

FOI Reference Number: FOI/391/1819

Date: 20 December 2018

**Request:**

Please see below.

**Response:**

Thank you for your information request which Mid and East Antrim Borough Council received on 22 November 2018.

Please find below, Mid and East Antrim Borough Council's response to the information you requested in relation to Gas Safety / Qualifications / Legislation Compliance.

1. What gas related qualification do Borough Building Control officers have in our borough?

***Building Control Officers do not have a specific gas related qualification. It is not an essential requirement of the post.***

2. What electrical qualification do Borough Building Control officers have in our borough?

***Building Control Officers do not have a specific electrical qualification. It is not an essential requirement of the post.***

3. How often are the particular building control officer sent for retraining and how do they receive legislation updates?

***Building Control Officers receive training on an ongoing basis, based on a training needs analysis carried out by the Training and Communication Panel within Building Control Northern Ireland. Training is also identified by individuals on annual Personal Development Plans as part of Mid and East Antrim Performance Management Scheme and suitable courses and training are identified and attended by staff. Refresher training is carried out as required by the particular qualification/course any particular officer has undertaken (For example Construction Skills Register training is valid for 5 years). In addition, a number of Building Control Officers are members of Professional bodies. In part fulfilment of that membership they are required to undertake suitable and appropriate Continued Professional Development.***

***Technical Meetings are currently held on a monthly basis internally during which current issues of interpretation of Building Regulations and allied legislation are discussed and a consistent approach agreed in line with Building Regulations and associated Guidance. Additional Guidance is provided***

**by Building Control Northern Ireland Standards Panel and Fire Safety Panel on a regular basis.**

**Building Control is a Member of the British Standards Institute and updates are received via that body and circulated to Building Control Staff as and when legislation changes relevant to the Building Regulations are imminent or have been implemented.**

4. What is the process when there is a challenge to the building control officer's competence and ability?

**The particular issue is referred to the relevant Senior Building Control Officer for consideration and the Building Control Manager is informed. Once the review of the situation is complete the outcome is communicated to the applicant/agent stated on the Building Regulation application. In certain issues i.e. contravention, the communication can be with the Builder. The outcome of the situation is then communicated to all staff where deemed necessary.**

5. What happens when a building control officer slanders an installer of gas for example and advised the owner of defects which were not a requirement?

**We have no records of this situation arising. The officer in question may be subject to a disciplinary investigation if there are allegations of misconduct, but this would depend on the circumstances of each case.**

**The code of conduct may be relevant, as would the relevant disciplinary policy, of which we currently have 5.**

6. Do our council send out a compensation package under these very rare circumstances?

**No.**

7. Are our council always fully aware of the legislation they request from heating engineers and builders when they put forward specific requirements?

**Building Control do not "put forward specific requirements". They are required to take reasonable steps to ensure the minimum requirements of relevant Building Regulations are satisfied.**

8. Do our council publicly apologise when staff members such as building control ask for specific requirements which do not meet Gas or Electrical standards?

**We have no record of this situation arising.**

9. Can a business financially claim against a council if the above question has been proven?

**It would be inappropriate for the Council to comment on any claim potential or otherwise.**

10. Are our council staff suitably qualified to undertake Gas Inspections in domestic and commercial premises?

***Environmental Health Officers are suitably qualified to undertake inspections of commercial premises using gas for which Council is the health and safety enforcing authority.***

11. How many gas commercial catering establishments in our borough have valid gas safety certificates inclusive of mobile wagons?

***This information is not held by Council and is therefore not available to provide.***

12. How many gas catering establishments have no gas safety certificates inclusive of mobile wagons?

***This information is not held by Council and is therefore not available to provide***

13. How many times in the past year has our council requested the services of "gas safe" to assist and what was the cost?

***One occasion in the past year with no cost.***

14. How many gas inspections have been done in portable wagons in the last year at events in our borough?

***Zero***

15. Do our council keep copies of "gas safe" certificates and risk assessments on an annual basis?

***No. There is no requirement for Council to keep copies of Gas Safe certificates and risk assessments relating to commercial premises.***

16. Do our council keep copies of maintenance schedules for gas appliances?

***No. There is no requirement for Council to keep copies of maintenance schedules for gas appliances in commercial premises.***

17. Do our council check all gas appliances are BS KITE MARKED when at a gas premises for inspection.

***Council Environmental Health Officers are aware that gas appliances should have a data plate which bears a CE mark. During inspection, officers will check for this on those appliances where the data plate is accessible.***

If you are dissatisfied with the handling of part of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original letter and should be addressed to the Chief Executive at the Braid Ballymena Town Hall, 1-29 Bridge Street, Ballymena, BT43 5EJ.

Please remember to quote the reference number FOI/391/1819 in any future communications.

If you are not content with the outcome of an internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Please be advised that Mid and East Antrim Borough Council may release the response to this information request into the public domain via our website at <https://www.midandeastantrim.gov.uk/>.

If we publish our response to your request, your personal data will be removed to protect your privacy.