



Building Standards Customer Charter

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Version 9.1



**West Lothian
Council**

westlothian.gov.uk

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contents

section	page
1 purpose of national building standards charter	
(Our Aims, Our Vision/Values, Our Commitments, Our Targets)	4
2 introduction	7
3 who we are	7
4 pre-application discussions	8
5 asking for information or advice	8
6 submitting a building warrant application	8
7 once an application has been approved	9
8 to keep everyone informed we will	11
9 works carried out without permission	11
10 dangerous buildings	12
11 our service standards	13
12 complaints procedure	13
13 performance	13

Purpose of the Building Standards Customer Charter

The Building Standards Customer Charter provides information about the standards of service that all verifiers should meet. This gives customers the reassurance that a consistent, high quality service will be delivered no matter which verifier provides the service .

It is divided into two parts: 1. National Charter; and 2. Local Charter.

Part 1: National Charter

1.1 Our aims

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.

1.2 Our vision/values:

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

1.3 Our commitments

Nationally all verifiers will:

- seek to minimise the time it takes for customers to obtain a building warrant or amendment to a building warrant
- ensure continuous improvement around the robustness of our verification 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.
- Work collaboratively with the Building Standards Hub
- 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



1.4 National targets

KPO 1 - Minimise time taken to issue a first report or to issue a building warrant or amendment to building warrant.

- 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).

KPO 2 - Increase quality of compliance assessment during the construction processes

- Targets to be developed as part of future review of KPO2.

KPO 3 - Commit to the building standards customer charter.

- National customer charter is published prominently on the website and incorporates version control detailing reviews .
- 95% of BSD requests for information on a BSD 'Verifier Performance Reporting Service for Customers' case responded to by verifier within 5 days

KPO 4 - Understand and respond to the customer experience

- Minimum overall average satisfaction rating of 7.5 out of 10

KPO 5 - Maintain financial governance

- Building standards verification fee income to cover indicative verification service costs (staff costs plus 30%)

KPO 6 - Commit to eBuilding Standards

- Details of eBuilding Standards are published prominently on the verifier's website.
- 75% of each key building warrant related process being done electronically
 - Plan checking
 - Building warrant or amendments (and plans) being issued
 - Verification during construction
 - Completion certificates being accepted

KPO 7 - Commit to objectives outlined in the annual performance report

- 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 2021– March 2022).

The report is to include:

- Adherence to the national customer charter (KPO3)
- Appropriate actions to respond to customer feedback (KPO4)
- Financial performance (KPO5)
- Commitment to digital services (KPO6)

1.5 Information

National information on verification performance can be found at the Scottish Government website www.scotland.gov.uk/bsd

Part 2: Local Charter

Introduction

- 2.1 Every person can be said to come into contact with, and interact with, buildings throughout their lives. Be it their workplace, school or their home.

Building Standards is the legal process that ensures that, when new buildings are constructed or existing buildings altered, the minimum requirements for the health safety and welfare of the people who come into contact with these buildings are met.

The Building Standards Division (BSD), on behalf of the Scottish Government, sets these standards and provides guidance as to how they may be complied with.

The majority of building work carried out within West Lothian requires consent from Building Standards before this work may be carried out. There are of course exceptions and these can be found in schedules 1 and 3 of the Building (Scotland) Regulations 2005.

It must be pointed out however that all works listed in schedule 3 must, when completed, comply fully with the Building (Scotland) Regulations 2005.

If at a later date it is found that these works do not comply, then Building Standards may take enforcement action against the owner and the person on whose behalf these works were carried out.

In addition to the above, the enforcement action will entail making the building comply with the standards **currently in force at the time of enforcement action** and **NOT those in force when the work was actually carried out**.

When an application for building warrant is made it is the intention of this council that the application is assessed correctly and as quickly as possible.

Who we are

- 3.1 West Lothian, for the purpose of building standards, is split in to two teams, East and West . This allows for better control of work and dealing with peaks and troughs of work flow. This system also allows greater flexibility for site visits.

There is a principal building standards officer, 2 surveyors, 2 building standards officers and a building inspector in the East team and a principal building standards officer, 3 surveyors an assistant building standards officer and a building inspector within the West team, this current set up allows us to have a minimum of 4 people on site most days, with the remaining surveyors / officers in the office / working from home.

The team also consists of a building standards manager, building standards technician and a structural engineer (currently vacant). We are also assisted by our clerical support team. When an application is registered you will be notified of the case officer and provided with their direct contact details.

Pre-application discussions

- 4.1 Pre-application discussions can be discussed for inward investment applications.
- 4.2 Advice given will be free and accurate but will be without prejudice to the formal consideration of your proposals.
- 4.3 Surveyors can be seen by prior arranged appointment at Civic Centre, Livingston, or a remote appointment can be made and carried out over Microsoft Teams or the NearMe platform with any surveyor during office hours which are:

Monday – Thursday	8.30am – 4.30pm
Friday	8.30am – 4.00pm

Please note, if an appointment is not made you may not be seen.
- 4.4 If through a disability you cannot use video conferencing or if it may be preferable to discuss your proposals on site, a site visit can be arranged.

Asking for information or advice

- 5.1 We aim to provide a 10 working day response to communications on current applications.
- 5.2 No acknowledgements will be given in respect of normal correspondence, the emphasis being placed on early replies within the above framework.

However complaints concerning any aspect of the building warrant process will be acknowledged and follow the Council Complaints Procedure.
- 5.3 Telephone calls will be answered as quickly as possible. All surveyors have an answering facility and this should be used if the surveyor is unavailable.

Whilst every effort will be made to respond to your query, if the Building Standards Surveyor dealing with your application or area is not available it may be necessary to take your details and have the surveyor return your call as soon as practicable.
- 5.4 You will be called back within two working days. Although sometimes it will be necessary, indeed in your own interest, to put the substance of your query in writing or plan format to receive a written response.

Submitting a building warrant application

- 6.1 A national online service for building standards applications exists and can be found at [Getting Started on eBuilding Standards Scotland](#)

It is the applicant's or agent's responsibility to make sure that the application is submitted correctly.

The application form must be completed correctly, signed and the appropriate fee must have been paid before a valid application can be registered.

A guidance note on ***Making a quality building warrant application*** is available to assist customers and can be found at the following link: [making-quality-building-warrant-application-need-know.pdf \(westlothian.gov.uk\)](#)

6.2 When you submit a Building Warrant Application we will aim to:

- notify you by acknowledgment letter or email within three working days of receiving your valid application,
- notify you by letter or email within three working days if your application is **'invalid'** and explain what is required before it can be registered as **'valid'**,
- assess your application for compliance with the Building (Scotland) Regulations 2005 and notify you of the technical comments that require to be answered before a building warrant can be issued based on the following timescales as published by the Building Standards Division (BSD) in their ***Building Standards Verification - Key Performance Outcomes Handbook***.

Type of application	Initial response	Backstop (if appropriate)
Application with no specific customer agreed response date	20 working days	35 working days

If you have not received a response:

- for an application within 35 working days from the date of the acknowledgement letter, contact the Building Standards Manager direct on 01506 282399 or by email at chris.rae@westlothian.gov.uk to resolve this matter
- to fully address customer concerns where response times are beyond the set target you will be able to report any dissatisfaction of a verifier failing to meet the appropriate level of service for their building warrant first report first response time.
- reporting will be through the Scottish Government Building Standards Division (BSD) at buildingstandards@gov.scot or 0300 244 4000, who will contact both the local authority concerned and Local Authority Building Standards Scotland (LABSS)

6.3 We will aim to grant 90% of building warrant approvals within ten working days of receiving all necessary information.

Once an application has been approved

7.1 When an application is approved we will provide you with a Construction Compliance and Notification Plan (CCNP) and a list of certification required at completion.

This plan will be sent to the agent where there is an agent, to forward onto the applicant, if there is no agent it will be sent to the applicant. All parties should make themselves and the contractor familiar with the contents of this document as it notifies you of specific stages of construction when building standards should be contacted to verify the works carried out on site.

Failure to notify building standards at the appropriate stages, allowing sufficient time to respond, may lead to refusal of a completion certificate and works may need to be exposed for inspection.



The number of inspections required will vary and will be determined by the complexity and value of the project.

It is a statutory requirement that you must inform us when works reach certain stages so that inspections may take place. These stages are:

- commencement of work;
- completion inspection to accept your certificate of completion submission.

In addition to all of the above inspections we will discuss which further inspections (if any) may be required when we discuss the project on site after the commencement of works.

7.2 We aim to

- carry out routine site visits, where requested, within two working days.
- carry out drain inspections/tests within two working days.
- if site visits reveal departures from approved plans or there are areas of work which do not comply with the Building (Scotland) Regulations 2005 the applicant/ agent, if not notified on site, shall be notified of them in writing within three working days of the site visit.

It is the responsibility of the applicant or their agent to notify us when the works are ready for re-inspection. If required for a specific reason, we can arrange a video inspection or for more details on how this is carried out contact buildingstandards@westlothian.gov.uk

7.3 We will keep full and accurate records of site visits and all drainage inspections or

tests. The records shall indicate:

- the date the inspection/test was carried out,
- who carried out the inspection/test,
- what works were inspected and whether they were found to be in order,
- any departures from the approved plans,
- areas of work which do not comply with the Building (Scotland) Regulations 2005.

7.4 When an appropriate Completion Certificate submission is received in the appropriate manner we will:

- within 10 working days:
 - carry out an inspection,
 - arrange a definite appointment to inspect the works, or,
 - temporarily suspend the application and notify you that a mutually convenient time must be agreed to inspect the works
- If faults are noted on site, the applicant/agent shall be notified of these in writing within 3 working days of the site visit in 95% of cases. Note: It is the responsibility of the applicant/agent to notify us when the works are ready for re-inspection.

7.5 When all works are found to have been completed in accordance with the approved plans and the Building (Scotland) Regulations; and a completion certificate submission is received we will:

- Issue the acceptance within 3 working days of the inspection.

To keep everyone informed we will

8.1 It is a requirement of the Building (Procedure) (Scotland) Regulations that we shall keep a register of all Building Warrant applications submitted to us.

This register shall be available for inspection by the public within office hours.

8.2 This register can be accessed at [Building Standards Register - West Lothian Council](#) and is updated automatically with information relating to: new applications; when applications are issued; when a Completion Certificate Submission is accepted. The register contains information on all building warrants from January 1986.

Work carried out without permission

9.1 It is essential that all building work, unless it is specifically exempt, or work which does not require a building warrant, is the subject of a Building Warrant Application.

As well as being a legal requirement, the absence of such an approval and subsequent Completion Certificate will almost certainly affect the sale of property.

9.2 For details of building work relating to dwelling houses which are exempt see: [Do I need a building warrant? - West Lothian Council](#)

- 9.3 If it is brought to the council's attention or it is suspected that works which require approval are being carried out without the necessary building warrant, the authority will visit the site to ascertain the extent of the works. If works are being carried out without approval, we will request that all work ceases until a Building Warrant has been applied for and granted. It may be the case that the work carried out does not comply with the Building Regulations. In this instance we will ask that the work carried out be altered to show compliance.
- 9.4 If the work does not cease or the required building warrant is not obtained within the timescale given, action to have the unauthorised work altered or removed may be taken under Section 27 of the Building (Scotland) Act 2003.
- This action will be taken against the person responsible for carrying out the unauthorised work or the building owner.
- All costs borne by the council will be recovered from the person concerned.
- 9.5 A person who fails to carry out the requirements of a notice is guilty of an offence under the Building (Scotland) Act and can, be liable on summary conviction to a fine not exceeding £5,000 and in the case of a continuing offence to a further fine of £50 for every day the offence continues.

Dangerous buildings

- 10.1 The Building (Scotland) Act 2003 places a responsibility on Building Standards for the safety of the public around buildings and persons frequenting buildings.
- 10.2 All buildings reported as being dangerous and considered to be a danger to the public will be inspected on the same day as the complaint is received, including, if serious enough, at weekends.
- 10.3 All immediately dangerous buildings will be either made safe or adequately fenced off.
- 10.4 In the first instance, it will be the responsibility of the building owner to carry out the works deemed necessary by us.
- If the owner fails to carry out our instructions, or cannot be contacted readily, we will carry out the work necessary to make the building safe under Section 29 of the Building (Scotland) Act 2003 with all costs incurred being recovered from the owner.
- 10.4 Owners of buildings reported as being dangerous but on inspection found not to be of immediate danger, but still dangerous, shall be written to within three working days of the inspection outlining to them the works (if any) necessary to make their building safe. Where it is not clear to building standards who owns the property or properties involved, we will carry out a search using the Registers of Scotland <https://www.ros.gov.uk/> to determine who the owner/s are.
- 10.5 The building owner will be given an appropriate time in which to carry out the necessary work.

Service standards

11.1 The Building Standards Service has service standards on the following:

- Building Warrant applications
- Site inspections
- Completion Certificate responses
- Enforcement
- Letters of Comfort
- Copy Documents

The response times for all of these services are listed in our service standards and can be found at the following link: [Service Standards for westlothian.gov.uk](https://www.westlothian.gov.uk/service-standards)

Complaints procedure

12.1 Any complaint in respect of Building Standards should preferably be made in writing to the Building Standards Manager.

A complaint is an expression of dissatisfaction, however made, which alleges failure on the part of the council to perform a function or provide a service in line with stated council practices and policies.

12.2 When you have a complaint we will:

- forward the complaint to the appropriate section if it is not about Building Standards and notify the complainant of this fact.
- fully and promptly investigate all complaints in line with the council complaints procedure.

12.3 Further information

Further details of the complaints procedure can be found at:

[Make a Complaint - West Lothian Council](#)

Performance

13.1 Information on building standards performance will be updated quarterly and can be found at: [Building standards performance - West Lothian Council](#)

