

How Part P could be reformed

Brief for the Ministry of Housing, Communities and Local Government Select Committee

NAPIT has a vision for improving Part P that we believe is simple and deliverable and can be encapsulated in one single phrase:

All electrical work in the home to be carried out by an identifiable competent individual employed by a registered business

We believe that delivering this vision would satisfy the calls from the Housing, Communities and Local Government Select Committee for Part P to undergo considerable reform and fulfil each of the recommendations included in Dame Judith Hackitt's Review of the Building Regulations which comprised: assessed (and re-assessed) individual competence, clear transparent identification and UKAS accreditation.

This paper sets out the areas of reform as seen by NAPIT, one of the UK's leading operators of membership schemes for competent, individually registered electricians.

To achieve this change, the three aspects of the statement need to be considered. The following sections summarise the issues and the Annex identifies what would need to change to bring about each aspect.

All Electrical Work in the Home

Although Part P, Requirement P1, applies to all electrical work in dwellings, only certain types and/or locations of electrical work are notifiable and this defines the scope of the authorised Competent Person Schemes. Furthermore the scope of notifiable work differs between England and Wales which adds to the confusion. No other sector has such exclusions from notification.

To make it simpler all new electrical installation work carried out in the home and covered by a BS 7671 installation certificate should be made notifiable under the Building Regulations.

In addition to notifiable work under the Building Regulations it is suggested that other electrical work (e.g. maintenance and repair) should be required to be carried out by a registered competent person.

Carried Out by an Identifiable, Competent Individual

Currently Electrical Competent Person Scheme requirements only state that the registered business must employ and supervise suitable individuals. The only individual within a business for which there are specified qualification and competence requirements is the Qualified Supervisor. This is where problems can arise with short courses providing individuals to work under instruction.

To resolve this, it is suggested that the scheme requirements identify qualification requirements for each individual responsible for carrying out electrical work and that these individuals are subject to periodic onsite technical assessment within the UKAS accredited registration scheme.

The current voluntary identity card scheme used for some individuals on some Competent Person Schemes should be expanded to apply to all assessed competent individuals and should include the following details:

- Name
- Employing business
- Photograph
- Scope of work approved for
- Logo of the CPS they are registered with

Individuals should also be searchable on a website to verify that the evidence of their competence is current. The existing website www.electricalcompetentperson.co.uk could be expanded to provide this functionality.

Employed by a Registered Business

It is vital that the onus remains on businesses being registered, as the legal entity holds the liabilities and responsibilities to comply with legal requirements, hold suitable insurance and be held to account for resolving complaints and disputes. It is also important as it is much easier to take enforcement action against a legal entity than an individual.

One problem is that the current system allows a number of routes for work to be carried out by individuals and companies who are not registered (and therefore not regularly assessed or held to account by a scheme operator).

To address this, the routes included in Approved Document P (section 3) should be restricted to the first procedure “self-certification by a registered competent person”.

In order to assess individuals and the range of electrical work carried out we believe that the registered business should be assessed on site at least annually, and that where a business has multiple competent individuals their work should be sampled, with no individual going unchecked directly by the Certification Body for more than 5 years. The MHCLG Conditions of Authorisation allow gaps of up to three years between business assessments and we do not believe that this is sufficiently robust in the electrical sector and should therefore change.

To discuss any of the points raised in this paper in more detail, please do not hesitate to contact Charlotte Lee on 01623 812957 or charlotte.lee@napit.org.uk.

ANNEX

Proposed Policy Change	Document which would require Regulatory/Guidance Change
To make it simpler all new electrical installation work carried out in the home and covered by a BS 7671 installation certificate should be made notifiable under the Building Regulations.	Building Regulations 2010, Schedule 1, Part P, Requirement P1 already applies to all electrical work in dwellings. It is Regulation 12(6A) that limits the type of work that is notifiable, this together with Regulation 12(9)(c) should be removed. Approved Document P would then need to be amended to align with these changes.
Require all electrical work in the home to be carried out by someone registered on a UKAS accredited Competent Person Scheme	The amendments above would mean that self-certification for electrical work would then be treated under Regulation 21(6)(a) alone. Approved Document P section 3 should have all other routes deleted (clauses 3.5-3.14).
Require individuals within a registered business to be competent	The Electrotechnical Assessment Specification (EAS) would need to be revised. A proposal to introduce individual competence assessment has already been submitted to the EAS Management Committee.
Remove guidance which permits a risk-based approach to onsite technical assessments, permitting a one in three-year cycle	The MHCLG Conditions of Authorisation, Condition 12 identifies a minimum 3 yearly assessment and says that “scheme sector or individual scheme operators to adopt more frequent assessment periods, should they wish to do so”. We would propose that “...or individual scheme operators...” should be deleted which would then allow the electrical sector to set a minimum annual assessment.
Require assessed individuals listed as competent with a registered business to carry an Identification Card which includes their photo, qualifications and scope of work	<p>The license for the Registered Competent Person – Electrical could be amended to require the use of identification (physical card or Smartphone electronic ID). This is under the control of the Scheme Operatives themselves.</p> <p>This would need to be supported by a public awareness campaign.</p>