

Building Control Joint Service Committee

Report Date: 12.04.2024

Report By: Building Control Manager

Introduction

The purpose of this report is to update members regarding the progress of the Partnership and contains no recommendations.

Report

Since the last Joint Committee Meeting the Activity Reports have been updated to include figures for Q4 2023/24.

The data from 2022/23 below has been included to provide a comparison and help demonstrate the current trend for the figures for 2023/24 on the following page.

Key Performance Indicators 2022/2023

KPI	KPI	Q1	Q2	Q3	Q4
Building Regulation Full Plan applications determined in 2 months	95%	100%	95%	96%	94%
Building Regulation Applications examined within 3 weeks	95%	81%	85%	79%	88%
Average time to first response (Days)	10	12	16	16	18
Market Share - Number of applications %	75%	75%	76%	72%	70%
Market Share - New Housing Completions %	40%	39%	40%	83%	40%
Financial Position	Breakeven	-	-180,157	-104,379	-68,843
Number of applications received	N/A	424	251	225	247

Key Performance Indicators 2023/2024

KPI	KPI	Q1	Q2	Q3	Q4
Building Regulation Full Plan applications determined in 2 months	95%	94%	98%	98%	98%
Building Regulation Applications examined within 3 weeks	95%	75%	93%	85%	83%
Average time to first response (Days)	10	19	18	17	17
Market Share - Number of applications %	75%	72%	70%	80%	75%
Market Share - New Housing Completions %	40%	49%	16%	34%	18%
Financial Position	Breakeven	-66,396	-53,520	-91, 927	TBA
Number of applications received	N/A	253	245	275	262

The table above shows performance in relation to decisions within two months at 98% (target 95%), plan examination response times with applications being examined within 3 weeks at 83% (target 95%) and average time to first response 17 days (target 10 days).

The service continues to be supported by Mid Devon Planning Technical Team and without this support with processing applications performance would be significantly worse.

Improvement in the three week and time to first response KPIs remain our long term target but the significant additional workload being created implementing and undertaking the administration of the Building Safety Regulator regime changes mean that any improvement in our processing times are unlikely and it is anticipated performance in relation to these targets is likely to drop rather than improve in the following two quarters.

Our share of completions in the Housing Market is low at 18% and this reflects the decreased activity we have experienced in submitted new housing applications in the past two years.

It is also a reflection on the rate of development slowing on sites that the Partnership is overseeing. Developers have been scaling back building operations as they have been unable to sell completed houses in the recent economic conditions.

At the last Joint Committee, general Market Share was reported for Q3 2023/24 at 80%.

For Q4, Market Share has settled back and sits on target at 75% which gives the Partnership an average of 74% Market Share for the financial year.

It was reported at the last Committee Meeting, total application numbers were at a lower level than the total number of applications received at the same point in previous years, but having reviewed the end of year figures, applications numbers for 2023-24 appear to have recovered in the final quarter and are on a par with 2019-20; 2020-21; and an improvement on 2022-23 figures.

Total Application Numbers Comparison End of Q4

<u>Year</u>	<u>Applications Received</u>
2023/24	1303
2022/23	1149
2021/22	1358
2020/21	1303
2019/20	1306
2018/19	1353

It has also been apparent that among the applications being submitted since the New Year there has been an increase in larger domestic projects, more commercial work and increased activity in the new build housing sector. In the housing sector, the Partnership has seen two medium sized housing developments get under way in Braunton and Chivenor.

New housing development, commercial activity and more complex domestic work are all encouraging indicators that the sector is showing signs of increased confidence.

While Finance will provide the overall picture of the financial position, it's clearly evident income has been stronger and more consistent in the final quarter of the year.

As the figures below indicate the subtle changes in activity have been reflected in the level of income received in January, February and March.

Income Figures Q4

January	£50,937
February	£49,651
March	£49,651

Resources

The Partnership is continuing with its recruitment and re-building process.

Since the last Committee Meeting the vacant Trainee and Building Control Inspector posts have been advertised and candidates have been interviewed and selected.

The Partnership received 42 applications for the trainee position, with 15 of the candidates applying meeting the minimum criteria for the job and personal specification.

The successful Trainee candidate will be starting with us on 15th April and will register with the Building Safety Regulator as a Class 1 Inspector.

The Partnership will be applying for Levy funding for our new recruit to attend a distance learning Building Control Surveying Degree at Wolverhampton University with a view to them enrolling on the September 2024 intake.

The new recruit will only be allowed to perform restricted functions of plan examination and site inspection under supervision until they are able to demonstrate their competence through a validation scheme and register as a Class 2 Surveyor with the BSR.

The new recruit will spend three days a week with Technical Support learning our processes and systems. Once trained this will also provide some much needed support to the Technical Team in the short to medium term, particularly on the days when the part-time Technical Support Team members are not working.

With regard to the advertised vacant Building Control Inspector's position, the Partnership received just two applications and after shortlisting, interviewed only one.

At the time of writing this report the Partnership has verbally offered the interviewed candidate the role.

The candidate has Private Sector surveying experience and is also experienced in submitting building regulation applications for a local architects practice and has an appropriate Building Surveying Honours Degree.

Assuming references clear and the candidate accepts the offer, like the new trainee, the Building Inspector (due to the new Building Safety Regulator regime rules), will be required to register as a Class 1 Inspector and will only be able to perform restricted functions of plan examination and site inspection under supervision until they are able to demonstrate their competence through the validation process and then registering as a Class 2 Inspector.

Assuming the applicant accepts the offer of employment this will leave the Partnership with just one senior vacant post in the Mid Devon Team.

With the challenges we have experienced recruiting to the senior vacant positions it is unlikely we will be able to attract a Registered Senior Inspector.

Given the shortage of available Registered Building Inspectors, consideration is being given with regard to possible further internal promotions or career grade posts being explored with Mid Devon HR. If this proves acceptable the Partnership may then consider backfilling the vacant post with a more junior position with either a mature industry candidate with transferable skills or another trainee given the recent success in attracting so many candidates meeting the minimum criteria for the recently appointed trainee position.

The Partnership is currently still reliant on a sole agency Surveyor to provide support to the Mid Devon area which has approval until the end of Q1 2024/25

This temporary provision is in part to cover for an impending Hip Operation for the Mid Devon Principal.

Market Supplements for Mid Devon staff will stop at the end of June 2024 but may continue for the North Devon Inspectors.

The Partnership is undertaking a re-evaluation process with new BSR regime Job Descriptions and Personal Specification with a view to closing the 10% gap for the Mid Devon Staff.

Recent research shows the Partnership's salaries would be in the bottom quartile when compared to the other South West Authorities. If the Partnership is unable to find a way to replace the 10% Market Supplement for Mid Devon staff, clearly this will leave the Partnership vulnerable to future departures.

Internal Audit

Since the last meeting, the Partnership has now received the final report from the internal audit team. The report found the Service to be compliant and recognised the significant effort made by the remaining team to maintain a service through an extremely challenging period.

The Audit Team made a number of recommendations, these include; to reinstate the marketing strategy to write to successful planning application applicants to offer advice and a bespoke quotation; to reinstate the Completion Survey via Survey Monkey; to review the Partnership Agreement; reduce reliance on Agency Staff; and increase the resilience of Technical Support Team.

Building Control Charges

New Building Control Charges were introduced and applied from 1st April 2024.

Charges were increased from the 2023-24 rate by 6.7% across the board.

Building Safety Regulator Hourly Rate

Applications for in-scope building work, which applies to buildings that contain two or more residential units with a floor height above 18m; or a Care Home or Hospital with a floor height of over 18 metres must now be submitted through the Building Safety Regulator.

From 6th April 2024, Class 3 Registered Inspectors maybe required by the Building Safety Regulator to become part of a multi-disciplined team to check in-scope buildings and where required to do so the employing Local Authority will be able to recover costs based on an hourly rate.

The Partnership has recently reviewed its BSR hourly rate and this has now been submitted to them and for this financial year will be set at £83.52 an hour.

Validation Process & BSR Registration

The Partnership's Inspectors were all registered as Class 1 Inspectors prior to the original 6th April Building Safety Regulator deadline.

All the Partnership Inspectors have taken the appropriate exams for their stage one assessed validation competence and to date we have received five out of six results, which are as follows;

One Class 3 (Specialist) and Class 4 (Technical Manager) Pass
One Class 2 (General) Pass
Three Class 2 (Domestic) Passes

With one result pending for a further Class 2 (General).

The Inspectors are now in the process of updating their registration details with the BSR to change from Class 1 to their proven Class.

The Partnership does remain vulnerable at audit, due to the loss of significant numbers two years ago, as we have not yet fully recovered from that situation and are still not fully staffed.

However, in comparison to other authorities the Partnership does have significant numbers of suitability qualified and Registered Building Inspectors to manage the work profile within its catchment area.

Training Logs and Plans

Now the Partnership's Inspectors have largely received their validation results their individual action plans and training plans will require updating.

In the intervening three years until the next registration cycle in 2028, individuals will be required to maintain a portfolio of work relevant to their Class and anticipate an audit from the BSR annually.

Individuals will need to maintain CPD logs recording topics that are relevant to their Registered Class for annual scrutiny by the BSR.

The Building Control Manager has now received the results of the Level 6 qualification in Public Service Building Control Management and achieved a Merit.

The Mid Devon Building Inspector is still working through the Level 6 Legislative Compliance qualification and the result should be known by the second quarter Joint Committee Meeting.

The Uniform Systems Administrator courses for the Technical Support Team Leader were delayed by IDOX. These courses are now in progress and will be completed by 19th April 2024.

Building Safety Regulator Registration Deadline Delayed

While the Partnership has been successful in being able to validate five out of six Inspectors with one result pending, the picture across the industry is not so positive.

The validation bodies have been overwhelmed by the volume and submissions from Building Inspectors and there are reports that many professionals have not engaged with the Registration process at all.

As a result, just days before the 6th April Deadline the BSR announced a delay to the Registration deadline with transitional arrangements being introduced. The new deadline date for Registration is 6th July 2024.

Upgrade to Uniform BSR Module

It has been frustrating the Partnership did not receive the IDOX BSR Module upgrade until the third week in March leaving precious time to make the required changes to our back office systems to be ready for the 6th April Deadline.

While the required changes have been communicated to the team, with such little time to prepare, it is inevitable data will not be recorded as consistently and as accurately as it could have been with a longer lead-in time for the team to become familiar with what is required.

The last minute changes made have included a further amendment to the Partnerships application form to capture construction type and re-submissions.

The changes to Uniform and the BSR Module allow the Partnership to now enter Duty Holder information and building height which we have been recording to DMS since the 1st October 2023, under the phase one changes introduced.

The most recent changes to the back office processes are significant and the Partnership has created and distributed guidance notes to both the Technical Support Team and the Building Inspectors to assist with them with entering data at the appropriate time and in the correct place.

Guidance has been issued for the following Uniform processes;

- Validation
- Plan Examination
- Decisions
- Inspections
- Completions
- Enforcement
- Complaints
- Initial Notice Processing

Performance Standard Reporting

Despite extending the Registration deadline for Inspectors the BSR has not announced a delay in the requirement for Building Control Bodies to submit the required new KPI data at the end of Q1 for 2024/25.

The BSR are also currently advising, shared services will be required to submit data individually for each of the Partnership authorities, in the same way authorities are required to do so for P2 Housing returns.

It has been formally reported to Members by the LABC that the BSR does not yet have a reporting system in place and that they are unlikely to have it ready in time for the end of June 2024.

However, as it stands, the BSR still expect Building Control Bodies to capture and submit the new KPI data in early July.

There is currently no in-house service or authority wide expertise to provide the required reports to submit this data.

The Technical Support Team leader is in the process of completing the Uniform Administrator and Microsoft Access training but it is not anticipated that knowledge gained from this training will be sufficient to complete the report writing requirements without the further support or a consultant.

Having approached IDOX, the Partnership has been advised that while they have given the BSR an undertaking to prepare reports, IDOX have not yet written them themselves to enable authorities to report on the new information now being captured.

The Partnership has requested and is waiting on a quotation from IDOX to produce these reports in a consulting capacity.

Until an automated reporting system is in place the Partnership staff will manually record the data required to spreadsheets so that it is in a position to submit information at the end of June assuming the deadline is not extended.

The data capture requirements are significant and will require all team members to spend a significant amount of time recording the new information to Uniform and to spreadsheets for the time being.

As a result, the team will require up to an additional five hours a week per employee to capture this data. Therefore additional hours have been agreed in the form of overtime until an automated system is in place or confirmation the data capture deadline has been delayed.

Spreadsheets have been created for the individual authorities, for staff to record data as they process with various activities being captured at the following stages of Partnership processing;

- Validation
- Plan Examination
- Decisions
- Inspections
- Completions
- Enforcement
- Complaints
- Initial Notice Processing

LABC ISO Framework

LABC released the changes to the ISO Quality Framework System on the 5th April to bring this accreditation in line with the BSR regime.

The Partnership will need to review and re-engage with this platform, make any further appropriate adjustments to our back office systems and then operate in accordance with those confirmed changes.

Partnership Priorities

The Partnership needs to remain competitive in the employment market to ensure recruitment and retention and have sufficient staff to be ready for the market upturn.

Support Inspectors in continuing to train and maintain Registered Class. Ensure employees have sufficient time for training, CPD and staff development

Implement an automated KPI reporting system.

Continue to adapt the office procedures for the changes the New Operational Standards bring.

To maintain, monitor and audit our Quality Management System.

Review of the facilities at Woodlands is to be considered, given our increased agile working since the pandemic, and may provide a 10K annual saving if we no longer operate from this base.

Consider a more permanent hybrid working system and hot desk arrangements for both the Surveying and Technical Support Team.

Develop a more agile and pro-active relationship that enables the Partnership to respond to change.