



OFTEC Rules of Registration R100



TRUSTMARK
Government Endorsed Quality

Contents

Purpose of this document

This document sets out the rules and conditions for OFTEC registration and, following the signing of an application form, acts as the certification agreement between OFTEC and registrants of our schemes.

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Introduction

OFTEC has been promoting excellence and technician competence in liquid fuel heating and cooking since 1991 and has now expanded into solid fuel, electrical and renewable scopes of registration. Since being incorporated, OFTEC has established links throughout industry - in part through the trade association operation and with UK and Ireland governments and European agencies.

OFTEC maintains a register of competent technicians which, in some regions, permits those registered to self-certify controlled services work they perform within their scope of registration. In recognition of the high standards it promotes, OFTEC has acquired UKAS Accreditation for its registration schemes and has procedures in place that meet the requirements of ISO 17065 (Requirements for bodies certifying products, processes and services). Accreditation to ISO 17065 ensures the registration scheme operates with integrity and impartiality whilst adopting an ISO 9001 Quality Management System ensures a consistent approach to our operations.

This booklet provides registered technicians, and those considering becoming registered, with information regarding the OFTEC registration schemes and the responsibilities and conduct expected of technicians performing installation and commissioning work under a scope of OFTEC registration. The aspiration of the OFTEC registration schemes is that customers employing the services of an OFTEC registered technician can be confident that the work will be performed to high standards and comply with relevant Building Regulations, British Standards, manufacturers installation requirements, industry codes of practice and provide consumer protection.

This version of the rules supersedes previous versions. Please periodically check the OFTEC website www.oftec.org that this version has not been superseded. The version number of this publication is on the back cover.

These rules equally apply to all schemes in England, Wales, Scotland, Northern Ireland, Republic of Ireland, Channel Islands and Isle of Man, unless an individual clause states otherwise.

Additional and specific scheme requirements for MCS, PAS2030 and TrustMark registration are detailed in this document under the dedicated section headings.

OFTEC registration scheme structure

The OFTEC registration schemes are designed so registered businesses entering contracts of work are responsible for those contracts, whilst acknowledging the individual technical competence of technicians employed or contracted by a registered business. The registered business is certified in accordance to OFTEC's ISO 17065 accreditation whilst an individual's competence is proven by personal certification either by a scheme accredited to ISO 17024 or an equivalent scheme as a recognised measure of individual competence.

OFTEC offers a range of registration options that a business and technician can join which have been developed to meet the many different schemes in operation today:

- Competent Person Scheme (CPS) for England, Wales, Isle of Man and the Channel Islands incorporating self-certification of controlled service work.
- Registration scheme for competent persons in Scotland, Northern Ireland and the Republic of Ireland.
- Microgeneration Certification Scheme (MCS) available in the UK
- PAS2030 Installation of Energy Efficiency Measures available in the UK.
- Government Endorsed TrustMark Quality Mark Scheme available in the UK
- OFTEC Non-Operative registration for managers, consultants, trainers etc.

Full registration is only open to technicians who have suitable evidence of technical competence and who work for businesses that operate within the conditions set out in this booklet. OFTEC performs initial evaluation and then subsequent surveillance on all registered businesses and technicians, which can result in steps being taken to ensure that high industry standards are being maintained. If a registered business or technician does not comply with these rules of registration, their registration status will be initially suspended and then withdrawn.

Funding

OFTEC is a company 'limited by guarantee' and a 'not for profit' organisation. Registration finances are obtained mainly via business and technician fees and through the work notification system where registrants self-certify controlled service installation work. Also, OFTEC asks for re-imburement from registrants who miss inspection appointments or have a complaint upheld against them that needed an on-site inspection. Commission is received from partner organisations and income is also received from third parties who purchase a copy of the building regulation compliance certificates.

The OFTEC Rules of Registration

1 Business registration – the legal entity

- 1.1 For an enterprise to become an OFTEC registered business and maintain full status for any of our schemes, the business must directly employ or use via a sub-contract arrangement at least one competent technician who is individually registered with OFTEC under that business for at least one scope of registration. A registered business that offers a range of services must be able to demonstrate that it has enough qualified and OFTEC registered technicians for the scope of its operation. There is no limit to the number of technicians who can be registered under the same business.

Sole traders will require both business registration and individual technician registration. This is because OFTEC regards the business as the legal entity with responsibility for all liabilities, methods and practices for work undertaken, while the technician is regarded as holding the technical skill and competence.

- 1.2 When a business applies to become OFTEC registered, a business registration fee must be paid to OFTEC in addition to any individual technician registration fees associated with the relevant scheme or scope(s) of registration that apply.

However, if a business is also a member of the OFTEC trade association and has paid the appropriate trade membership fee, no additional business registration charge will be levied for CPS. The initial application and individual technician fees will still apply as will fees for any other scheme other than CPS.

- 1.3 Certification of the business

On being awarded business registration following a successful final certification decision process, OFTEC will issue the business a UKAS accredited certificate of business registration. The certificate remains the property of OFTEC and must be returned to OFTEC or destroyed if registration ceases for any reason. Identification cards for registered technicians will also be produced to show individual competence. If you need to provide a copy of your registration certificate for contacts, tenders etc please reproduce in its entirety. Copies of registration certificates and identification cards can be reproduced upon request, but OFTEC reserves the right to charge an administration fee to cover the cost.

- 1.4 Change of details or business structure or legal status.

OFTEC must be informed immediately if the details of a registered business, or any of its technicians change. Changes that may affect your registration status include, but are not limited to; legal status, trading name, address, contact details, and where a registered business ceases to directly employ or use via a sub-contract arrangement at least one competent technician who is registered for at least one scope of registration. Any major changes to quality management systems used must also be reported to OFTEC. Please visit our website

www.oftec.org for information on how to make a change of details or please email the [registration department](mailto:registration@oftec.org) at registration@oftec.org

- 1.5 All registered businesses must ensure that the registered technicians they employ or use via a sub-contract agreement comply with OFTEC's rules for individual technicians' registration. (See section 2). Agreements with sub-contacted technicians must be made available to OFTEC upon request.
- 1.6 A registered business must meet the regional requirements of registration as specified by OFTEC.
- 1.7 Health and safety

A registered business must comply with the relevant national requirements and legislation governing health and safety at work, have a written health and safety policy statement where required by law, and must conduct risk assessments where necessary.
- 1.8 Complaints log

A registered business must record all complaints received about its work relating to materials, workmanship and compliance with building regulations, and record details of what was done to resolve the complaint. The business must keep these records for a minimum of six years and make them available to OFTEC upon request.
- 1.9 Workmanship Warranty

OFTEC registered businesses self-certifying installation work in England and Wales are required to provide a workmanship warranty for their customers. Workmanship warranty gives customers peace of mind that any self-certified work will be covered by a six-year warranty. If any works directly attributable to the registered business/technician do not comply with building regulations, and the business is no longer available to respond (i.e. ceased to trade), the warranty will cover costs for a third party to rectify the defective work. The warranty cover needs only cover domestic properties but must be able to be transferred to the new owner if the property is sold within this six-year period.

As a benefit of registration OFTEC will provide this warranty when businesses use the OFTEC works notification system to self-certify their work. The policy will automatically be put in place for the end user as part of the building regulation compliance certificate.
- 1.10 Covering liabilities

Registered businesses must hold and maintain Public Liability Insurance at a minimum of two million pounds sterling (£2.0M) or 2.6 million euros (€2.6M) always covering their full scope of work. If the insurance expires and is not maintained, or is invalidated, the registered business must inform OFTEC immediately and cease carrying out work under OFTEC registration until re-instated. Where design work is undertaken, it is recommended that the

registered business holds a minimum of £250,000 Professional Indemnity Insurance or as appropriate for their scope of work.

- 1.11 If a registered business needs to dispose of trade waste in the course of their work, then OFTEC expects them to comply with regional environmental requirements and hold the required a regional upper tier waste carriers' licence.

2 Individual technician registration

- 2.1 Before an application is made to become an OFTEC registered technician, the operative must have passed an OFTEC - or industry approved – personal certification assessment in the scope of registration being applied for and provide a current certificate of technical achievement. OFTEC courses are accredited to ISO 17024 and successful candidates will achieve an accredited personal certificate issued by an independent certification body.

Not all scopes of registration have an accredited personal certificate option so alternatively a course/assessment can be accepted by an equivalent awarding body as defined by the sector mandatory technical competency (MTC) or MCS Competency Standard (MCS 025). Further details or advice about training courses can be obtained by contacting OFTEC.

Personal certificates or regulated qualifications must be renewed periodically (up to five years) for all schemes except Part P Electrical.

- 2.2 For Part P Electrical registration, a technician is required to meet the minimum technical competence as detailed in Qualifications Guide for EAS in its latest version. See OFTEC information publication 07 for further details.
- 2.3 Renewable registration qualifications need to be either accredited to ISO 17024, mapped to the Qualifications and Credit Framework (QCF) or Regulated Qualifications Framework (RQF) whose units will also be accepted. OFTEC publication 73 contains further information about the requirements for renewable registration including the Microgeneration Certification Scheme.
- 2.4 For a technician to achieve individual registration status, they must be employed either directly or via a sub-contract arrangement by an OFTEC registered business. Individual technicians can be registered with more than one registered business, but it must be made clear on all work documentation, which business they are working for each time.

3 Initial application or extending scope of registration

Applications for registration can be made by completing the OFTEC registration application form at www.oftec.org for the competent person scheme (CPS). To then extend scope into another scheme please complete either the Microgeneration Certification Scheme (MCS) application and/or the TrustMark application form found at www.oftec.org or the R567 for the PAS 2030 Installer scheme, which can be found on our website. New registrations can only be processed by submitting the relevant application form with the required

supporting information and passport type photographs to OFTEC via our website.

If a new applicant holds or has held a registration with an alternative scheme prior to making an application, then this must be made known to OFTEC on the application form. If registration with a previous scheme was held but relinquished, then the reason for leaving must be disclosed.

- 3.1 As the OFTEC registration scheme is based on personal competence, a technician's details must also be submitted upon application for registration and the business must pay the individual technician registration fee(s) in addition to any business registration fee and applicable application fee. An individual technician's registration fee is personal to the technician only and does not give registration status to the business (i.e. legal entity) they work for.
- 3.2 OFTEC will process data in accordance with the General Data Protection Regulation (GDPR). We only collect data for the purposes of granting certification with the OFTEC registration schemes. We will process and hold your data lawfully, fairly and securely. Your data will be processed accurately and kept up to date either by you notifying us of any changes in writing, or via your own online registration account. See our privacy notice: www.oftec.org.
- 3.3 As part of this agreement to provide your business and technician(s) with registration, OFTEC will keep you updated on any industry changes that affect the work you do. Receiving these updates counts towards your commitment to obtain industry-related professional development to enabling continuous registration.
- 3.4 We will also notify you on any matters affecting your registration and will also send you reminders before your qualifications or registration expires. This may be by email and/or by telephone.
- 3.5 Once an application has been accepted (following certification decision, see section 5), OFTEC will issue the business with an accredited certificate of registration and the technician(s) with an individual identification card. Technicians should always display their identity card when performing the types of work which they are registered for and produce the card whenever asked to do so. The identification card and certificate remain the property of OFTEC and must be destroyed or returned if registration ceases for any reason.
- 3.6 Registered businesses and technicians may extend their CPS scope of registration during their registration period by completing and submitting an R526 extension of scope application form. The period of registration will be aligned to the business registration with the applicable fee calculated and notified to you.
- 3.7 Additional technicians can be added onto an existing business CPS registration at any time by completing and submitting the R593 application form. The period of registration will be aligned to the business registration with the applicable fee calculated and notified to you.

4 Technical reference, tools, and equipment

To ensure registered technicians always work compliantly, it is a requirement to have access to the current edition of technical books relevant to your scopes of registration. Subsequent amendments to the OFTEC suite of technical books are available to download free of charge as a benefit of registration. These must be maintained and managed in a retrievable format for future reference. Technicians will receive a notification when an OFTEC technical book is amended via the OFTEC electronic newsletter (if email address is provided) otherwise notification of amendments will be published in the quarterly industry magazine.

As an alternative to the OFTEC technical books, equivalent statutory and code of practice documents can be held, such as those listed on the OFTEC website www.oftec.org. Technicians must remain familiar with their technical reference material and have access to other documents that OFTEC recommends from time to time. Technical reference material will be checked on periodic inspections and holding regular updates counts towards valuable continual professional development.

- 4.1 Registered technicians must have tools, equipment, and instruments appropriate to perform their work in a professional manner or have access to these through their employer. Tools, equipment, and test instruments must be maintained and calibrated in line with the manufacturers' recommendations. Inspection of tools and proof of calibration must be made available to OFTEC upon request. Such essential tools and equipment expected to be held will include flue gas analyser kits for pressure jet appliances, voltage testers for safe electrical isolation, fire valve test equipment and refractometer for renewable installations.

5 Registration fees

- 5.1 Registration periods and associated fee information can be obtained by visiting www.oftec.org or from our registration team on 01473 626 298 (UK) or 01-8645771 (Republic of Ireland). Fees may be subject to change. Registration periods can be for one-year or five-year periods for CPS, while all other schemes are for one-year periods only. Further fees become payable when the registration is renewed. If five-year business registration is chosen for CPS, then all technicians and future extension to scope requests will be aligned to the five-year business expiry where possible.
- 5.2 Renewal for CPS can be carried out via the online portal at www.oftec.org and after the first successful renewal you will be entered thereafter onto the Sage Pay automatic renewal service for convenience of continued registration until you cancel. You can 'opt out' of the automatic renewal system via the online portal or by contacting the registration team at any time.

- 5.3 Business and individual technician's initial registration for CPS commences for a probationary period from the date of processing the application and payment. Following the start of the registration of a business or technician, fees paid to OFTEC are non-refundable and non-transferrable. Part P, MCS, PAS2030 and TrustMark schemes do not operate on a probationary period and registration will only start once the decision of certification has been made.
- 5.4 Registration fees for the businesses and individual technicians vary for certain schemes and scopes of registration. As well as the fee for your first period of registration, for CPS, an application fee is also payable in certain regions. If you held a previous CPS registration with OFTEC that has lapsed for twelve months or more, the re-joining of the scheme will be treated as new, and a re-joining fee will apply. Those re-joining after a twelve-month absence will be placed on a probationary period of registration while an initial risk-based desktop review is carried out that may lead to an on-site inspection before re-certification is provided.
- 5.5 Monthly instalment payment options (with an initial balance payable upfront) are available in the UK for all schemes but any default on payments will mean your registration will be suspended until OFTEC receives the outstanding balance in full. If you fail to clear the balance within 12-months, your registration will be cancelled off our system. Please contact OFTEC registration services for further advice on direct debit payment options applicable to your scope of registration.
- 5.6 It is the responsibility of every registered business and technician to ensure that their qualifications, payments, and registration are current and kept up to date to ensure no breaks in registration. Breaks in registration will mean all privileges are lost and access to the work notification system will be stopped. Installation work carried out during a break in registration cannot be self-certified and notification will have to be made directly with the Local Authority Building Control. All your registration details can be checked and managed via the online portal at www.oftec.org.

6 Standard of workmanship

Registered businesses and technicians must go about their work safely and professionally to ensure the best possible efficiency, performance, and safe use of equipment.

- 6.1 All work undertaken must comply with the statutory requirements of the regional building regulations, control of pollution regulations, health and safety provisions, manufacturer's instructions, and any other relevant legislation applicable to your regions. Where appropriate registered technicians should also work in accordance with relevant British/European Standards and codes of practice. Please refer to your technical books for further information.
- 6.2 All registered technicians are expected to keep themselves up to date with industry matters and changes affecting their scope of registration. This can be

evidenced through continual professional development (CPD) which can be discussed and agreed upon on periodic inspection visits.

- 6.3 OFTEC registered businesses should not sub-contract work for which they are registered to technicians and/or businesses that are not OFTEC registered. When a registered business does sub-contract to another OFTEC registered business or technician, an agreement must be in place and OFTEC will hold both parties responsible for any non-compliance resulting from defective work.
- 6.4 If you are a registered technician and you lose your identification card, you must report the loss to OFTEC immediately. OFTEC will replace your card but will charge an administration fee to cover the cost.
- 6.5 If registration is withdrawn, lapses or you do not renew for any reason, you must destroy or return all identification cards and registration certificates that OFTEC has issued.

7 Self-certification of Building Regulations work

- 7.1 In regions where requirements for notifying relevant controlled services works apply, registered businesses are required to self-certify these works through the OFTEC works notification system. In some instances where a building notice application exists it may still be a requirement for registrants of a competent person scheme to also self-certify their work. Please check with the relevant authority or approved inspector before you start work. Work completed before registration or during a break in registration must be certified by the local authority building control through a building notice or by obtaining a retrospective regularisation order.
- 7.2 Self-certification can be done by registered businesses through the OFTEC work notification system and we will send your customer the mandatory building regulation compliance certificate as well as notifying the local authority. If you fail to comply with building regulations requirements you are breaking the law, and your work will be considered as non-compliant and you could face possible prosecution.
- 7.3 In regions where notification of controlled services is not mandatory, the OFTEC notification system is open to use on a voluntary basis to demonstrate your professionalism and competence.
- 7.4 To self-certify your work through the OFTEC work notification system, you are required to do so within 28 days of the completion of the works (i.e. commissioning and hand over) which will enable OFTEC to submit the information to the Local Authority in the 30 day period allowed for self-certification. Registered businesses must make a declaration to their customers in their contract of work for data to be shared with OFTEC and their local authority.

Notifications can be submitted via the OFTEC online portal at www.oftec.org once you are given access. Where an email address is provided for your customer, these will be emailed next day.

8 Initial evaluation and subsequent surveillance

8.1 Probation Period of Registration (CPS)

When a business is first registered for CPS (or has had a break in registration for twelve months or more) the business is placed 'on probation' for up to three months. During this probationary period, OFTEC will audit and evaluate the business to ensure that they meet all the current scheme requirements.

Businesses and technicians will be able to self-certify their works in accordance with the Building Regulations during this period, and businesses will be listed on the OFTEC website for the public to engage and on the official competent person website www.competentperson.co.uk/.

If you do not wish to be listed on the OFTEC website, please email registration@oftec.org with your details and reason why and we will stop your details from showing.

8.2 On the initial evaluation, all scopes applied for by the business will have to be assessed on-site by our inspector. Any scopes missed off the evaluation will not be able to be certified or can only be certified conditionally if the first type of work undertaken in that scope is pending. For regions where work notification is a requirement this will be alerted to our inspection team upon your first notification of work under that scope.

8.3 Registration documentation (identity cards and registration certificate) are only issued once the business has been successfully evaluated, any non-conformance raised is cleared and an internal independent certification decision has been made. If, following the three-month probation period, an evaluation has not taken place OFTEC will temporarily suspend registration until it is undertaken. OFTEC will review Inspection suspensions on a case-by-case basis for any special circumstances.

8.4 Surveillance inspections

OFTEC is required to periodically monitor both the business and an individual technician's competence. The frequency of these inspections will depend on the scheme requirements. OFTEC appoints inspectors based on having the necessary skills, knowledge, and experience to evaluate your business procedures, an individual's competence and compliance of work with these rules of registration. All OFTEC inspectors are appointed on a contracted basis and any conflict of interest you may have with one of our inspectors can be notified to the OFTEC inspection services manager for resolution. From time to time there may be a requirement for observers from OFTEC, the scheme owner, or an accreditation body (i.e. UKAS) to observe inspections and you will be notified in advance if this is a requirement.

8.5 Once contacted for an inspection, an OFTEC inspector will make an appointment to visit your work office to audit your business procedures and/or quality management system. They will then accompany one technician on-site

to inspect their work first-hand or multiple sites if required. The inspector will need to see samples of work for all your scopes of registration held at that time. Any scope of registration that cannot be checked satisfactorily on the day may be deferred to a later date or, if no second appointment is possible, may be withdrawn. If a particular scope of work is held and it can be proven that no work of that type has been undertaken to date then, at our discretion, may allow registration to continue as long as it is satisfied the knowledge and understanding of the work is proven and that the business has the capability/tools/equipment to undertake the work competently and compliantly (i.e. a desktop review of procedures). We may inspect the first sample of work undertaken on a chargeable basis.

- 8.6 You may receive more frequent inspections under a risk based approach with our inspection team wishing to inspect more than one sample of work undertaken at one time. OFTEC reserves this right to inspect more frequently and may wish to select sites from your internal records or from the work notification database. Additional inspections not covered by the normal registration fee may incur additional charges.
- 8.7 The inspector will book an appointment with the registered business, giving enough notice for the inspection and providing you with an audit plan of what to expect on the day. In most cases, once you are notified for an inspection, OFTEC gives the business a three-month window for completion. The inspector will notify you which technician has been selected for inspection (if you have more than one) and this technician must be made available on the appointment date. If you do not keep an agreed and confirmed inspection appointment, OFTEC will charge the registered business a postponement fee. Failure to have an inspection in the time required will result in registration being suspended until taken but if the suspension goes over 12 months your registration will be cancelled off our system.
- 8.8 In extraordinary events or circumstances like the 2020 COVID-19 pandemic, it is recognised that surveillance inspections for the purpose of continuing with registration may not be possible for health and safety reasons. If an extraordinary event prevents surveillance taking place on schedule, then in accordance with our UKAS accreditation (document Ref: TPS 62 management of extraordinary events or circumstances affecting UKAS accredited certification bodies and their certified organisations) OFTEC will complete the required inspection as quickly as possible once it is practical to do so. If for some reason surveillance cannot be re-scheduled for health and safety reasons then the inspection administration will adopt a risk based approach based on outcomes such as consumer complaints, previous track record, changes in your organisational structure and whether self-certification is still being undertaken. Following this review, it may be possible to defer your inspection for up to a maximum of six-months before your registration is temporarily suspended. Suspension can only be lifted once the inspection is undertaken for registration to continue. All decisions will be recorded by OFTEC, and registered businesses will be notified of any actions.

Other possible extraordinary events that may require this clause 8.8 to be invoked will be such events beyond the control of OFTEC and the registered businesses like war, strike, riot, political instability, terrorism, crime, flooding, earthquake, malicious computer hacking and other natural or man-made disasters.

9 Inspection compliance

If an inspection finds work is non-compliant or unsatisfactory, OFTEC will require the registered business to take remedial action. You will be issued with a 'non-conformity notice' and have 28 days from the date of issue in which to rectify the problem to OFTEC's satisfaction. Your continued registration (of both the business and the technician involved) depends on complying with the corrective actions being requested. During the period that the non-conformance is outstanding your business details will not be given out to potential enquirers.

- 9.1 There are many degrees of non-conformity that can occur but generally they will be classed as either a 'major' non-conformity if actual work is found not to meet regulations, standards, or manufacturers' installation instruction. A 'minor' non-conformity will be issued for a business or management issue and an 'opportunity for improvement' will be a recommendation to improve your business and may be looked at on your next inspection. If opportunities for improvement are not acted upon, they may lead to a non-conformity at a later date.
- 9.2 If OFTEC judges the non-compliance to be very serious, or if you do not comply with a non-conformity notice, we will decide to suspend and then revoke registration from the registered business and from an individual registered technician involved in creating the non-compliance. Where appropriate any unresolved non-compliance will be referred to building control.
- 9.3 If you disagree with the inspectors' findings or directions, a registered business and/or technician can appeal in writing to the Inspection Services Manager for a technical review. If you disagree with the findings of the Inspection Services Manager, you have a second right to appeal (see Section 10.5)

10 Resignation or withdrawal of registration

- 10.1 If you wish to resign from any of the schemes during a registration period you must give OFTEC written notice.
- 10.2 The registered business remains liable for any outstanding debts payable to OFTEC which must be paid promptly. Your resignation will become effective only when you have:
 - Paid all fees and any other monies owed to OFTEC
 - Satisfactorily completed any remedial works as required by OFTEC if under a non-conformity notice following an inspection or complaint investigation.

- 10.3 Registration will be cancelled if your business goes into liquidation or an administrative receiver, manager or administrator is appointed for you or your assets. Registration will also be cancelled if you enter a voluntary arrangement with your creditors or suffer any similar insolvency processes.
- 10.4 Depending on the circumstances, OFTEC may initially suspend and then move to revoke your registration if a registered business or technician does not comply with these rules of registration or brings OFTEC into disrepute. When the registration is suspended or revoked, OFTEC may still require the business to undertake remedial works to OFTEC's satisfaction or require you to engage a third party to rectify the defect on your behalf.
- 10.5 A registered business and/or individual registered technician can appeal to OFTEC against their suspension or revocation of registration by writing in the first instance to the OFTEC Registration Services Manager or the Inspection Services Manager within 28 days of the date of withdrawal of registration. All appeals will then be forwarded to and considered independently by the Registration Services Director (RSD) and the outcome relayed back to the business/technician.
- 10.6 Once the outcome of your appeal has been relayed, if you still do not agree with the RSD appeal decision you have a further and final route for appeal to the OFTEC Scheme Committee (OSC). The OSC acts as the impartiality committee overseeing the impartiality and integrity of the OFTEC accredited registration schemes. The final appeal must be made in writing within 28 days of the outcome of the first appeal addressed to the Registration Services Director who will alert the current chairperson of the OSC to the appeal and submit all paperwork for review. The OSC chairperson's decision will be final and binding. If the current chairperson is not available to consider the appeal the vice chairperson will deputise.
- 10.7 While your case is under appeal your registration will remain suspended or withdrawn. During this period the registered business/technician must comply with these rules of registration and not make any new use of the OFTEC logo, describe themselves as currently OFTEC registered, or display their OFTEC certificates or identification cards. During this period, you will be unable to self-certify any works in participating regions or appear on the OFTEC website listing.
- 10.8 If OFTEC withdraws your registration, you can only apply for re-registration after a minimum of two years passing following the date of withdrawal. Further registration will only be granted if OFTEC is satisfied that the issues leading to your loss of registration have been rectified, and that the management of the business will not allow similar issues to re-occur. OFTEC may require that technicians re-train and be independently re-assessed and pay for an additional inspection over and above the norm before registration can be allowed.

- 10.9 Under OFTEC's competent person scheme licence with Department for Levelling Up, Housing and Communities (DLUHC) and the Welsh Government, details of registrants who have had their registration withdrawn will be detailed on the official competent person website www.competentperson.co.uk/ accessible securely by other licenced CPS provider organisations.
- 10.10 OFTEC reserves the right to publish the identity of revoked businesses and/or technicians in its industry magazine.

11 Use of scheme logos

- 11.1 Once fully certified, registered businesses may display the OFTEC registration logo on their letter headings, vehicles, websites, advertisements and other documents in accordance with the official guidance for the logo use, 'A guide to using the OFTEC logos for registered heating businesses' (Pub 59).
- 11.2 If a business or technician ceases to be registered, they must immediately withdraw any documentation showing the OFTEC logo (or relevant scheme logo as detailed in 11.3), and remove the logo from all publications, websites, or vehicles etc. The approved logos are registered trademarks and failure to remove them may result in Trading Standards acting on OFTEC's behalf. Registration certificates and technician identification cards must also be removed from display and either returned to OFTEC or destroyed.
- 11.3 MCS, Green Deal (PAS2030) and TrustMark logos can be used by participating registered businesses for those schemes but only once the required Sub Sub Licence agreement has been signed by both parties. Guidelines for the use of these logos will be provided upon certification and adherence to the guidelines will be checked on periodic inspections.

12 Consumer complaints

- 12.1 If a registered business receives a complaint from a consumer alleging that work carried out does not comply with the regulatory requirements or is unsafe, the registered business must respond to the complainant to address the complaint without delay and in accordance with their own complaints procedure. Any remedial action must be taken as appropriate and the details recorded in the business's office complaints log. Business complaint logs must be made available to OFTEC upon request.
- 12.2 In the event that a complaint is made by a consumer directly to OFTEC about a registered business or technician, an internal technical review will be undertaken before it is judged to require further investigation. As part of this internal review we will ascertain if the complainant has taken responsible steps to make the business aware of the complaint beforehand. Customer complaint information will remain confidential to OFTEC under the General Data Protection Regulations (GDPR) unless required in a Court of Law.

For further information about how OFTEC handles consumer complaints please

see Publication 09 'OFTEC Compliance Services' available to download from www.oftec.org or by contacting our compliance team on 01473 626 298 (UK) or 01-8645771 (Republic of Ireland).

- 12.3 Upon receiving a complaint from a consumer and following the initial internal technical review, we will notify the registered business concerned in writing. If required, the registered business must respond promptly to any request for information and must provide full co-operation in resolving the complaint. During any investigation you may be required to submit supporting evidence/documentation before, during or after any required site inspection.
- 12.4 If a site inspection is required as part of an investigation, the registered business/technician will be required to attend throughout the inspection or if not possible, then be available to respond to queries from the investigating team and/or provide information to support their side of the complaint.
- 12.5 If an investigation concludes that work carried out by a registered business does not comply with regulatory requirements or is unsafe, the registered business must, at their own expense, complete remedial action as required by OFTEC if covered by the original contract of work. OFTEC will not get involved in contractual or financial disputes so where any remedial work is required that was not included in the original contract of work OFTEC will expect the homeowner, or the person ordering the work, and the registered business to reach an amicable agreement regarding apportioning of costs associated with the remedial work.
- 12.6 If a registered business fails to co-operate with OFTEC we may at our discretion still arrange an inspection and conclude on a course of action in the absence of the registered business.
- 12.7 If you disagree with the outcome of a complaint investigation, you can appeal to OFTEC against the decision. Appeals, including grounds for the appeal, should be made to the OFTEC Registration Services Manager in writing within 28 days of the date of notification of a decision from OFTEC.
- 12.8 On receiving an appeal, the Registration Services Manager will forward all the relevant documentation to the Registration Services Director (or another member of the senior management team who have had no involvement in the original investigation) to evaluate the findings of the complaint inspection/investigation and the grounds for appeal and any new evidence submitted by the business or technician. The business and/or technician will be notified of the outcome.
- 12.9 If you disagree with the outcome of your appeal, you will be allowed a second and final appeal to the chairperson of the OFTEC Scheme Committee (OSC) which acts as the impartiality committee overseeing the impartiality and integrity of the OFTEC accredited registration schemes. The final appeal must be made in writing within 28 days of the outcome of the first appeal addressed to the Registration Services Director at OFTEC who will alert the current chairperson of

the OSC to the appeal. The OSC chairperson's decision will be final and binding. If the current chairperson is not available to consider the appeal the vice chairperson will deputise.

- 12.10 A registered business/technician is responsible for their own appeal costs.
- 12.11 Where a consumer complaint is upheld, the registered business will be asked to reimburse OFTEC for any costs associated with the investigation. Failure to meet these costs may result in the suspension of registration of the business concerned.
- 12.12 As a last resort OFTEC can direct each party to seek Alternative Dispute Resolution (ADR) as an alternative to court action. OFTEC is not approved to provide ADR services, but we can assist both parties find an appropriate and certified provider.

Optional schemes available for registration

13 Microgeneration Certification Scheme (MCS)

- 13.1 OFTEC can offer registration for the Microgeneration Certification Scheme in accordance with Microgeneration Installation Standard MCS 001-1 in its latest issue. OFTEC offers registration for various renewable technologies as listed on the website www.oftec.org
- 13.2 Businesses holding MCS registration must have membership of a consumer code approved by the Trading Standards Institute (TSI) and if they cease to be members of such a code must notify OFTEC immediately. More information about suitable consumer codes is available on the MCS website www.mcscertified.com
- 13.3 MCS registered businesses shall have in place a maintained documented quality management system (QMS) and be able to demonstrate the use of the system on initial evaluation and subsequent surveillance inspections.
- 13.4 The business shall specify a named individual 'nominee' whose responsibility shall be to control their quality management system and to have overall supervision of all activities which fall within the scope of the scheme. In addition the business must have a nominated technical person for each technology installed (i.e. technician). This technical person must be suitably qualified in the technology (for further information see Clause 2.3 under section 2 for individual technician registration).
- 13.5 All MCS registrants will be uploaded to the MCS database and the annual fee for this will be paid for by OFTEC on behalf of registered businesses.
- 13.6 All renewable technology installations done under MCS must be notified by the registered business through the MCS Installation Database for which there will be a fee per installation collected from the MCS registrant directly by the MCS scheme administrators. A certificate will be obtained from the MCS Installation Database (MID) and this shall be provided to the customer no later than 10 working days after the date of commissioning and hand over. This notification to the MCS Installation Database is in addition to any building regulations approval required from local authority building control or self-certification via a competent person scheme.
- 13.7 Surveillance of MCS businesses will be in accordance with scheme document MCS 001-02 in its latest edition. To facilitate inspections of MCS certified work, OFTEC will have access to the MID to obtain details of recent work. If requested by an inspector, the business must arrange access to installations selected for inspection.

14 PAS 2030 installer scheme

- 14.1 OFTEC offers a range of registration scopes for installers wishing to install under the Publicly Available Specification (PAS) 2030 (specification for the installation of energy efficiency measures in existing dwellings). The scopes of registration offered are for building services mechanical (BSM) measures and the current list of annexes available can be obtained from the www.oftec.org website.
- 14.2 PAS 2030 scheme registrants are required to hold a copy of PAS 2030 in its latest edition and a copy of PAS 2035 (specification and guidance for the retrofitting dwellings for the improved energy efficiency).
- 14.3 PAS 2030 registered businesses shall have in place a maintained documented quality management system (QMS) acceptable for the PAS 2030 specification and be able to demonstrate the use of the system on initial evaluation and subsequent surveillance inspections.
- 14.4 Installations carried out in conformity with PAS 2030 are to be notified to OFTEC in line with the scheme requirements. Notifications for PAS 2030 installations must be submitted to OFTEC via the same online works notification system for self-certifying controlled service work under building regulations. Registered businesses must make a declaration to their customers in their contract of work for data to be shared with OFTEC.
- 14.5 Surveillance of PAS 2030 registered businesses will be in accordance with the latest edition scheme document PAS 2031 (certification of energy efficiency measure installations in existing buildings). It is currently a risk based approach on technology type and number of installations completed and notified to OFTEC.

15 TrustMark scheme

- 15.1 TrustMark is a Government Endorsed Quality Scheme that exists to create enhanced confidence and choice for consumers engaging businesses to work in or around the home. OFTEC registered businesses can extend their scope of registration to incorporate TrustMark with the added benefit of being listed on the TrustMark website.
- 15.2 Applicants for this scheme are audited annually and required to meet the requirements of consumer safeguarding by working in accordance with the TrustMark code of conduct and customer charter. The latest version of the code of conduct and consumer charter will be available in the technician's area of the OFTEC website www.oftec.org.
- 15.3 To access the TrustMark scheme, applicants will have an evaluation by desktop review by an OFTEC compliance officer. The evaluation of your business will be to the requirements contained in Annex A of the TrustMark Framework Operating Requirements in its latest version.
- 15.4 All registrants on the TrustMark scheme will be required to have a policy in place of how to safeguard vulnerable consumers and ensure they are not exploited or

disadvantaged. Guidance on such a policy is available in the technician's area of the OFTEC website www.oftec.org.

- 15.5 Once accepted onto the TrustMark scheme, registered businesses will be able to use the TrustMark logo to promote their business to potential customers. The use of the TrustMark logo is subject to a signed agreement, adherence to the brand identity guidelines issued and regular checks.
- 15.6 TrustMark registered businesses must submit details of their work onto the TrustMark Data Warehouse in accordance with the scheme requirements. Registered businesses must make a declaration to their customers in their contract of work for data to be shared with OFTEC and the TrustMark scheme.

16 Non-operative registration

- 16.1 If you work in the heating sector but are 'off the tools', holding OFTEC non-operative registration means you benefit from being part of an organisation that shows your professionalism and states you hold competence in the chosen scopes of registration. This is ideal for trainers, assessors, consultants and managers.

You will benefit by obtaining regular industry updates, industry magazines, access to technical help, access to a dedicated section of the website for heating technicians and many more benefits.
- 16.2 Application for this scope of registration can be made online at www.oftec.org.
- 16.3 Registering as a non-operative means you will not be able to access the OFTEC work notification system for self-certifying installation work nor, will you appear on the website listing for consumers to engage with contractors.
- 16.4 Please note, if you do still want to be active in the heating sector (i.e. on the tools) and be able to self-certify work in accordance with building then non-operative registration is not suitable and you should apply as a CPS business and be evaluated to gain full registration status.
- 16.5 To register as a non-operative you must hold a current ISO 17024 qualification or equivalent and hold personal certification for the scopes you wish to register. Registration is for one or five-year periods after which you will be invited to renew. Personal certificates also need to be renewed every five years.
- 16.6 Businesses utilising solely non-operatives are not required to undertake initial evaluation or subsequent surveillance. This scheme does not operate to the requirements of ISO 17065 accreditation (requirements for bodies certifying products, processes and services).

OFTEC standards of service

Whilst we hope you will not have to, we will investigate any expression of dissatisfaction about our services, actions or employees. If you wish to complain about OFTEC relating to an issue other than a certification decision, you should do so in writing to the OFTEC chief executive officer (CEO) with the detail. The CEO will in turn appoint the most appropriate person to investigate your complaint. If the matter specifically involves the CEO, your complaint should be submitted to the Chairman of the OFTEC Board of Directors. On completion of an investigation, OFTEC will advise you of the outcome of your complaint and where appropriate, take the necessary action.

If you disagree with the outcome of your complaint about OFTEC, you can appeal against the decision. The grounds for the appeal should be made to the OFTEC chief executive officer (CEO) in writing, and within 28 days of the date of notification of the decision.

On receiving an appeal, the OFTEC CEO may investigate the appeal personally or, if the complaint involves the CEO, will appoint an appeal committee of three independent people to consider your appeal. This committee will include one member of the OFTEC Scheme Committee (OSC), one member of the OFTEC Member Services Council (MSC) and the chairman of the Main OFTEC Board of non-Executive Directors. The chairman from the group will relay the outcome of the appeal back to the complainant. The decision of the appeal committee is final, conclusive and binding.

Glossary of terms used in this booklet

CPS

Competent Person Scheme licenced by the Department for Levelling Up, Housing and Communities (DLUHC) and The Welsh Government. Also accepted to operate under the same conditions in Jersey, Guernsey and the Isle of Man.

www.competentperson.co.uk.

Certification Body

A body accredited by a national accrediting authority (i.e. UKAS) to an International Standard such as ISO 17065 or ISO 17024.

Controlled Service Works England and Wales

The Building Act 1984 requires a person engaging in certain types of building works to give Building Notice or Building Regulations approval to Building Control. Members of competent person schemes are exempt from the need to give such notice and can self-certify their work through their registration body.

In most instances the registration body will automatically notify the local building control of the works and will issue a building regulations compliance certificate to the occupier.

The Building Act states that work must be notified to the local authority building control within 30 days of completion of the works.

Works Notification

OFTEC provides an online process for self-certification for its registered businesses. Using the works notification system ensures that your work is notified to Local Authority Building Control within the agreed timescales and that the occupier is provided with a building regulations compliance certificate and workmanship warranty.

This compliance certificate states that the work undertaken by you complies with Regulations 4 and 7 of the Building Regulations in England or Wales or regional equivalents in the other regions.

The scope of work that can be self-certified through OFTEC's various registration scopes are:

Liquid fuel combustion appliance

Installation of an oil-fired boiler

Installation of oil-fired room heater, stove, or cooker

Flues

Install a flue liner

Install a non-masonry flue/chimney system

Liquid fuel storage and supply

Install an oil storage tank

Install oil supply pipework

Heating and hot water

Install a heating system

Install an extension to an existing heating system

Install a vented hot water storage vessel

Install hot water with vented hot water storage

Install hot water with unvented hot water storage

Install a hot water system without storage

Install an unvented hot water storage vessel

Install controls separate from heating appliance

Solid fuel

Install a solid fuel dry room heater, stove, or cooker

Install a solid fuel dry open fire

Install a solid fuel warm air distribution system

Install a solid fuel wet boiler heater, stove, or cooker

Renewables

Install an air source heat pump

Install a ground source heat pump

Install a water source heat pump

Install a solar thermal system

Install a biomass wet boiler, heater, stove, or cooker

Install a biomass dry room heater, stove, or cooker

Electrical

Replacement consumer unit

Partial rewire

Install one or more new circuits

Circuit alteration/addition in a kitchen/special location

At the time of print integrally fire proofed oil storage tanks are not covered in the England and Wales Approved Documents therefore they are not permitted to be notified under the OFTEC scheme. For further information please see Technical Notice 027 available in the technician's area of the OFTEC website www.oftec.org.

Bringing OFTEC into disrepute

Bringing the name or reputation of OFTEC into disrepute will include (this list is not exhaustive) -

- works that do not comply with regional building regulations or where appropriate British/European Standards and codes of practice
- not notifying controlled service works
- not complying with non-conformity notices

- not co-operating with an OFTEC official
- not replying to communications
- not allowing surveillance inspections
- not following OFTEC requests
- withholding relevant information relating to a complaint or inspection findings
- elusive behaviour
- making defamatory comments about OFTEC
- any actions that cause a negative impact to the OFTEC brand or reputation.

Mandatory Technical Competency (MTC)

Mandatory technical requirements for work undertaken through competent person schemes approved under Schedule three of the Building Regulations for England and Wales. www.gov.uk/guidance/competent-person-scheme-current-schemes-and-how-schemes-are-authorised#how-schemes-are-authorised.

OSC

OFTEC Scheme Committee operates as the impartiality committee for ISO 17065 registration schemes (requirements for bodies certifying products, processes, and services) and is the scheme owner for the heating technician personal certification system accredited under ISO 17024.

Technician

A technical person who installs, commissions, maintains or repairs heating system equipment.

Non-operative

A person who holds a current personal certificate of technical achievement and is involved in the heating industry in an administration or teaching capacity but is not actively installing, commissioning, maintaining or repairing equipment (i.e. off the tools)

Regions

Some areas within the United Kingdom and the Republic of Ireland operate Building Regulations specific to their area and local government. These Building Regulations requirements can vary regionally.

UKAS (United Kingdom Accreditation Service)

An organisation recognised by the UK Government as the national accreditation body. www.ukas.com.

MCS

The microgeneration certification scheme is a standards organisation. They create

and maintain standards that allow for the certification of products, installers, and their installations. MCS certifies low-carbon products and installations used to produce electricity and heat from renewable sources. MCS is a mark of quality. Membership of MCS demonstrates adherence to these recognised industry standards, highlighting quality, competency, and compliance. www.mcscertified.com.

TrustMark

TrustMark is the Government Endorsed Quality Scheme that covers work a consumer chooses to have carried out in or around their home. www.trustmark.org.uk.

Building Safety Regulator

The government introduced reforms to strengthen the whole building regulatory system. The Building Safety Regulator will enforce a new, more stringent regulatory regime for high-rise buildings in scope, and also oversee the safety and performance of all buildings. The regulator will be embedded within the Health and Safety Executive (HSE) and headed by the first Chief Inspector of Buildings.

www.hse.gov.uk/building-safety/regulator.htm

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