27 April 2017

Dear Bob

I am aware that on Tuesday 7 February the Local Government and Communities Committee launched a call for written evidence from all interested parties as part of its scrutiny of the building standards verification scheme. The Committee asked five questions which included the role of the private sector, the inspection of building work and the level of fees.

Since the call was launched, I have re-appointed all 32 local authorities as verifiers for their own geographical areas and felt it would be helpful to explain the current position.

In a departure from the appointments in 2005 and 2011, local authorities (LAs) have been appointed for different periods based on their performance under the performance framework for the last appointment period.

LAs with strong performance have been appointed for six years (seventeen LAs), those with good performance have been appointed for three years (twelve LAs) and those with poor performance have been appointed for one year (three LAs). The aspects of poor performance that I have asked local authorities to address include:

- Consistency and level of turnaround times for issuing first reports, follow-up reports and building warrants
- Level of customer satisfaction with the verification service
- Level of investment of building warrant fee income into the verification service
- Maintaining levels of staff for verification services and having contingencies for when resources are not available in-house

I have written to each Local Authority Chief Executive setting out the terms and conditions of their re-appointment. In addition, the Head of Building Standards has advised key building standards stakeholders of the re-appointments.
I have provided an example of the re-appointment letter (Glasgow City Council – one year) and the letter to key stakeholders separately for your information. Further details on the re-appointments are available on the SG [website](https://www.gov.scot).

I trust this is helpful.

Kind regards

KEVIN STEWART
Minister for Local Government and Housing  
Kevin Stewart MSP

T: 0300 244 4000  
E: scottish.ministers@gov.scot

Ms Annemarie O'Donnel  
Chief Executive  
Glasgow City Council

(By email)

(Copy to Head of Service)  
(Copy to Building Standards Manager)

Our ref:  A17211006

30 March 2017

Dear Ms O'Donnel,

BUILDING (SCOTLAND) ACT 2003  
APPOINTMENT OF VERIFIERS  
DIRECTION AS TO THE EXERCISE OF FUNCTIONS OF A VERIFIER

I am writing to inform you that I am re-appointing all 32 local authorities as building standards verifiers for the next appointment period from 1 May 2017.

In a departure from the position since 2005, local authorities are being appointed for different periods based on their performance under the current performance framework.

I have decided to appoint Glasgow City Council as building standards verifier for the geographical area for which your authority is responsible.

The appointment, under section 7(1) of the Building (Scotland) Act 2003, will commence on 1 May 2017 and be for a one year period up to 30 April 2018.

As you know, I have expressed concerns about the performance of your building standards service and I asked my officials in the Building Standards Division (BSD) to visit your local authority. The visit took place on 20 February and the draft “Observation on the Operation of Verification Services” report has been issued to your building standards service. The report contains findings from the visit and six recommended actions, three of which are graded “fundamental”.

You are therefore required to submit details on how you will address the weaknesses identified in section 4 of the report using the “Response” column. These should be sent to Bill Dodds, Head of Building Standards bill.dodds@gov.scot by 30 April 2017.

St Andrew’s House, Regent Road, Edinburgh EH1 3DG  
www.gov.scot
For your information, local authorities with strong performance are being appointed for six years. Those authorities with good performance but have aspects of their service that would benefit from improvement are being appointed for three years. Those authorities with poor performance are being appointed for one year. Any extension to the one or three year appointment periods will be subject to the authority demonstrating improvements in the aspects that have been identified.

In all cases the appointment is dependent on the verifier meeting the verification Operating Framework 2017 and the verification Performance Framework 2017. This includes satisfying Scottish Ministers that the Authority is meeting, and continues to meet, performance measures.

The terms of the appointment are set out in Annex A including aspects of performance identified for improvement. BSD will issue the Operating Framework 2017 and Performance Framework 2017 separately.

As you are aware, Scottish Ministers can give Directions under the Act as to the exercise of the functions of a verifier. A Direction is attached in Annex B with regard to paragraphs 9 and 10 of Schedule 2 of the Act (where a verifier has an interest in a building) and will be for the duration of the verifier appointment set out above.

I look forward to working in partnership with all local authority building standards services to continue delivering an efficient and effective building standards system.

Yours sincerely,

KEVIN STEWART
Annex A

APPOINTMENT OF VERIFIERS
SECTION 7(1)
BUILDING (SCOTLAND) ACT 2003

Terms of appointment from 1 May 2017

Glasgow City Council are appointed to carry out the functions of a verifier for their own geographical area under the Building (Scotland) Act 2003 (the Act). The appointment is from 1 May 2017 until 30 April 2018 and subject to the following terms –

Glasgow City Council shall carry out the functions of a verifier under the Act and there shall be six months notice of any proposals for variation or termination of the appointment.

Glasgow City Council shall abide by the Operating Framework published by the Scottish Government in terms of –
• Integrity and operational resilience
• Administration of building warrant applications and completion certificate submissions
• Maintain records and systems to facilitate effective business operation and periodic audit by Scottish Government.

Glasgow City Council shall abide by the Performance Framework published by the Scottish Government in terms of –
• Professional expertise and technical processes
• Quality customer experience
• Operational and financial efficiency

Glasgow City Council shall submit details on how it will address the weaknesses identified in the "Observation on the Operation of Verification Services" report March 2017 to the Head of Building Standards by 30 April 2017.

Glasgow City Council shall include actions in their continuous improvement plan to address the following aspects of performance –
• Consistency and level of turnaround times for issuing first reports, follow-up reports and building warrants
• Level of customer satisfaction with the verification service
• Level of investment of building warrant fee income into the verification service
Annex B

DIRECTION
SCHEDULE 2
THE BUILDING (SCOTLAND) ACT 2003

The Building (Scotland) Act 2003 (Verifiers Interest in Buildings) Direction 2017

The Scottish Ministers make the following Direction in exercise of the powers conferred on them by paragraph 9 of schedule 2 to the Building (Scotland) Act 2003(1) and all other powers enabling them to do so.

Citation, commencement and expiry

1.— (1) This Direction may be cited as the Building (Scotland) Act 2003 (Verifiers’ Interest in Buildings) Direction 2017.

(2) This Direction commences on 1 May 2017 and ceases to have effect on 30 April 2018.

Verifiers’ interest in buildings

2. The Scottish Ministers authorise Glasgow City Council, as verifier appointed under section 7 of the Building (Scotland) Act 2003, to exercise its functions under that Act in respect of any building in which it has an interest(2).

Any enquiries on this direction should be addressed to:

Bill Dodds
Head of Building Standards
Building Standards Division
Scottish Government
0131 244 6533
bill.dodds@gov.uk

(1) 2003 asp 8.
(2) In accordance with paragraph 11 of schedule 2 to the Building (Scotland) Act 2003 a verifier has an interest in a building if it is an owner, tenant or occupier of the building or if it has such other interest in or in connection with the building as may be specified in procedure regulations.

St Andrew’s House, Regent Road, Edinburgh EH1 3DG
www.gov.scot
To Building Standards Stakeholders
(By email)

Our ref: A17266623
5 April 2017

Dear Sir / Madam

BUILDING (SCOTLAND) ACT 2003
APPOINTMENT OF VERIFIERS

I am writing to inform you that Kevin Stewart, Minister for Local Government and Housing, has re-appointed all 32 local authorities as building standards verifiers for the next appointment period from 1 May 2017.

In a departure from the previous appointments, local authorities are being appointed for different periods based on their performance under the current performance framework.

Local authorities with strong performance are being appointed for six years. Those authorities with good performance but have aspects of their service that would benefit from improvement are being appointed for three years. Those authorities with poor performance are being appointed for one year.

The aspects of poor performance that some verifiers need to address include –

- Consistency and level of turnaround times for issuing first reports, follow-up reports and building warrants
- Level of customer satisfaction with the verification service
- Level of investment of building warrant fee income into the verification service
- Maintaining levels of staff for verification services and having contingencies for when resources are not available in-house

The appointments are dependent on the verifiers meeting the verification Operating Framework 2017 and the verification Performance Framework 2017. This includes satisfying Scottish Ministers that they are meeting, and continue to meet, performance measures.

Any extension to the one or three year appointment periods will be subject to the authority demonstrating improvements in the aspects that have been identified.
Further details are provided in Annex A and on our website.

BILL DODDS
Head of Building Standards
Annex A
Appointment of verifiers from 1 May 2017

<table>
<thead>
<tr>
<th>Strong Performers (6 year appointment)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Aberdeenshire</td>
<td>• Inverclyde</td>
</tr>
<tr>
<td>Angus</td>
<td>• Midlothian</td>
</tr>
<tr>
<td>Argyll &amp; Bute</td>
<td>• North Ayrshire</td>
</tr>
<tr>
<td>Comhairle nan Eilean Siar</td>
<td>• North Lanarkshire</td>
</tr>
<tr>
<td>Dundee City</td>
<td>• Orkney</td>
</tr>
<tr>
<td>East Ayrshire</td>
<td>• Perth and Kinross</td>
</tr>
<tr>
<td>East Renfrewshire</td>
<td>• South Lanarkshire</td>
</tr>
<tr>
<td>Falkirk</td>
<td>• West Lothian</td>
</tr>
<tr>
<td>Fife</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Good Performers (3 year appointment)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Aberdeen City</td>
<td>• Moray</td>
</tr>
<tr>
<td>Clackmannanshire</td>
<td>• Renfrewshire</td>
</tr>
<tr>
<td>Dumfries and Galloway</td>
<td>• Scottish Borders</td>
</tr>
<tr>
<td>East Dunbartonshire</td>
<td>• Shetland</td>
</tr>
<tr>
<td>East Lothian</td>
<td>• South Ayrshire</td>
</tr>
<tr>
<td>Highland</td>
<td>• West Dunbartonshire</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Poor Performers (1 year appointment)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>City of Edinburgh</td>
<td></td>
</tr>
<tr>
<td>Glasgow City</td>
<td></td>
</tr>
<tr>
<td>Stirling</td>
<td></td>
</tr>
</tbody>
</table>