

## Building Control Joint Service Committee

Report Date: 11.7.2024

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 Q1 2024/25.

The data from 2023/24 below has been included to provide a comparison and help demonstrate the current trend for the figures for 2024/25 on the following page.

### 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	-52,007
Number of applications received	N/A	253	245	275	262

## Key Performance Indicators 2024/2025

KPI	KPI	Q1	Q2	Q3	Q4
Building Regulation Full Plan applications determined in 2 months	95%	94%			
Building Regulation Applications examined within 3 weeks	95%	87%			
Average time to first response (Days)	10	18			
Market Share - Number of applications %	75%	81%			
Market Share - New Housing Completions %	40%	26%			
Financial Position	Breakeven	TBA			
Number of applications received	N/A	368			

The table above shows performance in relation to decisions within two months at 94% (target 95%), plan examination response times with applications being examined within 3 weeks at 87% (target 95%) and average time to first response 18 days (target 10 days).

Set against the backdrop of a spike in the application numbers experienced in the quarter, 368 and increased income of £67K for Q1, the response figures are showing the team are working hard to maintain the level of performance being recorded when compared to the application numbers for Q1 in the previous year measured at 253 applications.

The service is no longer being supported by Mid Devon Planning Technical Team.

The transition of the application processing workload to our Technical Support Team is now complete. This transition has been very smooth and has not adversely impacted the response figures, especially when accounting for the increased activity in the first quarter 2024/25.

Improvement in the three week and time to first response KPIs continues to be our long term aim. 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 in the near future without additional resource being considered.

Our share of completions in the Housing Market remains low at 26%.

Whilst this is showing a slight improvement on the figure for Q4, 2023/24, which was measured at 18%, it has been evident in the past few months that some developers are choosing the private sector over ourselves for housing developments.

In doing so, developers take advantage of the savings they can make by instructing a Registered Approver, who also has the ability to provide a 10 year warranty for the property. A service LABC Building Control providers cannot provide independently.

Despite this, the Partnership has had some further recent success in winning the Post Hill development in Mid Devon, which is a Housing Development for 70 new residential units and the application has now been received and plan checked.

At the last Joint Committee meeting, general Market Share was reported for Q4 2023/24 at 75%.

For Q1, 2024-25 Market Share has been measured at 81% and slightly above target, compared to the same period in 2023/24 where it was measured at 72%.

While Finance will provide the overall picture of the financial position, it is evident income has improved in the first quarter of 2024/5 but still below forecasted levels and this continues to reflect the position of the economic conditions.

As a result our expectation and forecasted income has to reflect this situation.

As the figures below indicate there is still inconsistency in the market and much uncertainty as to where market confidence sits.

### **Total Income Figures Q1 2024/5**

April 56,878.59

May 38,114.35

June 67,176.29

## Resources

The Partnership is continuing with its re-building process.

Attached, in the appendices, is a copy of our current Organisational Chart and also a snap shot of the position in late 2022.

These have been included, firstly, to illustrate the challenges the Partnership has faced and to graphical represent the progress the team has made in its re-building and success in registering competence with the BSR.

Secondly, these charts have been included to remind the Partnership it must be mindful of the competitive nature of the recruitment market for building control and to ensure it protects its resources to enable it to continue to operate under the new BSR Regime.

With our reserve significantly reduced or spent during the recovery period from the last exodus of staff in 2022, the Partnership must be mindful that it may not be able to recover a re-occurrence of a similar scenario and that such a situation is also likely to invite sanctions from the BSR.

The Partnership continues to be at significant risk of losing Registered Inspectors to adjoining Authorities and the Private Sector as it struggles to keep pace with the market rate for its registered staff.

There are reports across the country of Building Control sections being left without staff as a result of Inspectors moving on for improved terms and conditions.

Market Supplements for Mid Devon Building Inspecting staff have come to an end now but continue for North Devon counterparts.

This has created a significant difference in terms and conditions between employees on each side of the Partnership and also placed Mid Devon in the bottom two in regard to terms and conditions in the South West region.

The Partnership has undertaken a re-evaluation process for the Senior and Building Inspector roles with new BSR regime Job Descriptions and Personal Specification for Mid Devon with a view to closing the 10% gap for the Mid Devon Staff.

This approach has resulted in the gap being closed for the current Mid Devon Building Inspector, but does not address the issue with the vacant senior post or the Building Control Managers position.

Having staff on difference terms and conditions while undertaking the same role remains a significant challenge for the Partnership and a legacy from its formation.

Removing the Market Supplements without alternative financial redress to the remaining impacted positions is real terms a pay cut.

This is at a time when responsibility and demand for Registered Inspectors has increased dramatically and other Local Authority providers are offering improved terms and or maintaining protection schemes to keep registered staff and attract new where they are needed.

The Building Control Recruitment Market is extremely competitive at the moment and all our Registered Inspectors are receiving offers of employment on a daily basis and without suitable protection in place to match the market rate the Partnership is once again vulnerable to departures.

With regard to our rebuild, at the last Joint Committee it was reported we had recruited to our Trainee position.

Our recently recruited Trainee is now supporting our Technical Support Team two days a weeks and shadowing the Inspecting teams three days a week.

Our Trainee is also undertaking project work set by the Principal Inspectors with topics to prepare him for his University Degree in Building Control Surveying which is due to commence in September.

Our Trainee has submitted his application for the Levy funded degree with the assistance of North Devon HR and we are awaiting confirmation of his place.

At the time of the last Joint Committee our vacant North Devon Building Inspector position was under offer.

Our successful candidate accepted our offer and has settled in very well.

He is currently shadowing the North Devon Inspectors with a view to working his own patch under supervision from the 1<sup>st</sup> August 2024. He has also just secured and started a Level 4 Diploma in Building Control, which is a 9 month course, 1 day a week with continual assessment and exams.

This qualification will provide an excellent platform for our latest recruit to build his knowledge and prove his competence with a view to applying to become a Class 2A Inspector and work without supervision in 12 months' time.

As a result of introducing our latest recruit to his own patch under supervision at the end of July, the Partnership will end its reliance on agency provision, as our sole agency Inspector's contract will not be renewed at the end of the month.

The Mid Devon Principal who had Hip surgery has recovered well and is back to full duties including site inspections, which also provides further comfort to us in deciding not to renew the agency's surveyors contract.

Due to the supervision requirements, increased training and regime changes the Partnership resource levels remain at a critically low level and it will need the vacant senior position to be filled once a decision has been taken how this post is best advertised and where it fits within the structure.

## **Internal Audit Recommendations**

The Audit Team made a number of recommendations, these include; to re-instate 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.

The following recommendations have now been implemented.

- to re-instate the marketing strategy to write to successful planning application applicants to offer advice and a bespoke quotation
- to re-instate the Completion Survey via Survey Monkey
- reduce reliance on Agency Staff
- Increase the resilience of Technical Support Team.

With just the Partnership agreement to be reviewed in the future.

## **Validation Process & BSR Registration**

At the time of the last Joint Committee it was reported the Partnership was waiting on a result for one of the Senior Inspectors for their Class 2B-F status. This result has now been confirmed and we now have all the results and all those who have sat exams have been successful in registration with the Building Safety Regulator.

Our two latest Inspector recruits are also registered now and this will enable them to perform restricted functions under the supervision of an appropriately registered surveyor.

As a result the Partnership currently has the following Registered Inspectors:

One Class 3 A-H (Specialist) and Class 4 (Technical Manager)  
Two Class 2B-F (General)  
Three Class 2A (Domestic)  
Two Class 1 (Trainee)

With the departure of the Agency Surveyor the Partnership will be losing the benefit of having a further Class 2B-F Inspector.

As confirmed at the last Committee meeting the Partnership may 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.

## **Training Logs and Plans**

As reported previously the BSR will require individuals to have training plans and CPD logs.

Since the last meeting the following training has either been completed or put in place.

The Uniform Systems Administrator course for the Technical Support Team Leader have now been completed.

The Mid Devon Building Inspector has now completed his Level 6 Legislative Compliance Course and obtained a Distinction.

The same Inspector is awaiting confirmation from the BSR on his upgraded class as he has achieved Level 2B Inspecting status with Total Training, which is an alternative validation process to the one provided by the LABC through the BSCF.

The Technical Support Team Leader is about to commence the LABC, Level 3 Technical Support Officer qualification.

The recently recruited North Devon Inspector has just started his Level 4 Diploma in Building Control.

The Mid Devon Principal Inspector will commence the Level 5 Diploma in Building Control in September 2024.

The Trainee Building Control Inspector will commence his Levy funded Building Control Surveying Degree in September 2024, assuming his application is accepted.

As reported previously, individuals will need to maintain CPD logs, recording topics that are relevant to their Registered Class for annual scrutiny by the BSR.

The LABC have recently advised they will be providing a programme to assist and manage this requirement for a charge of £135 an Inspector.

Once the details of this scheme are released the Partnership will review them with the intention of signing up to this recognised route to ensuring CPD is appropriate.

## **Building Safety Regulator Registration Deadline Further Extended**

At the last Committee meeting it was reported that the Deadline for Registering with the Regulator had been extended from 6<sup>th</sup> April to the 6<sup>th</sup> July 2024.

The Partnership has been successful in being able to validate all six of its Class 2 or better employees before the deadline, so this will not have an impact on those that have already sat the exams.

This week the regulator has announced a further extension of time for Class 1 Inspectors, who have not yet received the results from the validation process, to allow them to continue to work at the level they have sat exams for until they receive their results.

This extension of time will not impact the Partnership, as our two newest recruits are at the beginning of their journey to validation and are some way from being in a position to sit the validation exams.

## **Building Safety Levy**

The Building Safety Levy is being introduced to raise funds to pay for unsafe buildings.

Developers will be expected to pay a levy on new residential buildings meaning they, rather than leaseholders will pay to fix unsafe buildings.

Work to implement the Building Safety Levy has been halted due to the General Election.

It is anticipated this work will begin again shortly, with further consultation and engagement with Building Control Bodies recommencing soon with collection starting in 2025.

It is the intention that LABC Building Control bodies will be responsible for collecting and recording data in relation to the Levy on receipt of Building Regulation application or Initial Notice submission. With returns being submitted to a central fund on a quarterly basis.

## **Performance Standard Reporting**

The BSR Operational Standards require Building Control Bodies to capture and report data on a range of activities on a quarterly and annual basis from April 2024.

As reported at the last Committee meeting the Partnership does not have in-house capability to produce the required Access and IDOX uniform reports to extract the data from the uniform system.



IDOX have yet to produce a suite of reports to make available to Uniform users as they are waiting on the BSR to confirm the current reports are the finalised set required.

Since the 6<sup>th</sup> April the Partnership has been capturing this data manually using spreadsheets as we process, plan check, inspect and complete work.

This process is labour intensive and resource heavy and requires every team member to record actions as they occur.

Since the last Committee meeting the Partnership has sort a quotation from IDOX to write a set of reports to cover the current BSR reporting requirement.

The quotation returned was £19K and did not include any on-going support. At the time of writing the Partnership does not intend to action this instruction for IDOX to write the reports.

With the 1<sup>st</sup> Quarter now completed, industry has been expecting the BSR to introduce a reporting system so that Building Control Bodies can submit data.

LABC have also advised they anticipate the BSR KPIs being revised before being released as the current published KPI's are open to interpretation and may lead to a wide variety of meaningless data being submitted.

At the time of writing, there has been no official information released by the BSR in relation to the required KPI data submission requirements.

The LABC have also reported this week that they do not anticipate the BSR KPI reporting system to be formally in place until early 2025 with Building Control Bodies being expected to submit data at the end of Q4 2024/25.

LABC also indicated this week that they had failed in their efforts to persuade the BSR to permit Shared Services to submit data jointly and that the Partnership will be expected to submit data individually for North and Mid Devon.

While the automated system is not ready and the KPI's do not appear to be finalised, it is anticipated the BSR will be writing to Building Control Bodies in the coming weeks, with a blank spreadsheet attached for the Partnership to return data to them on a quarterly basis for each authority individually.

It is anticipated these manual captures will require the Partnership to submit data for each authority under the following headings;

- Are you a Shared Service, if so who with
- Number of Registered Inspectors employed and their registration number and Class
- Supervision Policy

- Inspection Report Policy
- Number of Agency Staff
- Number of Unregistered Inspectors
- Vacant positions
- Number of Tech Support
- The KPI information from the current draft KPIS - number of applications etc.
- ISO Status

The Team have made the published changes to working practices within the constraints of the IDOX platform and have been manually recording data to submit to the BSR on performance.

There remains question marks with regard to the intent of the BSR in relation to some the changes and there are conflicts between the Operational Standards and the current published Performance Standards.

In this regard, the three main areas of concern relate to Supervision; Inspection Reports for clients and Enforcement

The Partnership has produced a policy for Supervision and Inspection Reports, which we will be able to provide to the BSR if requested, but it remains to be seen if this is sufficient and in line with their expectations.

With regard to the new Enforcement Powers, the Partnerships has yet to test these.

While we do have a number of cases with legal, awaiting their input, until further training is released by the providers in this regard, it will be sometime before staff have the confidence to engage the new enforcement processes with any confidence.

Given the lack of communication being published by the BSR it is unlikely the Partnership will know if have complied with the required standards until we have been audited or received feedback from other audits in the future.

With a view to protecting itself the Partnership has kept in touch with the South West LABC group and discussed main of these issues with a view to seeking a harmonised view where it's possible but as different team operate different software systems it is not always possible to work in the same way as our South West colleagues.

## **LABC ISO Framework**

As reported previously the LABC released the changes to the ISO Quality Framework System on the 5<sup>th</sup> April to bring this accreditation in line with the BSR regime.

The Partnership is currently reviewing the significant layers of documentation released on and since the 5<sup>th</sup> April and reviewing current procedures and policies to match the new ISO process maps.

It is anticipated the BSR will seek information in relation to our ISO Accreditation. So to ensure the Partnership makes the correct declaration to the BSR, we have written to the LABC seeking clarification with regard to our status, given our inability to internally audit our ISO prior to the changes since 2022.

Whilst we have been working within the framework in this period we have been unable to internally audit due to our resourcing frailties.

Once we have reviewed the processes and re-written policy and guidance we will appoint an Internal Audit Team to recommence the audit process.

## **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.

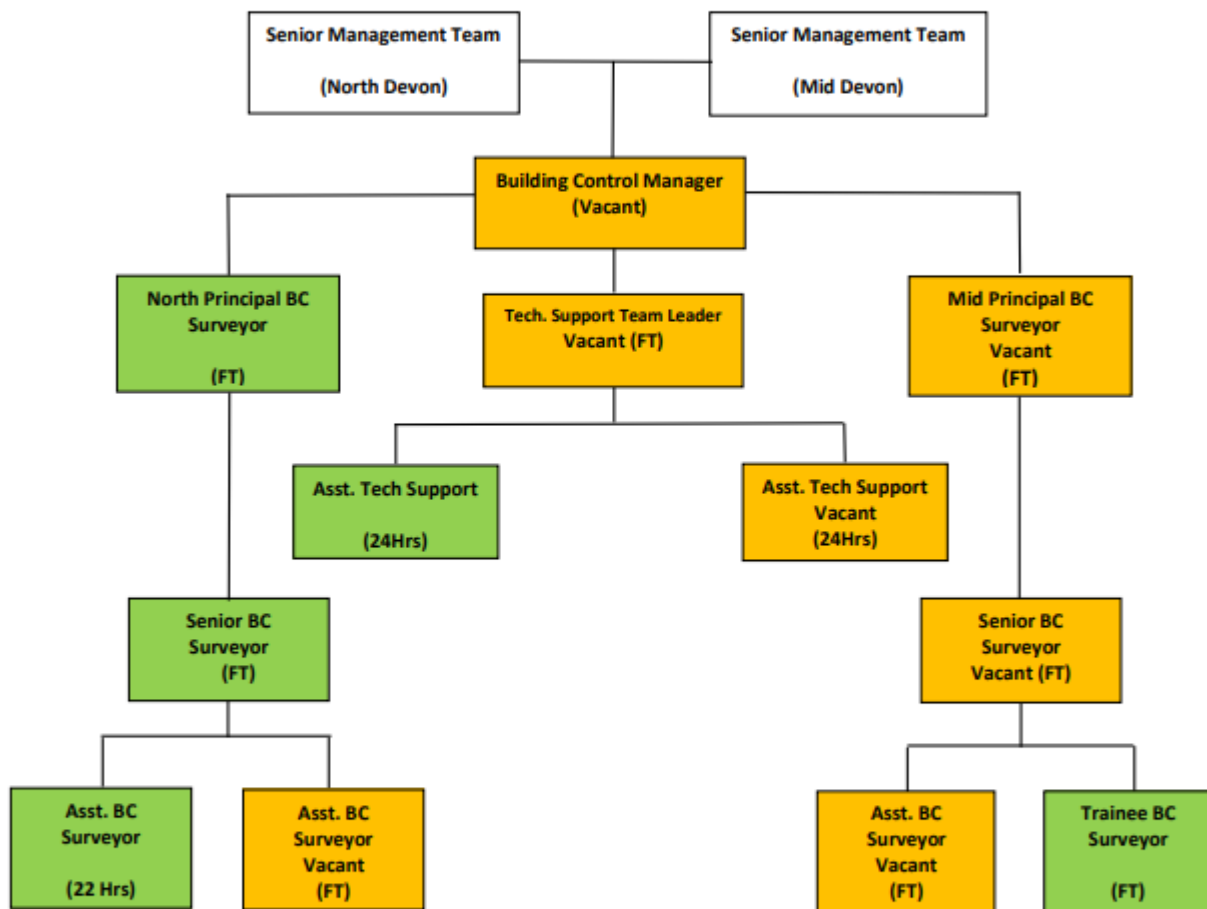
Review of the facilities at Woodlands is to be considered, given our increased agile working since the pandemic, and may provide a 10K annual saving if we no longer operate from this base.

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.

Appendix 1 Organisational Chart – Winter 2022

## NMD Building Control Organisational Chart Winter 2022



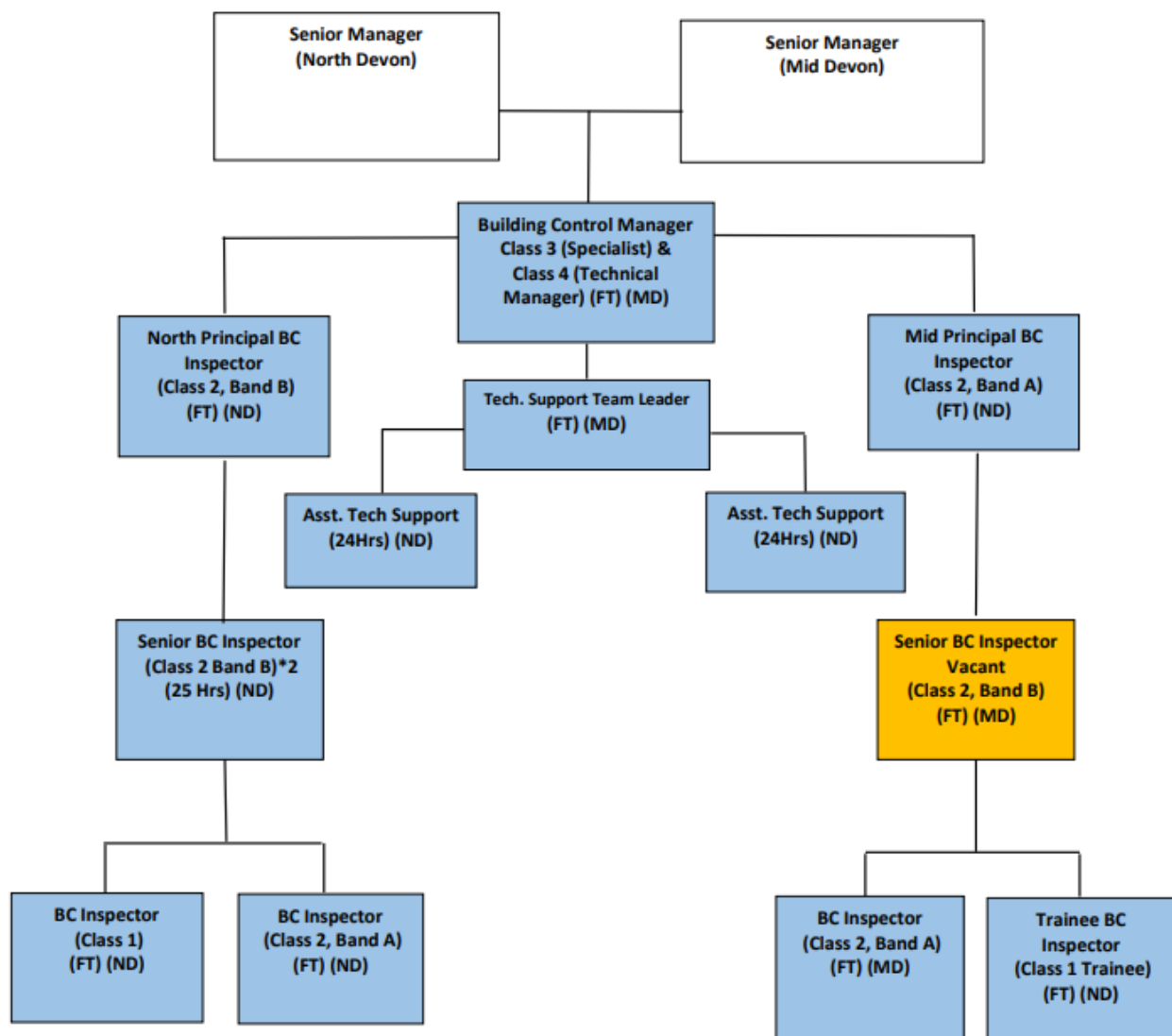
**Key:**



APPENDIX 2

Organisational Chart – Current

## NMD Building Control Organisational Chart From Monday 15th May 2024



**Key:**

