

“Assure”

Self-Certification Scheme

Scheme Rules

This document provides the scheme rules for the Assure dwelling and non-dwelling Self-Certification Scheme and encompasses the Assure certification code of practice.

These rules set out the requirements Assure places on businesses certified under the scheme, and the basis on which Assure grants, maintains and withdraws certification. They are a contract between Assure and its members. They do not create rights for any other person, and they are not a statement of the service a consumer will receive from a certified business. Consumers should refer to the consumer information published on the Assure website and, in the first instance, to their installer’s own contract, guarantee and complaints procedure.

1. Introduction

This document applies to “Assure” certified installers who undertake replacement window, door, roof light and roof window installations in dwellings and non-dwellings.

Members carrying out works under the “Assure” scheme shall comply with the conditions set out in these requirements and any accompanying technical notes.

These rules should be read in conjunction with the technical guidance documents, which include the “Assure” Surveying and Installation Manual.

2. Definitions

In these rules the following terms have the meanings given below.

- Applicant — a business that has applied to join the Assure scheme and whose application has not yet been determined.

- **Member** — a business that has been accepted onto the scheme and has satisfied Assure's desktop assessment, but which has not yet passed an on-site inspection of an installation within the scope applied for. A Member is not certified.

A Member may not self-certify building work, will not have a certificate of Building Regulations compliance issued to its customers, may not use the Assure Certified Installer logo, and may not otherwise hold itself out as certified.

A Member is shown on the Assure website with its Member status. The listing shows Member status only. It does not show a scope of certification, does not describe the business as certified or as an Assure Certified Installer, and states that the business cannot yet self-certify building work. A Member does not appear on the Competent Persons Register, and is added to it only on becoming a Certified Member.

- **Certified Member** — a Member that has also passed an on-site inspection of an installation within the scope applied for and to which Assure has granted certification. Only a Certified Member may self-certify building work under the scheme.
- **Competent Individual** — a surveyor, fitter or supervising fitter, nominated by a Member or Certified Member, who holds a current Assure mandatory technical competence assessment for the relevant scope, and who is responsible for the compliance of the work they carry out or supervise.
- **Installer** — the business certified, or applying to be certified, under the scheme. Where these rules refer to the Installer, or to "you", they mean the company and not an individual working for it.
- **Fitter** — an individual who carries out installation work on site for an Installer.
- **Supervising Fitter** — the fitter responsible for the installation on site.
- **Surveyor** — an individual who surveys a site for an Installer before installation.
- **Certification decision maker** — the person appointed by Assure to review the evaluation and to decide whether certification is granted, maintained, extended, reduced, suspended or withdrawn. The certification decision maker shall not have taken part in the evaluation of the business concerned.
- **Scope** — the type or types of work for which certification has been granted, as stated on the Certified Member's certificate.

Where these rules refer to a "member", or address the reader as "you", the rule applies to a Member and to a Certified Member alike, unless the rule says otherwise or unless it concerns self-certification, notification of work, certificates of compliance, use of the Assure Certified Installer logo or entry on the Competent Persons Register, in which case it applies to Certified Members only.

3. Scope of installations

Scheme members have been judged by “Assure” as competent to self-certify their own installations of window, doorset, roof light and roof window installations, carried out by their installation teams, certifying that they meet current Building Regulation requirements in dwellings and non-dwellings in England and Wales. The Assure Competent Person Scheme is authorised by MHCLG and the Welsh Government Construction Unit.

Assure is authorised by the MHCLG to certify its members to install all types of windows and doors. There are 2 distinct categories of installations, dwellings and non-dwellings. Our scope is as follows

Fenestration

The surveying and installation of windows, external doorsets, roof lights and roof windows of any material. Buildings of 18 metres or more in height and rotating doors are outside our scope and shall not be registered on our system.

A Certified Member may carry out and register work only within the scope for which it holds current certification, and only where the work is carried out or supervised by a Competent Individual holding a current mandatory technical competence assessment for that type of work.

The scope for which Assure is authorised is that given in Schedule 3 to the Building Regulations 2010 (as amended) and reflected in Assure’s UKAS accreditation schedule. The scope for which a Certified Member is certified is that stated on its certificate.

Building types, and how they differ

Building type is a different test from the categories above, and both have to be satisfied. The categories describe the work Assure is authorised to certify. Building type describes how the competence of an individual is assessed and carded.

Certification and competence are both determined by building type as well as by type of work. Assure recognises the following building types.

- Dwelling — a self-contained dwelling in a building less than 18 metres high.
- Non-dwelling — a building that is not a dwelling, including shops, offices and industrial buildings.

Work to a building of 18 metres or more in height cannot be self-certified under the scheme, whatever the type of work. Assure will not register such work, and it must be notified to the relevant building control body. Height is the only bar.

A Certified Member's certification may cover more than one building type. Certification of the business does not by itself permit work in a building type, and does not by itself make any individual competent in that building type.

Each Competent Individual shall hold a current competence card endorsed for the building type and for the role — surveyor, fitter or supervising fitter — in which they are working. An individual carded for one building type or role is not a Competent Individual, for the purposes of these rules, in another.

A Certified Member shall not carry out, supervise or register work in a building type unless the individual who carried out the survey and the individual who carried out or supervised the installation each held a current card endorsed for that building type, for that role and for the relevant type of work at the date the work was carried out.

Where an installation spans more than one building type or more than one type of work, the Certified Member shall hold certification, and have carded Competent Individuals, for each.

Where work falls outside the scope for which Assure is authorised, or outside the types of work that may be self-certified under Schedule 3 to the Building Regulations 2010 (as amended), the work shall be notified to the relevant building control body and shall not be registered under the scheme. A Certified Member in doubt shall ask Assure before contracting.

Assure does not cover ancillary issues such as internal finish, electrical, plumbing or general building work carried out as part of the installation.

4. Members skills and ability

In order to be an “Assure” Competent Person Member you must have the ability to undertake works to an appropriate standard. Everyone who carries out or supervises work within your scope — surveyors, fitters and supervising fitters, whether employed or sub-contracted — must be able to prove their competence. To do this they must be assessed against the MTC criteria approved by the MHCLG and the Welsh Government for the relevant sector, and for each type of work and building type in which they work. MTCs must be administered by Assure or by another authorised Competent Person Scheme only.

Every Member and Certified Member shall nominate one or more Competent Individuals for each type of work within its scope, and shall keep a record for each of them and of their skills, knowledge, qualifications, experience, training and continuing professional development.

Competence is assessed against the mandatory technical competence requirements published by the Ministry of Housing, Communities and Local Government for the relevant sector. Assessment covers

each type of work applied for. The assessment methods used at initial assessment, at extension of scope and at re-assessment are those the applicable MTC requires for that stage, together with at least one of the optional methods it allows. Assure records the methods used in each case.

A mandatory technical competence assessment remains valid for a period determined by Assure, not exceeding five years.

Assure issues a competence card to each Competent Individual showing the types of work held and the date on which the assessment expires. Assure's current practice is to plan re-assessment at around three years, and cards are ordinarily issued on that basis. Assure may extend the interval up to the five-year maximum where it is satisfied that competence is being maintained, and may reduce it at any time.

Re-assessment shall be completed before the assessment expires. A Competent Individual whose assessment has expired is not a Competent Individual for the purposes of these rules, and shall not carry out or supervise work registered under the scheme until re-assessed.

Where a Competent Individual has been assessed by another competent person scheme operator, Assure need not re-assess them on a cyclical basis, provided the Certified Member can produce records demonstrating current competence when Assure asks for them.

Competent Individuals shall undertake the continuing professional development that Assure determines, across all types of work held, before any re-assessment. Assure determines what that development covers, taking account of changes to the Building Regulations, standards and legislation, and of non-conformity trends within the scheme.

As and when issues arise that are likely to affect competencies such as changes to the Building Regulations or technical standards, Assure, will either host regional seminars to which members will be invited or send out e-mails/newsletters to ensure their competencies are kept up to date.

5. Insurance

To carry out works you shall be appropriately insured with a minimum of £2,000,000 public liability insurance, covering the scope of work you carry out. You shall maintain at least that level of cover throughout certification, and shall provide evidence of it when Assure asks for it.

6. General business requirements

These rules set out the standards of professional conduct expected of you, so as to promote best practice and confidence in the integrity of the scheme and in you.

Your obligations to Assure

- You shall keep the scheme informed of any changes to your company details.
- Any changes implemented by Assure and communicated to you must be fulfilled.
- You must allow Assure to conduct evaluation and surveillance inspections, including examining documentation and records and giving access to personnel and subcontractors.
- You must allow the participation of observers where applicable. Assure will tell you before the inspection where an observer is to attend.
- You must not use the certification in a way that brings Assure into disrepute, must not make any statement about certification that Assure may consider misleading or unauthorised, and shall not engage in conduct that damages the reputation of the scheme.
- You shall disclose to the scheme, at the soonest opportunity, any prior disciplinary allegations made and proven by other Competent Person Schemes, and any referrals to disciplinary hearings by other Competent Person Schemes.
- You shall respond to queries made by the scheme in the investigation of any potential disciplinary issue in a timely manner.
- You should inform the scheme if you believe a company is claiming to be an Assure member when it is not.
- You shall apply as appropriate the scheme's technical rules and requirements. The scheme rules may be changed from time to time, and you shall ensure that you have read and understood all such documents, which can be found in the document section of your dashboard.

By recording jobs and maintaining certification with Assure, you confirm that you agree to the scheme rules, that you have read and understood the scheme documentation published in your members area and any other specific requirement defined by the scheme, and that appropriate internal procedures are in place to ensure customer protection.

Standards of work

- Works shall be carried out in accordance with all appropriate Building Regulations at the time of installation.
- You shall only carry out work for areas in which you are skilled.
- You shall be responsible for all aspects of the works produced by you, regardless of whether or not you have completed the work yourself, and you shall carry out your work with all reasonable skill and care.

- Where subcontractors are employed by you, you shall be responsible for ensuring that they have the required skills to complete the works, and you accept liability for their work. You are responsible for the declaration of works to Assure and take full responsibility for the work and your guarantee. You shall have suitable procedures in place to sign off and inspect finished works.
- You shall take no unreasonable contractual measures to limit liability, as per the Unfair Contract Terms Act 1977.
- Laws, statutory codes of practice, and Assure guidance notes that affect your work shall be observed, and your professional knowledge of them shall be kept up to date.
- You should carry out your work in a fair and proper manner.

Trading and dealing with consumers

- You should not undertake questionable sales practices, such as pressure-selling, or mislead the end-user as to the specification of materials to be used.
- You should only promote and advertise your services in a clear, honest and lawful manner, and in accordance with the UK Code of Non-broadcast Advertising and Direct & Promotional Marketing (the CAP Code), administered by the Advertising Standards Authority.
- You shall be able to explain to consumers the requirements of the regulations relating to any works.
- You should offer clear information on the services being offered, in the form of a written specification detailing the work to be undertaken, the materials to be used, the proposed timetable, the price and the payment method. This may be provided as a contract or as a quotation, and should be written in such a way as to allow easy pricing for variations in the work ordered, along with a full set of customer terms and conditions. It is recommended that you seek the consumer's approval signature for the scope of works, particularly where a degree of variance from the original specification is anticipated.
- You should adhere to regulations and best practices regarding consumer contracts, including the cancellation rights set out in the Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013, as enforced by local Trading Standards.
- You shall provide a written guarantee to all customers in respect of all works undertaken.
- You shall act within the law at all times, abiding not only by the terms and conditions of Assure certification but also by all consumer protection legislation. Acting in a fair and responsible manner is a condition of continued certification, and where you fail to meet these expectations your certification may be withdrawn.

- You should complete works within a timescale agreed with the consumer, but with provision for variances in weather, materials shortages and other factors outside your reasonable control. Where such situations give rise to delays, you should give the consumer due notice.
- You shall identify yourself to the consumer as Assure Competent Person Scheme certified.

Before entering into a commitment to undertake works you should ensure that your customer understands:

- the nature of the works and its limitations;
- the reason why you may terminate the works on site, and any reimbursements you would seek in such circumstances;
- the policy and procedures for cancellation of services and the payment of refunds; and
- the fee you will charge, which should be broken down to allow for the pricing of extras or specification changes.

The above should be provided within any quotation, or as part of your standard terms of business.

Consumer financial protection

You shall give the end-user consumer financial protection, in the form of either an Insurance Backed Guarantee or an Assure approved Back-up Warranty. This provides the appropriate financial protection to put right work to dwellings which is non-compliant with the Building Regulations. Assure would expect you to rectify such faults under your own customer complaint procedure in the first instance. The protection comes into effect where you are unable to honour your own contractual guarantee because the company has closed. This protection is mandatory for all installations within dwellings, except social housing where it must be offered.

Where the protection is offered on a social housing installation, you shall record the offer and the response you receive in the job file. That record forms part of the records you are required to keep under the Records and retention section of these rules.

You may use an Insurance Backed Guarantee or Back-up Warranty provided by either Assure or a third party. Assure maintains the list of approved providers. Any third-party product shall be submitted to Assure so that its validity can be checked before use, and only a product approved by Assure may be given to the end-user.

Health, safety and environment

- You should have a Health & Safety Policy. This is not required for companies with fewer than five employees.
- You should know and comply with the requirements of the Health and Safety at Work etc. Act 1974, and the regulations made under it, as they apply to you.

- All works shall be undertaken in a safe manner in accordance with all health and safety legislation.
- You shall comply with all current statutory and common-law requirements in respect of health and safety, and shall continue to comply with any amendments, secondary legislation and case-law developments in this area.
- You shall comply with all requirements regarding waste disposal, particularly hazardous waste. Sites shall be kept clean and tidy, with waste and energy consumption kept to a minimum.

Records and retention

You shall make accurate and legible records of your work and keep them for the periods set out below.

- records of works, including notes and drawings of the customer's requirements, existing site conditions affected by the works, proposed improvements, and digital images or accurate sketches of the existing property — 10 years;
- records of complaints about whether your work meets the Building Regulations and other legal requirements, and what you did about them — 6 years.

Where a document is both a record of works and a complaint record, the longer period applies. Records shall be produced when an inspector asks for them.

7. Application and certification

Applying

Potential new members return a completed application form which includes information about the corporate entity, name, address and legal status of the applicant, signed by a duly authorised representative of the member committing to the following:

To operate under the scope of Assure's authorisation by the Ministry of Housing, Communities and Local Government that covers:

- 'The installation as a replacement of a window, roof light, roof window or door in an existing dwelling or non-dwelling',

Applicants agree:

- To comply with the requirements for certification
- To supply any relevant information to enable certification

- That information about their company can be published on the public “Assure” website and, once they become a Certified Member, on the Competent Persons Register.
- To “Assure” using sub-contractors for auditing.

Evidence required with an application

The applicant shall demonstrate that the organisation is competent to deliver the work applied for. Assure will assess, as a minimum:

- that the management systems, policies and procedures, including complaint management, are suitable for the scale of the business and for the work applied for;
- public liability, and professional indemnity insurance where required, covering the work applied for;
- consumer financial protection covering the work applied for, provided independently of the applicant;
- the availability of a quote template document;
- the consumer guarantee used for the work applied for;
- training and competence records for the surveyors, fitters and supervising fitters who will carry out the work; and
- the financial standing of the business.

Assure may also review the technical documentation, method statements and manufacturer system approvals the business intends to rely on.

Initial assessment

All applicants are considered as probationary until an initial assessment of the company has been conducted. After the initial inspection and application, a Decision Maker will review the information and issue certification. Work can only be registered after certification has been completed.

Applicants shall have the technical competence of their Competent Individuals assessed as set out in the Members skills and ability section of these rules. Assessment at initial certification includes on-site inspection.

Inspectors will be appointed to do an initial assessment / evaluation which will include;

New applicants will have a minimum of one site inspection. This inspection will be to determine the competency of the member against the criteria set out in the Inspection Rules section of this document

MTC's for new members can be assessed as part of the initial inspection. This will take the form of a knowledge assessment and site evaluation for each fitter and surveyor.

Members who have previously achieved MTC under another authorised Competent Person Scheme may use that as evidence of compliance, but will be subject to an inspection before they are eligible to join the Assure scheme.

Any operator that holds a current (within the last 5 years) NVQ must be evaluated prior to acceptance. This includes an onsite observation.

In the event that any non-conformities have to be discharged in order to comply with all the requirements for certification, a report highlighting these shall be given to the installer along with an explanation of any further evaluations required and the timescales.

Any non-conformities or issues must be addressed before an application can be processed for evaluation.

Evaluation

Personnel (inspectors) appointed to evaluate the member shall provide “Assure” with a report of findings as to the conformity with all the certification requirements and any other relevant information with recommendations sufficient for the certification decision maker to ratify any decision.

Certificate issue and certification

The application form, completed references, attachments, assessment report and recommendations are submitted to the certification decision maker for ratification.

On confirmation that certification is approved (or in the case of existing members, renewed), the installer will be sent a letter of acceptance / renewal and a certificate confirming

- The name and address of the installer
- The scope of the certification granted
- The effective date of certification
- The term of the certification (12 months)

And reminding installers that:

- They must deal with any resultant corrective actions in a timely manner and work within the scope
- They need to notify all completed work under the scheme to enable “Assure” to issue a certificate of Building Regulation compliance and notify the relevant Local Authority (in England and Wales)

8. Certification documents and use of logos

Certified members may use the “Assure” logo and certificate to differentiate themselves from non-Assure members

They should consider displaying the logo and certificates in showrooms, van backs, point of sales, letterheads, and advertisements

The Assure windows and doors and Certified Installer Tick logos may be used by installers who have been certified under the Assure Competent Person Scheme.



The Assure scheme is an independent certification system administered by Assure Certification Ltd. Members of Assure may only use the logos above and are not permitted to use the UKAS logo. Any installers who are found using any other logo will have their certification withdrawn

Assure Certification Ltd is an accredited certification body and is therefore licensed to issue specific marks by the owners of these marks. Misuse of any of the logos by either members or non-members may result in either the withdrawal of the logo or a civil prosecution.

Checks are made at each audit visit to ensure correct use is being made of the certificate and logo.

In the event of misuse of the logo and / or certification, “Assure” will write to the member demanding corrective action within an appropriate timescale decided by Assure. If this is not complied with the member faces the threat of legal action and withdrawal of certification.

Incorrect references to the certification scheme or marks found in documentation or other publicity shall be dealt with by suitable action

All active Certified Members have their details published on www.assurecertification.com and on the Competent Person Scheme websites. Members are shown on www.assurecertification.com with their Member status only.

9. Registration of installations

Under current building regulations all replacement window, doorset, roof light and roof window installations meeting replacement threshold percentages must be registered with either LABC or through the Assure self-certification registration process. All installations must be registered within 21 days of the installation completion. During the registration process you must select the status of the installation either dwelling or non-dwelling. The Competent Individuals who carried out the survey and who carried out or supervised the installation must be recorded against each registration. The Certified Member must ensure that each of them held a current card endorsed for that type of work and building type at the date the work was carried out. All end-user property information will be sent to their local building control department. All information stored on the Assure registration database will not be distributed to any other party in line with data protection legislation. Assure is registered with ICO. Registration no. ZA258743.

An installation must not be registered with the scheme until both parties to the contract, you and the property owner, agree that the contract has been fully discharged and that the installation meets the Building Regulations. Completion of the work, for the purposes of these rules, is the date on which that agreement is reached.

Where that agreement is not reached within a reasonable period, you shall notify Assure. Assure will determine how the installation is to be dealt with, which may include registering it, requiring an inspection, or directing that the work be notified to the relevant local authority.

Only a Certified Member may register installations under the scheme. A Member may not register work until certification has been granted.

Pre-registration by a Member

A Member may record a proposed installation on the Assure dashboard before certification is granted. A record made by a Member is a pre-registration only for inspection purposes. It is not a notification of building work, it does not produce a certificate of Building Regulations compliance, and it is not passed to the local authority.

A Member shall not represent to a customer that a pre-registered installation is, or will be, certified. Where a Member has pre-registered work and does not achieve certification, Assure will notify the Member and the pre-registration will be cancelled.

Assure certification has the right to remove any registrations if they believe it is not legally compliant or is incorrect

10. Certification fees, charges and continuation of certification

Your certification runs for a minimum 12-month term. Upon its anniversary we will automatically renew your certification for another 12-month term so long as your account is active.

Certification fees are detailed in the members area of the website

Fees are payable in advance of certification, inspection or knowledge assessment Fees are still payable during suspended certification status

All fees and charges are taken automatically by Direct Debit mandate on the 15th of each month. All members must subscribe to this service unless a dispensation has been requested. Any member cancelling a Direct Debit mandate will be automatically suspended pending re-instatement.

We reserve the absolute right to amend all fees and charges Our refund policy is:

- Registration fees are not refundable under any circumstances.
- Works registered, and any applicable charges are not refundable.
- If you cancel your Certification with us, for any reason. No fees are refundable.

We will periodically review your performance in relation to auditing activity, training requirements, complaints and disciplinary action. The outcome of the review may result in an increased inspection rate for registered jobs or in extreme cases non-renewal of certification. This level of auditing activity is at the sole discretion of the certification scheme.

The installer agrees to notify "Assure" where appropriate of any changes in the constitutional makeup of their company, whether this be changes in ownership, directors, legal status or otherwise

11. Inspections

The following is a description of the inspection process and conditions affecting re- certification. This details the inspection regime, the standards against which the inspection is carried out and the rules covering non-conformances. All inspection reports remain the property of Assure and will not be shared with any other organisation other than UKAS and MCHLG. Specific unresolved non-conformance information will be shared with other CPS schemes should the installer move to another scheme provider.

Surveillance

Assure operates a documented surveillance programme covering the work of all Certified Members. The programme gives Assure confidence that certified work continues to meet the Building Regulations and these rules.

Assure determines the surveillance arrangements that apply to each Certified Member, records that determination, and may change it at any time. Surveillance is a matter for Assure alone. A Certified Member may not elect, apply for or decline particular surveillance arrangements, and the arrangements applied to one Certified Member set no precedent for another.

Assure sets the level and frequency of surveillance that applies to each Certified Member in accordance with its documented surveillance procedure. Assure will inform you of any additional or reduced surveillance on a case by case basis.

Desk-top audits may form part of the inspection regime, to supplement on-site inspections.

Where a Certified Member has a significant change of procedures or a major change of personnel, Assure will carry out a review before certification is renewed. The review may be on-site or desktop-based.

Where an on-site assessment of a Competent Individual is linked to a registered installation, that assessment may count towards both the individual assessment and the installation sample.

Assure may carry out further inspections at any time, and may increase the frequency of inspection for any Certified Member, in particular following a complaint, a non-conformity, a change of scope or a change in the business.

Inspectors follow Assure's rules on impartiality and do not offer consultancy or advice during an evaluation.

Site inspections

All Certified Members are subject to live installation inspections. This is so that all aspects of the installation can be seen and the competence of the operatives assessed.

Where a Certified Member carries out very few installations, Assure may inspect a completed installation instead. That is acceptable only where access can be gained to the property so that all aspects of the installation can be viewed, and where the names of the operatives and the full product specification are provided. A live inspection shall still be completed within three years.

Inspection documentation requirements

All new applicants must supply Assure with the evidence set out in the Application and certification section of these rules. This information is stored on the dashboard. Upon renewal of the company's insurance policies an email is sent to the company to remind them to upload this information.

During site inspections the inspector may ask to see documents against an installation and that Public Liability Insurance is up to date.

Competence of surveyors and fitters

All operatives shall produce a current Assure competence card at each inspection. Surveyors, fitters and supervising fitters are subject to on-site assessment at intervals not exceeding five years, in accordance with Assure's documented surveillance programme. An individual who surveys a site before installation shall be able to demonstrate their competence, and surveys are inspected on the same basis as installations. The competence of operatives is recorded on the MTC database, together with any CPD evidence collected.

12. Non-conformities

This section applies to non-conformities raised at any inspection carried out under these rules, whether on site, at a desk-top audit or on re-inspection.

A non-conformity is a failure to meet the Building Regulations, these rules, or the technical requirements of the scheme. Assure grades each non-conformity as major or minor.

- Major — the work does not meet the Building Regulations, the failure puts the consumer at risk, or the failure goes to the heart of your ability to work within your scope.
- Minor — any other failure to meet these rules or the technical requirements of the scheme.

The grade affects the risk band Assure places you in and how often you are inspected. It does not change the time you have to put the matter right. Major and minor non-conformities are subject to the same period.

Putting it right

You shall put a non-conformity right as soon as practicable.

You have eight weeks to do so. The eight weeks runs from the date of the inspection at which the non-conformity was raised, not from the date Assure issues the report. Assure will issue a report setting out each non-conformity, its grade, and the date the eight weeks ends.

Closing a non-conformity

You shall send Assure evidence that the matter has been put right. Depending on what was raised, that may be photographs, revised documents, a corrected registration record, or written confirmation from the system company.

Assure will decide whether the evidence is sufficient on its own or whether a re-inspection is required. Where Assure re-inspects, you will be charged at the current rate. A non-conformity is closed only when Assure confirms in writing that it is closed.

Extending the period

Assure may extend the eight weeks by up to a further four weeks. You shall apply before the eight weeks ends.

Assure will grant an extension only where it is satisfied that:

- you have kept the property owner informed and are actively dealing with the matter; and
- the delay is outside your reasonable control.

A long product or material lead time is the most common example of a delay outside your reasonable control. A shortage of your own labour, or a dispute with the property owner over payment, is not.

Assure will record the decision and the reasons for it, and will confirm the new date to you in writing. Only one extension will be granted. An extension will not take the total period beyond twelve weeks from the date of the inspection.

Suspension

Where a non-conformity remains open at the end of the eight weeks, or at the end of any extension granted, Assure will suspend your certification.

The effects of suspension are set out in the Suspending or withdrawing certification section of these rules.

Suspension is lifted when Assure confirms in writing that every open non-conformity has been closed.

Withdrawal of certification

Where you have been suspended for eight weeks and a non-conformity remains open, Assure will begin proceedings to withdraw your certification under the Suspending or withdrawing certification section of these rules.

Assure will write to you before beginning those proceedings, setting out what remains outstanding and the date by which it must be closed. The decision to withdraw certification is taken by the certification decision maker.

Where the property owner refuses access

Where you cannot put a non-conformity right because the property owner will not allow you access, you shall tell Assure as soon as you become aware of it, and shall keep a record of what you have done to arrange access. Assure will determine how the matter is to be dealt with. Assure may stop the period in this section running, may close the non-conformity, or may refer the installation to the relevant building control body.

13. Extending certification

This section applies where a Certified Member applies to extend its certification to a further type of work or building type.

Applying

A Certified Member shall apply to Assure before carrying out, or contracting to carry out, work outside its current scope. Work outside the scope stated on the certificate must not be registered under the scheme.

Evidence of organisational competence

The Certified Member shall demonstrate that the organisation is competent to deliver the work applied for. Assure will assess the same matters as for a new application, set out in the Application and certification section of these rules, in respect of the work applied for.

Where the extension is to a type of work Assure has not previously certified that business for, Assure may also review the technical documentation, method statements and manufacturer system approvals the business intends to rely on.

Evidence of Competent Individuals

For each type of work and building type applied for, the Certified Member shall nominate one or more Competent Individuals and shall provide evidence of their competence.

Each nominated individual shall be assessed against the mandatory technical competence requirements for the sector concerned, using the assessment methods that the applicable MTC specifies for extension of scope, together with at least one of the optional methods it allows.

Recognition of prior learning may be taken into account where the evidence is valid, authentic, current and sufficient, and where the applicable MTC permits it. Recognition of prior learning will not be used on its own to confirm competence.

An individual carded for one type of work or building type is not a Competent Individual in another until they have been assessed and carded for it.

On-site inspection

A successful on-site inspection of an installation falling within the scope applied for must be completed before the Certified Member may self-certify work in that scope. Where no live installation is available, Assure will determine what alternative evidence is acceptable and will record the basis for that decision.

The decision

The application, the evidence, the assessment reports and the recommendations are submitted to the certification decision maker. The extension takes effect from the date of the decision. Assure will issue a revised certificate showing the extended scope, and will update the Assure website and the Competent Persons Register.

The Certified Member shall not describe itself as certified for the extended scope, and shall not register work in it, until the revised certificate has been issued.

Reducing scope

A Certified Member may apply to reduce its scope at any time. Assure may also reduce a scope where the Certified Member no longer has a Competent Individual carded for it, or following a non-conformity. A revised certificate will be issued and the public records updated.

Extending the scope of the scheme

Where Assure applies to extend the scope of the scheme itself, the extension takes effect only once it has been authorised by the MHCLG under Schedule 3 to the Building Regulations 2010 (as amended) and reflected in Assure's UKAS accreditation schedule. Certification cannot be granted to a member for a type of work before that.

14. Suspending or withdrawing certification

Certification can be withdrawn for a number of reasons including:

- Potentially if there are changes of ownership or management of the installer
- Consistently failing to comply with Building Regulations
- Regular need for re-inspections
- Not putting right non-compliant works
- High level of consumer complaints
- Poor consumer relations or satisfaction results
- Non-compliance with scheme rules
- None payment of outstanding invoices

Dependent on the reason, members will first receive a written warning setting out the issue, what must be done, and the date by which it must be done. The warning will also state that if the issue is not addressed the member's certification may be suspended, and what will follow if it is.

Where the reason is an open non-conformity raised at inspection, the periods in the Non-conformities section of these rules apply. The member has eight weeks from the date of the inspection to close the non-conformity, extendable once by up to a further four weeks. Certification is suspended at the end of that period. Where the member remains suspended for eight weeks and the non-conformity is still open, Assure will begin proceedings to withdraw certification.

For any other reason, Assure will set the period in the written warning and will record the reason for the period set.

Members may also be removed immediately if Assure believe they will continue to use the certification in a misrepresentative manner or they have joined another CPS scheme as certification with 2 schemes simultaneously is not permitted

This includes informing members that:

- MHCLG, Local Authorities and other CPS's will be notified about their suspension. For consumer complaints which have not been addressed the full details of the complaint will be forwarded to the local Trading Standards department for further investigation and possible prosecution
- During the period of suspension, they must make no misleading claims,
- They must not register work under the scheme.
- Fees remain payable during suspension.
- Potential customers must be informed regarding the status of their certification
- They must cease using the Assure logo.
- The Assure web site will be updated to remove the Assure logo from their listing
- The CPF will be informed to remove the member's details from the CPF web site
- Assure will review the member's web site and adverts to ensure the Assure logo has been removed

Where certification is withdrawn, MHCLG, the relevant local authority and other Competent Person Schemes are notified, and any open non-conformity is recorded on the Competent Person Scheme register.

15. Consumer complaint procedure

Your complaints process

You shall deal with consumers openly and fairly, price clearly, and operate a complaints process that works in practice and puts things right where work falls short.

You remain responsible for ensuring that your work meets the Building Regulations. Financial protection for the consumer runs for six years from the date the work was completed.

Where you cannot resolve a complaint, you shall tell the consumer about a certified alternative dispute resolution body and say whether you are willing to use it, as required by the Alternative Dispute Resolution for Consumer Disputes Regulations 2015.

Complaint records

You shall keep a record of every complaint you receive about whether your work meets the Building Regulations and other legal requirements, together with what you did about it. You shall keep that record for a period of not less than six years.

Assure does not prescribe a format. A complaint form, a note on the job file, a day diary, a spreadsheet or your job management system are all acceptable, provided the record exists, shows what you did as well as what was said, and can be produced when an inspector asks for it. Your complaint records will be used by Assure as part of its quality assessment procedures, and may be used to instigate the disciplinary procedure.

Handing over the paperwork

At the end of every installation you shall give the consumer their certificates, their handover records and guidance on looking after what you have installed. Assure notifies Building Regulations compliance on your behalf. A large share of complaints begin with paperwork that was never handed over.

When a complaint reaches Assure

The complaints process is one of escalation. Assure will not involve itself in a consumer complaint until your own complaints procedure has been exhausted, or at least 30 days have passed in the

process. Where a consumer contacts Assure first, Assure will direct them to you and to your complaints procedure.

Where the consumer remains dissatisfied with how you are handling the complaint, they may raise it with Assure. Assure will review the complaint and will contact both you and the consumer for information. You shall provide all supporting documentation within five working days of being asked for it.

Assure acts as an independent third party between you and the consumer and will seek to reach a resolution. Where no agreement can be reached, Assure will signpost the consumer to consumer advice services. Assure's decision is final and is not binding on the consumer, but you shall abide by it in order to remain a scheme member.

What Assure can and cannot do

Assure will investigate only complaints concerning non-compliance with the Building Regulations on a notifiable installation registered through the scheme. Whether a complaint meets that description is determined during the information gathering stage.

Assure does not carry out site inspections in connection with a complaint. Any inspection shall be carried out by an independent expert in the relevant type of work.

Rectification is always carried out by you. Assure will not carry out the work and will not instruct another business to do it. Where the consumer refuses to allow you access to put the work right, Assure will withdraw the complaint and close the case.

Assure has no contractual or financial obligation arising from a complaint about a member.

Putting things right

Where Assure reviews a complaint and finds that it is upheld, you shall agree a schedule of works and a timetable with the consumer within 28 days. Where you do not, Assure may apply sanctions to your registration.

Where a breach of the Building Regulations has taken place, Assure may suspend your certification or issue sanctions until it has been rectified, under the Suspending or withdrawing certification section of these rules. Assure may also cancel or amend the Building Regulations compliance certificate for the installation, which may mean the registration is withdrawn from the local authority and the breach reported to them. Failure to rectify a breach may result in removal from the scheme, and the breach being reported for prosecution.

Where a breach is discovered after the company has ceased trading, the Insurance Backed Guarantee or Back-up Warranty will need to be activated by the homeowner.

16. Appeals

Members may appeal against a decision of Assure, including a non-conformity or its grade, a refusal to extend the period for closing a non-conformity, suspension of certification, withdrawal of certification, the outcome of an audit or evaluation, and decisions relating to the MTC process.

Members must write to Assure outlining why they are appealing with supporting evidence where appropriate.

This is referred to the Certification and Compliance Committee and the member may formally present their case at a meeting.

Appeals are examined and processed without prejudice and resolved in a timely manner. Assure will respond in writing to the member with their decision and the reasons for it. For certification appeals the Certification and Compliance Committee's decision is final.

Making an appeal does not stop the periods set out in the Non-conformities section of these rules from running, unless Assure agrees in writing that it does.

17. Confidentiality and data protection

Assure will keep all information confidential except for information that the Client makes publicly available, or when agreed between Assure and the Installer, or where outlined in the Scheme requirements, or as required by UKAS or MHCLG, Assure agrees to treat as confidential all information obtained or created during the performance of its certification activities including Information about the Installers obtained from sources other than the client, provided however that Assure may release confidential information as required by law or authorised by contractual arrangements, in which case, unless prohibited by law, Assure will provide the Client details of the information released.

Assure Certification Ltd. Is registered with the ICO. Reg. no. ZA258743. The designated person responsible for data protection within the organisation is Managing Director. Should you require any information regarding data protection then please contact our designated person.

All personal information recorded on the Assure Dashboard relating to the homeowner is held for 10 years as legislation requires us to hold this data as it is of public interest.

Personal data held on operators is held for the same period. Any information held regarding outstanding non-conformances which could be detrimental to the public will be placed on the competent person scheme register which can only be accessed by other Competent Person Schemes. This will be held for a maximum period of 10 years.

No personal data will be sold, shared or passed to any other organisation other than LABC and UKAS for legislation purposes

Fitter details, competence cards and the card search

Assure is required to issue a photo competence card to each Competent Individual and to keep an online record of assessed competence that consumers can check. That requirement comes from the mandatory technical competence framework, and the scheme cannot operate without it.

By providing Assure with the details of a fitter, supervising fitter or surveyor, the Installer confirms that it has obtained that individual's permission for Assure to record, hold and use their name, date of birth, photograph, card number, the types of work and building types they are assessed for, and the status and expiry date of their card, for the purposes of the competence card and the online card search.

Of that information, the online card search shows only the individual's name, photograph, card number, the types of work and building types they are assessed for, and the status and expiry date of their card. Date of birth is held so that Assure can tell apart individuals with the same name and can confirm the identity of someone who contacts Assure about their card. It is not used for any other purpose. It is not published and is not shown on the card search.

Assure does not require the Installer to produce evidence of that permission. Providing the details is the Installer's confirmation that permission has been obtained.

Where permission has not been obtained, the individual cannot be assessed against the MTC criteria, cannot hold an Assure competence card, and cannot carry out or supervise work registered under the scheme.

The Installer shall tell each individual how Assure will use their information and shall direct them to the Assure privacy notice. Where an individual withdraws permission, the Installer shall notify Assure without delay. The card will be withdrawn and the individual will cease to be a Competent Individual for the purposes of these rules.