

Proposed Construction Product Competence (CPC) standard



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The problem

Every profession and occupation in the built environment uses or works with construction products

Misuse of construction products can negatively impact the performance of systems – sometimes with potentially dangerous and even fatal consequences

There is no currently consistent way of recognizing **who is or is not competent** to use or work with construction products

Construction products are a lynch pin of the built environment

Shape of the Building Safety Act (171 clauses - it's BIG)

Part 1 – Introduction

Overview of structure, contents, objectives

Part 2 – Regulator and it's functions

Establishes a new Building Safety Regulator and it's powers

Part 3 – Building Act 1984

Amendments to Building Act, sets out provisions for the new regulatory regime during the design and construction phase for buildings in scope, and regulation of building inspectors and building control approvers (formally Approved Inspectors) to improve competence levels

Part 4 – Higher risk buildings

New regimes for occupied buildings in scope including duties on the Accountable Person and resident engagement

Part 5 – Other provisions about safety, standards

Other measures including arrangements for a New Homes Ombudsman, provision about construction products, provisions about Architects' competence, removing democratic filter for complaints from social housing residents. Part 5 also covers limitation periods for the Defective Premises Act.

Part 6 – General

General provisions around commencement, as well as application to the crown estate

Building Safety Regulator

Three main functions:

- Lead the delivery of the new, more stringent regulatory regime for buildings in scope;
- Promote competence for all buildings, including industry and professionals working on buildings, and building control bodies; and
- Provide oversight for the safety and performance of all buildings
- (Interim) Industry Competence Committee – competence of all those contributing to the delivery of ALL buildings

Draft competence regulations

Draft competence regulations issued to support the Building Safety Act

They apply to ALL BUILDING WORK THAT REQUIRES BUILDING REGULATIONS APPROVAL

They do NOT just apply to ‘buildings in scope’

STATUTORY INSTRUMENTS	
[2021 No. xxx]	
BUILDING AND BUILDINGS, ENGLAND	
The Building (Appointment of Persons, Industry Competence and Dutyholders) (England) Regulations [2021]	
<i>Made</i> - - - -	***
<i>Laid before Parliament</i>	***
<i>Coming into force</i> - -	***
The Secretary of State has consulted the regulator and such other persons as the Secretary of State considers appropriate in accordance with section 120B(3) of the Building Act 1984(a).	
The Secretary of State, in exercise of the powers conferred by section 1 of, and paragraphs 1D, 5A, 5B and 5C of Schedule 1 to, the Building Act 1984, makes the following Regulations.	
PART 1	
Preliminary	
Citation, commencement, extent and application	

Draft competence regulations

- Dutyholders must demonstrate a competent workforce
- Competence as skills, knowledge, experience and behavior
- Competent to 'say no'
- Companies must ensure workforce does not go beyond their competence

12.—(1) For the purposes of this Part, “organisational capability” means appropriate management policies, procedures, systems and resources to ensure—

- (a) individuals under the control of the organisation who are carrying out any building work or any design work comply with— (i) regulation [8(1) and (2)] (competence: general requirement), (ii) in case of the principal designer, regulations [8(1) and (2)] and [9(1)]; (iii) in case of the principal contractor, regulations [8(1) and (2)] and [10(1)];

(b) individuals under the control of the organisation who are in training to develop the necessary skills, knowledge, experience and behaviours are appropriately supervised.

(2) For the purposes of this Part the necessary behaviours include— (a) compliance with relevant requirements, including **refusing to carry out**— (i) any building work which is not in compliance with any relevant requirement;

(ii) any design work if the building work to which the design relates cannot be carried out in compliance with all relevant requirements;

(b) cooperation with other persons in relation to the work;

(c) refusing to carry out work which is beyond their skills, knowledge or experience, and asking for the assistance of other persons where necessary.

Key takeaways

- Building Safety Act is the largest piece of legislation applicable to the built environment sector in over 50 years – it's for ALL BUILDINGS
- Penalties now include unlimited fines and prison time
- The new regulations reflect that of the CDM regs, including definitions of designer – which means design includes any choice around construction products
- There is a duty of competence on the entire supply chain
- The HSE is working on the basis that the built environment sector can already demonstrate competence

Timeline of new Building Safety Act



Competence Steering Group (CSG) – Founded May 2018

WG1 – Engineers

WG2 – Installers

WG3 – Fire Engineers

WG4 – Fire Risk Assessors

WG5 – Fire Safety Enforcement Officers

WG6 – Building Standards

WG7 – Building Designers

WG8 – Building Safety Managers

WG9 – Site Supervisors

WG10 – Project Managers

WG11 – Procurement Professionals

WG12 – Construction Product Competence

WG12 Aim

To create a solution that ensures that those interacting with construction products are competent to do so, and can demonstrate their competence to others.

construction product

product, substance or collection thereof that has been manufactured, refined or processed and declared by its manufacturer for an intended end use for temporary and/or permanent inclusion in building or civil engineering works, refurbishment or maintenance

Standards

Built environment – Core criteria for building safety in competence frameworks – Code of practice
 April 2021 Version 3



BSI Flex 8670: v3.0 2021-04

Ministry of Housing, Communities & Local Government

bsi.

PAS 8671:2022
 Built environment – Framework for competence of individual Principal Designers – Specification



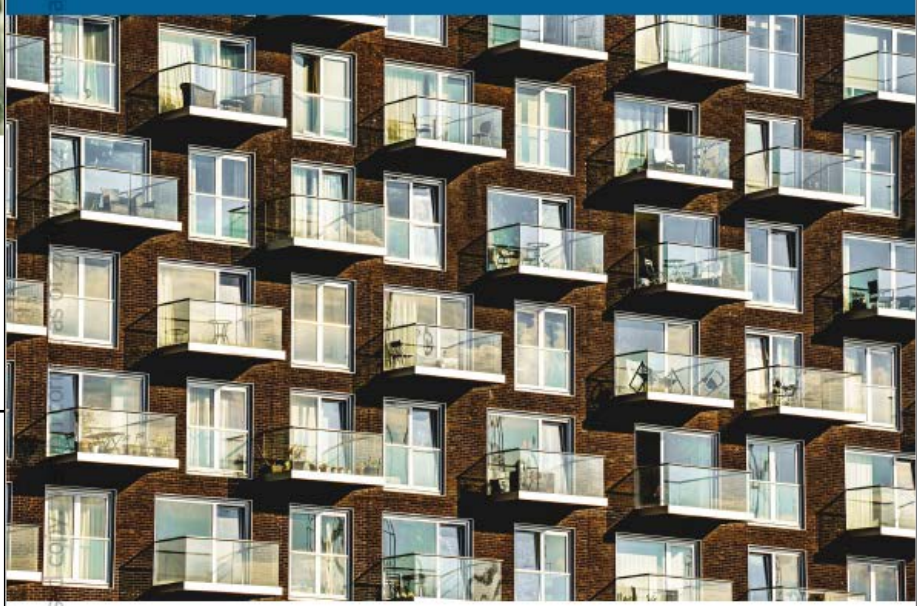
Department for Levelling Up, Housing & Communities

PAS 8672:2022
 Built environment – Framework for competence of individual Principal Contractors – Specification



Department for Levelling Up, Housing & Communities

PAS 8673:2022
 Built environment – Competence requirements for the management of safety in residential buildings – Specification



Department for Levelling Up, Housing & Communities

bsi.

BUILT ENVIRONMENT – PROPOSED CONSTRUCTION PRODUCT COMPETENCE STANDARD
 WHITE PAPER



Competence Steering Group
 Working Group 12:
 Construction Product Competence

cpa | construction products association

White paper - Proposed construction product competence (CPC) standard

- Proposals for an industry agreed standard that covers and the core level criteria that should be achieved, demonstrated and maintained by all individuals making choices concerning construction products
- Proposals for a methodology to define how those core level criteria be applied by industries across the sector.
- How industries and organisations can use these principles to demonstrate their workforce has the appropriate competence to meet their duties, accountabilities and responsibilities with construction products.



The solution

<p>STEP 1 Publish an industry agreed CPC standard</p>	<ul style="list-style-type: none"> • CPC 5 levels of core criteria + methodology • Applicable to everyone using or work with construction products
<p>STEP 2 Commit to CPC principles</p>	<ul style="list-style-type: none"> • Industries and organisations accept that those interacting with construction products must be competent to do so and commit to applying principles of CPC standard
<p>STEP 3 Agree how to demonstrate CPC</p>	<ul style="list-style-type: none"> • Organisations map against training and qualifications and/or industries agree through consensus how to demonstrate by mapping against training and qualifications • Gap analysis
<p>STEP 4 Demonstrate CPC</p>	<ul style="list-style-type: none"> • Organisations ensure that individuals are able to demonstrate CPC • Organisations ensure that individuals work only within the scope of their competence • Verification assessed by employing organisations
<p>STEP 5 Utilise CPC</p>	<ul style="list-style-type: none"> • Clients, employers, duty holders and organisations can require their workforce demonstrate CPC • Regulators can confirm the CPC of a workforce has been verified
<p>STEP 6 Review CPC</p>	<ul style="list-style-type: none"> • Periodic review of the CPC standard • Periodic review of the methods of demonstration in different industries in the built environment • Period review of individuals achieving and demonstrating CPC

STEP 1: create an industry agreed CPC standard

The aim is to create a new standard in the BS 8670 series for all who are working with or using construction products in the entire built environment.

The standard will cover construction products competence (CPC) core level criteria detailing 5 levels of CPC competence and how to apply them.

Who are the CPC core level criteria aimed at?

Those:

- Designing, marketing or selling construction products
- Providing technical support for construction products
- Specifying construction products or designing with construction products
- Procuring construction products
- Handling or installing construction products
- Supervising, inspecting or verifying other functions around construction products
- Exchanging information about construction products
- Owning, maintaining or decommissioning construction products

The Functions – not the Roles

Manufacturer



- Selling
- Specifying
- Information exchanging

Engineer



- Specifying
- Maintaining

Contractor



- Specifying
- Purchasing
- Installing
- Maintaining

What are the Construction Product Competence (CPC) core level criteria?

- The CPC core level criteria set applicable principles, to be mapped against existing and new training and qualifications
- Give clear levels of product competence that are applicable across the built environment sector
- Give the industry the tools to apply and demonstrate the product levels in their industry and for their functions
- A language to be able to communicate their product competence across the sector
- Make clear where an actor has the appropriate competence to carry out a certain function pertaining to products
- Make clear where an actor **does not** have the appropriate competence to carry out a certain function pertaining to products

Construction Product Competence - core levels

Core Level Individual competent to be (example capabilities):

Level E	<ul style="list-style-type: none"> Responsible for performing tasks with and about construction products under supervision Responsible for relaying information about construction products without interpretation
Level D	<ul style="list-style-type: none"> Responsible for proposing a construction product for a direct scope of application Responsible for using a construction product as per direct scope of application or under supervision
Level C	<ul style="list-style-type: none"> Responsible for developing product information for construction products within a direct scope of application Responsible for relaying product information within an extended scope of application
Level B	<ul style="list-style-type: none"> Responsible for developing product information within extended scopes of application that meet client requirements and its project specific application Accountable for the accuracy of product information within a direct scope of application
Level A	<ul style="list-style-type: none"> Accountable for construction product decisions, assessment, selection, change, recommendations and approvals Accountable for product information and its accuracy Accountable for an organisation's construction products rules (e.g. rules relating to design, substitution, product information etc.)
Level U	Ungraded (pre-competence)

What do the CPC core levels cover?

1. Responsibility and accountability
2. Construction product performance and characteristics
3. Regulations, standards and certification
4. Products as part of a built environment system, including substitution / value engineering
5. Installation information
6. Durability, service life and maintenance
7. Warranties and guarantees
8. Storage and handling
9. Competence maintenance

Step 2: Commit to CPC principles

- Commitment will be the recognition that those interacting with construction products must be competent to do so and that organisations understand this requirement.
- Organisations should establish basic rules which can both control the application of CPC
- Organisations pay note to the core level criteria to support the development of processes, particularly around responsibility, accountability and communication.



Step 3: Mapping methods of demonstration

- Industries and organisations need to identify functions and map the appropriate requirements against them
- Create CPC profiles = applicable CPC requirements + specific requirements + how to demonstrate
- Can be mapped against existing and new training and qualifications
- Gap analysis
- This can be done as individual organisations, or industries may want to agree through consensus how it can be demonstrated (e.g. via chartered institutions, trade associations etc)

Examples of CPC profiles

Owner: Guild of Architectural Ironmongers		Version: 0.1 DRAFT		
Topic information				
Covering function(s): Warehouse operating		Function Description: Acting as warehouse operative, such as piking orders, delivering product		
Covering construction products / systems containing construction products: Architectural Ironmongery		Covering specialisms: N/A		
Level: E				
Method of demonstration				
Training	Experience	Qualifications	Competence maintenance / CPD	Other
Training from company on in-house operating system	Trade counter experience	Foundation in hardware (GAI)	In house annual review	N/A
Training from company on in-house operating system	Relevant warehouse experience	Forklift drivers licence	Renewal on exppiry of Forklift licence	N/A
in house training on procedures		Manual handling training	Ongoing Review	N/A

Owner: Guild of Architectural Ironmongers		Version: 0.1 DRAFT		
Topic information				
Covering function(s): Specifying architectural ironmongery		Function Description: Preparation of full and accurate product specification from supplied detail such as door schedule and joinery details.		
Covering construction products / systems containing construction products: Architectural Ironmongery		Covering specialisms: N/A		
Level: B				
Method of demonstration				
Training	Experience	Qualifications	Competence maintenance / CPD	Other
Training from company on in-house operating system	Experience in specification of architectural ironmongery, access control and electric hardware	DipGAI Diploma from Guild of Architectural Ironmongers - essential training for ironmongery specification	RegAI Continuing professional Development - highly recommended by GAI as demonstration of ongoing CPD	N/A
Company in house training on ironmongery scheduling software systems	Experience of working within the architectural ironmongery and/or door industry generally	Foundation in hardware (GAI) - optional	N/A	
Product training from supply chain and manufacturers	Experience of working with main contractors/ joinery sub-contractors/installers	Training in doors such as GAI Diploma in Door Solutions - optional	RegDS Continuing Professional Development - optional	
	Experience in doors and systems	Training in industry standards and regulations such as GAI CertSRA - preferred	CertSRA CPD which will be essential to retain CertSRA post nom	
	Experience of working with quantity surveyors in respect of project budgets	Training in access control such as Diploma in Electric Hardware and Access Control from GAI - optional	RegAC Continuing Professional Development - optional	

		Training in fire doors from Trade Associations such as BWF/BRE/FDIS	Ongoing CPD	
		Training in door automation from associations such as ADSA	Ensuring qualification is kept up to date at renewal	

Step 4: Demonstration

- Once the method of demonstration is described, organisations can work for individuals in their workforce to achieve their CPC.
- Organisations should ensure that their employees do not work outside the scope of their competence.
- Verification can be self assessed by organisations, but the method of demonstration may be interrogated by employers, clients and regulators.
- Organisations can then clearly communicate the competence of their work force in a transparent and clear way throughout the supply chain.



Step 5: Utilisation

- Clients and employers can require that their supply chain should demonstrate construction product competence (CPC) and reference the standard in part of their contract requirements
- Duty holders can use the CPC core level criteria to demonstrate the competence of their work force
- Contractors (be that designers, constructors, maintainers or other) can use it qualify the competence of their supply chain
- Manufacturers can use it to demonstrate their competence for CCPI accreditation and may require CPC be demonstrated to honour terms of warranties and guarantees
- Insurers may use CPC to appropriately assess the risk of an organisation
- Regulators can use it to assess that the competence of a workforce has been verified

Step 6: Review

The whole process will need to undergo including:

- Periodic review of the CPC core level criteria standard
- Periodic review of the methods of demonstration in different industries in the built environment
- Periodic review of individuals achieving and demonstrating CPC



What do we need from you?

1. Recognize the importance of construction products competence
2. Read the white paper, share it, discuss it:
<https://www.constructionproducts.org.uk/publications/technical-and-regulatory/built-environment-proposed-construction-product-competence-standard-white-paper/>
3. Trial it, test it! What is working what is not?
4. Add your support for a standard, be ready to contribute to a public consultation



Thank You

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www.constructionproducts.org.uk