

## Plenary 2

# Transforming the workforce: Managing and demonstrating competency

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Chief Executive  
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**Chaired by:** Karl Linder

**Room:** Main Hall



**NHMF**  
**Maintenance**  
**Conference**  
**2022**





# Edinburgh schools



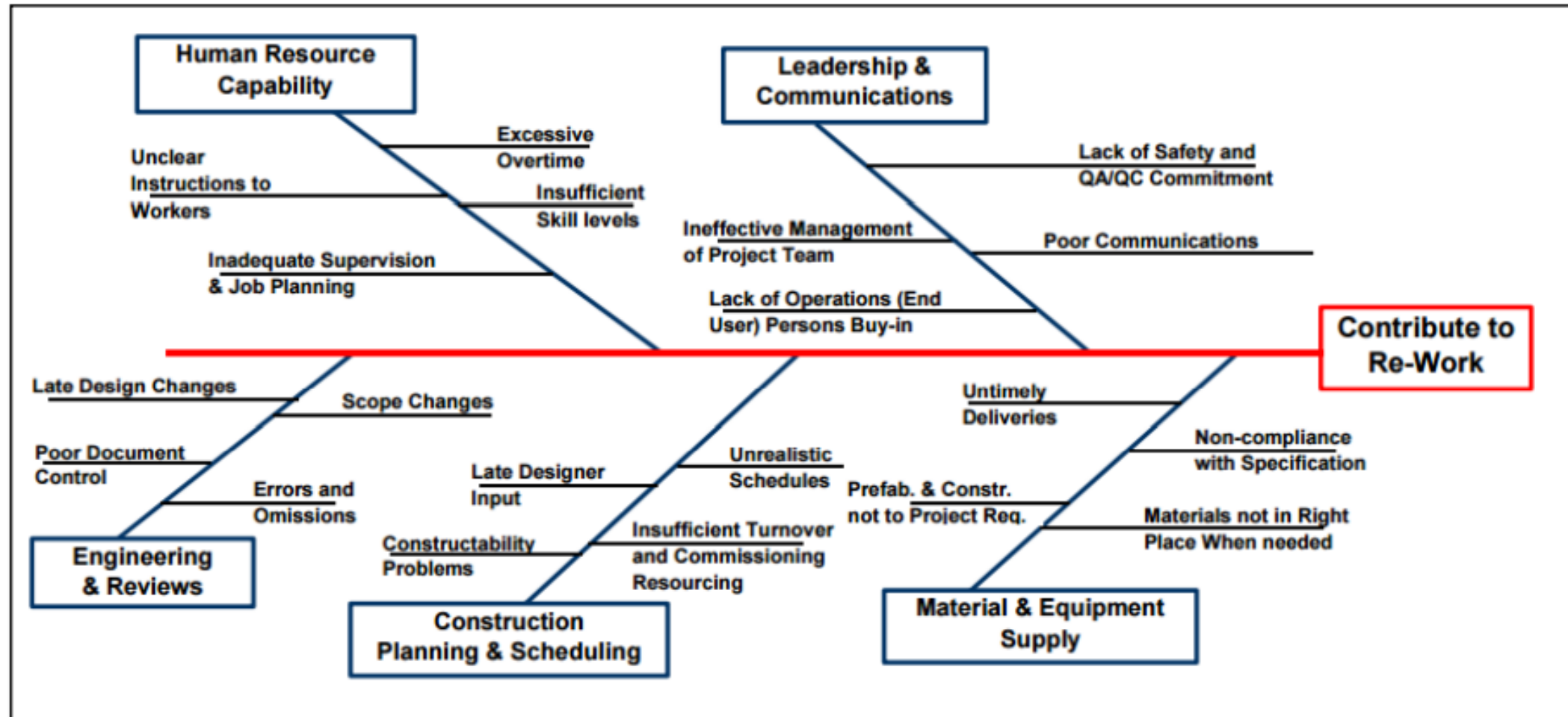
# Grenfell tower



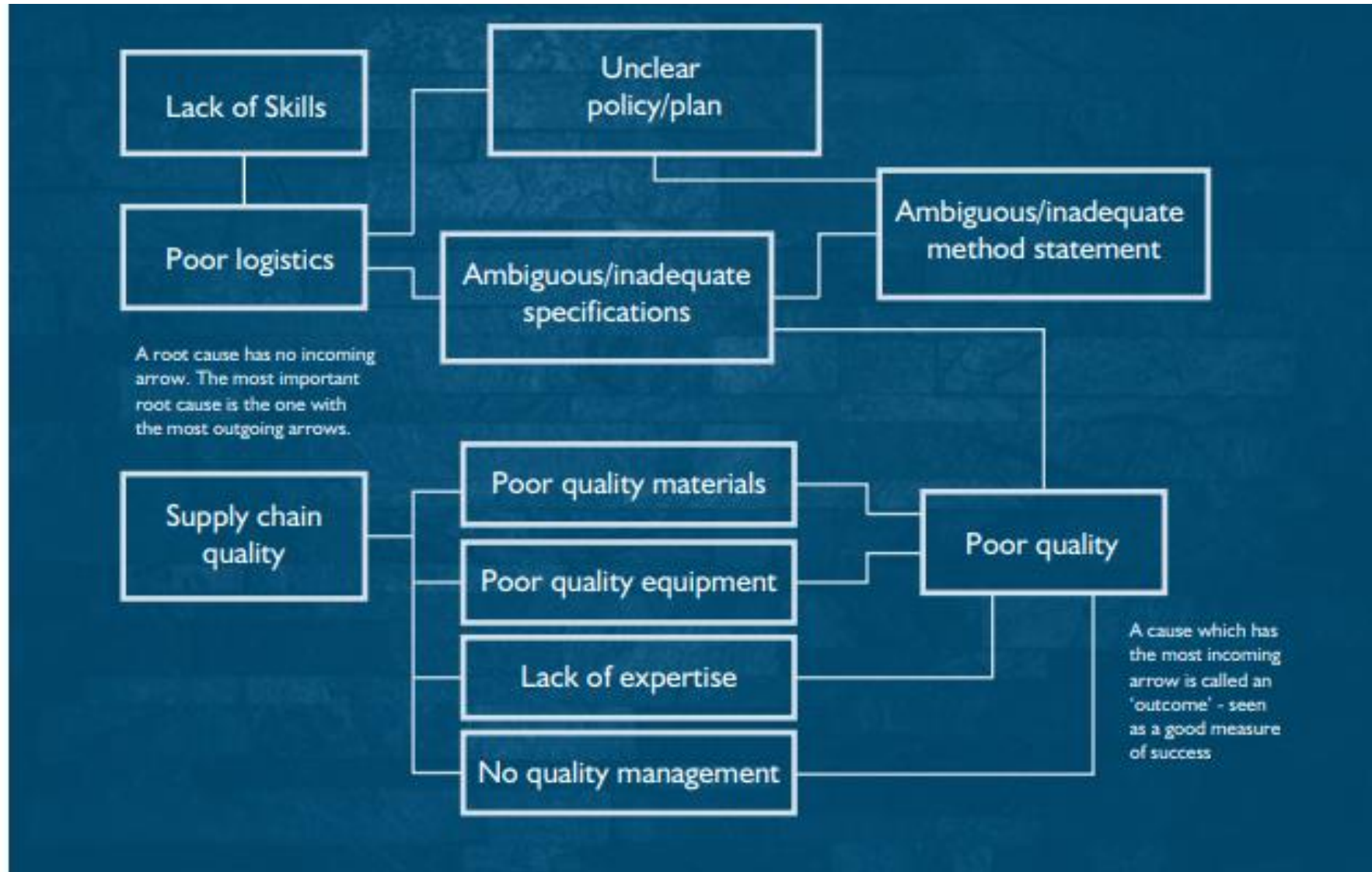
# Cladding crisis



# Quality management problems



# Causes of poor quality



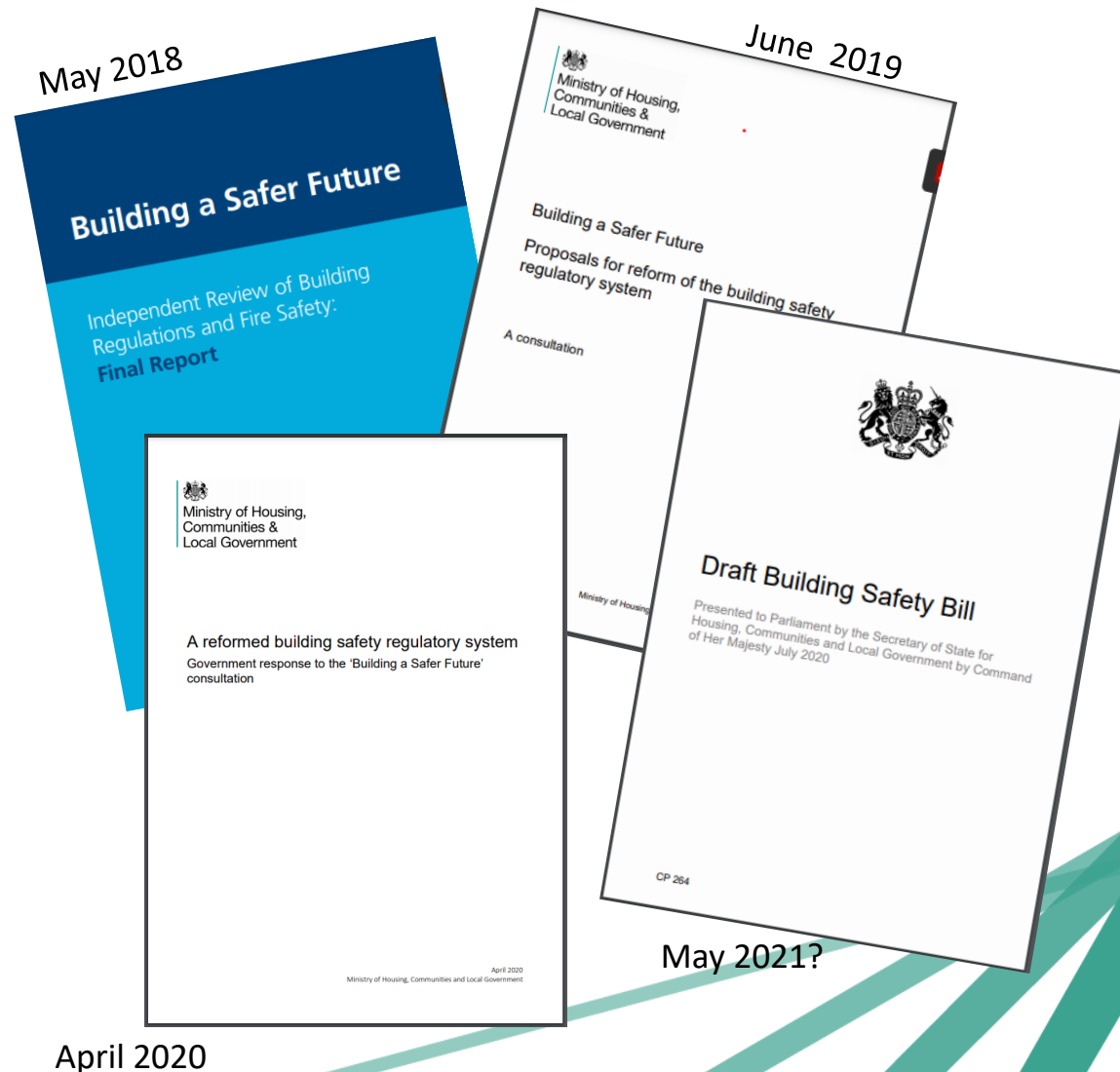
# Buildings regulations and competence

## Building safety Bill

- Changes to scope of Building Regulations to include competence
- Role and approach of the new Building Safety Regulator
  - Sanctions and enforcement
  - General duty
- New duty-holding roles and requirements for competence
- Competence, Gateways and the Safety Case

## Impacts and the change we should expect

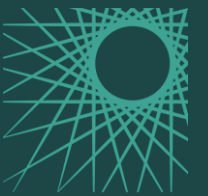
- Need to ensure and demonstrate competence
- Focus on compliance with building regulations





# Competence

- Dutyholding roles
- Responsibilities for contractors
- Responsibilities for accountable person / building safety manager
- A future landscape for competence



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# Duty-holding Roles

## Client

Any person for whom a construction project is carried out as part of their business

NOTE: Duty-holding roles will primarily be facilitated by extending the existing duties under CDM Regulations 2015

## Principal Designer

A designer appointed by the Client to control, plan, manage, coordinate and monitor the pre-construction phase, when most design work is carried out.

## Principal Contractor

A contractor appointed by the Client to plan, manage or co-ordinate and monitor the construction phase.

## Accountable Person (AP)

The dutyholder during a buildings occupation.

## Designer

Any person who carries on a trade, business or other undertaking in connection with which they:

- i) Prepare or modify a design
- ii) Arrange for, or instruct any person under their control (including employees) to prepare or modify a design.

## Contractor

Any person who in the course or furtherance of a business carries out, manages or controls construction work (e.g. building, altering, maintaining or demolishing a building or structure). Anyone who manages this work or directly employs or engages construction workers is a contractor.

## Building Safety Manager (BSM)

NOTE: NOT A DUTY HOLDER!

Named by the Accountable Person, the Building Safety manager will support the accountable person by carrying out the day to day functions of ensuring that the building is safely managed and promote the openness, trust and collaboration with residents that is fundamental to keeping buildings safe.

# Duty-holding Roles – client and in occupation

## Client

- Make suitable arrangements for managing building work to **deliver compliance with building regulations**, including allocating sufficient time and resource;
- **Appoint a Principal Designer and Principal Contractor** in accordance with CDM requirements, if there is more than one contractor working on the building project;
- **Take reasonable steps to ensure that those they appoint comply with their responsibilities in relation to building safety;**
- Ensure appropriate handover of information takes place between key dutyholders;
- Ensure that the **regulatory requirements of the building regulations** are met, including the requirements specific to buildings in scope;
- Develop and maintain a golden thread of information that will enable building safety information to be available to other dutyholders, during design and construction, to the Building Safety Regulator and later to the Accountable Person;\*
- Establish reporting processes to support a mandatory occurrence reporting regime.\*

## Accountable Person (AP)

- Ensure in scope buildings registered with BSR
- Provide BSR with address to serve notices on AP
- **Appoint BSM, and ensure their competence**
- Ensure adequate measures to manage safety including funding and cooperation
- Ensure compliance with building safety certificate
- Provide BSR with safety case evidencing on-going management of safety

## Building Safety Manager (BSM)

NOTE: NOT A DUTY HOLDER!

- **Ensure competence of persons employed to manage and maintain the building.**
- Maintain information management systems
- Maintain safety case for the building
- Ensure remediation takes place to meet requirements in building safety certificate
- Implement resident engagement strategy
- Ensure fire risk assessments undertaken and recommendations actioned in timely manner **by competent people**
- Responsible for mandatory occurrence reporting.

# Duty-holding Roles – Construction

## Principal Contractor - Organisation or individual

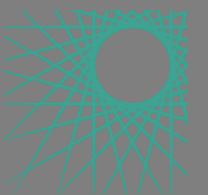
- Plan, manage and monitor the construction phase and coordinate matters to ensure that the building project complies with building regulations;
- Ensure cooperation between Contractors, Client and the Principal Designer;
- Liaise with Principal Designer and share information relevant to the planning management and monitoring of the pre-construction phase;
- Take reasonable steps to ensure contractors are meeting their core duties;
- Assist the client in meeting the requirements of the building regulations, including those specific to buildings in scope;
- Contribute to handover of golden thread to the Accountable Person, including relevant information provided as part of gateways

## Contractor

- Plan, manage and monitor build work carried out by the contractor to ensure that the building work complies with building regulations;
- Must not carry out work in relation to a project unless they are satisfied the Client is aware of their duties set out in regulation;
- Report safety concerns to the Client, Principal Designer or Principal Contractor;
- Satisfy themselves that those they appoint to carry out work have the relevant Skills, Knowledge, Experiences and Behaviours or are appropriately supervised.

## For Higher Risk Buildings

- Principal Contractor must be registered
- Contractor competence managed in safety case
- Principal Contractor must sign declaration that to the best of their knowledge the building complies with the building regulations



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# Landscape for enhanced competence

## drivers

Evidencing competence in duty-holding roles

Insurers requirements for professional indemnity / property protection

Client assurance prior to appointment and through course of works

Regulated roles / restricted functions e.g. Building Control Professionals

More sever sanctions and active enforcing regulator

Professional standards – doing the right thing to protect others

## characteristics

### Competence management

#### CPD

- Mandatory reporting requirements
- Increased requirements for formal (tested) development
- Driven by Personal Development Plan

#### Revalidation

- Periodic re-valuation of ongoing competence
- Assessment by independent person or organisations
- Medial model – record, review, reflect, demonstrate.

#### Specialisation

- Recognition that professional membership baseline evidence
- Increased need to demonstrate enhanced competence in areas of specialised activity e.g. HRB

#### Registration

- Third party accredited assessment and registration for restricted roles.
- Publicly accessible registers of competent professionals.

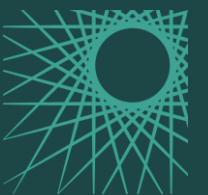
## facilitators

Specialist graded certification

Increased use of registration processes with third parties

Enhanced and more specialised CPD

Shift towards increased micro-learning with test



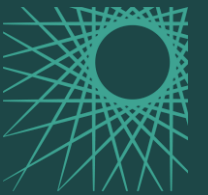
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# Revalidation and the professional logbook:

A new competence management framework for building engineers

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# Revalidation principles

## Record

### Record competence management activity

- Experience gained
- Projects, works, roles and activities undertaken
- CPD undertaken
- Feedback
- Appraisals/ reviews
- Key learning from major incidents/ issues and events

## Reflect

### Review and reflect

- Annually  
as part of your personal development plan
- Periodically  
in line with revalidation timescales

#### Reflection should include:

- How competence has been maintained relevant to work undertaken
- New areas of competence developed
- Areas where competence may need to be strengthened in future
- Management of limits of competence

## React

### Annually - Revise

- Update PDP to reflect training and development needs

### Periodically - Revalidate

- Request nomination of independent assessor
- Submit supporting information and revalidation report to appointed assessor
- Respond to questions arising from desktop review
- Revalidation interview within independent assessor

# Components of revalidation model

## Record and reflect - Professional logbook

### Record of work undertaken and experience gained

- Project log – size, complexity, context
- Map work activities and levels
- Roles and responsibilities

### CPD activities

- Personal Development plan records
- CPD activities including learning, development, qualifications, training etc

### Feedback

- 360 degree feedback from colleagues, managers, clients
- Compliments (strengths)
- Complaints (weaknesses)

### Significant events or serious incidents

- Identify key events or incidents and their outcomes:
- annually as part of PDP
- At end of revalidation period

### Reflect

Develop revalidation case study material and develop report demonstrating ongoing:

- Behavioural competence
- Building Safety competence
- Ethical practice

## Revalidation review process / requirements

### Revalidation submission

#### Application form

- 360 degree feedback from colleagues, managers, clients
- Compliments (strengths)
- Complaints (weaknesses)

#### Professional Logbook

- Personal Development plan records
- CPD activities including learning, development, qualifications, training etc

#### Updated CV

- General education and career background
- Current role and responsibilities
- Key projects / career milestones

#### Self assessment report

- 2000-4000words
- Demonstrate ongoing competence against relevant framework

### Review process

#### Desktop Assessment

- 3 person peer review panel / review discipline
- Initial recommendation to approve, request further information or defer

#### Interview

- Recorded interview with single member of review panel
- Test and explore submission documentation
- Validate initial recommendation



