

EUSWFRBE3 SQA Unit Code - (FC03 04)

Secure compliance with water fittings regulations/byelaws



Overview

This unit is designed to demonstrate competence in carrying out inspections of premises to make sure water fittings comply with the relevant legislation. The unit also involves persuading and educating people to comply with the legislation, and instigating enforcement procedures for non-compliance.

The individual will need to:

1. explain to the people they are dealing with the implications of failing to comply with the legislation
2. establish a plan for compliance
3. establish follow-up actions or a re-inspection if required
4. draft and have served any contravention notice and respond to any customer questions and request which arise from it
5. record all relevant details, including the evidence regarding any contravention, and must follow up the compliance plan to the timescales agreed

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Performance criteria

You must be able to:

Secure compliance by discussion, persuasion and education

- P1 explain the purpose of the legislation and check that relevant people understand the implications of failure to comply with them
- P2 make a clear and accurate statement to the relevant people of the implications of failure to comply with the legislation
- P3 provide accurate information about the coverage of the legislation and actions which can be taken to ensure compliance
- P4 demonstrate that enforcement decisions are based on sufficient, relevant and accurate information, obtained within organisational policies and procedures
- P5 negotiate and agree a compliance plan and follow-up activities with relevant people
- P6 accurately record the detail and outcome of discussions and agreement reached with relevant people
- P7 negotiations are carried out in such a manner as to maximise goodwill, co-operation and understanding of organisational policies and procedures
- P8 follow-up the compliance plan at the stated time and take relevant action following the outcome of re-inspection

Instigate and contribute to enforcement procedures

- P9 assess the risk which is or is likely to be caused by the contravention(s) and record the evidence in accordance with approved procedures and practices
- P10 correctly issue the contravention notification and confirm that it is served promptly in accordance with approved procedures and practices
- P11 demonstrate to the customer, by using the appropriate evidence the validity of decisions, clearly differentiating between fact and opinion
- P12 report the detail of the enforcement activities to relevant people in an appropriate format
- P13 utilise opportunities to make suggestions for improvements to systems and procedures
- P14 show awareness of emerging trends, and highlight them through the reporting structure

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Knowledge and understanding

You need to know and understand:

Secure compliance by discussion, persuasion and education

- K1 what constitutes contravention of the legislation for different plumbing systems
- K2 the importance of making sure that people understand the purpose of the legislation
- K3 the importance of confirming as far as practical a relevant person's understanding of the implications and of not complying with them
- K4 different types of risk posed by different contraventions and the actions and penalties which can be applied
- K5 what needs to be covered in the compliance plan including the rectifications for short term and permanent compliance
- K6 how to determine acceptable timescales for follow-up activities
- K7 the types of follow-up activities you may need to carry out and information sources for them
- K8 recording requirements and the potential for its use as evidence where legal action is undertaken
- K9 communication and negotiating techniques
- K10 the actions to take following re-inspections
- K11 how to identify sources of information, their types and how to access them

Instigate and contribute to enforcement procedures

- K12 different types of risk posed by different contraventions and sanctions and penalties which can be imposed
- K13 the importance and methods of recording the evidence, and its use in legal proceedings
- K14 organisational requirements for completion of contravention notifications
- K15 who requires notice information
- K16 enforcement procedures
- K17 the difference between arbitration and mediation
- K18 organisational and regulatory complaint procedures and any documentation required

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Additional Information

Glossary

Approved procedures and practices

Environmental, organisational, regulatory, emergency, operational, Health, Safety and Environment, relevant company procedures

Compliance plan

Actions to secure compliance, priority order for actions, timescales for compliance

Contravention(s)

Single occupancy with single contravention, multiple occupancy with single contravention, single occupancy with multiple contraventions, multiple occupancy with multiple contraventions

Failure to comply

Straightforward implications, major implications, cost implications, risk implications, practical and logistical implications

Follow-up activities

Further investigations, re-inspection, providing documentation/information, receiving documentation/information

Legislation

The relevant regulations/byelaws appropriate to England, Northern Ireland, Scotland and Wales covering the design, installation and maintenance of plumbing systems, water fittings and water-using appliances.

Relevant action

Issuing compliance notifications, instigating enforcement procedures

Relevant people

Customers, contractors, plumbers, individuals, groups

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