



Llywodraeth Cymru  
Welsh Government

CLOSED CONSULTATION

# Professional conduct rules for registered building control approvers (Wales)

We are seeking views on the principles and standards of behaviour that building control approvers will need to adhere to.

**First published:** 27 February 2023

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Date of issue: 27 February 2023

Action required: Responses by 24 April 2023

## Overview

This consultation seeks views on the proposed Professional Conduct Rules for Registered Building Control Approvers (Wales). The Professional Conduct Rules set out the principles and standards of behaviour that building control approvers will need to adhere to.

## How to respond

You can email your response to the questions in this consultation to:

[enquiries.brconstruction@gov.wales](mailto:enquiries.brconstruction@gov.wales)

If you are responding in writing, please make it clear that you are responding to the consultation on:

“Professional Conduct Rules for Registered Building Control Approvers (Wales)”

Written responses should be sent to:

Professional Conduct Rules for Registered Building Control Approvers (Wales)  
Building Regulations,  
Welsh Government,  
Cathays Park,  
Cardiff,  
CF10 3NQ

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When you reply, it would be useful if you confirm whether you are replying as an individual or submitting an official response on behalf of an organisation and include:

- your name,
- your position (if applicable),
- the name of organisation (if applicable),
- an address (including post code),
- an email address, and
- a contact telephone number

## Further information and related documents

Large print, Braille and alternative language versions of this document are available on request.

## Contact details

For any enquiries about the consultation please contact the Welsh Government Building Regulations team by emailing: [enquiries.brconstruction@gov.wales](mailto:enquiries.brconstruction@gov.wales)

For further information:

Building Regulations  
Welsh Government  
Cathays Park,  
Cardiff,  
CF10 3NQ  
Telephone: 0300 062 8144

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# General Data Protection Regulation (GDPR)

The Welsh Government will be data controller for any personal data you provide as part of your response to the consultation. Welsh Ministers have statutory powers they will rely on to process this personal data which will enable them to make informed decisions about how they exercise their public functions. Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about or planning future consultations. Where the Welsh Government undertakes further analysis of consultation responses then this work may be commissioned to be carried out by an accredited third party (e.g. a research organisation or a consultancy company). Any such work will only be undertaken under contract. Welsh Government's standard terms and conditions for such contracts set out strict requirements for the processing and safekeeping of personal data.

In order to show that the consultation was carried out properly, the Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. If you do not want your name or address published, please tell us this in writing when you send your response. We will then redact them before publishing.

You should also be aware of our responsibilities under Freedom of Information legislation.

If your details are published as part of the consultation response then these published reports will be retained indefinitely. Any of your data held otherwise by Welsh Government will be kept for no more than three years.

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## Your rights

Under the data protection legislation, you have the right:

- to be informed of the personal data held about you and to access it
- to require us to rectify inaccuracies in that data
- to (in certain circumstances) object to or restrict processing
- for (in certain circumstances) your data to be 'erased'
- to (in certain circumstances) data portability
- to lodge a complaint with the Information Commissioner's Office (ICO) who is our independent regulator for data protection

For further details about the information the Welsh Government holds and its use, or if you want to exercise your rights under the GDPR, please see contact details below:

Data Protection Officer:

Welsh Government

Cathays Park

CARDIFF

CF10 3NQ

E mail: [Data.ProtectionOfficer@gov.wales](mailto:Data.ProtectionOfficer@gov.wales)

The contact details for the Information Commissioner's Office are:

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

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Tel: 01625 545 745 or  
0303 123 1113

Website: [Information Commissioner's Office](#)

## Introduction

1. Once the relevant provisions have been commenced the Building Act 1984 (“the Act”) as amended by the Building Safety Act 2022 (“the 2022 Act”) will make provision to improve competence levels and accountability in the building control sector by creating a new professional and regulatory structure for the building control profession.
2. As part of these provisions the Act requires Welsh Ministers to establish and maintain a register of building inspectors and building control approvers.
3. Under the Act the Welsh Ministers can delegate another body to undertake some or all of their “registration functions”. They also have other mechanisms to enable a body to act on their behalf. In this consultation paper the “Regulatory authority” should be read so as to include the possibility that the functions may be exercised by Welsh Ministers or by another body on their behalf.
4. This consultation is part of a suite of consultations on standards that are being developed to regulate the building control profession. The suite includes the [Operational Standards Rules](#) and the [Building Inspector Competence Framework \(BICoF\)](#) which have already been consulted on and the Code of Conduct for Registered Building Inspectors which is being consulted on at the same time as this consultation.

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# Proposals

5. This consultation consists of three documents. These are:
  - this consultation document, which provides an introduction to each document;
  - the draft Professional Conduct Rules for Registered Building Control Approvers (Wales) (PCR) - which sets out the mandatory principles of conduct and standards of behaviour applying to all who wish to register as Registered Building Control Approvers (RBCA).
  - the Consultation response form, which provides the consultation questions.
6. We are aware some Registered Building Control Approvers may choose to operate in England and Wales. As we introduce the new registration system we are interested in any issues that may arise if there were to be differences in the standards between nations i.e. between Wales and England. This is covered by questions 1 and 2.

## Professional Conduct Rules for Registered Building Control Approvers (Wales)

7. Building control professionals will have to register with the Regulatory authority to perform building control work in Wales. The PCR sets out standards of professional conduct and practice that RBCAs are expected to meet. They are at the heart of a newly regulated building control profession – one in which all professionals are required to take responsibility and accountability for their decisions, actions and behaviour.
8. The PCR are mandatory principles of conduct and standards applying to all RBCAs in Wales. Contravention of the PCR may result in disciplinary action,

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including the cancellation of a RBCA's registration.

9. This document sets out our consultation and the consultation response form includes specific questions for consultees

10. The draft PCRs can be found by scrolling to the bottom of the consultation's introductory landing page. Please read the document in full before completing the survey. You may need to refer to the document when completing your response. You may provide additional comments in a free text box at the end.

11. The PCRS will be published in both Welsh and English.

12. This consultation is aimed primarily at the building control bodies that enable the building control system to operate and those who work with them, such as builders, developers, designers etc. Specific elements may be of interest to members of the public.

## Next steps

13. This consultation will run for 8 weeks, as the scope of the consultation is relatively narrow we are confident that this will give consultees sufficient time to review the draft Profession Conduct Rules and to respond. We welcome responses from anyone with an interest in the subject matter of the consultation but assume that the majority of those responding will be working in/ with the building control profession. We are keen for the results of the consultation to be available as soon as possible so as to inform policy development and so that a finalised version of the Profession Conduct Rules can be published, to enable those impacted by it to have time to familiarise themselves with and prepare for the new regulatory regime.

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14. This consultation will close on 24 April 2023.

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