
- Common goal of compliance with the building standards should be a requisite of any project.
- Two consultations fully supported a new compliance plan
- CP manager role for high-risk buildings
- Definition of HRBs that would trigger the need to follow the process
- Early engagement with building standards verifiers and a CPM to be appointed by the relevant person
- Enhanced enforcement powers and fines under the building standards system
- Compliance Plan process to housing sites and small projects

Futures Board: Compliance Plan Approach



Working with stakeholders to strengthen the building standards system



Futures Board: Compliance Plan Approach

Defining high risk buildings:

- Domestic building or residential building with any storey at a height of more than 11 metres above the ground
- Educational establishments (schools, colleges and universities), community/sport centres and non-domestic buildings under local authority control/where they have an interest in a building
- Hospitals
- Residential care buildings
- Housing sites (low-rise)

Trialling of the new Compliance Plan and CPM role

- Fife Council are trialling the Compliance Plan and CPM role at the Carnegie Learning Campus project
- Cladding Pilot Projects

Futures Board: Compliance Plan Approach

Next Steps

- Complete research and scope potential for research on Low Rise/ High Volume house building
- Review legislation to enable changes to be made and consideration of timing
- Complete development of the Compliance Plan
- Creation of Enforcement and Compliance Plan Handbooks
- Scope potential for the introduction of an Early Adopters pack

Futures Board: Verification Delivery Model

The **Review Panel on Compliance and Enforcement** concluding that:

whilst the core elements of the current building standards system should be maintained, some reshaping of the system is necessary to ensure that it addresses identified weaknesses

The Verification Delivery Model is one area identified as requiring reshaping:

- Drive efficiencies
- Ensure investment in skills and new technology
- Strengthen compliance
- Increase capacity within the building standards service to deliver across all types of construction work
- Increase consistency
- Provide stronger resilience

Futures Board: Verification Delivery Model



Building Standards Hub Pilot (BSH)

The BSH Pilot was officially launched at the Futures Board meeting on the 15 June 2022 by Patrick Harvie, the Minister for Zero Carbon Buildings, Active Travel and Tenants' rights

Two Hub Directors have been appointed, and a learning and development manager

Support consistency between local authority verifiers

Building standards services and explore the provision and sharing of specialist verification skills in areas such as fire and structural engineering

Futures Board: Verification Delivery Model

Building Standards Hub Pilot – 7 Stage Project Plan

Stage 1: Business Planning for Permanent Hub

Stage 2: Hub Services

Stage 3: Operational Partnerships

Stage 4: Fire Engineering Hub

Stage 5: Structural Engineering Hub

Stage 6: Digital Hub

Stage 7: Knowledge and Learning hub

Futures Board: Workforce Strategy

Why this is important

Verifiers are required as a condition of their Ministerial appointment to maintain adequate resources with the appropriate level of competency to carry out their verification duty

The Building Standards Operating Framework contains this requirement in the key theme of **Integrity and Operational Resilience**



Challenges

The following challenges required a robust response:

- An aging workforce – anticipated losses of **150** skilled professionals from a workforce of around **500** in **5 years** (from 2020)
- Ongoing recruitment and retention difficulties with a lack of young people coming into the profession and limited succession planning
- Geographical location – rural versus urban local authorities competing for resources
- Intensity of development to support economic growth versus scarcity of skilled professionals
- Limited educational pathways to grow talent and upskill the current workforce

Part One – Energy and Environment

Background – Climate Change...

- 2021 Programme for Government: *“We will also review energy standards within current building regulations to deliver further improvement in energy efficiency and emissions reductions in new buildings, helping make homes more affordable to heat and tackling fuel poverty”*
- 1990 to 2015: 75-80% reduction in carbon emissions for new build – but it is now not ‘how far we have gone’ but ‘what more we can now do’

Energy Standards

- Actions which are effective in reducing delivered energy.
- Introduce an energy target for new buildings.
- Fabric first for new homes and option of space heating limit.
- On-site generation of power now excludes exported energy.
- Connection to a heat network focusses on performance of the building.
- Support for planned 2024 'New Build Heat Standard' from 2024.
- More emphasis on commissioning and provision of information.

Set against a broader strategy on how we heat our buildings.

Ventilation

- More assurance that we are delivering effective ventilation in new homes.
- Relevant alignment with the broader UK approach to ventilation standards.
- Hopefully clearer and more useful advice on how to deliver this.
- Initial considerations of the impact of rising temperatures on thermal comfort and effects on health, not just energy efficiency.

With further work on both topics planned shortly.

What comes next...

- Supporting the 2022 standards and identifying options for ‘what comes next’. Work with BE:ST to deliver reports later this autumn on:
 - current knowledge/gaps in the construction sector,
 - consideration of Passivhaus and similar standards,
 - a framework for a compliance plan manual for energy and
 - options for a low energy knowledge hub
- Developing an options paper on reporting of embodied/whole life emissions for new buildings, late this year



Building Standards
