



## The Faero Ltd Competent Persons Scheme for SAP ratings and CO<sub>2</sub> emission rate calculations

### Scheme description

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## Glossary

### **Standard Assessment Procedure Energy Rating (SAP)**

A rating showing the energy performance of a dwelling, calculated in accordance with the published Standard Assessment Procedure, *SAP2005: The Government's Standard Assessment Procedure for Energy Rating of Dwellings: 2005 Edition (SAP)*

### **Target Carbon Dioxide Emission Rate (TER)**

The allowable Carbon Dioxide emission rate for a specific dwelling, calculated in accordance with the published **SAP**

### **Dwelling Carbon Dioxide Emission Rate (DER)**

The Carbon Dioxide emission rate achieved by a specific dwelling design, calculated in accordance with the published **SAP**

### **SAP2005**

The current version of **SAP**

### **Energy Performance Certificate (EPC)**

A certificate showing the energy performance of the dwelling, complying with the requirements of the EU Directive on the Energy Performance of Buildings

### **ADL1a**

The Building Regulations' Approved Document covering new build dwellings

### **Building Control Body (BCB)**

The role of checking that Building Regulations are being complied with falls to Building Control Bodies (**BCBs**). There are two types of **BCB** – a Local Authority Building Control (LABC) and a private sector Approved Inspector Building Control (AIBC).

### **Faero Ltd**

An organisation designated in Approved Document L1A as conferring **Competent Person** status for the purpose of Building Regulation 20D(3).

### **Faero Ltd Competent Person Scheme (Scheme)**

The **Scheme** to be created and operated by **Faero Ltd**, conferring **Competent Person** status on individuals.

### **Scheme Member (Member)**

An Energy Rating Organisation that has applied to, and been accepted as a **Member** of the **Scheme**, having been verified as complying with the **Faero Ltd** Technical Standards.

### **Authorised Energy Rating Organisation (AERO)**

An Energy Rating Organisation that has contracted with Defra for the purpose of providing Quality Assured **SAP** ratings; this arrangement will be subsumed within the **Scheme**, with **Members** taking on the role formally adopted by **AEROs**.

### **Competent Person (CP)**

An individual recognised by CLG and **BCBs** for the purposes of Building Regulations regulation 20D(3). **CPs** are registered with a specific **Member** and may be their employees or customers (see also Authorised **SAP** Assessors).

### **Authorised SAP Assessor (ASA)**

Currently, an individual who is registered with an **AERO**. Under the **Scheme**, **ASAs** will be registered with a specific **Member** and will be recognised as **CPs**.

### **Faero Ltd Technical Standards (Standards)**

The **Standards** to be followed when calculating a quality assured **SAP** energy rating and associated target and dwelling carbon dioxide emission rate, created as part of the development of the **Scheme**.

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**Faero Ltd Technical Standards Panel (Standards Panel)**

The panel of independent experts which will oversee the development of the **Standards**, and afterwards support the **Scheme** during its operation.

**Quality Management System (QMS)**

A system, compliant with ISO9001, which covers all aspects of the delivery of **SAP/TER/DER** calculations within a specific **Member**. It includes the **Faero Ltd Standards**.

## Scheme Description

### 1. Scheme definition

The **Scheme** covers **SAP** energy ratings and the associated **TER and DER** calculations for **ADL1a** and **ADL2a**. Initially the **Scheme** will concentrate on **ADL1a**. The quality assurance requirements of Defra's **SAP** Licence agreement will be incorporated into the **Scheme** to deliver a high standard of energy assessments. The **Scheme** will define relevant Technical **Standards** with which all **Members** must comply, and against which they will be audited by **Faero Ltd**.

### 2. Administration, key posts and their responsibilities

**Faero Ltd** is currently managed by Linn Rafferty, CEO. Linn is the main contact with CLG.

Each **Member** will appoint a named individual who will be the main contact with the **Scheme**.

### 3. Technical Standards

**Standards** will be defined and maintained by **Faero Ltd**, in consultation with both Defra and CLG. In accordance with CLG's requirements, **Standards** will cover the calculation of a dwelling's **SAP** energy rating, and associated **TER** and **DER**. Other requirements of **ADL1a** and Regulations, e.g. the issue of Energy Performance Certificates, will not initially be included, although the **Scheme** will extend to include these requirements in due course.

The **Standards** will be approved by the **Standards Panel**, which will include representatives from energy rating organisations, building control, academics in the field of energy efficiency, and others. Terms of Reference for the **Standards Panel** are published at [www.faero.co.uk](http://www.faero.co.uk).

The **Standards** will be provided to the **Members**, who will each be responsible for ensuring that their **QMS** incorporates the **Standards**. Their **QMS** will ensure that their registered **CPs** comply with the Standards, including disseminating appropriate information to individual **CPs**, and ensuring that appropriate corrective action is taken when **CPs** fail to meet the **QMS**.

Each **Member** will disseminate knowledge of the **Standards** in four main ways:

- 1 Implementation in **SAP** software, used by **CPs** to assess designs for compliance with Regulations, which is approved by an external independent body using the defined **SAP** software approval process prior to issuing
- 2 Providing training courses and written training support materials
- 3 Providing information with software updates, issued when **SAP** and Building Regulations are amended
- 4 Providing technical support to individuals

**Members** will each provide technical support to their own **CPs**. This support may include the provision of help files within software, technical information on websites, and help desk provision via telephone and email.

The **Standards** will define all the aspects of undertaking quality assured **SAP** and **TER/DER** calculations, except for the actual **SAP** specification (which currently resides with Defra). They will therefore cover the following areas:

- 1 Training and CPD
- 2 Examination
- 3 Issue of **SAP** software and updates to **SAP** software
- 4 Monitoring against a quality standard
- 5 Disciplinary and complaints procedures
- 6 Insurance
- 7 Inclusion on the list of **CPs**
- 8 Records of work done by **CPs** (**SAP** ratings and **TER/DER** calculations)

- 9 Reporting to CLG and Defra
- 10 **SAP** software approval process, undertaken by an independent body

#### 4. Participation: Scheme Membership

Fees for **CPs** will vary between **Members** and will be set commercially. **Faero Ltd** will set fees for **Members** at a level that will be sufficient to provide for its costs, plus a surplus to repay its initial start up loan, and to provide a small fund for development of the **Scheme**.

The **Scheme** will only accept organisations that comply with the **Standards**, and all other administrative requirements of the **Scheme**. Before any **Member** registers an individual as a **CP**, the individual's competence in undertaking **SAP** assessments will be assessed (see item 6).

#### 5. Certificates of compliance

The Regulations authorise **BCBs** to accept, as evidence that the dwelling complies with Reg 17c, a certificate issued by a **CP**, accompanied by a notice from the person carrying out the work stating that the building has been constructed in accordance with the list of specifications which accompanied the Certificate. It is not considered practical for the **CP** to take responsibility for inspecting work on site and confirming compliance in situ. In accordance with the published **ADL1a**, this responsibility remains with the **BCB**.

CLG requires these certificates of compliance with Regulation 17c to be issued for both the design and the as built dwelling, and to include both target and calculated CO<sub>2</sub> emission rates. Before issuing the certificate of compliance for the as built dwelling, the **CP** will require confirmation from the builder of the final specification of the dwelling, including any pressure test result that may be available.

The format of the certificate of compliance is to be defined by CLG, and is not yet available. CLG intend that the format will be defined in consultation with **BCBs**. When defined, the format will become part of the **SAP** software approval process (defined within the **Standards**) and will be a mandatory output from **SAP** software used within the **Scheme**. This will enable submissions to **BCBs** to be covered by a certificate of compliance that may only be issued by a **CP**.

Until the certificate of compliance is available, the **Scheme** requires its **Members** to issue numbered Building Regulations Submissions bearing the **Faero Ltd** logo, to indicate the provenance of the calculation. Outputs from software used by persons who are not **CPs** will not carry the **Faero Ltd** logo. In the short term until the format of the Certificate of Compliance is available, this will enable **BCBs** to recognise the calculation provider as a **CP**.

#### 6. Assessing the competence of applicants for registration as Competent Persons

The **Scheme** will include a system for assessing potential **Members**, and a system for assessing the competence of individual **CPs**.

**Faero Ltd** will vet potential **Members** by assessing their ability to enforce the defined **Standards** via their **QMS**. Initially **Faero Ltd** will carry out desk checks on their paper-based **QMS** and on their records of internal and external audits, followed by a visit to the prospective **Member's** offices to check their compliance with their **QMS**. **Faero Ltd** will continue to check the **Member's** compliance with the **Standards** by conducting 'mini audits' of their **QMS** during the course of their membership (see item 11).

The individual **CPs** would initially have their competence assessed by examination. Previously, **AEROs** used different approaches to assess the competence of prospective **ASAs**. The primary focus of those systems was on accurate completion of **SAP** assessments, and for new build training, some detail of Building Regulations requirements applicable to housing was included.

The new common examination framework to be put in place, as part of the **Standards**, will replace this diverse approach. Furthermore, now that **SAP2005** is the foundation for assessing compliance with part L of the Building Regulations, the test of competence will be extended to comprehensively

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cover the calculation of **TER** and **DER** calculations. Extending the assessment of competence to the whole of **ADL1a** is not currently envisaged, as it is outside the scope of **Faero Ltd's** agreement with CLG. **Faero Ltd** expects to extend the assessment of competence to include the requirements for issuing the **EPC** for new homes.

The common examination will include a practical element, in which the candidate will carry out **SAP** ratings and **TER/DER** calculations using software. This element will be set by **Faero Ltd**, but as software is specific to the **Member**, it will be marked by the **Member**. This marking will be moderated by **Faero Ltd**.

The theoretical element of the examination will be independent of the **Member** and will comprise multiple-choice questions. As this element will be both set and marked by **Faero Ltd**, it will provide the element of independent assessment that is mandatory for a qualification that is to be admitted to the National Qualification Framework.

Training will continue to be provided by the individual **Members**, as part of their commercial offering to their customers. Although the assessment of competence will focus on **SAP** and the calculation of **TER** and **DER**, individual **Members** may choose to extend their training to cover the wider **ADL1a** requirement. When the **Scheme** scope extends to cover the production of **EPCs**, the training and examination syllabus will be similarly extended.

For a transitional period only, **Faero Ltd** anticipates the need to recognise organisations as **Members** whilst their **QMS** is being developed. However, no applicant will be accepted as a **Member** until they have satisfied **Faero** of their ability to:

- 1 assess the initial competence of their registered **CPs**
- 2 monitor the work of those **CPs**
- 3 keep records of **SAP/TER/DER** calculations undertaken by their **CPs**
- 4 comply with any other **Standards** that have been supplied to them at the time of their initial audit

Prior to acceptance, **Faero Ltd** will audit the applicant to confirm that all of their individuals to be recognised as **CPs** have passed an appropriate examination, defined by **Faero Ltd**. Implicit in this is the provision of an exam venue & invigilation, adequate resource for marking of the practical examination, a system for communication with candidates, and provision for handling candidate scripts in a secure manner.

Applicants will also need to show, prior to acceptance, that their **QMS** includes appropriate systems for monitoring, record keeping, and all other **Standards** that have been supplied to the applicant at the time of the audit. Prior to acceptance, **Faero Ltd** will conduct an audit to confirm that such systems are in place, but evidence of their successful operation will not be immediately sought. This is to allow a transitional period of six months, during which evidence that these systems are operating successfully may be obtained.

Any remaining **Standards** not previously published will be brought into the **Member's QMS** during that six month period. A further audit of all aspects of the **Member's QMS** will be held six months after the **Member** has been accepted into the **Scheme**.

#### **7. Use of Approved SAP Software**

The **Standards** will require the **Member** and registered **CPs** to use computer software that properly incorporates the latest version of **SAP2005**, or any amendment as posted on the BRE website. This includes the requirement to correct any problem in **SAP** software that affects the **SAP/TER/DER** calculation and send it for re-approval.

#### **8. SAP data acquisition conventions**

The **Standards** will require the **Member** to incorporate the **SAP** data acquisition conventions, including the requirement always to use the latest version of the Boiler Efficiency Database, into their **QMS**. These conventions will be used by their **CPs** when obtaining and delivering **SAP** outputs and performance indicators.

## 9. Third party certification/accreditation

Accreditation against ISO 9001 is a requirement of CLG's scheme authorisation and all **Members** will therefore maintain an independently certified ISO 9001 compliant **QMS**. This continues the previous Defra requirement for this level of certification.

**Faero Ltd** will also consider the requirements of EN45011 and assess whether the **Scheme** is suitable for this level of accreditation.

## 10. CPD: Further training of Competent Persons

**Members** are required to update their software whenever the **SAP** is updated (see iii), and to update **CPs** in the correct use of the amended software; this will be defined in the **Standards**. The respective **Member** will therefore update their own registered **CPs**, as and when changes to **SAP** or the relevant Building Regulations are implemented.

## 11. Compliance monitoring

CLG requires **Faero Ltd** to ensure that registered **Scheme Members** monitor the quality and accuracy of **SAP** outputs and performance indicators issued by **CPs** for which they are responsible, by instituting periodic checks of their work. The quality standard to be adopted for these checks is + or - 4% of the dwelling emission rate (**DER**) in 95% of cases.

Monitoring of **SAP** assessments was previously required as part of Defra's **SAP** licence agreement. Although specific details were not defined, an external body was required to confirm that the process satisfied ISO9001. In consultation with Defra, **Faero Ltd** has defined more specific monitoring requirements as part of the **Standards**, ensuring that all **Members** will operate to the same monitoring standards. This includes the requirement to monitor each **CP** at least once per annum.

CLG requires **Faero Ltd's Members** to work within an ISO9001 registered **QMS**. ISO9001 requires the quality of the product (in this case, either the **SAP** rating or the **TER/DER** calculation) to be monitored by independent assessors. If the independent assessor is not an employee of the **Member**, ISO 9001 further requires that the independent assessor's work be controlled within an Approved Supplier framework including performance monitoring.

**Faero Ltd** will also monitor the **Member's** overall compliance with the **Standards** by a process of 'mini audits' of their **QMS**. These audits will supplement the **Member's** existing internal and external audits of their **QMS**, which are a mandatory part of their ISO9001 registration.

The **Faero Ltd** system will consist of a twice yearly 'mini audit', which will require the **Member** to submit information, including copies of external audits conducted on **Members** by their ISO9001 registration body, e.g. BSi. This submission will be desk checked and then a short visit will review any specific compliance issues identified by the desk check. This is likely to result in a minimum of one visit per year to each **Member**.

## 12. Record keeping

**Faero Ltd** will require its **Members** to retain records of **SAP** calculations on particular buildings for a period of 10 years from the date of the Certificate of Compliance. **Members** will also keep records of their monitoring activities, including any corrective actions taken. Requirements for record keeping and reporting will be defined in the **Standards**.

## 13. Disciplinary procedures for Competent Persons found to be in breach of Faero's Standards

Under the previous Defra licensing system, the **AEROs** operated different disciplinary procedures for **ASAs** found breaching the terms of their agreement. Each was consistent with the requirements of ISO9001, but they were not identical.

Similar disciplinary procedures will apply to removing **CP** status from individuals registered with **Members**, and will be defined as part of the **Standards**. Initially, persons in breach of those terms will be removed from the list of **CPs** pending a decision. If found to be in breach, the individual will be required to remedy the breach prior to reinstatement on the list; this remedy could include

retraining and/or a further test of competence. Ultimately, the disciplinary process provides the possibility to de-register persons or organisations found to be in breach.

#### 14. Complaints & Disputes

**Members** will be required to include Complaints Procedures within their individual **QMS**, and to make them available both to **CPs**' clients, and to the **CPs** themselves. Disputes between **CPs** and their own clients will be addressed by these Complaints Procedures, which will be consistent with the requirements of ISO 9001.

**Faero Ltd** will define the requirements of the Complaints Procedure as part of writing the **Scheme Standards**. This Procedure will provide a system for the resolution of disputes with **Members** or **CPs** involving non-compliance with Building Regulations or **Scheme** rules.

**Faero Ltd** may also create a Complaints Procedure dealing with disputes between **Members** and the **Scheme**.

The **Standards Panel** will provide an independent arbitrator for complainants who are not satisfied that their complaint has been adequately addressed.

**Faero Ltd**, registered **Members** and **CPs** will each co-operate fully with CLG in dealing with complaints to CLG or the Ministers relating to the operation of the **Scheme**, or against registered **Members** or **CPs**.

#### 15. Lists of Competent Persons

CLG currently requires **Faero Ltd** to list its **Members** and not the individual registered **CPs** on the **Faero Ltd** website. Each **Member** will be required to maintain a list of its own registered **CPs**, accessible to enquirers. In future, **Faero Ltd** may be required to provide an integrated list of **CPs**, and if so, each **Member** will be required to co-operate with **Faero Ltd** to achieve this.

#### 16. Scheme rules

**Faero Ltd** will publish on the Internet a summary of the **Scheme** rules that pertain to registered **Members**

#### 17. Professional Indemnity Insurance

Customers of the current **AEROs** normally have access to professional indemnity insurance via their own professional practices. **Faero Ltd** would not expect to make **Scheme** membership conditional on take up of a specific insurance product by the **Member's** registered **CPs**, in preference to their existing insurance product. However acceptance into the **Scheme** will require a minimum level of PII for all **CPs**, and a minimum level of PII for the **Member**. Currently, CLG requires £2m of cover for both **Member** and **CP**.

#### 18. Progress reporting

Reporting requirements will be defined as part of the **Standards** and will be defined in discussion with CLG. This is expected to provide at least a similar level of reporting to that previously required by Defra. CLG has indicated that until EN45011 accreditation has been achieved, the **Scheme** will be subject to external auditing by CLG's appointed auditors.