


**Scheme Document:
Scheme for
Certification of
Design (Section 6 –
Energy) for Non-
Domestic Buildings**

BRE Global

1st October 2015

Revision 5

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Scheme Document: Scheme for Certification of Design (Section 6 – Energy) for Non-Domestic Buildings


BRE Global

October 2015

The Scheme for **Certification of Design (Section 6 – Energy) for Non-Domestic Buildings** was established by BRE Global. This Scheme Document is a Guide to scheme members, Verifiers, the building industry and members of the public on the operation of the scheme and is issued by the BRE Global Approved Certifier of Design (ACD) Team.

Persons who are approved to certify the energy design of buildings (Domestic and Non-Domestic) under the Building (Scotland) Act 2003 appear on the Certification Register. The Register is maintained by the Building Standards Division of the Scottish Government on behalf of Scottish Ministers, at: <http://www.certificationregister.co.uk>, an up to date database will also be maintained by BRE Global.

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Glossary of terms

ACD Approved Certifiers of Design

Act Building (Scotland) Act 2003

Applicant The applicant for a building warrant is usually a building owner or a developer. The applicant must demonstrate the compliance of their proposals with the Building (Scotland) Regulations 2004 as amended and they may choose to do so by submitting certificates by Approved Certifiers of Design (Section 6 - Energy) in support of their application for building warrant. (Note that an applicant may use an agent to make an application.)

Approved Body A firm, public body, or other organisation that is a member of the Scheme

Building Regulations Building (Scotland) Regulations 2004 as amended

Building Standards Division (BSD) the Scottish Government Division (part of the Directorate of the Built Environment) responsible for the Building Regulations and associated Certification schemes

Certificate A certificate of design issued by an Approved Certifier of Design

Certifier An Approved Certifier of Design who is a member of the scheme and is able to certify the compliance of energy design to Section 6.

Certification Coordinator A person employed by an Approved Body who countersigns Certificates

Dynamic Simulation Modelling (DSM) Software that meets the requirements of the national calculation methodology (SBEM) for non-domestic buildings and can assess the energy performance of buildings and compliance with building regulations.

Energy Design The design of a building that involves the thermal performance of the building fabric, fuel and power consumption for heating, cooling and lighting

Firm A company, partnership, contractor, or sole practitioner

Register The register of Approved Certifiers of Design, Approved Certifiers of Construction, Approved Bodies and Schemes maintained by the Building Standards Division on behalf of the Scottish Ministers at: <http://www.certificationregister.co.uk>.

SBEM (Simplified Building Energy Model) The national calculation methodology for Non-Domestic buildings. Software that operates to SBEM requirements is required in order to assess compliance with Section 6 Energy – Non-Domestic. iSBEM is the interface that Certifiers will normally use to assess compliance with building regulations.

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Scheme The Scheme for the Certification of Design (Section 6 Energy – Non-Domestic)

Scheme Provider An organisation that operates one or more schemes to certify compliance with the Building (Scotland) Regulations 2004 for specified aspects of a project. The BSD criteria for approval of scheme providers include evidence of status, expertise in relevant aspects of design or construction, capacity to operate schemes, financial probity, and appropriate disciplinary procedures.

Sole practitioner A single professional who does not employ any other person and who is not an employee of any other type of firm.

Verifier Body appointed by Scottish Ministers to oversee the administration of the building warrant process. For the foreseeable future, these bodies will be Scottish Local Authorities

See also the Glossary in the Building Standards Division Certification Handbook.

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Legislation and Building Standards Division Guidance

The following legislation and guidance documents are relevant to the operation of this certification scheme:

- Building (Scotland) Act
- Building (Scotland) Regulations as amended
- Building (Procedures) (Scotland) Regulations
- Building (Fees) (Scotland) Regulations
- Building (Forms) (Scotland) Regulations, (Model forms are available from: <http://www.scotland.gov.uk/Topics/Built-Environment/Building/Building-standards/publications/publeg>)
- BSD, Scottish Building Standards Technical Handbook: Non-Domestic – Section 6 Energy revised.
- BSD Scottish Building Standards Technical Handbook: Non-Non-Domestic – Section 6 Energy revised.
- BSD Scottish Building Standards Procedural Handbook
- BSD Scottish Building Standards Certification Handbook for schemes approved under Section 7(2) of the Building (Scotland) Act
- BSD Procedural Guidance on Certification including information to be submitted with a Building Warrant Application

Users of this Scheme Document should refer to:

<http://www.scotland.gov.uk/Topics/Built-Environment/Building/Building-standards/> for the most up to date versions of the regulations, technical handbooks and guidance.

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1 Introduction

The purpose of building regulations, as defined by the Building (Scotland) Act 2003 is to secure the health, safety, welfare and convenience of people, to further the conservation of fuel and power, and to further the achievement of sustainable development, with respect to the design, construction, demolition and conversion of buildings and the provision of services, fittings and equipment in or in connection with buildings.


Prior to 1st May 2005, compliance with the requirements of the Building (Scotland) Act 1959 and associated building regulations was achieved using Technical Standards set by the Scottish Government. The Building Control system was administered and enforced by local authorities.

A new system was introduced under the Act and the Building (Scotland) Regulations 2004, based on building standards that define the functions a building has to perform. This approach introduced greater flexibility than the former system of Technical Standards that could only be altered by a Scottish Statutory Instrument. The new system accommodates the rapid change necessary to comply with the requirements of the Construction Products Directive, which aims to ensure that building regulations should not form a barrier to trade, and for the adoption of harmonised European Standards.

Under the current system, designers of buildings have more opportunity to offer alternative ways of complying with the functional standards. However, the risk to public safety, as a consequence of inadequate building performance, is related more directly now to the competence and integrity of the individuals involved with the design process.

The current system introduced the possibility of certification of compliance with the building regulations by Approved Certifiers of Design and Approved Certifiers of Construction. The system is grounded on the principle that suitably qualified and experienced building professionals can accept responsibility for ensuring compliance with the building regulations, without the need for detailed scrutiny of design by Verifiers, provided they are employed by reputable firms or organisations that operate a system of careful checking.

Certification may only be undertaken by persons approved under Section 7(1) of the Act or by members of schemes approved under Section 7(2) of the Act. Section 7(2) states: 'The Scottish Ministers may approve schemes in accordance with which persons (whether individuals or bodies corporate or unincorporated) who are for the time being members of the schemes are entitled to exercise for the purposes of this Act the functions of (either or both) –(a) an Approved Certifier of Design, (b) an Approved Certifier of Construction.'

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On 11 July 2007, the Scottish Ministers approved an Approved Certifiers of Design scheme as follows:

- Certification of Design (Section 6 – Energy) for Non-Domestic Buildings.

The Scottish Government through Building Standards Division (BSD) appointed BRE Global to act as Scheme Provider for this scheme on 11 July 2007.

In order to establish the competence of those certifying the design of buildings, Approved Certifiers of Design (Section 6 – Energy) for Non-Domestic buildings are approved for membership of the Scheme and placed on a Certification Register maintained by the BSD. An individual member of the Scheme may perform the functions of an Approved Certifier of Design (Section 6 – Energy) Non-Domestic.

To fulfil their role properly, Certifiers must have adequate support from their employers, or the firms to whom they are contracted to certify a project (i.e. the Approved Body). In order to provide certification services, a firm (company, partnership, contractor or sole practitioner), public body or other organisation must meet the conditions to become a member of the Scheme as an Approved Body.

All Certificates of Design must be signed by both an Approved Certifier and the Certification Coordinator of the Approved Body employing the Approved Certifier. BRE Global through the Approved Certifier of Design (ACD) Team is responsible for operating the Scheme and is subject to audit by BSD. The ACD Team assesses all applications for membership from individuals and firms. BRE Global will undertake audits of the certification practice of Scheme members.

A client, design practice or consultancy firm can arrange a contract with an Approved Body to provide certification services or clients can directly appoint an Approved Body to the design team. However, Certification is optional and the building warrant applicant can submit all design information, calculations and specifications in the traditional manner to the Verifier.

It is important that all parties involved in the design, construction, and approval of buildings covered by the Building Regulations clearly recognise and understand the differences between the system prior to May 2005 and that introduced under the new Regulations, which become effective on 1st October 2010, and under the associated provisions of this Scheme.


It is the responsibility of the Approved Body which employs the Certifier to negotiate appropriate fee levels commensurate with the work involved and to permit the Certifier adequate time and resources to undertake all enquiries necessary to satisfy themselves that works covered by the certificate comply with the building regulations. Approved Bodies should enter into a contract agreement with the developer or designer to undertake the work and issue the Certificate of Design.

The new building standards system came into effect on 1 May 2005 and applies to projects where the building warrant application is lodged after that date. The Mandatory Functional Standards and associated technical guidance associated with Section 6 - Energy (Non-Domestic) were revised and become effective from 1

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October 2015. This Scheme Document applies to projects where a building warrant application has been made after that date. This document describes the Scheme, its management and the management processes. The Scottish Building Standards Certification Handbook and Procedural Handbook describe the provisions of the Act and of the Building (Procedures) (Scotland) Regulations 2004, as amended.

The Scheme is based on the guidance given in BSD's Certification Handbook.

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2 The scheme

There has been a requirement for the provision of a signed Certificate of Design that provides proof that the energy design of a Non-Domestic building complies with current building regulations.

The procedure regulations make provision for organisations to provide schemes, termed 'Scheme Providers'. For an organisation to be appointed as a Scheme Provider, application must be made to the BSD. Applicants are required to demonstrate that they possess the expertise and capacity to administer a certification scheme.

BRE Global applied both for approval of a Scheme and to become a Scheme Provider for Section 6 - Energy (Non-Domestic).

The Scheme for Certification of Design (Section 6 Energy – Non Domestic) was approved under Section 7(2) by the Scottish Ministers on 11 July 2007 and BRE was appointed as a Scheme Provider on the same date.

The function of BRE Global is to administer the Scheme, deal with any complaints and appeals, and report to the BSD on membership of the Scheme and the certificates issued.

2.1 Authority and scope of the Scheme

The authority for the Scheme is derived from Section 6 of the Act. The Scheme places the responsibility for certification on its members.

The Scheme covers all standards within Section 6 Energy (Standards 6.1 to 6.10). The Scheme for Certification of Design (Section 6 – Energy) for Non-Domestic Buildings is the certification of the calculation of energy rating and carbon index using approved SBEM compliant software (<http://www.ncm.bre.co.uk/>) and approved by BSD. Such information is essential to comply with the current building regulations.

It is necessary for Certifiers to be clear about the scope of work covered by any Certificate of Design that they sign in relation to a particular project.

The Scheme is subject to regular audit by the BSD, as set out in Section 5.

2.2 Membership of the Scheme

Membership of the Scheme is open to any individual and any organisation that meets the membership criteria outlined in this Guide.

BRE Global will forward details of membership of the Scheme to the BSD Certification Register within 24 hours of acceptance of new members, or within 24 hours in the case of suspension, termination or resignation of membership.

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Membership of the Scheme (both Approved Certifier membership and membership of Approved Bodies) is renewable and is subject to the payment of a fee on joining the Scheme and an annual membership fee.

Members are subject to audit at any time to be decided as necessary by BRE G (termed an emergency audit), but at a maximum interval of three years.

Membership remains valid for a period of three years. After three years the Scheme Provider will assess the appropriateness of continuing membership of the Scheme by assessing competence through audit (in the three year period) and ensuring that appropriate training has taken place. Further training and examination may need to be undertaken.

Approved Certifiers

An individual or sole practitioner member is entitled to exercise the function of an Approved Certifier of Design.

The function of a Certifier is to examine the energy design of Non-Domestic buildings and where appropriate to certify that they comply with the building regulations.


A Certifier must not certify any work that has not been checked for compliance with the building regulations. A Certifier issues a Certificate of Design, using the prescribed form (see sample in Appendix 1), to the applicant for building warrant noting the number of the certificate in a logbook.

A Schedule of Competence will be prepared for each Approved Certifier of Design, which will be completed during the application assessment process, see Appendix 2. This will define the type of Non-Domestic building project that is within the Certifier's competence. The Schedule will be signed off by the Certifier and the Certification Coordinator of the Approved Body. BRE G will require Approved Bodies to monitor the activities of Certifiers to ensure that they keep within the areas identified on the Schedule. The Schedule will be kept within the Certification Logbook that will be held by all Approved Bodies. The Schedule of Competence can be expanded and updated with more training and upon gaining demonstrable competence being demonstrated. The issue of the Schedule of Competence will be addressed at the audit.

A member may join as both a Certifier of Design with an Approved Body and as a Sole Practitioner providing there is no conflict of interest in the discharge of their duties as a Certifier. Holding dual membership in this manner requires two applications to be made as appropriate and all supporting information and appropriate assurances to be submitted, including insurance certificates.

Approved Body

A firm, public body, or other organisation that is a member of the Scheme may act as an Approved Body to supply certification services within the scope of the Scheme.

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An Approved Body must employ at least one Approved Certifier of Design; it holds appropriate levels of public liability insurance, professional indemnity insurance and employers liability insurance, and designate a Certification Coordinator.

The Certification Coordinator of the Approved Body must countersign certificates issued by the Certifier under the scheme. The Coordinator oversees the checking system used by the certifier to ensure that best practice is being followed. As set out in the Scheme Document all activities will be recorded and maintained through the Certifier's Logbook. The role of the Certification Coordinator is set out further in this scheme document and in BSD's Certification Handbook.

Registration numbers

A Certifier is given a personal registration number and may leave an Approved Body without loss of that number. The individual uses that number if subsequently employed by another Approved Body. However, if subsequently employed by a firm not on the Register (i.e. not an Approved Body), the individual cannot act as a Certifier.

Access to training

Approved Bodies should commit to allowing Certifiers time for relevant training and to finance such training; this will be checked as part of the audit process. Suitable training will be provided each year by the Scheme Provider, but other forms of training and CPD will also be accepted, see Appendix 3.


2.3 Scheme management

BRE Global

BRE Global provides independent third party confirmation that products, systems and installers meet and continue to meet appropriate standards. BRE Global currently operates schemes in the following sectors:

- Construction.
- Energy.
- Environment.
- Life safety.
- Property protection.
- Sustainability.

The governance structure ensures absolute independence, impartiality and objectivity. The Trust is the largest UK charity dedicated specifically to research and education in the built environment.

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BRE GI's Quality Policy is to promote excellence and innovation through provision of assurance that products, systems, services, personnel and designs comply with specified standards, other normative documents and agreed criteria. To this end BRE Global seeks the following:

- to work only in areas in which we have expertise;
- to have management system that meet the requirements of EN 45011, EN 45012 and EN 17020, ISO 17024 and ISO 17025 (the appropriate standards);
- to have staff who are trained in and expected to comply with the procedures, which are relevant to their work;
- to ensure procedures and administration are non-discriminatory and administered in a non-discriminatory manner; and
- to have policies and procedures in place to help us to avoid all conflicts of interest and preserve impartiality.

The three main quality objectives are to ensure the following:

- certification schemes and other activities meet the needs of all stakeholders;
- systems, procedures and staff meet the requirements of the appropriate standards; and
- to continuously improve our service to our customers and stakeholders.

Many BRE G schemes are UKAS accredited to the following standards:

- EN45012 Management systems certification
- EN45011 Product certification including installation (Part P)
- ISO 17024 Personnel certification

UKAS accreditation ensures correct operation in accordance with the accreditation standards which require our organisation to be independent and impartial. BRE Global's accreditation number is 007 and our accreditation schedules are available in PDF format at www.ukas.com.

In addition to certification capabilities BRE Global is also a Notified Body for the following European Directives:

- Construction Products Directive (CPD)
- Marine Equipment Directive (MED)
- Pressure Equipment Directive (PED)
- Transportable Pressure Equipment Directive (TPED).

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This Scheme Document is specific to the ACD Scheme for Section 6 (Energy) of Non Domestic Buildings. The procedures and guidance given here is used in preference to any general procedures provided by BRE G.

The ACD Team

The ACD team structure is shown in figure 2.1. The roles are as follows: The Head of Certification is responsible for all aspects of the scheme, whilst the day to day functions are managed by, the Lead Assessor, the Lead Auditor and the Scheme Administrator. The Managing Director of BRE Global, the Scheme Director, or proxy the BRE G's Scheme Manager and the Sustainability Board (independent Board of BRE G) provide guidance to the team and ensure that standards are being maintained. The Head of Certification is responsible for direct correspondence and reporting to BSD. The Lead Assessor is responsible for correspondence to Scheme Members.

There will be one Head of Certification, one Lead Assessor, one Lead Auditor and one Administrator. The Lead Assessor will be responsible for undertaking assessments as well as managing the work of any Support Assessors. The Lead Assessor and Support Assessors will themselves be qualified and trained to the level of an Approved Certifier.

The ACD Team must declare any conflict of interest with regard to applicants for membership or members of the Scheme.

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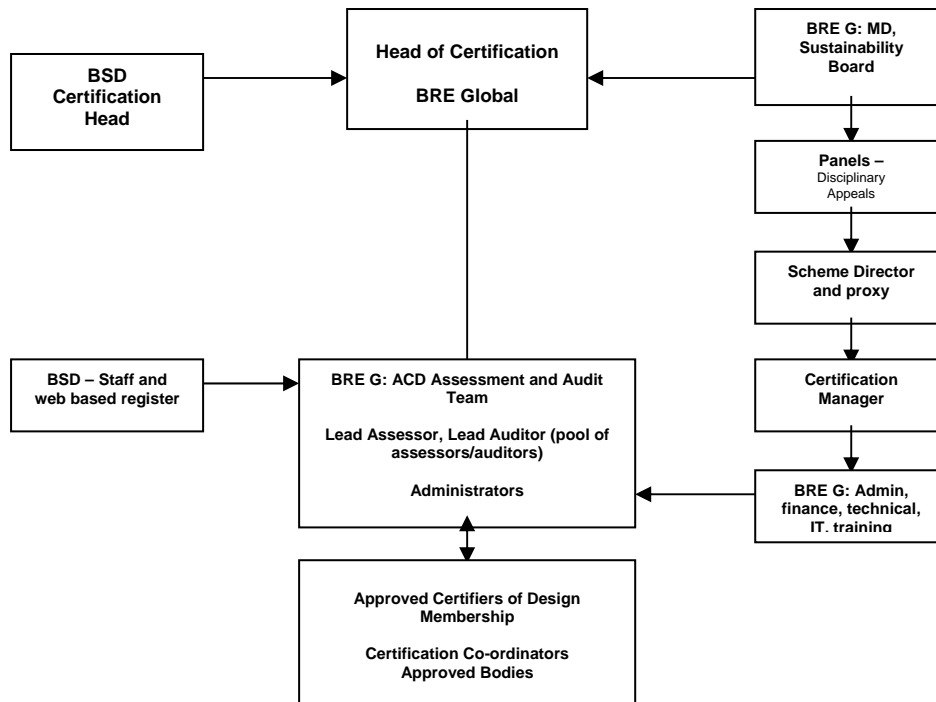


Figure 2.1: ACD team structure

2.4 Criteria for individual membership

Membership is restricted to individuals who have a minimum of qualifications related to the energy design of buildings.

Individual membership of the Scheme is open to persons with a minimum level of qualification, as follows:

- Membership of an appropriate professional body (e.g. RIAS, RIBA, RICS, CIOB, IMechE, IStructE, IEEE, CIAT, Energy Institute, CIBSE or other appropriate professional body).
- Level IV SVQ/NVQ qualification in an appropriate subject, with membership of a professional body.
- At the discretion of the Scheme Provider, where equivalence to the above two levels can be demonstrated. Applicants who are not qualified to level IV should submit details of relevant projects undertaken at application stage. The Scheme's Lead Assessor will request such information if it is not provided before membership can be granted.

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The latter category is intended to allow members of considerable energy design experience of Non-Domestic buildings, but who are not members of professional bodies or Level IV qualified to join the scheme. All applicants, other than members of existing Certification of Design Schemes, will need to demonstrate competence through an examination in any case and the opportunity for specific training for all applicants exists

In order to ensure that the final category is used in only appropriate circumstances the following guidance will be followed by the Lead Assessor:

- Granting membership of the scheme to individuals at the discretion of the Scheme Provider should only be made in a limited number of circumstances, it should not be the normal manner of entry to membership.
- An individual will be required to demonstrate by virtue of a suitable CV and of work related to the energy design of Non-Domestic buildings their suitability for membership. Additional information on project work undertaken may be requested by the Scheme's Lead Assessor. Additionally, the Scheme will take up references from any source it deems suitable to establish an applicant's suitability for Scheme membership.
- An individual will be required to demonstrate by virtue of experience in a design practice, engineering practice or energy auditing practice their familiarity and practical application of the energy design of Non-Domestic buildings.
- An individual will be required to demonstrate by virtue of experience in the familiarity and practical experience of the building regulations, including Sections 1 to 5, but especially Section 6, for Non-Domestic buildings, that they can determine compliance of a building's design with the energy regulations.
- An individual will be required to pass the examination set by the Scheme Provider and demonstrate that suitable training has been undertaken.

All Approved Certifiers of Design must successfully undertake and complete BRE Global's examination(s), unless otherwise exempt, to demonstrate knowledge and experience of the Scottish Building Standards system and energy design of Non-Domestic buildings.

Membership will only be awarded on satisfactorily completing an examination for Non-Domestic building certification. This will include examination in the use of the national calculation methodologies and energy design standards for Non-Domestic buildings.

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Beyond that, candidates should fulfil the following criteria:

- (1) have supervisory experience in the construction design industry;
- (2) agree to adopt appropriate procedures to satisfy themselves of the compliance or non-compliance of the design of construction work described in an application for building warrant or amendment to warrant;
- (3) declare that they will only certify work if they have sufficient knowledge and understanding of the Building regulations, relevant codes of practice and of the Technical Handbooks.
- (4) undertake training in the energy design of buildings and national calculation methodologies, and to maintain competence.
- (5) undertake to understand the Scheme's requirements as described in this Scheme Guide.
- (6) undertake to abide by the Scheme Code of Conduct.
- (7) record in a logbook details of all certificates issued together with a record of the basis of decisions on compliance and details of any 3rd party relied on in making decisions on compliance.
- (8) agree to submit evidence of their certification practice to audit by BRE Global on request, including the logbook of certificates issued.
- (9) agree to submit evidence of their certification practice when BRE Global is subject to audit by BSD.
- (10) have undertaken and successfully passed examination in the Certification of the energy design of Non-Domestic buildings. Certifiers of Design will be expected to operate only within their Schedule of Competence.


The examination may be undertaken before application or simultaneously with an application.

An individual Scheme member, a Certifier, may describe himself or herself as an Approved Certifier of Design. A firm that belongs to the Scheme may describe itself as an Approved Body.

Membership does not entitle the use of letters such as 'AC', 'ACD', AB or 'BSD.' Details of logos approved for use by the Scottish Government are found in Appendix 15. BRE Global will issue a Scheme Member's Certificate to all Approved Certifiers and Approved Bodies. Members of the BRE Global Scheme are entitled to use the 'BRE Certification Tick Mark' in accordance with the terms given in their letter of acceptance onto the Scheme. Refer to Appendix 16 for guidance on how to use BRE logos.

Registration of Approved Certifiers and Bodies can be checked at:


<http://www.certificationregister.co.uk>

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2.5 Criteria for membership of bodies

Criteria for the membership of firms, public bodies, or other organisations is given below. Approved Bodies are required to comply with the following:

- (1) employ at least one Approved Certifier of Design so that applications must either: be accompanied by an application for membership of an individual who is permanently employed by the body; or identify an individual who has already achieved Certifier status with another Approved Body but who has transferred their employment to the applicant's permanent staff;
- (2) agree to adopt appropriate auditable checking procedures to assure the quality of certification activities (formal accreditation such as ISO9000 is not a requirement);
- (3) agree to hold public liability insurance and professional indemnity insurance and, where appropriate, employers liability insurance. Public liability and professional indemnity insurance should normally be to a value of at least £2m. A level of cover less than £2m may be acceptable although this would need to be agreed with the Scheme Provider. In all instances the Approved Bodies must work within the limits of the insurance cover.
- (4) provide access for Certifiers to all relevant legislation, handbooks, codes standards and guides;
- (5) make provision to promote the training and development of Approved Certifiers of Design, in support of certification activities (including both technical and procedural training) to an appropriate level;
- (6) designate a Certification Coordinator to countersign certificates completed by a Certifier who is employed or otherwise engaged by the Approved Body;
- (7) maintain a logbook of all certificates issued. This logbook is to be used by all Certifiers employed by the Approved Body.
- (8) undertake to understand the Scheme's requirements as described in this Scheme Document;
- (9) undertake to abide by the Scheme Code of Conduct;
- (10) report significant changes (e.g. where Certifiers leave the Approved Body, or where there is a change of Certification Coordinator, staffing, directorship, company structure, address, etc.) within two working days, to the Lead Assessor at BRE G with regard to Approved Certifiers of Design or the Certification Coordinator;
- (11) agree to audit of their certification activities by BRE Global on request.
- (12) agree to cooperate with BRE Global in audits of the Scheme Provider by BSD.

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Bodies with more than one office are required to have appropriate procedures in places to manage certification services where the Certification Coordinator and Certifiers are based in different offices

A sole practitioner can be both a Certifier and an Approved Body. The Sole Practitioner will submit a single application form (for Approved Certifiers), but indicate their status as a Sole Practitioner and provide insurance and quality assurance procedures.

See Section 4 for issues concerned with the criteria for assessment, approval and audit of membership.

2.6 Duties of an Approved Certifier of Design

The Certifier should be satisfied that their knowledge and experience enables them to discharge the responsibility of certifying particular work, bearing in mind the nature of the project. If appropriate, the Certifier should call on other suitably qualified and experienced persons for advice. However, certification is the responsibility of the Certifier alone.

A Certifier must undertake certification in a methodical manner, for example by using a checklist for each project, and record sufficient detail in a logbook which can be audited by BRE Global. Checklists have been developed by BRE (see Appendix 7) and logbook and project filing requirements (see Appendix 8).

The Certifier must take account of the impact of their work and ensure it does not impinge on the overall integrity of the building and that it complies with building regulations. Certifiers must take account of all requirements of the building regulations in certifying compliance with Section 6.

In all cases, a design must be certified by a Certifier and countersigned by the Certification Coordinator of their Approved Body.

Schedule 2 to the Act prohibits a Verifier from certifying any matter for which they act as verifier. This means that a Certifier who is employed by a local authority may only certify work that is verified by a different local authority.


2.7 Duties of an Approved Body

The Approved Body must provide an environment that supports the Certifier and maintain the conditions under which it was approved.

The Certification Coordinator of an Approved Body must not countersign certificates for any period during which the Body does not employ an Approved Certifier.

The Certification Coordinator is responsible for ensuring that the conditions under which the Approved Body was approved are fulfilled and maintained, except in the case of a change of Certification Coordinator.

Any change of Certification Coordinator or Approved Certifier of Design must be reported to BRE Global by the Approved Body, within two working days.

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An Approved Body is also required to allocate adequate time and resource to the certification process in order to provide the support described above. An Approved Body should advise their clients of the amount of time and cost associated with the certification process prior to accepting appointment of their Certifier.

2.8 Code of Conduct


The Scheme is dependent on trust and strict adherence to this Code of Conduct. All Approved Certifiers of Design and Certification Coordinators will sign a code of conduct, see Appendix 4.

The Scheme requires that its members, the persons employed or engaged by BRE Global, and members of any board or panel intended to further the purposes of the Scheme and BRE Global, as follows:

- (1) act with integrity and fairness;
- (2) have regard to the public interest and to the interests of all those affected by their activities;
- (3) do not maliciously or recklessly injure or attempt to injure the reputation of another person;
- (4) avoid conflicts of interest;
- (5) uphold the reputation of the Scheme.

The Scheme requires that individual members that perform the function of Approved Certifiers of Design, as follows:

- (1) exercise appropriate skill, care, diligence and judgement in undertaking the certification of Improved Design with respect to the Building regulations;
- (2) do not misrepresent themselves as having expertise and experience that they do not possess;
- (3) maintain and broaden their expertise;
- (4) undertake only those tasks for which they have appropriate expertise and experience;
- (5) do not certify work carried out by others without carrying out necessary checks to satisfy themselves of the adequacy of the work and compatibility within the whole structure;
- (6) acknowledge that for some projects they may lack appropriate experience to enable them to act as the Certifier; and
- (7) disclose to BRE Global if they have been convicted of an offence by a court or have been subject to an adverse finding of any kind by any tribunal, court or other authority.

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(8) the Approved Certifier must be a member of the design team with continuous involvement in the design process.

2.9 Disputes, complaints and appeals

Disputes, complaints and appeals are considered in the following context:

- Disputes, complaints and appeals by applicants to the scheme and scheme members against decisions by BRE Global.
- Disputes, complaints and appeals by organisations and individuals arising from the activities of BRE Global, or the energy certification schemes operated by BRE Global.
- Disputes, complaints and appeals by organisations and individuals against members of the scheme that are to be investigated by BRE Global.

All disputes, complaints and appeals will be considered by BRE Global using defined properly conducted procedures that comply with the performance requirements given in the BSD Certification Handbook. Key aspects of the response will include prompt action within the defined time limits to acknowledge the complaint, to take account of it through the defined procedures, to notify the BSD and the complainant of the outcome and to publish the result as required. Local authorities will also be contacted if the conduct panel decide that the complaint alleges that an Approved Certifier has breached section 11(4) of the Building (Scotland) Act 2003.


Disputes are issues that arise as a result of the activities of the scheme or its members. They are issues that can be raised by the parties set out in sections 2.9.1 to 2.9.3, but are typically those that can be addressed to the satisfaction of all parties within one month. A dispute is a disagreement or argument on an issue, but does not mean a statement that the matter is unsatisfactory or unacceptable.

A complaint may result from one party being unsatisfied with the proposed resolution or through a direct complaint in writing as set out below. A complaint is a statement that something is unsatisfactory or unacceptable from the complaining party.

The Scheme undertakes certification procedures in accordance with:

- The Building (Scotland) Act 2003
- The Building (Scotland) (Procedures) Regulations 2004
- The conditions, limitations, and rules of the scheme(s) to which they belong
- Guidance in the Procedural Handbook and the Building (Procedure) (Scotland) Regulations 2004
- Guidance in the Certification Handbook issued in association with the Building (Procedure) (Scotland) Regulations 2004

All complaints should be in writing and addressed to:

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The Scheme Director (ACD)

BRE Global
Orion House
Bramah Avenue
Scottish Enterprise Technology Park
East Kilbride
G75 0RD.

All complaints received by BRE Global are investigated and disciplinary actions taken where appropriate.

Note: disputes are not logged as complaints but dealt with by the Head of Certification; unsatisfactory resolution of a dispute may escalate to a complaint.

A complaint may be made directly to the Scheme Director in writing. Otherwise a dispute may escalate into a complaint. In order for this escalation to be recognised by the Scheme Provider a complaint must be received in writing by the Scheme Director clearly setting out all previous correspondence involved at the dispute stage.

2.9.1 Disputes, complaints and appeals by candidates for scheme membership or scheme members

Any dispute, complaint or appeal by a candidate for scheme membership and existing scheme members should be made as follows:

- Dispute – by communication with the Head of Certification.
- Complaint or appeal – in writing to the Scheme Director.

Any dispute, complaint or appeal may arise as a result of issues such as failure of an examination, rejection of an application for scheme membership or the result of an audit.


All correspondence and meeting notes associated with disputes, complaints and appeals will be retained on file and be made available to BSD on request.

Where a dispute or complaint is raised as a result of refusal of membership then the complaints process is not appropriate and the matter should go straight to the appeals process set out below.

Disputes

The process for handling disputes is as follows:

- Head of Certification receives verbal communication or note of dispute from Candidate.
- Head of Certification investigates dispute with ACD Team (Administrator, Lead Assessor and Lead Auditor) and Scheme Director where required.

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- Head of Certification reaches a decision on dispute, which may either reject the candidate's claim or accept the claim and put in place measures to satisfy the outcome.
- Candidate is informed of decision in writing by the Head of Certification.

This process should be completed within no more than 10 working days from note of dispute being received by BRE.

BSD will be informed where a decision by the Head of Certification is likely to cause issues for Certification. The decision on informing BSD is made by the Head of Certification.

Complaints

Complaints will only be considered where they are received in writing by the Scheme Director.

The process for handling complaints is outlined in the flowchart of Appendix 5.

Building Standards Division shall be informed (by email) at each step of the complaint by the Scheme Director.


The process of handling a complaint is as follows:

- Step 1: Scheme Director, responsible for co-ordinating the response to any complaint, by requesting and collating information, convening meetings, and notifying relevant parties. Arranges meeting of the Conduct Panel, unless complaint can be resolved by the Scheme Director.
- Step 2: Certification Conduct Panel, responsible for deciding whether or not any complaint merits consideration by the certification disciplinary panel, or may be resolved by requiring specific work or other action (except fines), or should be rejected. The Panel meets and decides whether or not the Disciplinary Panel is required.
- Step 3: Certification Disciplinary Panel, responsible for hearing and determining any complaint concerning a member of a scheme that alleges a breach of section 11(4) of the Building (Scotland) Act 2003, or any other complaint that the certification conduct panel considers merits a hearing. The Panel meets and determines the response to the complaint.
- Step 4: Scheme Director is informed of the outcome and writes to the party making the complaint.

The Certification Conduct Panel is composed of at least three senior staff of BRE Global (Scheme Director, Sustainable Schemes Manager and Senior Administrator).

The Certification Disciplinary Panel is composed of senior staff of BRE Global, including at least three Directors of BRE Global.

The roles and responsibilities of the Certification Disciplinary Panel are as follows:

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- Board Director: Chairs the panel, makes expert input into complaint resolution, voting on outcome.
- Two further Directors of BRE Global: Expert input into complaints, voting on outcome.

The Scheme Director is responsible for communication of the result of the complaint to the complainant, Building Standards Division and the ACD Team.

The total time from receiving a complaint to communication to the complainant should be no more than 20 working days.

Appeals

An appeal may be made against any decision of BRE Global to refuse or revoke certification by writing to the Scheme Director clearly setting out the grounds for the appeal. Appendix 6 provides the process by which appeals will be assessed. Appeals will be allowed only in the case of procedural issues.

BRE Global reserves the right to charge up to £1000.00 to the appellant in the event that the appeal is unsuccessful.

The process to be undertaken in an appeal is as follows:

Step 1: The appeal is received in writing and reviewed by the Scheme Director. Appeals are only allowed in the case of procedural issues.

Step 2: Arrangements are then made for an Appeal Panel (by an independent chair) to meet within 20 working days of receipt of the appeal.

Step 3: An Appeal Panel will consist of three members of the BRE Global Sustainability Board who:


- have not been directly involved in the decision under appeal and
- have no direct interest in the decision.

The Chairman of the BRE Global Sustainability Board will agree the composition of the Appeal Panel with BRE Global.

Step 4: The appellant is given notice of the date set for the appeal, advised of the constitution of the Appeal Panel and invited to be present. The appellant has the right to state objections to the constitution of the Appeal Panel within two working days of receipt of notice. In this case, the objection will be considered by the Chairman of the Sustainability Board and the membership of the Appeal Panel amended if necessary.

Step 5: An Appeal Panel may uphold or quash the decision of BRE Global following a review of the circumstances surrounding the appeal. The Appellant will be informed of the Appeal Panel's decision. BSD and the ACD Team are informed.

The Appeal Panel is composed of three members of the BRE Sustainability Board. The members of the Appeal Panel are drawn from external organisations and act as

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a governance body for BRE Global. The following members will have roles and responsibilities:

- Chairman: an independent member, raises all issues with the panel, has voting right.
- Members No. 2 and 3: independent members, discuss all issues and votes on outcome.

The maximum time between written receipt of the appeal and the decision by the Appeal Panel is 20 working days.

2.9.2 Disputes, complaints and appeals by individuals or organisations against BRE Global

Any dispute, complaint or appeal by an individual or organisation against BRE Global should be made as follows:

- Dispute – by communication with the Head of Certification.
- Complaint or appeal – in writing to the Scheme Director.

Any dispute, complaint or appeal may arise as a result of issues such as failure to investigate complaints against a Certifier or Approved Body.

All correspondence and meeting notes associated with disputes, complaints and appeals will be retained on file and be made available to BSD on request.


Where a dispute or complaint is raised as a result of refusal of membership then the complaints process is not appropriate and the matter should go straight to the appeals process set out below.

Disputes

The process for handling disputes is as follows:

- Head of Certification receives verbal communication or note of dispute from Candidate.
- Head of Certification investigates dispute with ACD Team (Administrator, Lead Assessor and Lead Auditor) and Scheme Director where required.
- Head of Certification reaches a decision on dispute, which may either reject the candidate's claim or accept the claim and put in place measures to satisfy the outcome.
- Candidate is informed of decision in writing by the Head of Certification.

This process should be completed within no more than 10 working days from note of dispute being received by BRE.

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BSD will be informed where a decision by the Head of Certification is likely to cause issues for Certification. The decision on informing BSD is made by the Head of Certification.

Complaints

Complaints will only be considered where they are received in writing by the Scheme Director.

The process for handling complaints is outlined in the flowchart of Appendix 5.

Building Standards Division shall be informed (by email) at each step of the complaint by the Scheme Director.

The process of handling a complaint is as follows:

- Step 1: Scheme Director, responsible for co-ordinating the response to any complaint, by requesting and collating information, convening meetings, and notifying relevant parties. Arranges meeting of the Conduct Panel, unless complaint can be resolved by the Scheme Director.
- Step 2: Certification Conduct Panel, responsible for deciding whether or not any complaint merits consideration by the certification disciplinary panel, or may be resolved by requiring specific work or other action (except fines), or should be rejected. The Panel meets and decides whether or not the Disciplinary Panel is required.
- Step 3: Certification Disciplinary Panel, responsible for hearing and determining any complaint concerning a member of a scheme that alleges a breach of section 11(4) of the Building (Scotland) Act 2003, or any other complaint that the certification conduct panel considers merits a hearing. The Panel meets and determines the response to the complaint.
- Step 4: Scheme Director is informed of the outcome and writes to the party making the complaint.


The Certification Conduct Panel is composed of at least three senior staff of BRE Global (Scheme Director, Sustainable Schemes Manager and Senior Administrator).

The Certification Disciplinary Panel is composed of senior staff of BRE Global, including at least three Directors of BRE Global.

The roles and responsibilities of the Certification Disciplinary Panel are as follows:

- Board Director: Chairs the panel, makes expert input into complaint resolution, voting on outcome.
- Two further Directors of BRE Global: Expert input into complaints, voting on outcome.

The Scheme Director is responsible for communication of the result of the complaint to the complainant, Building Standards Division and the ACD Team.

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The total time from receiving a complaint to communication to the complainant should be no more than 20 working days.

Appeals

An appeal may be made against any decision of BRE Global to refuse or revoke certification by writing to the Scheme Director clearly setting out the grounds for the appeal. Appendix 6 provides the process by which appeals will be assessed. Appeals will be allowed only in the case of procedural issues.

BRE Global reserves the right to charge up to £1000.00 to the appellant in the event that the appeal is unsuccessful.

The process to be undertaken in an appeal is as follows:

Step 1: The appeal is received in writing and reviewed by the Scheme Director. Appeals are only allowed in the case of procedural issues.

Step 2: Arrangements are then made for an Appeal Panel (by an independent chair) to meet within 20 working days of receipt of the appeal.

Step 3: An Appeal Panel will consist of three members of the BRE Global Sustainability Board who:

- have not been directly involved in the decision under appeal and
- have no direct interest in the decision.

The Chairman of the BRE Global Sustainability Board will agree the composition of the Appeal Panel with BRE Global.

Step 4: The appellant is given notice of the date set for the appeal, advised of the constitution of the Appeal Panel and invited to be present. The appellant has the right to state objections to the constitution of the Appeal Panel within two working days of receipt of notice. In this case, the objection will be considered by the Chairman of the Sustainability Board and the membership of the Appeal Panel amended if necessary.

Step 5: An Appeal Panel may uphold or quash the decision of BRE Global following a review of the circumstances surrounding the appeal. The Appellant will be informed of the Appeal Panel's decision. BSD and the ACD Team are informed.

The Appeal Panel is composed of three members of the BRE Sustainability Board. The members of the Appeal Panel are drawn from external organisations and act as a governance body for BRE Global. The following members will have roles and responsibilities:

- Chairman: an independent member, raises all issues with the panel, has voting right.
- Members No. 2 and 3: independent members, discuss all issues and votes on outcome.

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The maximum time between written receipt of the appeal and the decision by the Appeal Panel is 20 working days.

2.9.3 Disputes, complaints and appeals by individuals and organisations against Scheme Members

Any dispute, complaint or appeal by an individual or organisation against a scheme member should be made as follows:

- Dispute – by communication with the Head of Certification.
- Complaint or appeal – in writing to the Scheme Director.

Any dispute, complaint or appeal may arise as a result of issues such as failure to discharge their duties correctly.

All correspondence and meeting notes associated with disputes, complaints and appeals will be retained on file and be made available to BSD on request.

Where a dispute or complaint is raised as a result of refusal of membership then the complaints process is not appropriate and the matter should go straight to the appeals process set out below.

Disputes

The process for handling disputes is as follows:

- Head of Certification receives verbal communication or note of dispute from Candidate.
- Head of Certification investigates dispute with ACD Team (Administrator, Lead Assessor and Lead Auditor) and Head of Certification where required.
- Head of Certification reaches a decision on dispute, which may either reject the candidate's claim or accept the claim and put in place measures to satisfy the outcome.
- Candidate is informed of decision in writing by the Head of Certification.

This process should be completed within no more than 10 working days from note of dispute being received by BRE.

BSD will be informed where a decision by the Head of Certification is likely to cause issues for Certification. The decision on informing BSD is made by the Head of Certification.

Complaints

Complaints will only be considered where they are received in writing by the Scheme Director.

The process for handling complaints is outlined in the flowchart of Appendix 5.

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Building Standards Division shall be informed (by email) at each step of the complaint by the Scheme Director.

The process of handling a complaint is as follows:

- Step 1: Scheme Director, responsible for co-ordinating the response to any complaint, by requesting and collating information, convening meetings, and notifying relevant parties. Arranges meeting of the Conduct Panel, unless complaint can be resolved by the Head of Certification.
- Step 2: Certification Conduct Panel, responsible for deciding whether or not any complaint merits consideration by the certification disciplinary panel, or may be resolved by requiring specific work or other action (except fines), or should be rejected. The Panel meets and decides whether or not the Disciplinary Panel is required.
- Step 3: Certification Disciplinary Panel, responsible for hearing and determining any complaint concerning a member of a scheme that alleges a breach of section 11(4) of the Building (Scotland) Act 2003, or any other complaint that the certification conduct panel considers merits a hearing. The Panel meets and determines the response to the complaint.
- Step 4: Scheme Director is informed of the outcome and writes to the party making the complaint.

The Certification Conduct Panel is composed of at least three senior staff of BRE Global (Head of Certification, Sustainable Schemes Manager and Senior Administrator).

The Certification Disciplinary Panel is composed of senior staff of BRE Global, including the at least three Directors of BRE Global.

The roles and responsibilities of the Certification Disciplinary Panel are as follows:


- Board Director: Chairs the panel, makes expert input into complaint resolution, voting on outcome.
- Two further Directors of BRE Global: Expert input into complaints, voting on outcome.

The Scheme Director is responsible for communication of the result of the complaint to the complainant, Building Standards Division and the ACD Team.

The total time from receiving a complaint to communication to the complainant should be no more than 20 working days.

Appeals

An appeal may be made against any decision of BRE Global to refuse or revoke certification by writing to the Scheme Director clearly setting out the grounds for the appeal. Appendix 6 provides the process by which appeals will be assessed. Appeals will be allowed only in the case of procedural issues.

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BRE Global reserves the right to charge up to £1000.00 to the appellant in the event that the appeal is unsuccessful.

The process to be undertaken in an appeal is as follows:

Step 1: The appeal is received in writing and reviewed by the Scheme Director. Appeals are only allowed in the case of procedural issues.

Step 2: Arrangements are then made for an Appeal Panel (by an independent chair) to meet within 20 working days of receipt of the appeal.

Step 3: An Appeal Panel will consist of three members of the BRE Global Sustainability Board who:

- have not been directly involved in the decision under appeal and
- have no direct interest in the decision.

The Chairman of the BRE Global Sustainability Board will agree the composition of the Appeal Panel with BRE Global.

Step 4: The appellant is given notice of the date set for the appeal, advised of the constitution of the Appeal Panel and invited to be present. The appellant has the right to state objections to the constitution of the Appeal Panel within two working days of receipt of notice. In this case, the objection will be considered by the Chairman of the Sustainability Board and the membership of the Appeal Panel amended if necessary.

Step 5: An Appeal Panel may uphold or quash the decision of BRE Global following a review of the circumstances surrounding the appeal. The Appellant will be informed of the Appeal Panel's decision. BSD and the ACD Team are informed.

The Appeal Panel is composed of three members of the BRE Sustainability Board. The members of the Appeal Panel are drawn from external organisations and act as a governance body for BRE Global. The following members will have roles and responsibilities:

- Chairman: an independent member, raises all issues with the panel, has voting right.
- Members No. 2 and 3: independent members, discuss all issues and votes on outcome.

The maximum time between written receipt of the appeal and the decision by the Appeal Panel is 20 working days.

2.10 Disciplinary procedure and action


Where the outcome of a dispute, complaint or appeal is such that the Approved Certifier of Design or Approved Body is subject to disciplinary action then it is the responsibility of the Head of Certification to communicate this outcome to all parties.

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The findings of the dispute, complaint or appeal will be communicated to the Scheme Member and the course of action to be followed explained.

Membership will be terminated if a member of the Scheme is found by the Scheme Disciplinary Panel to have recklessly issued a certificate. Any alleged breach of section 11(4) of the (Building Scotland) Act will be reported to the relevant local authority, which is a reporting agency for the Procurator Fiscal.

Membership may be terminated or other disciplinary action taken at any time if the conduct or action of a member of the Scheme is found by the Certification Disciplinary Panel to breach the Codes of Conduct given in this Scheme Document.

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3 Certification practice

3.1 Certification of Compliance with the Building Regulations

A client who commissions a project that is subject to building warrant may choose to engage an Approved Body which provides non-domestic buildings energy certification services. They may use the BSD Certification Register to find such a body, or to check the registration of a known firm. The Certifier should be part of the design team and be included at all stages.

It is imperative that, when certifying the compliance of energy design, the process by which compliance was assessed is recorded in writing and placed on file. The record of the Certifier's assessment process is subject to audit at any stage after submission of the warrant. It is, therefore, essential that all such records be placed on file without delay. Assessing compliance is not a retrospective activity and must precede the signing of the certificate.


Certification should include scrutiny of design assumptions, calculation methods, drawings, relevant parts of the specification, and other documents as appropriate. Appendix 7 provides further details on the items that are required in order for an Approved Certifier of Design to certify a Non-Domestic building for compliance with Section 6.

Approved Certifiers of Design will be required to retain a logbook of certification, see sample requirements in Appendix 8. It should include all relevant information, the certification checklist, copies of certificates issued and details of all assessments undertaken. The logbook is an essential component required to continue to demonstrate competence of the Certifier and it should be kept up to date for audit purposes. The Approved Body will be expected to maintain a logbook for inspection at any time by BRE Global.

3.2 Certificate of Design

A Certificate of Design is a standard form, see sample in Appendix 1. The Certifier completes the form and it is signed by the Certifier and the Certification Coordinator on behalf of the Approved Body that employs or engages the Certifier. The resulting Certificate is supplied to the applicant for building warrant and is submitted along with this application to the verifier.

The Certificate must include a certificate number issued by BRE Global and project details that are entered as part of the process to download the Certificate of Design. Certificates are available to Approved Certifiers via access on the BRE Global Scheme IT System (www.bre.co.uk/acd). Certifiers who are members of the Scheme are given a registration number and password to the member's area to download a unique Certificate of Design. Payment of a fee is made for downloading the unique Certificate.

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The Approved Certifier of Design should also enter the date at which the Certificate was signed by themselves and the Approved Body Certification Coordinator by accessing the member's area. The Certificate of Design may be signed only when compliance with the building regulations have been satisfied fully (Section 6). This may be at a date later that the Certificate was downloaded.

Part A of the Certificate is a declaration by the Certifier:

- (1) of the nature of the work certified (relevant building standards regulation(s), building use, scope of certification);
- (2) that the Design complies with the building regulations.
- (3) that he/she is registered as an Approved Certifier.

The Certificate also includes a declaration of how specified aspects of the project was certified, which serves as a checklist and will be used in auditing.

The Certifier states:


'I certify that, having exercised reasonable skill care and diligence in consideration of the design proposal for the project described in the application:

- i) The energy design complies with the Building (Scotland) Regulations 2004 (as amended) with respect to Standards 6.1 to 6.10 (Non-Domestic)
- ii) Where this certificate relates to an application for a stage, the design of this stage is consistent with the design of any previously certified stages.
- iii) I am registered by Building Standards Division as competent to certify the design of such work.
- iv) The building when converted in accordance with the warrant application, will comply with the requirements applicable to energy contained within Regulation 12 of the Building (Scotland) Regulations 2004 (as amended).'

Part B of the Certificate is a statement by the Certification Coordinator of the Approved Body:

- 'I confirm that the person signing Part A is an Approved Certifier of Design and is a principal in or is employed by this Approved Body. This body is registered by Building Standards Division to provide certification services for Design (Section 6 - Energy) and employs at least one approved certifier under that scheme. I am registered as certification coordinator for this body.'

A Certificate of Design and Energy Performance Certificate (for each building) may be submitted in support of a Building Warrant and/or a Completion Certificate. The Verifier is required to register details of the certificate in Part 1 of the local authority's Building Standards Register, which is an electronic record, and to keep a copy of the certificate in Part 2 of the Building Standards Register. Both parts of local authority Building Standards Registers must be accessible to the public.

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BRE Global, as the scheme provider, is required to report to the BSD all certificates issued by the members of the Scheme, at no more than three month intervals. Approved Bodies should retain a copy of the Certificate and pass a copy to the Scheme Provider.

Certificates will be recorded on BRE Global's IT system in order for them to be reported to BSD. Certifiers will access the certificate and pay an appropriate amount depending on the building warrant fee (see section 4).

Certificate of Design entitles the building warrant applicant to a 10% discount on the warrant fee. However, this will only be permissible when the Certificate of Design is submitted with the building warrant application.

3.3 Role of the Approved Certifier of Design in a building project


Appendix 7 shows a checklist that can be used by Approved Certifiers of Design in the course of certification work. The Certifier will be a member of the project design team. All information is therefore required in order to certify to Section 6, but the Certifier should record any omissions with justification within the Certification Logbook.

The checklist is primarily to help the Certifier and the responsibility for completing it lies with the Certifier. The Certifier may hand over the checklist at the outset and ask the applicant to supply the information available at that time. As the design work proceeds the Certifier records additional information included on the checklist as it becomes available. This helps the Approved Certifier to adopt a methodical approach to certification and the completed checklist forms part of the audit by the scheme provider.

The checklist is primarily a guidance document for the Certifier and for those others involved with the design team. The building warrant applicant may be a lay or professional person. If they are a lay person then they are likely to rely on their professional design team to act on their behalf by sourcing the relevant information. It is considered that the sourcing of information in order to Certify to Section 6 will be a two way process between the design professionals working on behalf of the warrant applicant and the Certifier.

An Approved Certifier of Design can use the checklist in order to confirm that all relevant information has been produced in order to determine compliance with Section 6. The information may be made available by another professional from the design team or alternatively it may be provided by the Approved Certifier. The Approved Certifier will need to record when information has been provided or obtained and record the suitability. In the case of insufficient information then the Certifier will seek more information from the other members of the design team or carry out further work to supply this information.

There are a variety of ways in which the checklist can be used in the Certification process, but the Approved Certifier must ultimately record the availability of the information and justify reasons for not including specific items.

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Subcontractor designed packages and staged warrants can present an issue for the certification process. Guidance has been produced by BRE Global and is included in Appendix 9.

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4 Membership process

The membership process is provided in this section, including applications, assessments, maintenance and auditing. In addition, BSD will undertake audits of the scheme operated by BRE Global.

The flowchart in Appendix 10 shows the process of application and assessment. Appendix 11 provides details regarding the audit process.

Applications for membership

Applications will be received by BRE from suitable applicants. Sample application forms are given in Appendix 12.


All information relating to the application process is available on line at www.bre.co.uk/acd. Payment of the membership joining fee should be made on application for membership to BRE Global. Payment should be made by cheque or through an invoice if required. Once the payment has cleared then the application will be assessed by the Scheme Administrator who will record receipt of application and fee, check for completeness and create a new file for the applicant. The application will be returned if not complete or passed to the scheme assessor if complete for assessment. A checking and verification form is started for each Approved Certifier of Design and Approved Body. The process set out in Section 4.2 will be used by The ACD Team.

The applicant will be informed of the decision by the Scheme Administrator on behalf of the Head of Certification. The joining fees for the scheme are as set out in table 4.1.

Approved Certifiers of Design	Individual Membership	£50
	(exam fee)	£625
Approved Body	Firm, public body, etc	£350
	(site visit – if required)	£600
Sole practitioner	Sole trader, self employed	£350
	(site visit – if required)	£600

Table 4.1: Joining fees (VAT to be added to all)

Certifiers also need to display competence through examination, which is normally part of the application process. The ACD Examination costs £625 (See Appendix 3).

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4.2 Assessment of membership applications

BRE Global has appointed a team of Head of Certification, Scheme Director, Lead Assessor and Support Assessors, as well as the Scheme Administrator. A checklist has been developed for the application process, see Appendix 13.

The Scheme Administrator first checks completeness of the application, enters details onto the ACD database and starts the Checking and Verification form. Incomplete applications are returned, whilst complete applications are forwarded to the Lead Assessor. References will be requested by the Scheme Administrator. The Scheme Administrator will request that the Code of Conduct and Schedule of Competence will be completed and signed.

It will be the responsibility of the Assessors to ensure that the application for either Approved Body or Certifier meets the requirements of the scheme. Any conflict of interest of assessors must be declared prior to assessment commencing.

The Assessor will normally undertake assessment of application within four weeks of receipt, and all references have been obtained.

Assessors will grade the application as follows:

- Satisfies membership criteria
- Does not satisfy membership criteria.

In the case of the latter the Lead Assessor will correspond directly with the applicant for further information or to reject the application.


Assessors will complete a checking and verification form to record all decisions made. A recommendation will be made either to accept application, reject application or to ask for further points of clarification, by the Lead Assessor. Support Assessors cannot themselves decide on suitability, sign off is required for quality assurance purposes. In cases of uncertainty Support Assessors will seek advice from the Lead Assessor. Further guidance should be given by the Head of Certification.

The Head of Certification will check all applications and complete the Checking and Verification Form.

The Scheme Director, or delegated person, will finalise the Checking and Verification process. A letter of acceptance will then be prepared for the Applicant by the Lead Assessor.

The Certifier and/or Approved Body details will be placed onto the BSD Certification Register, if successful. Each Certifier and Approved Body will be provided with a Registration Number. This will be used on all certificates issued and the numbers will be unique. Unique and secure user names and passwords will be provided to Certifiers to access Certificates of Design as detailed above.

The Head of Certification will sign off applications as required. If the Head of Certification considers that the application form is insufficient to assess the suitability of an Approved Body then a joining audit visit may be required.

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The applicant will be informed of the decision of BRE Global on membership by the Lead Assessor. If successful then two letters will be sent, the first with the Certifiers Registration Number and user name for the member's area of the web site. The second letter will contain their password for the member's area. These items are sent separately for security of the system. Certifiers should not disclose their password to any other person.

Approved Bodies will have their membership confirmed by letter, which will detail their registration number. Certification Coordinators do not undertake Certificate downloads and therefore they do not have access to the member's area of the website.

4.3 Maintaining membership

Membership is subject to an annual fee as set out in table 4.2.

Approved Certifiers of Design	Individual Membership	£50
Approved Body	Firm, public body, etc	£350
Sole practitioner	Sole trader, self employed	£350

Table 4.2: Annual fees (VAT to be added to all)

If fees for membership remain outstanding for one month then membership will be suspended. If fees remain unpaid for three months then the membership will be terminated. A full application is required with audit of previous work prior to reinstatement. The annual fees will be due one year after the membership has been granted, i.e. the date on the acceptance letter from BRE Global.

Certifiers are required to maintain an up to date logbook for all Certification projects.

Certifiers who wish to amend their Schedule of Competence may make separate applications at any time. This may require further examination and application of a fee.

Approved Bodies shall retain for audit purposes evidence of Professional Indemnity Insurance cover and Public Liability Insurance. Employer's liability insurance may also be required for firms, but not for Sole Practitioners.

The Certification Coordinator is not allowed to sign certificates in any period when the Approved Body does not employ at least one Approved Certifier of Design. BRE Global must be informed on any such periods.

Any member that wishes to resign their membership can do so with immediate effect by writing to the Head of Certification. No refund will be provided on membership fees.

Any Approved Certifier of Design who leaves their firm (Approved Body) will be temporarily suspended until such time as they become an employee of another

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Approved Body or a Sole Practitioner. An Approved Body that does not employ an Approved Certifier of Design cannot issue Certificates of Design.

It is a condition of membership that each Certifier will complete a mandatory annual CPD programme which is relevant to the needs and requirements of Energy Certification. The Certifier retains responsibility to report training undertaken to the Scheme. Failure to complete CPD identified as mandatory by the Scheme on an annual basis may result in suspension or membership termination.

Membership may be suspended or terminated as a result of complaints and disciplinary procedures being activated (see Section 2.9). BRE Global will inform BSD within 24 hours of any such instance.

Auditing of scheme members will be carried out at a frequency of no greater than three years. Successful completion of the audit will be a prerequisite for continuing membership. Audit processes are described in the following section.

Certification register update files will be supplied by BRE Global to BSD on suspension and termination of membership.

4.4 Auditing – scheme membership and certificates issued

The members of the scheme will be audited, the flowchart in Appendix 11 provides details of the process. Audits will include the following:

- One audit during first three years of membership. Approximately one month notice provided.
- Emergency audits initiated by complaints and/or unusual circumstances existing (e.g. large contract being assessed). No more than one week notice provided.
- Audits required for renewal of membership, at three yearly intervals. Three months notice provided.

With regard to the emergency audit the following will apply:

- A Certificate of Design fee is in excess of £1000.00 plus VAT.
- Where the work of the Certifier or Approved Body has been subject to a complaint specific to the specific Certificate of Design issued.
- Where BSD or a Verifier makes a reasonable request for the Certifier's work to be audited.

BRE Global will undertake audits of major projects. Any project with a Certificate of Design fee in excess of £1,000.00 plus VAT and or a warrant fee greater than £100,000 should be reported by the Approved Body to BRE Global and an emergency project audit may be undertaken. BRE Global will ensure that the project is within the capability of the Certifier prior to the work going ahead. The Certification logbook may be inspected at any time during the work.

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The system for auditing the Approved Bodies and Certifiers will include the following:

- At the initial random audit, three yearly audit or emergency audit BRE Global will inform the Approved Body's Certification Coordinator of the date and requirements for the audit.
- The Approved Body and Certifiers will be required to submit their Certification Logbook to BRE Global prior to the audit (at least 24 hours).
- Auditors will visit the premises of the Approved Body and Certifiers and undertake audit using a checklist of items, see Appendix 11.
- A selection of projects will be assessed for each Certifier.
- The auditors will ensure that access to relevant information on building standards is available and that Certifiers CPD records are acceptable.


One or two auditors (typically appropriate members of BRE staff in order to avoid conflicts of interest) will be assigned to an Approved Body and their Certifiers, depending on the size of the firm, number of certifiers and their projects undertaken in the period covered. The Lead Auditor and Support Auditors will themselves be qualified and trained to the level of Certifier. The training they will receive will be to the same standard as expected for Certifiers. The auditor training will include sections 1 to 5 and 7 of the Technical Handbook.

The auditor will provide a verbal report to the Certification Coordinator at the time of the audit. However, a written report and cover letter will be provided to the Approved Body. The audit will be signed off by the Head of Certification prior to release to the Approved Body for quality assurance purposes. Where the audit is not undertaken by the Lead Auditor then this person shall check the audit prior to it being submitted to the Head of Certification. The audit process shall use a checklist and flow chart to ensure compliance with good practice, this has been developed from existing BRE Global schemes.

The following outcomes from audit are possible:

- Successful audit (no non-conformities) – scheme membership will be renewed and the Approved Body and Certifier will remain on the Register.
- Partially unsuccessful (minor and/or major non-conformities) – provide actions and follow up within 60 days to check that remedial actions have taken place. Where this is achieved, scheme membership will be renewed and the Approved Body and Certifier will remain on the Register. Where significant non-conformities are identified then a follow-up audit may be required within six months.
- Unsuccessful audit (multiple major non-conformities and/or unsatisfactory conduct) – membership will be suspended pending further consideration by the Head of Certification and if necessary the Certification Disciplinary Panel. Membership may be terminated.

Further information on the audit process and reporting is given in Appendix 11.

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4.5 Auditing of Scheme by BSD

The management of the Scheme by BRE Global, including membership assessment, auditing and approval processes is subject to annual audit by the BSD on behalf of the Scottish Ministers. There is a cost to BRE Global for the audit by BSD.

4.6 Summary of Fees

A summary of the fees involved in the Approved Certifiers of Design (Section 6 – Energy) for Non-Domestic Buildings Energy Scheme are as follows:

- Joining fee – Approved Certifiers of Design (individuals) - £50.00; payable on application to join scheme.
- Approved Bodies (firms) - £350.00; payable on application to join scheme.
- Sole practitioner (individual in practice) - £350.00; payable on application to join scheme.
- Training/Examination fee – are as advertised on BRE web site and are payable on applying to sit training and examination – www.bre.co.uk/acd
- Annual renewal Approved Certifier of Design - £50.00; payable 12 months after joining Scheme.
- Annual renewal Approved Body - £350.00; payable 12 months after joining Scheme.
- Annual renewal Sole Practitioner - £350.00; payable 12 months after joining Scheme.
- Certificate fees – 1% of warrant fee, with a minimum fee of £25 to be charged per Certificate; payable when Certificate number is downloaded from BRE Global on line Scheme IT System.
- Note – VAT to be added to all the above.

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5. Further information

The Building Standards Division Certification Register

The BSD Certification Register is the only authoritative list of approved certifiers, approved bodies, schemes and scheme providers. The Register is maintained and kept up to date by the BSD. The Register is available for inspection at:

<http://www.certificationregister.co.uk>

BRE Global

Enquiries about the Scheme may be answered via the FAQ section at www.bre.co.uk/acd. Otherwise, enquiries should be addressed to:

ACD Scheme
 BRE Global
 Orion House
 Bramah Avenue
 Scottish Enterprise Technology Park
 East Kilbride
 G75 0RD

TEL: 01355 576200


acd@bre.co.uk

The ACD Team will provide advice to Approved Certifiers of Design and Approved Bodies on any issue that does not involve a dispute, complaint or appeal (see Section 2.9) in the conduct of their roles in accordance with this Scheme Document.

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Appendix 2: Sample schedule of competence

Schedule of Competence Approved Certifiers of Design: Non-Domestic Energy		
Name:		
Approved Body name or sole trader:		
Building Type and limits	Evidence provided	Approved by Assessor
<i>To be completed by applicant</i>	<i>To be completed by assessor</i>	
Guidance notes:		
<ul style="list-style-type: none"> The applicant should during the application process enter details of their competence in the above table. This should focus on type of building (e.g. bungalows, 2 storey houses, flatted dwellings, etc), it should describe any limitations on building size, etc. The applicant should provide evidence of involvement in the energy design of these buildings in the application process. A short description of involvement with supporting design information will suffice. Recent experience is preferred, but longer term experience in the last ten years is also acceptable. The schedule of competence can be updated on an annual basis to take account of expanding experience. 		

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Appendix 3: Training materials and examination from BRE Global

Introduction


BRE Global will make training and an assessment examination available for all applicants as an Approved Certifier of Design. Successful completion of the examination is a prerequisite for membership of the Scheme as an Approved Certifier. Applicants do not have to undertake the training supplied by BRE if they can demonstrate that they have undertaken approved training by BSD on the operation of the Scheme and individual's responsibility that is at least equivalent to that offered by BRE Global within the past 12 months.

This appendix gives details of the training materials and the examination.

Training materials

The training offered by BRE Global focuses on the following:

- Certification schemes, and the scope of the Approved Certifiers of Design for Non-Domestic Energy.
- Details of the Scheme,
 - how it operates,
 - the activities, processes and issues are involved,
 - who is involved and
 - what systems are in place.
- The roles and responsibilities of Approved Certifiers, building standards system and warrant applications.
- The roles and responsibilities of the Certification Coordinator
- The roles and responsibilities of others involved in the Certification Process.
- Understanding Section 6 - Energy.
- Understanding how to Certify to Section 6 (Standards 6.1 to 6.10).
- Understanding the potential interactions between Section 6 and Sections 1 to 5 and 7.
- The use of current and approved SBEM or approved DSM software to assess the energy performance of dwellings
- Alternative commercial approved software for Non-Domestic buildings.

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- Issuing Energy Performance Certificates and a compliance statement for Non-Domestic buildings.

The training will be offered in a package over a three parts as follows:

- ACD Training Part 1 - 2 days training related to the use of SBEM and other aspects of assessing compliance.
- ACD Training Part 2 – 1 day training in other relevant aspects, covering building standards and the role of the Certifier.
- ACD Examination Part 3 - The exam will take place approximately one month after the training.

BRE Global will run courses at regular intervals in order to ensure that there is sufficient opportunity to gain entry to the Scheme.

Training and examinations can be booked on line via www.bre.co.uk/acd. Applicants unable to book online or requiring further information should contact the Scheme Administrator at acd@bre.co.uk.

The training will be delivered in suitable training accommodation in locations around Scotland. The course material will include PowerPoint slide handouts, written guidance and information related to the operation of the Scheme and practical based SBEM training. Worked examples will be included in the SBEM training.

Each delegate to the training will be provided with a handout pack.


Examination

The examination will include the following:

- demonstration of knowledge and competence in Section 6.
- demonstration of knowledge and competence in Sections 1 to 5 and 7.
- demonstration of understanding and ability to use SBEM software, and other national calculation support tools.
- demonstration of knowledge in building regulations, warrant applications and the role of Certification in the Building Standards system.

The examination would be undertaken over one day, it will not be split. The examination will involve the following:

- multiple choice questions – particularly related to building standards, certification and understanding of the Scheme. This part of the examination will take 45 minutes to complete and will involve up to 30 questions. A pass mark of 70% is required.
- Partial case studies - involving exercises to undertake SBEM evaluations of a Non-Domestic building. BRE will allow candidates to complete this part of the examination in no more than two hours. The worked example will require

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demonstration of successful completion of work sheets and a short written report. A pass mark of 80% is required.

- Full case study – involving a full SBEM based case study. BRE will allow candidates up to two and a half hours to complete this part of the examination. The worked example will require demonstration of successful completion of work sheets and a short written report. A pass mark of 70% is required, with no more than one non-compliance.
- Written questions on Certification and the role of the Certifier. This will involve at least three written questions. 10 marks are available in each question and the pass mark is 70%.

The examination will be undertaken in a suitable venue with all necessary materials and support provided by BRE Global staff.

The Lead Assessor would be responsible for the examination of candidates and undertaking the assessment of each exam paper and practical tests.

BRE Global expects a pass rate of applicants of around 75% first time and over 95% the second time. The Lead Assessor and Scheme Director will determine if more than one re-examination is possible for candidates.

In the event of the failure of any part of the examination then the candidate will normally be required to undertake a resit of that part of the examination. However, in the event of a borderline failure of any part of the examination the Lead Assessor and Scheme Director may determine that a corrective exercise may be undertaken in place of an exam resit. This may involve one of the following:

- Undertake further training related to the area of deficiency.
- Undertake an interview with the Lead Assessor.
- Undertake an exercise set by the Lead Assessor.

This approach will be allowed only in specific circumstances at the discretion of the Scheme Provider, there is no automatic right or choice by candidates to join the scheme. Additional charge will be levied by BRE Global for any of the above.

The examination results will remain valid for a period of six months from the date the candidate received the results. Application to join the Scheme should be undertaken within this period of time. After this period of time the Scheme Provider may require the candidate to take a further examination.

In the event of major changes to the building standards (Section 6 – Energy) all Certifiers of Design and applicants may be required to undertake further training and examination.

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Alternative training and examination options

BRE Global has a written agreement with IES to provide applicants with the possibility to progress to scheme membership by undertaking training and examination based on IES Dynamic Simulation Modelling.

The route to qualification through IES is as follows:

ACD Training Part 1 (IES): One day training, plus distance learning with IES. This will train applicants in IES DSM software and the requirements of building regulations in Scotland. Training is provided by IES and should be booked directly with IES.

ACD Training Part 2: The same one day training course as set out above, provided by BRE (bookable on www.bre.co.uk/training).

ACD Examination Part 3: IES based ACD examination. It has three parts (all of which are undertaken under classroom conditions). The examination will include the following:

- demonstration of knowledge and competence in Section 6.
- demonstration of knowledge and competence in Sections 1 to 5 and 7.
- demonstration of understanding and ability to use IES software, and other national calculation support tools.
- demonstration of knowledge in building regulations, warrant applications and the role of Certification in the Building Standards system.


The examination should be booked with IES directly.

A pass mark for the exam is 67% in total. If candidate mark is between 60-67% then they receive a marginal pass and have to complete an additional paper. A mark of less than 60% overall is a fail.

The examination will be undertaken in a suitable venue with all necessary materials and support provided by IES and BRE Global. The Lead Assessor would be responsible for the examination of candidates and undertaking the assessment of each exam paper and practical tests. IES staff will mark the exams and supply results to the Lead Assessor.

In the event of the failure of any part of the examination then the candidate will be required to undertake a resit of that part of the examination. In the event of a borderline failure of any part of the examination the Lead Assessor and Scheme Director may determine that a corrective exercise may be undertaken in place of a resit. This may involve one of the following:

- Undertake further training related to the area of deficiency.
- Undertake an interview with the Lead Assessor.
- Undertake an exercise set by the Lead Assessor.

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This approach will be allowed only in specific circumstances at the discretion of the Scheme Provider, there is no automatic right or choice by candidates to join the scheme. Additional charge will be levied by BRE Global for any of the above.

The examination results will remain valid for a period of six months from the date the candidate received the results. Application to join the Scheme should be undertaken within this period of time. After this period of time the Scheme Provider may require the candidate to take a further examination.


In the event of major changes to the building standards (Section 6 – Energy) all Certifiers of Design and applicants may be required to undertake further training and examination.

The BRE ACD Team may enter into similar arrangements with other non-domestic building software providers in the future. A similar approach will be adopted with regard to delivery of training and the examination. BRE Global will publish the agreements with software providers on the web site as required. Updates will be made to this Scheme Document when required.

Only in exceptional circumstances will a candidate be accepted onto the scheme without undertaking an examination. Such circumstances may include previous non-domestic scheme assessors or auditors who have previously demonstrated the competence to act as an approved certifier of design in the discharge of such roles to the satisfaction of BRE G. Any decision on this matter will be at the discretion of the Lead Assessor, Scheme Director and Head of Certification.

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Appendix 4: Code of conduct

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Scheme for Certification of Design (Section 6 – Energy) for Non-Domestic Buildings

As an Approved Certifier of Design / Certification Coordinator, I will:

- (1) act with integrity and fairness;
- (2) have regard to the public interest and to the interests of all those affected by their activities;
- (3) not maliciously or recklessly injure or attempt to injure the reputation of another person;
- (4) avoid conflicts of interest;
- (5) uphold the reputation of the Scheme.

The function of Approved Certifiers of Approved Design and Certification Coordinator will be discharged, as follows:

- (1) exercise appropriate skill, care, diligence and judgement in undertaking the certification of energy design with respect to the Building (Scotland) Regulations 2004 as amended;
- (2) do not misrepresent themselves as having expertise and experience that they do not possess;
- (3) maintain and broaden their expertise;
- (4) undertake only those tasks for which they have appropriate expertise and experience;
- (5) do not certify work carried out by others without carrying out necessary checks to satisfy themselves of the adequacy of the work and compatibility within the whole building;
- (6) acknowledge that for some projects they may lack appropriate experience to enable them to act as the Certifier; and
- (7) disclose to BRE Global if they have been convicted of an offence by a court or have been subject to an adverse finding of any kind by any tribunal, court or other authority.
- (8) be part of the design team with a continuous involvement in the design process.

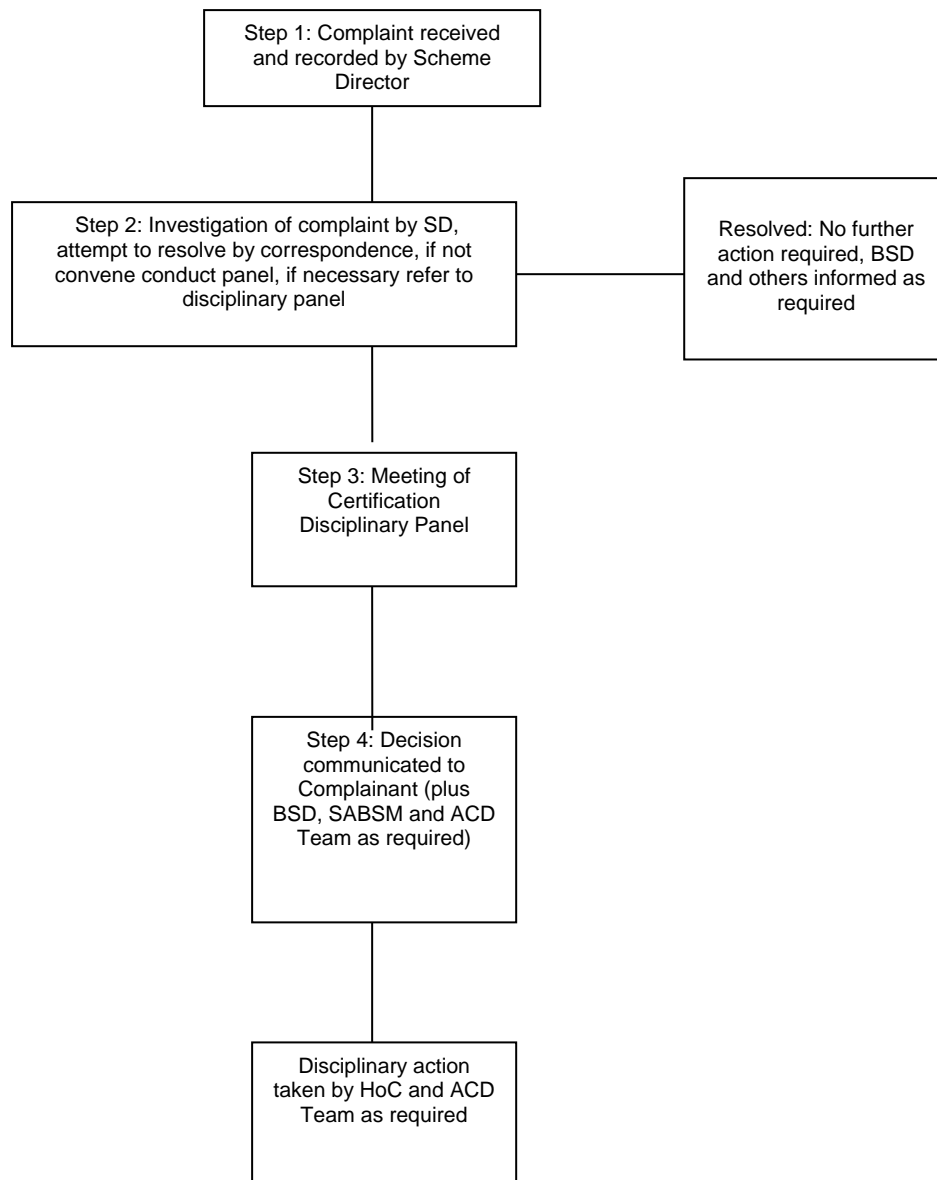
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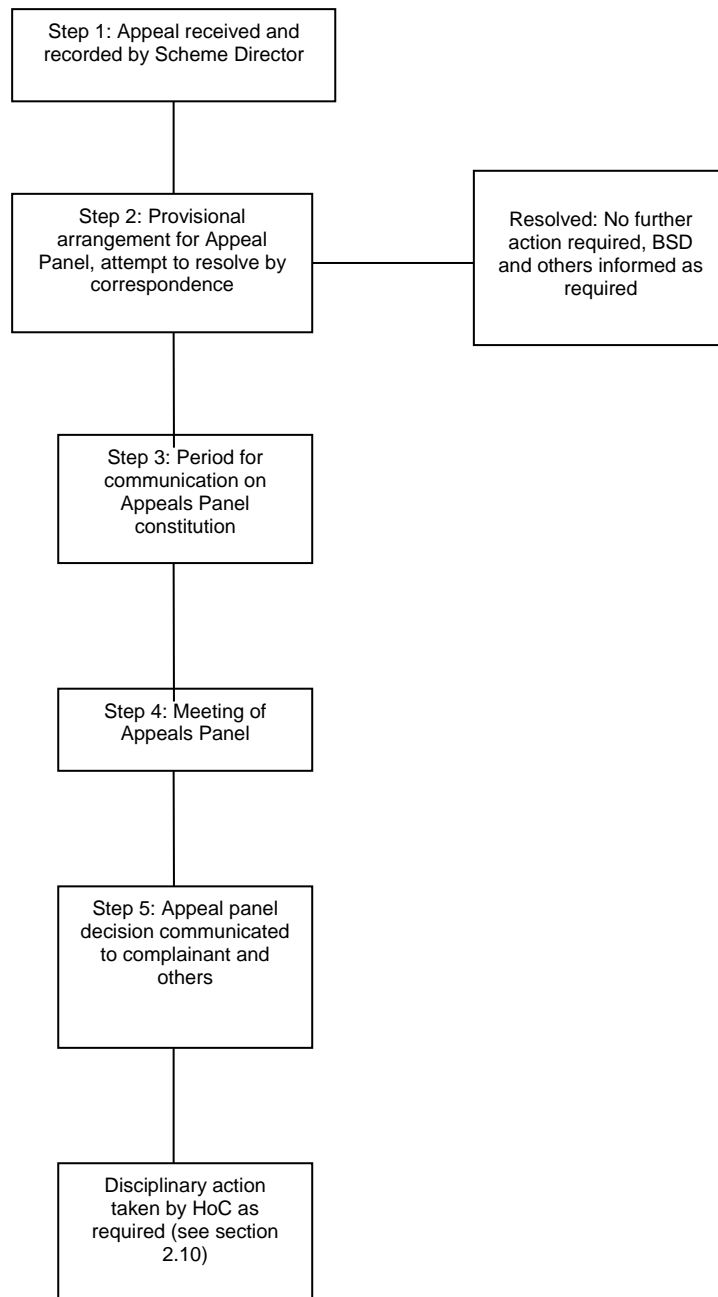
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Appendix 5: Process for handling complaints - flowchart



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Appendix 6: Appeals procedure – flowchart



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Appendix 7: Checklist of items for the Certification process and project files: Section 6 Non-Domestic

A checklist shall be kept for all Certification projects undertaken by the Certifier. This appendix provides guidance on the basic level of checks that need to be demonstrated by the Certifier for each project.

Each Certification project file should also contain the following (as relevant to the project):

- Copies of all Certificates issued
- Copy of any checklist used by the Certifier (see table A7.1)
- Record of how compliance was achieved
- Record of any third parties used
- Record of correspondence with client and other parties
- Record of particular problems encountered and their resolution
- Declaration that job is within competence of Certifier
- Statement from Certification Coordinator of quality control for each project
- Copy of contract with client, including terms and conditions
- Copy of the Certificate of Design and if required Energy Performance Certificate(s).

Table A7.1: Sample checklist

Item	Description
Specifications	Bills of Quantities or other forms of written specification. This will relate to the building fabric, services and any energy other relevant energy aspect.
Building Design drawings	Relevant drawings of building elements (wall, roof, floor, etc sections), junctions, components.
Services Design drawings	Relevant drawings of services related to use of energy in the building and assessed against the Standards in section 6.
Contractor packages	Details of all contractor designed packages, including specifications, drawings and trade literature.


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Trade literature	Copies of all relevant manufacturers trade literature relevant to building fabric or services components.
Certificates by third parties	Copies of all relevant certificates issued by third parties on products used in the building fabric, services or other relevant energy using products.
CE Marking and other national information	Copies of CE marking information, or similar product information, on building fabric, services or other relevant energy using products.
Building integrated renewables	Information on the technology and performance of building integrated renewables, if they are used.
Carbon emissions and energy use calculations – Standard 6.1	Outputs, results and reports from SBEM or other means of assessing compliance with Standard 6.1. This should be supported with full calculations, illustrating the logic applied.
U-value calculations, insulation and airtightness – relevant to Standards 6.1 and 6.2	Relevant U-value calculations or information relevant to use in SBEM for Section 6.1. All relevant information on insulation used in walls, floors, roofs, etc. for Standard 6.2. All relevant airtightness information for Standard 6.2.
Heating and hot water – Standard 6.3	Relevant information on the heating and hot water systems to provide energy efficiency in accordance with Standard 6.3.
Pipes, ducts and vessels – Standard 6.4	Thermal insulation information for pipes, ducts and vessels in accordance with Standard 6.4.
Artificial and display lighting – Section 6.5	Information on the energy efficiency and controls for artificial and display lighting in accordance with Standard 6.5.
Mechanical ventilation and air conditioning – Standard 6.6	Information on the building fabric of the building, and the energy efficiency of the ventilation and cooling systems in accordance with Standard 6.6.
Commissioning of services – Standard 6.7	Information on the commissioning process and testing for relevant services of Standard 6.7.
Logbook information – Standard 6.8	Information to be included in any logbook for the building as per Standard 6.8.
Energy Performance Certificate – Standard 6.9	Although primarily a construction matter rather than design, information should be provided that is relevant to production of the energy performance certificate as per Standard 6.9. The approach to achieving the EPC for any particular type of building should also be included.

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Metering – Standard 6.10	Information is required on fuel consumption meters to be used in the building – as per Standard 6.10.
General	All other relevant energy design information necessary to ensure coordination between Section 6 and all other Sections. Description and relevance to be given by the Approved Certifier in the Certification Logbook.

Note: For some projects the requirements for information to Certify to Section 6 will differ. Where it is not necessary to have all above information for Certification purposes, then this should be recorded in the Certification Handbook by the Approved Certifier with justification. Any additional information should be noted under general and a justification for its inclusion provided.

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Appendix 8: Certification logbook and project files

The Certification Logbook should be kept by all Approved Certifiers of Design and Approved Bodies (including Sole Practitioners). The logbook should cover all Certification of Design work undertaken by an Approved Body and/or Certifier.

The Logbook is kept with all Certification work undertaken by an Approved Body. This will allow the work to be audited readily.

Entries should be made in the Logbook for each Certification project (see Appendix 8). The Certification Logbook will contain at the least details of the following (see table A8.1 for an example logbook):

- Client details
- Approved Certifier details
- Project details
- How compliance was determined
- The dates the work commenced and certificates were signed, together with any details of staged warrants, Schedule 1 and Form Q (see Appendix 9).
- Whether or not an Energy Performance Certificate(s) is to be produced for the work.
- Details of any disputes or complaints.
- Any other relevant details.

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Appendix 9: Advice on subcontractor designed packages and Schedule 1

Certification of Contractor Designed Details

Introduction

On many construction projects standard components or details are designed by a specialist contractor often some time after the general layout design of the Non-Domestic building has been completed. Typical components which fall into this group are roofs, cladding, connections, etc. Other key components may be chosen on the basis of information presented in manufacturer's catalogues or test certification however these may not be specified at the time the warrant application has been lodged.

The nature of the construction process is such that work frequently commences on site before all of the detailed design has been completed. Building Warrants must be obtained before work commences and can be a precondition of funding being made available to enable the award of specialist sub-contracts. The building warrant process and the associated energy certification process must be sufficiently flexible to accommodate the realities of construction while still providing the necessary safeguards to the conservation of fuel and power.

If a certificate from an Approved Certifier of Design is submitted then Verifiers should not require design calculations or challenge the design.

Post Warrant Contractor Designed Details

The BRE Global scheme has introduced an option which will permit the certification of specific details to be undertaken some time after the certification of the general energy arrangement has been completed and a warrant (or staged warrant) has been granted by the verifier. The key features of this option are as follows:

- The design certificate must be accompanied by Schedule 1 listing any items or details which the certificate does not cover in detail.
- The warrant plans accompanying the application must contain a performance specification for any items or details listed in the schedule to the design certificate.
- The Certifier will receive information from the specialist contractor that demonstrates compliance with the performance specification and compatibility with the previously certified design once this is available.
- If the design does not comply with the performance specification but does satisfy the requirements of the regulations then an application to amend the warrant must be made.
- A building warrant, granted by a Verifier for an application accompanied by a certificate described above, will be accompanied by a notice that is to be returned to the Verifier once the certifier is satisfied regarding the design of the detail.

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- The notice will be signed by the Certifier and by the Approved Body.
- The Local Authority Verifier will not accept a completion certificate until the notification has been returned.

This procedure should only be used to deal with clearly defined contractor designed details. The Notification Form is a standard document which will be used by all verifiers in a model format specified by the BSD.

The steps to be followed when applying this option are set out in the following:

- Step1 Building Warrant Application lodged

Certifier issues a design certificate for building or stage accompanied by a schedule listing details to be contractor designed later but which are described in the application by performance specification(s).

- Step 2 Verifier issues Building Warrant

The building warrant is accompanied by a Form:

“Notification of Finalisation of Energy Details”

- Step 3 Client appoints specialist contractor

Other work included within warrant can commence on site.

- Step 4 Specialist contractor supplies project Certifier with design detail(s)

Certifier checks contractor design for compliance with performance specification(s) and for consistency with the overall energy design. Any divergence from this would require an amendment to Warrant.

- Step 5 Project Certifier approves design and returns signed notification to the Verifier

Notification also needs to be signed by the Approved Body. Certifiers should retain a copy of the signed notification for audit purposes.

- Step 6 Client submits completion certificate to Verifier.

Before accepting a completion certificate from the applicant the Verifier will check that a notification has been returned relating to any details previously listed in a schedule to the design certificate(s)

Staged Warrants

Staged Warrants may be used to enable an early site start by restricting the content of the design included within the early stages solely to the structure. A verifier may grant a warrant with a condition that information on later stages (which will be listed in the warrant form) is to be provided later. This will allow such stages, accompanied by the appropriate certification, to pass quickly through the verification process. A first stage comprising only foundation and sub-structure may be lodged as soon as these elements have been certified and work may commence thereafter. There may be no detailed energy requirements in the first stage, but the Approved Certifier would still be expected to produce a Certificate on the design to that

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time. Ensure that only certified works are included in the staged application as other matters that are included in the package then the warrant will take longer to process.

The Approved Certifier must issue a separate certificate for each stage and the BSD Procedural handbook states that the certificate must relate only to the work included in a particular stage. It is however the responsibility of a Certifier to make sure that a design certified for a particular stage is also consistent with the design of any previously Certified stages. One Certifier will sign all of the certificates submitted for a particular project.

Work on subsequent stages must not commence until the design of these have been submitted to the verifier and a staged warrant granted. The client carries a risk that subsequent changes, perhaps arising out of building regulation compliance issues not previously identified, this could require costly changes to an already constructed stage.

The choice of appropriate stages is a matter for agreement between the applicant and the local authority verifier. The Procedure Regulations do prescribe stages however this is limited to the construction of foundations or any other stages as the verifier considers appropriate having regard to guidance issued by Scottish Ministers. The Approved Certifier should be prepared to offer advice on this matter to the client. For a detailed explanation of the staged warrant procedure readers should consult the relevant sections of the Scheme Document issued by BRE Global and the procedural guidance issued by BSD.

Schedule 1

Where a Schedule 1 (see example in table A9.1)) is appropriate it should accompany the relevant Stage Certificate(s). Schedule 1 forms are available on the members area of the BRE Approved Certifiers of Design web site (www.bre.co.uk/acd). A checklist must also be completed for each certificate and kept for record purposes.

A Schedule 1 is used to describe the performance measures placed on components that cannot currently be fully designed or are designed by contractors. They are typically used with staged warrants, but could be used at other times.

Once the design is complete a Form Q (supplied by the Verifier) is used to confirm that the design fully complies with Section 6.

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BRE GLOBAL LTD
**SCHEDULE 1 FORM (SECTION 6 –ENERGY)
 FOR NON-DOMESTIC BUILDINGS**

Certificate No:		Building Warrant Number (if known)	
Parent Certificate No. (if Staged Certificate):		Project Reference	
Project Location (As described in Warrant Application)			

SCHEDULE 1: The following items, while forming part of the energy design covered by this certificate, are subject to detailed design by a specialist contractor which has yet to be completed. A performance specification covering the design of these items has been submitted with the information accompanying the building warrant application. I understand that I will be required to sign a certificate indicating that the design of these items has been undertaken in accordance with the performance specification at the appropriate time.

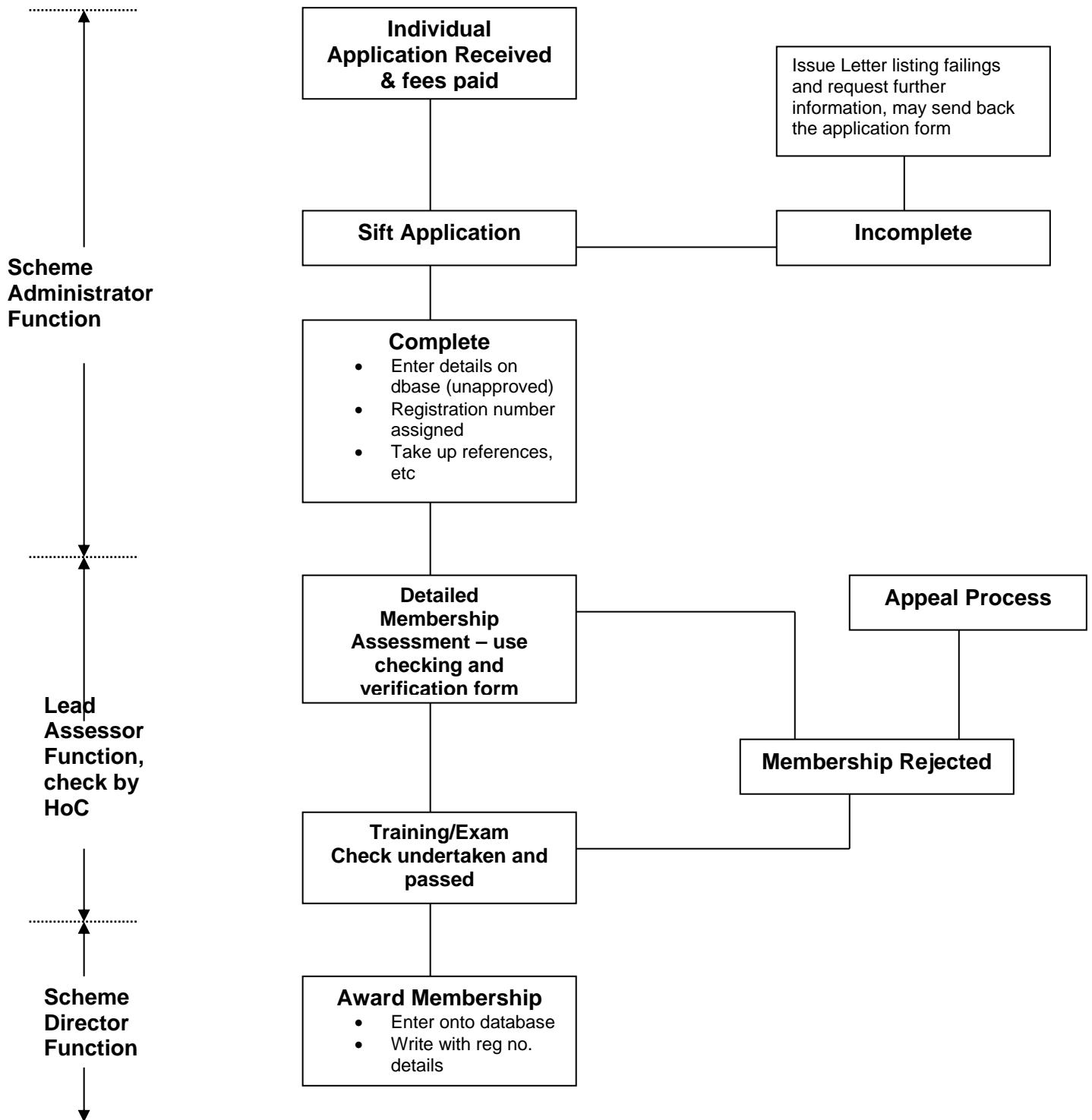
Item Reference	Item Description
1	
2	
3	
4	
5	
6	
7	
8	
9	
10	

Signature	<input type="text"/>	Day	<input type="text"/>	Month	<input type="text"/>	Year	<input type="text"/>	Certifier registration number -	<input type="text"/>
Name	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	200	<input type="text"/>	BRE1-D-	<input type="text"/>

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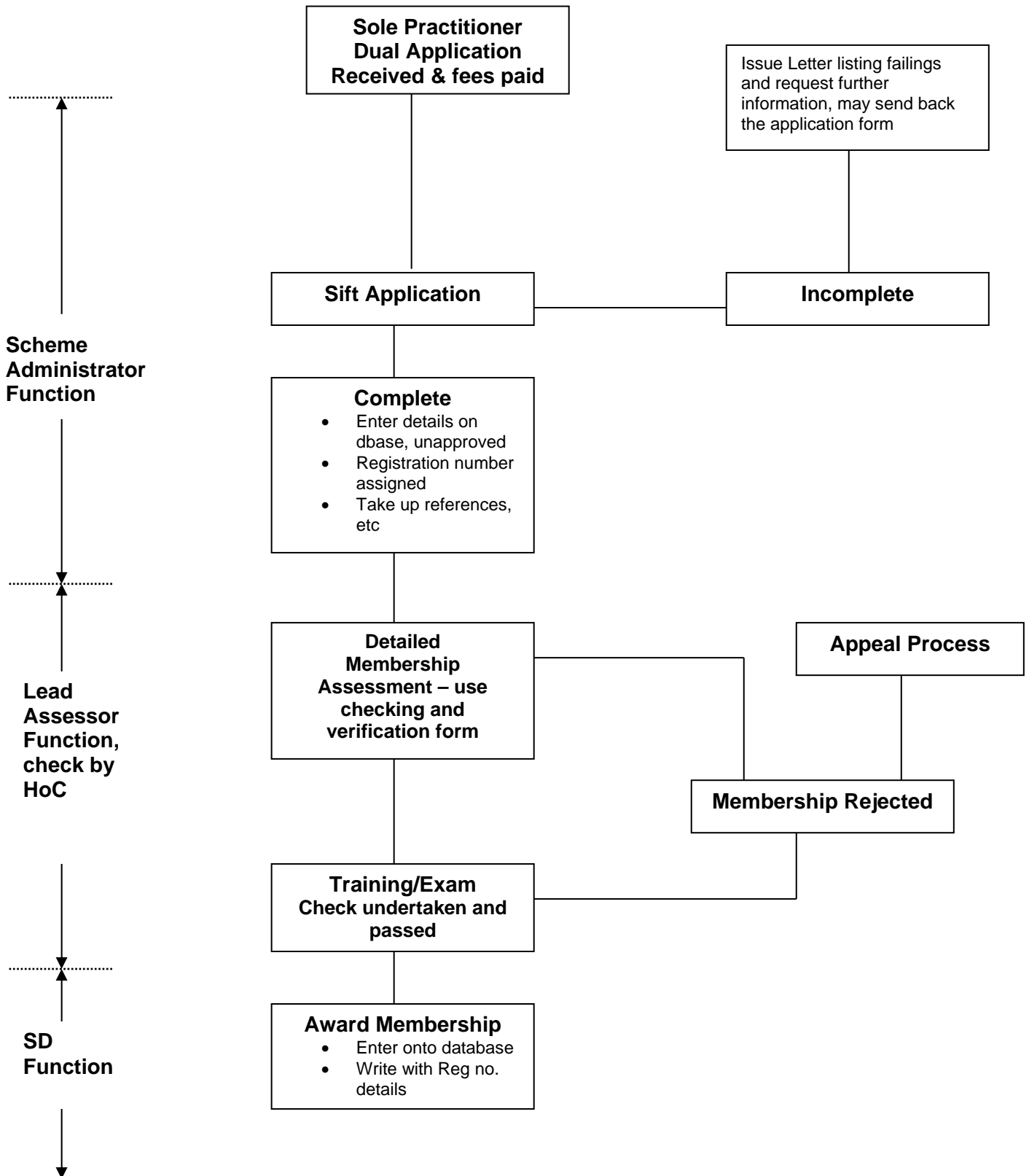
Appendix 10: Application and assessment process – flowcharts

Application Process – Individual ACD



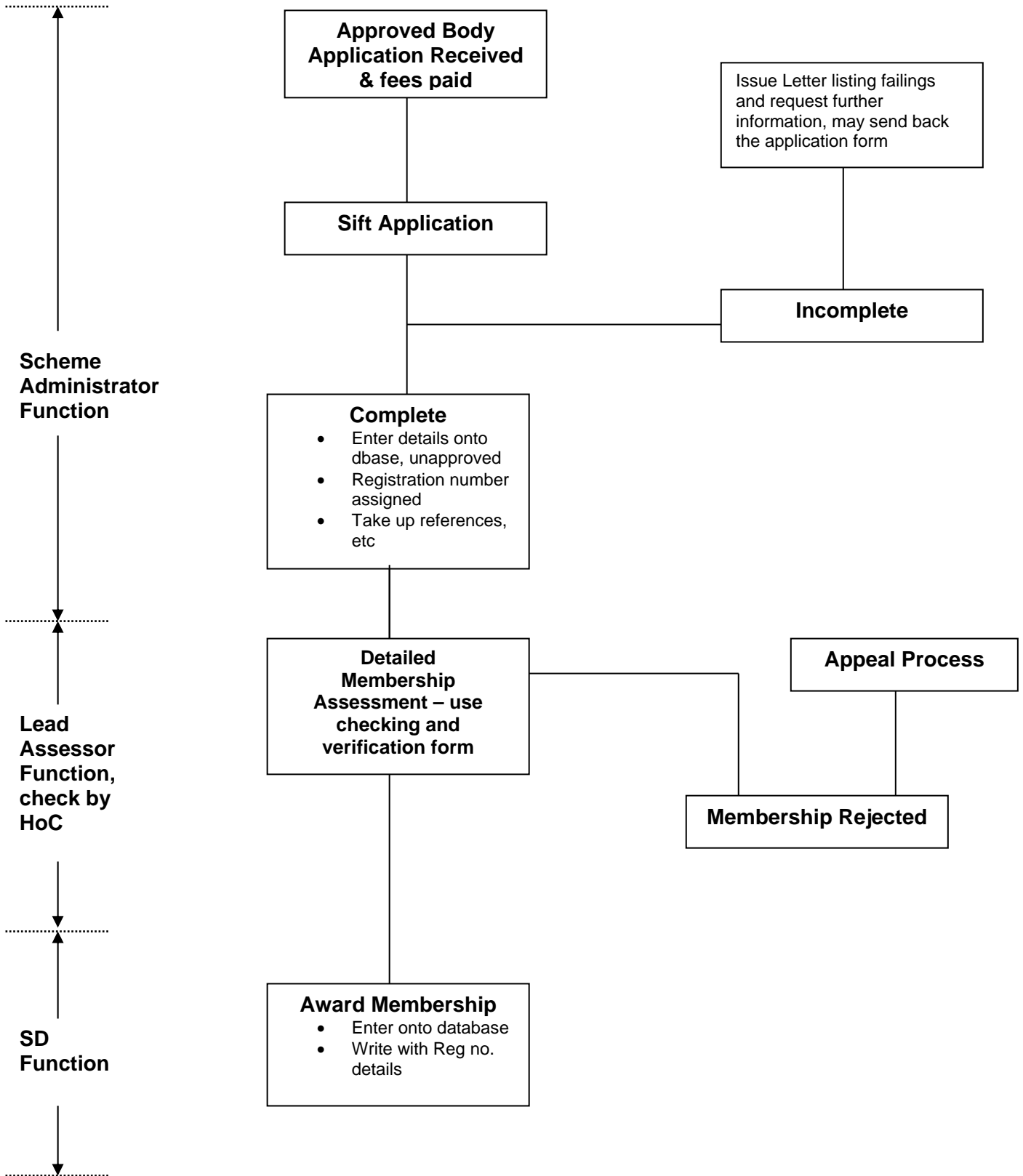
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Application Process – Sole Practitioners



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Application Process – Approved Body



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Appendix 11: Approved Body and Approved Certifier Audit

Approved Certifiers of Design Domestic And Non-Domestic

Scheme Members

Audit Process Documentation

Guidance for Auditors

and Certifiers and Coordinators of Approved Bodies

This documentation sets out BRE's approach to undertaking audits of scheme members. It also covers the training requirements for auditors.


Information for prospective Approved Bodies and Approved Certifiers of Design, and members of the public are provided in the Scheme Documents.

Prior to undertaking an audit of a Scheme Member, the Lead Auditor will provide an outline plan for the specific audit to the Approved Body.

All correspondence regarding the Audit will be undertaken between the Lead auditor and the Certification Coordinator of the Approved Body. The Coordinator will be responsible for ensuring that all Certifiers are available for the audit. Sole practitioners acting as Certifiers will be approached directly.

The audit will include the Approved Body and the Approved Certifiers of Design.

BRE Global provides training to all Auditors, this includes a mock audit.

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Audit requirements and process

The members of the scheme will be audited. Audits will include the following:

- Emergency audits can be initiated by any or all of the following conditions: complaints and/or unusual circumstances existing (e.g. large contract being assessed).
A Certificate of Design fee in excess of £1000.00 plus VAT and or a Building Warrant fee greater than £10,000.

Where the work of the Certifier or Approved Body has been subject to a complaint relating to a specific issued Certificate of Design.

Where BSD or a Verifier makes a reasonable request for the Certifier's work to be audited.

No more than one week notice provided.

- One audit during first three years of membership, approximately one month notice will be provided to the Certification Coordinator of the Approved Body.
- Audits may be required for renewal of membership, at three yearly intervals. Three months notice provided.

BRE Global will undertake audits of major projects. Any project of warrant fee greater than £10,000 should be reported by the Approved Body to BRE Global and an emergency project audit may be undertaken. BRE Global will ensure that the project is within the capability of the Certifier prior to the work going ahead. The Certification logbook may be inspected at any time during the work.

The system for auditing the Approved Bodies and Certifiers will include the following:

- At the initial random audit, three yearly audit or emergency audit BRE Global will inform the Approved Body's Certification Coordinator of the date and requirements for the audit.
- The Approved Body and Certifiers will be required to submit their Certification Logbook to BRE Global prior to the audit (at least 24 hours).
- BRE Global auditors will visit the premises of the Approved Body and Certifiers and undertake audit using a checklist of items, see table 1.
- A selection of projects will be assessed for each Certifier.
- The auditors will ensure that access to relevant information on building standards is available and that Certifiers CPD records are acceptable.

One or two auditors will be assigned (appropriate members of BRE staff to avoid any conflict of interest) to an Approved Body and their Certifiers, depending on the size of the firm, number of certifiers and their projects undertaken in the period covered. The Lead Auditor and Support Auditors will themselves be qualified and trained to the level of Certifier. The training they will receive will be to the same standard as

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expected for Certifiers, see later section of this document. The auditor training will include sections 1 to 5 of the Technical Handbook.

The auditor will provide a verbal report to the Certification Coordinator at the time of the audit. However, a written report and cover letter will be provided to the Approved Body. The audit will be signed off by the Head of Certification prior to release to the Approved Body for quality assurance purposes. Where the audit is not undertaken by the Lead Auditor then this person shall check the audit prior to it being submitted to the Head of Certification. The audit process shall use a checklist and flow chart to ensure compliance with good practice, this has been developed from existing BRE Global schemes.


If the audit is satisfactory then the scheme membership will be renewed and the Approved Body and Certifier will remain on the Register. If there are minor non-conformities then these will be reported and a follow up visit arranged. If there is an unsatisfactory audit then membership will be suspended pending further consideration by the Head of Certification and the Disciplinary panel. Auditors should refer to Appendix 3 of Audit plan for Approved Certifiers of Design Scheme (Section 6 – Energy): Domestic and Non-Domestic for guidance on which action to take based on audit outcome.

Table 1: Checklist for Audit process - Approved Body

Step	Description	Completed /initials/date
1	Scheme Administrator informs Approved Body of proposed date of audit. 3 year audit or renewal audit – one month notice/three months notice Emergency audit – seven calendar days notice	
2	Auditor appointed by lead auditor to undertake audit (if not lead auditor). Contact made with Approved Body Certification Coordinator.	
3	Certification logbooks submitted by Approved Body for all Certifiers of Design Minimum 24 hour before audit	
4	Audit undertaken: Certifiers work checked – selection or all projects depending on numbers AB – quality system checked, including access to information for Certifiers Certifiers CPD checked, access to up to date technical information checked, Certification 'library' of information checked Interviews with all certifiers Interviews with Certification coordinator(s) Logbook and checklists returned with comments by auditor Verbal report given to Certifiers and Coordinators Checks made on Certificates Checks made on Certification System used by Approved Body and Certifier,	

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	<p>including filing, sign off of Certificates, etc.</p> <p>Quality Assurance used by Certifiers and Approved Bodies for Certification Process</p> <p>All relevant health and safety issues should be covered by the audit.</p> <p>Other issues addressed during audit to be recorded by auditor</p>	
5	Written report made by Auditor to Lead Auditor and Head of Certification for sign off	
6	<p>Action taken</p> <p>Successful audit – continue scheme membership</p> <p>Partially unsuccessful – provide actions and follow up within six months (the follow-up may include a further audit or check that remedial actions have taken place)</p> <p>Unsuccessful audit – carry out suspension and possible termination of membership, pending further consideration by the Head of Certification and the Disciplinary panel.</p>	
7	Report given to Approved Body and Certifier with recommendations	
8	BRE Global CEO and Board informed of audit within one month	
9	BSD informed of any suspension or termination within 24 hours	

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Appendix 12: Sample application forms – Certifiers, Sole Traders and Approved Bodies

Please refer to the website, www.bre.co.uk/acd.


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Appendix 13: Checklist and verification form for application and assessment

Applicant's Name:

Company name:

Activity to check	BRE	For BRE Global Ltd	
	Administrator	Scheme checker 1 (Lead Assessor)	Scheme Checker 2 (HoC)
Application form			
Application to ACD Domestic Scheme <input type="checkbox"/>			
Application to ACD Non Domestic Scheme <input type="checkbox"/>			
All sections completed			
Signed by applicant			
Signed by company (where applicable)			
Have all required payments been made? (Cheque, CC payment or Invoice)			
Code of Conduct			
Signed by the appropriate person?			
Schedule of Competence - Signed by the appropriate person?			
Signed by the appropriate person?			
CV			
Is there a copy of a CV?			
Qualification and Training			
Name matches application form on qualifications certificate(s)			
SAP Certificate (Domestic Buildings) or <input type="checkbox"/>			
SBEM Certificate (Non-Domestic Buildings). <input type="checkbox"/>			
Signed by the appropriate person?			
ACD Part 2 training completed?			
ACD Part 3 (exam) successfully completed?			
Date passed Exam			
Part 1 - Date:			
Part 2 - Date:			
Part 3 - Date:			
Existing ACD - exam and training exemption? (State which ACD Scheme awarded membership i.e. RIAS)			
CPD Record			
Is there a CPD record?			
Insurance if Approved Body or if Sole Practitioner			
Is the insurance amount correct?			
Is the insurance valid at current date?			
Does the insurance cover both public liability and professional indemnity?			
References			
Reference 1 received and satisfactory?			
Reference 2 received and satisfactory?			
Certificate of Incorporation Approved Body or if Sole Practitioner			
Is there a copy of the certificate of incorporation (where appropriate)?			
BRE Global Certificate Re-issue			
Original Certificate			
Change of details form			
Suspension and withdrawal form			

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Appendix 14: Terms and Conditions

A copy of the BRE Global Terms and Conditions (PN 101) can be downloaded from the website – www.bre.co.uk/acd.

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Appendix 15: Guidelines for the use of the Scottish Government's Approved Certifier Registration Mark



Contents

You'll find everything you need to implement the Scottish Government's Approved Certifier Registration Mark (ACRM) in this document and on the Assets CD.

For further advice on how to implement the Approved Certifier Registration Mark or using the Assets CD, please contact your certification scheme provider. Details of all scheme providers are available on the Building Standards website at <http://www.scotland.gov.uk/Topics/Built-Environment/Building/Building-standards/profinfo/cert/certschemes>.

Scheme Providers requiring further advice should contact the Scottish Government Building Standards Division at certificationschemes@scotland.gsi.gov.uk.

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The Approved Certifier Registration Mark

The Scottish Government's Approved Certifier Registration Mark may only be used by members of certification schemes approved by the Scottish Government.

The Registration Mark combines the Building Standards Approved Certifier copy with the Saltire and the Scottish Government of our national identity.

Building Standards Approved Certifier



The Scottish Government

1

Colour versions

The Approved Certifier Registration Mark should be applied consistently and correctly, and must never be altered in any way. The words 'Building Standards Approved Certifier', 'The Scottish Government' and the Saltire should always appear together, never independently. Only ever use an original graphic file taken from the Assets CD supplied. The 'ACRM Positive Colour' mark below should be used where possible.



2

Colour

To reinforce the Approved Certifier Registration Mark and to aid recognition, the Approved Certifier Registration Mark should always appear in blue or black. It should never be produced in other colours.

Colour specifications:

	Saltire	Text
Pantone:	PMS 300	PMS 281
RAL:	RAL 5015 Himmelblau	RAL 5003 Saphirblau
BS:	B55252F 20044	B55252F 20045
CMYK:	99, 51, 0, 0	100, 85, 5, 35
RGB:	0, 101, 189	0, 38, 100



Please note that CMYK and RGB breakdown values for Pantone colours are correct at time of going to press. Be aware, however, that Pantone colours can change so check the latest Pantone reference books for the most up-to-date information.

3

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Minimum size and clear space

Minimum size
To ensure visibility, legibility and accessibility, the Saltire in the Approved Certifier Registration Mark should never be used at a width less than the size shown below.



Minimum clear space
To ensure clarity and maintain stand-out of the Approved Certifier Registration Mark, a clear space should be maintained around it. No other visual elements should appear in this space. This is a minimum size and more clear space can be left around the Approved Certifier Registration Mark where required.



The minimum clear space is measured by the depth of the lower dotted triangle of the Saltire as shown above.

4

Use with partner identities

Always ensure the Approved Certifier Registration Mark is given equal prominence when used alongside other organisations' identities

Wherever possible the Approved Certifier Registration Mark should sit to the top or right of other identities.

When used alongside the identities of other organisations the Approved Certifier Registration Mark should share the same scale and proportion. Minimum size and exclusion zone rules should be adhered to, ensuring the Approved Certifier Registration Mark is visible.

The Approved Certifier Registration Mark should be positioned to the right of other identities or stacked above them, as shown.

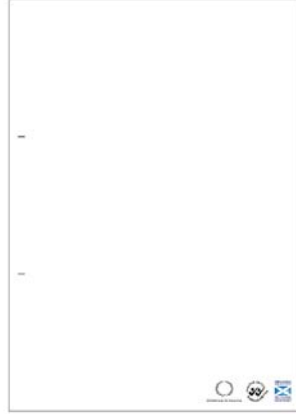


5

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Letterhead

Visual showing the preferred size and positioning of the Approved Certifier Registration Mark on a letterhead. The Approved Certifier Registration Mark should sit in the bottom right corner where possible, 7mm from both the bottom and right edges of the page.



6

Printed stationery



WEB compliments slip



Business card

7

Further applications

The Approved Certifier Registration Mark may be used in various other applications, for example, on leaflets, security passes, vehicles, online and advertising. Care should be taken to ensure that clear space, positioning and minimum size rules are followed in each case.

For further advice on how to implement the Approved Certifier Registration Mark or how to use the Assets CD, please contact the certification scheme provider.


8

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Assets list

The following list provides a guide to the available formats of each of the marks supplied on disc.



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Appendix 16: Use of the BRE Global Logo

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LPCB and BRE Certification Use of the Certification Mark(s)



Definition: BRE Certification means LPCB, WMLAS and BRE Certification

1. Certification Marks

This publication describes how the LPCB and BRE Certification Marks, Notified Body number and European Directive marks (e.g. CE marking) may be used.

The actual Mark(s) that may be used are detailed in the appropriate harmonised standard, European Directive, scheme document, agreement or certificate. Examples of LPCB and BRE Certification Marks appear on page 3. For further information, please contact your Scheme Manager.

Certification Marks are the property of BRE Certification Ltd and their use is subject to authorisation of the proposals (see 2), and subject to the conditions set out in 3 and 4.

2. Authorisation

Before any use of a Certification Mark(s), the Supplier shall submit to BRE Certification for authorisation a copy of the proposed use along with details of the colour, size, location and accompanying text (Section 4 gives general requirements on reproduction of the mark to help with preparing your proposed uses).

3. Conditions

3.1 Product Certification

Unless specified otherwise in the scheme document or agreement all products listed on product certificates must be identified with the appropriate Certification Mark, certificate number, Notified Body number, European Directive Mark and where applicable scheme description.

N.B. Product Marking can be achieved through direct marking onto the product, marking on labels attached to the product or primary packaging used specifically for the product; (alternative proposals for identifying the product may be considered by BRE Certification in exceptional circumstances where it is impracticable to use the Certification Marks as detailed above).

3.2 Management Systems Certification

Approvals relating solely to Management Systems Certification shall not entitle the Supplier to use the Mark on products or packaging.

The appropriate Mark may be used on product sales literature provided that the products are within the scope of the Certificate and that the Mark appears in a footer or at the end of the brochure and in no way implies product certification.

3.3 Personnel Certification

The Certification Marks when referring to Personnel Certification shall not be used on products or packaging.

3.4 Responsibility of the Supplier

The Supplier shall:

- (i) ensure that the products and services supplied by it under a valid current BRE Certification certificate and using the appropriate Certification Mark, conform at all times with the requirements of the Agreement (see Terms and Conditions);

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- (II) In the event of termination of the Agreement howsoever arising, cease using, remove or obliterate the Certification Marks.

4. General Requirements

4.1 UKAS

Certification Marks containing the UKAS accreditation mark (crown and tick) may not be used on vehicles, buildings, banners and pennants.

4.2 Size

Certification and European Directive Marks may be enlarged or reduced (uniformly), provided that legibility is maintained.

For the Certification Marks containing the UKAS accreditation Mark:

- (I) The minimum height of the crown and tick element is 20mm
- (II) The maximum height of the crown and tick element is 30mm on an unfolded A4 document.

4.3 Colour

LPCB and BRE Certification Marks shall be black, however the tick in the centre of the BRE Certification circle may alternatively be reproduced using Pantone 300C - blue. In certain circumstances and by agreement, the predominant colour of a letterhead or brochure may be used.

4.4 Publicity Material

Certification Marks may be used on letterheads, brochures and any publicity material that is directly related to the products or services that appear on the corresponding certificate. They may be used on products, vehicles, buildings, banners and pennants provided they:

- (I) do not contain the UKAS accreditation Mark
- (II) do not imply approval of products not approved by ourselves
- (III) follow the rules set out in 3 above below.

5. Warrants

BRE Certification does not warrant that the use of the Certification Mark(s) does not infringe the rights of any third party other than those rights derived from BRE Certification. BRE Certification warrants that as at the date of acceptance of this document, it is not aware of any such rights or of the existence of any licences or other similar rights under the Certification Marks in relation to any goods and services in the UK.

6. Misuse of the Certification Mark(s) and Notified Body Number/EU Directive Marking

Any misuse of the Certification Mark(s) and/or Notified Body number, whether negligent or fraudulent, will be investigated and could lead to suspension and withdrawal of certification, publication of the transgression, legal action, or a fine.

7. Further advice and assistance

Please contact one of our customer service assistants on 01923 664100 if you require any further advice or assistance regarding using the BRE Certification and LPCB approval marks. Alternatively, please either e-mail us at: enquiries@bre-certification.co.uk or fax us on 01923 664603.

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Examples of the Marks that can be used. Please check your certificate and scheme document for the actual mark and corresponding wording that should appear beneath the mark.

