

Comhairle nan Eilean Siar
Building Standards

Customer Charter 2023 -24

Version	Date	Comment
1.0	01/04/23	2023-24 Customer Charter – Version 1.0
2.0	11/10/23	Minor updates – Version 2.0

1. INTRODUCTION and PURPOSE OF CHARTER

This Charter explains what the Comhairle's Building Standards Service does. The objective of the Charter is to set out the level of service which our customers are entitled to expect when coming into contact with us and indicates how you can help us to help you.

The Charter incorporates the aims, values and commitments that are set out in the National Charter which has been drawn up to govern the minimum service standards that all Scottish Building Standards Verifiers should meet. This gives customers the reassurance that a consistent, high quality service will be delivered no matter which local authority provides the service.

We hope you will find this Charter useful. Please let us know if you think we could improve the service further by contacting:

buildingstandards@cne-siar.gov.uk

1.1. The Building Standards Service - Aims and Commitments

Our Aims:

- to provide a professional and informative service in an efficient, consistent and open manner;
- to grant building warrants and accept completion certificates;
- to secure the health, safety, welfare and convenience of persons in and about buildings and others who may be affected by buildings or matters connected with buildings;
- furthering the conservation of fuel and power, and;
- furthering the achievement of sustainable development;
- to ensure our premises and information are as accessible as possible;
- to treat everyone fairly and with respect;
- to be open, honest and accountable for our actions;
- to consult and listen to customers;
- to strive for continuous improvement in our services and processes.

Our vision/values:

To provide a professional and informative service to all our customers.

Our Commitments:

Along with all local authority verifiers we will:

- seek to minimise the average time it takes for customers to obtain a building warrant or amendment to a building warrant;
- ensure continuous improvement around the quality of our assessments to ensure compliance;
- meet and seek to exceed customer expectations;
- carry out local customer satisfaction research, such as surveys, focus groups etc.
- address feedback obtained through local and national customer satisfaction research (including a National Customer Satisfaction Survey) to improve the customer experience;
- provide information on local formal complaints procedures, the LABSS Dispute Resolution Process, and the BSD Customer Performance Reporting Service, and refer customers as appropriate;
- provide accurate financial data that is evidence-based;
- engage and participate in partnership working at local and national level to identify and embed service improvements at a national level;
- adhere to a national annual performance report outlining our objectives, targets and performance;
- fully adhere to the commitments outlined in this Charter (including information on customer dissatisfaction in relation to building warrant processing timescales, processes and technical interpretation);
- use a consistent format for continuous improvement plans.

Information - National information on verification performance can be found at the Scottish Government Building Standards webpage:

<http://www.gov.scot/bsd>

1.2. National Key Performance Outcomes

The new Building Standards performance framework was introduced on 1 May 2012. One requirement of this framework was the publishing of National Key Performance Indicators (KPOs). The publishing of these KPOs by Verifiers ensures that comparisons can be made in terms of outputs and overall service between each verifier. The performance of the Comhairle's Building Standards service in terms of KPO 1-3 can be found at the following link:

<https://www.cne-siar.gov.uk/planning-and-building/building-standards/performance-indicators/national-key-performance-outcomes/>

The new 2017 Verification Performance Framework revises these KPOs and these are listed in the table overleaf along with the national target for each KPO.

1.3. Performance Management and Monitoring

To enable Comhairle nan Eilean Siar to report its performance more effectively, the Comhairle has developed plans that set out its strategic priorities and objectives in addition to the actions required to achieve these reports.

Building standards performance reports, along with those of the Comhairle as a whole, are available to view online and can be found on the Comhairle's website:

<https://www.cne-siar.gov.uk/planning-and-building/building-standards/performance-indicators/>

The Performance indicators show the Comhairle's average times for responding to applications for building warrant and completion certificates.

For a building warrant – the response time is the period from validation of an application until a response is provided to an applicant from the Comhairle. This will be either a building warrant, together with approved plans; or, if your proposals do not comply with the building regulations, a response, known as the 'first response' letter, identifying the areas of non-compliance which will require your attention.

	KEY PERFORMANCE OUTCOMES	NATIONAL TARGETS
KPO1	Minimise time taken to issue a first report or to issue a building warrant or amendment to building warrant	<ul style="list-style-type: none"> • 95% of first reports (for building warrants and amendments) issued within 20 days – all first reports (including BWs and amendments issued without a first report). • 90% of building warrants and amendments issued within 10 days from receipt of all satisfactory information – all building warrants and amendments (not including BWs and amendments issued without a first report).
KPO2	Increase quality of compliance assessment during the construction processes	<ul style="list-style-type: none"> • Targets to be developed as part of future review of KPO2.
KPO3	Commit to the building standards customer charter	<ul style="list-style-type: none"> • National customer charter is published prominently on the website and incorporates version control detailing reviews (frequency of reviews to be at least quarterly). • 95% of BSD requests for information on a BSD 'Verifier Performance Reporting Service for Customers' case responded to by verifier within 5 days.
KPO4	Understand and respond to the customer experience	<ul style="list-style-type: none"> • Minimum overall average satisfaction rating of 7.5 out of 10.
KPO5	Maintain financial governance	<ul style="list-style-type: none"> • Building standards verification fee income to cover indicative verification service costs (staff costs plus 30%).
KPO6	Commit to e-Building Standards	<ul style="list-style-type: none"> • Details of e-Building Standards are published prominently on the verifier's website. • 75% of each key building warrant related process being done electronically <ul style="list-style-type: none"> • Plan checking • Building warrant or amendments (and plans) being issued • Verification during construction • Completion certificates being accepted

KPO7	Commit to objectives outlined in the annual performance report	<ul style="list-style-type: none"> • Annual performance report published prominently on website with version control (reviewed at least quarterly). • Annual performance report to include performance data in line with KPOs and associated targets (annually covering previous year e.g. April 2016 – March 2017). • The report is to include: <ul style="list-style-type: none"> • Adherence to the national customer charter (KPO3) • Appropriate actions to respond to customer feedback (KPO4) • Financial performance (KPO5) • Commitment to digital services (KPO6)
------	--	---

SERVICE STANDARD

By publishing our standards and targets, we aim to improve our service and make it responsive to the needs of our customers. We will monitor the contents of this charter to ensure that standards and targets are being met.

1.4. Building Standards In General

The principal role of the Building Standards function of local authorities is laid out in the Building (Scotland) Act 2003. The aim of which is to secure the health, safety, welfare and convenience of persons in and about buildings and others who may be affected by buildings or matters connected with buildings, further the conservation of fuel and power, and further the achievement of sustainable development.

The purpose of the building standards system, which is administered and enforced by Scottish local authority verifiers, is to protect the public interest. The system, therefore, does not so much control building as set out the essential standards to be met when building work or a conversion takes place, and only to the extent necessary to meet the building regulations.

The key functions of the Building Standards system in Scotland are as follows:

- prepare the building regulations and write guidance on how to meet the regulations;
- provide views on compliance to help verifiers (currently local authorities) make decisions;
- grant relaxations of the regulations in exceptional cases;
- maintain a register of Approved Certifiers;
- monitor and audit the certification system;
- monitor and audit the performance of verifiers, and
- to verify Crown building work.

1.5. Local Building Standards Role

At a local level, the primary functions of the Building Standards Section of the Comhairle is to provide:

- administration of the Building Warrant Process (known as Verification);
- enforcement of the Building Regulations;
- enforcement of public safety issues, including dealing with dangerous buildings, and;
- advising on issues relating to access for the disabled.

To carry out these functions, Building Standards Officers have to scrutinise plans for proposed developments to ensure compliance with current Building Regulations. Site inspections may be carried out during the construction process and at completion, when, if the building complies with the regulations it is given a Completion Certificate.

1.6. Pre-application discussion

Pre-application discussions will help clarify the extent and standard of information that requires to be contained within your application to ensure it can be registered and determined in the shortest possible time. Please remember, however, that pre-application advice is given on the basis of the information known at the time and it is not possible to highlight all potential issues without carrying out the full warrant process.

The Comhairle encourages developers to use the guidance and advice available from the Building Standards Technical Handbooks before making any application.

1.7. E-Building Standards

August 2016 saw the introduction of the e-Building Standards digital verification service. The Scottish Government created a web portal to support building standards and the planning service to allow submission of electronic applications on-line.

The introduction of this system has been very successful and allows customers to submit applications for building warrant electronically to all local authorities through the Scottish Government eBuilding Standards online system.

To use this service go to the e-Building webpage at

<https://www.ebuildingstandards.scot/eBuildingStandardsClient/>

2. APPLICATION SUBMISSION AND PROCESSING OF BUILDING WARRANTS

The plans and specifications require to be sufficient to show full details of the proposals clearly and accurately.

It is the responsibility of the applicant to ensure that their application is submitted correctly. The Comhairle website provides downloadable forms with notes for guidance: forms are also available from the four main Comhairle offices.

SERVICE STANDARD

We will offer the opportunity to discuss your proposals with you and offer professional advice before you submit a building warrant application.

If an agent is used to complete and submit a building warrant application, the Comhairle will deal with the agent rather than the applicant in all discussions and negotiations. It is the responsibility of the agent to keep their client informed of progress and of any requirements of, or delays to the process.

2.1. Validation and Acknowledgement

Once applications are checked we will notify you to either acknowledge the application or advise you of any additional requirements.

SERVICE STANDARD

We aim to respond to your application within 15 working days of your warrant being validated.

2.2. Completion Certificate Submission

SERVICE STANDARD

We will aim to respond to a completion certificate submission within 9 working days.

2.3. Checking of Application Status

You can enquire to one of our offices as to the status of your applications or alternatively you can use our Public Access facility to check the status online on the Comhairle's website at: <http://planning.cne-siar.gov.uk/PublicAccess/>

3. CUSTOMER COMPLAINTS

3.1. Local Customer Complaints Procedure

The Comhairle is committed to delivering high quality best value services for the people of the Outer Hebrides. We would also be pleased to hear from you when you have received good service or have constructive suggestions on how the Building Standards Service could be improved. However, even in the best-run organisations things sometimes go wrong. If something does go wrong, or you are dissatisfied with our service please tell us.

- You can complain in person at any of our offices by phone, in writing, email via our complaints form enquiries@cne-siar.gov.uk

It is easier for us to resolve complaints if you make them quickly and directly to the building standards service staff. We are committed to improving our service and dealing promptly with any failures.

When complaining, tell us:

- your full name and address
- as much as you can about the complaint
- what has gone wrong
- how you want us to resolve the matter.

The Comhairle hopes the public will be satisfied with the Building Standards Service. However, if you have any suggestions, concerns or difficulties, we want to hear from you.

For more information on the Comhairle's complaint procedure please refer to the relevant pages on the Comhairle Website which can be found at:

<https://www.cne-siar.gov.uk/have-your-say/complaints/>

3.2. LABSS Dispute Resolution Process

There are situations where applicants may have concerns about decisions taken by the Building Standards section on a technical or procedural matter, but it would not be appropriate to register these concerns as a complaint. In these circumstances, in the first instance, the matter can be discussed with and reviewed by the Building Standards Manager who could, if necessary, contact the Building Standards Division to clarify the intent of the guidance and thereby seek to find agreement on a satisfactory way to resolve the issues raised.

If matters cannot be resolved by this means the LABSS* Dispute Resolution Process could be invoked. Further information on this process can be found on the LABSS website following the link shown below.

<https://www.labss.org/about-us/advice-dispute-resolution-process>

- * Local Authority Building Standards Scotland, (LABSS), is a 'not-for-profit' membership organisation representing all local authority building standards verifiers in Scotland.

3.3. Appeals

Appeal to Sheriff

The Act permits appeals to the Sheriff Court on the following matters:

- where Scottish Ministers refuse an application to relax or dispense with a provision of the building regulations;
- where a verifier refuses to grant or amend the terms of a warrant, including deemed refusals resulting when the verifier has not made a decision within the specified time limits;
- where a verifier refuses to extend the life of a limited-life building, including deemed refusals resulting when the verifier has not made a decision within the specified time limits;
- where a verifier rejects a completion certificate, including deemed rejections resulting when the verifier has not made a decision within the specified time limits;
- where a verifier imposes continuing requirements
- where a verifier refuses to discharge or vary a continuing requirement
- where a local authority serves a notice (regarding building regulations compliance, continuing requirement enforcement, building warrant enforcement, defective or dangerous buildings).

Notes

1. An appeal must be made within 21 days of a decision being issued or of a notice being served. Where a verifier has not made a decision in relation to items 2, 3, 4, or 6 above, a decision is deemed to have been made by the period specified in the procedure regulations.
2. For item 2 above, the period after which a decision is deemed to have been made is three months from the date of receipt of an application for warrant or amendment of warrant if no first report is issued, or 9 months after the date of issue of the first report. These periods may be extended by agreement or by time taken to obtain relaxations or views.
3. For item 3 above, the period for a deemed decision is one month from the date of receipt of the application is specified, for item 4 above, 14 days from the date of submission is specified (excluding submissions without a warrant having been obtained) and for item 6 above, the period is one month from the date of receipt of the application.

3.4. Scottish Government Verifier Performance Reporting

The 'Scottish Government Performance Reporting Service' allows building standards customers to report concerns on verifier performance directly to the Building Standards Division.

Complaints and Dispute Resolution Summary for Quarter 2	
Procedure	No of cases referred Q2 2023-24
LABSS Dispute Resolution Process	NIL
LA complaints Formal Procedure	NIL
Scottish Government Performance Reporting Service for Customers	NIL

SERVICE STANDARD

Copies of this Charter are available on the Comhairle's website at: <http://www.cne-siar.gov.uk/buildingstandards/> and at the Council Offices in Stornoway, Tarbert, Balivanich and Castlebay.

4. HOW TO CONTACT US

Building Standards (Lewis and Harris)

Communities Department

Comhairle nan Eilean Siar

Sandwick Road

Stornoway

Isle of Lewis

HS1 2BW

Tel: 01851 822692

Fax: 01851 705349

e-mail: buildingstandards@cne-siar.gov.uk

Building Standards (Uist and Barra)

Communities Department

Comhairle nan Eilean Siar

Balivanich

Isle of Benbecula

HS7 5LA

Tel: 01870 604990

Fax : 01870 602332

e-mail: buildingstandards@cne-siar.gov.uk

Mr John Gillies

Building Standards Manager

Communities Department

Comhairle nan Eilean Siar

Sandwick Road,

Stornoway

Isle of Lewis

HS1 2BW

Tel: 01851 822692

Fax: 01851 705349

e-mail: jagillies@cne-siar.gov.uk

5. USEFUL CONTACTS

Scottish Government Building Standards Division

SG Central Enquiry Unit

08457 741 741 or 0131 556 8400

e-mail: buildingstandards@gov.scot

Web: <http://www.scotland.gov.uk/Topics/Built-Environment/Building/Building-standards>

Scottish Public Services Ombudsman

4 Melville Street

Edinburgh

EH3 7NS

Telephone: 08003777330

e-mail: ask@spsso.org.uk

GLOSSARY OF BUILDING STANDARDS TERMS

Building Warrant

A building warrant is the legal permission, granted by a verifier, to start building work, or to convert or demolish a building. If you carry out work that requires building warrant without first obtaining a warrant you are committing an offence. A warrant will be granted if the work you propose meets the Building (Scotland) Regulations 2004, as currently amended.

Verifier

Verifiers are responsible for issuing building warrants. In assessing your application for a warrant, they must apply the standards set by the building regulations at the date of your application. At present, the verifier is the building standards department of the local authority where the work is to be done.

Approved Certifier

Approved certifiers have government approval to certify that part of a design or construction complies with the Building (Scotland) Regulations 2004.

When you use an approved certifier to certify design or construction you will get the reassurance that the certified work on your application or completion certificate complies with building regulations.