

# Summary report

## Building Safety Regulator Insight: Testing the Building Inspector Code of Conduct

Commissioned by Insight and Service Design Team, Health and Safety Executive  
Conducted by Kantar Public

**March 2023**





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# Background and objectives

## Commissioning

This report is a summary of a qualitative research study conducted by Kantar Public between December 2022 and February 2023. The research was commissioned by the Insight and Service Design Team in the Health and Safety Executive (HSE).

The content of the report, including any opinions or conclusions expressed, are the views of the agency alone and do not necessarily represent the views of the HSE.

## Business context

The new building safety regime will introduce significant reform to the competence of professionals supporting the delivery of building control functions.

As part of activity being undertaken to unify the profession, increase consistency and drive-up standards, building control professionals will have to register with the Building Safety Regulator (BSR) to perform building control work in England.

To support the registration process, BSR has developed a Building Inspector Code of Conduct (Code), which sets out the professional standards of behaviour that registered building inspectors must maintain.

## Research objectives

Research was commissioned to understand how building control professionals responded to the Code of Conduct, identifying opportunities to improve its usability.

This included understanding how to develop the Code to ensure it is clear, usable and effective in guiding registered building control inspectors in their professional conduct.

A linked but separate piece of research on the Building Inspector Competence Framework was conducted alongside this research between November 2022 and January 2023, the findings of which are documented in a separate summary report.

The draft version of the Code that was used in the research was developed in November 2022.

# Research methodology

## Phase 1

Phase 1 involved 3 one-hour-long online depth interviews with key HSE stakeholders and a review of relevant documents.

## Phase 2

Phase 2 involved 24 online interviews, lasting 45–60-minutes, with building control professionals in England.

As a pre-interview task, all participants were given one of four hypothetical scenarios and asked to use the Code to identify the relevant clauses and actions they would take, to enable the research to explore the clarity and usability of the Code.

Participants were:

- 12 local authority building control professionals.
- 12 approved inspector building control professionals.

The research sample comprised a mix of: Directors and Heads of Service; Building Control Managers, Heads, Team Leaders and Principal Surveyors; Building Control Surveyors and Senior Surveyors; and Trainees and Apprentices.

Half of the participants were recalled from the competence framework research project and half were fresh recruits.

While the research sample was robust for a qualitative research study and included professionals across a range of organisations, grades and years of experience in the profession, it is important to emphasise that this a limited number of people and, as such, may not fully represent all views within the profession.

# Main findings

## Awareness and attitudes

There was mixed awareness of the Code among research participants. While some had no prior knowledge, others (both fresh and recalled participants) were aware of it and a few had seen a previous version through communication from membership bodies or professional forums.

Some participants suggested that any lack of awareness of the Code could be due to other reforms within the profession, for example the introduction of the Building Inspector Competence Framework, having greater salience.

Most participants reported already complying with two or more codes of conduct in their professional lives (for example, the Construction Industry Council Approved Inspectors Register and Local Authority Building Control codes). While participants felt that these codes provided common-sense guidelines on how to behave as a professional, their recall of any detailed content was limited, and they described rarely actively using or referring to them. The only exceptions to this came from some team leaders who described using the codes to develop company policies and processes, prepare for internal audits or as a reference point regarding concerns about serious misconduct.

Most participants supported the introduction of BSR's Code alongside a competence framework and identified a series of potential benefits, including:

- Providing a single set of standards that everyone must follow, which could help to standardise professional conduct within and across local authorities and approved inspectors.
- Encouraging individual accountability.
- Raising awareness of inspectors' rights and their ability to push back on non-compliant behaviour.
- Helping to improve the standing of the profession in the eyes of other industry professionals, clients, and the general public.

Participants particularly welcomed the Code as an opportunity for BSR to reaffirm how inspectors should behave. Participants believed that BSR would have the enforcement power and motivation to address 'bad behaviour', which some felt not always the case among other regulators and membership bodies.

## Format and usability

Participants responded positively to the Code's format, feeling it was familiar and worked well for this type of content. The document was felt to be concise, and participants liked the division of information into chapters, moving from overarching principles into further detail.

Participants felt that the text was well presented in each chapter, due to the use of short bullet-pointed paragraphs, the avoidance of repetition and most standards being one page in length. Participants liked the large, clear headings and numbered clauses, as they helped readers to navigate the document and move between sections easily. Participants described the language used as clear, concise, non-technical and directive ('you must').

When completing their pre-interview task, most participants read the Code in detail and found it relatively straightforward to identify the clauses relating to their assigned scenario. However, some other clauses in the Code were perceived as being harder to interpret and comply with, compared with those given to participants in the tasks.

While most participants understood which clauses their scenarios related to, some were less confident about what the 'correct' actions would be to address them. For example, participants understood that the Code required them to report breaches to BSR but some queried whether they should consider the severity of any breach and try to resolve it internally before contacting BSR.

## Guiding professional conduct

Most participants approved of the overall content of the Code, believing it was aligned with other industry codes of conduct and what should be considered as normal practice.

Encouraging whistleblowing and reporting breaches of the Code to BSR were the main elements that participants felt went further than other codes of conduct. Most participants welcomed the opportunity to speak up and enable BSR to address bad practice. Some participants were interested in whistleblowing, and this being applied to clients and other built environment professionals.

Participants identified two main areas of uncertainty in the Code: understanding who was accountable for each standard and how certain clauses would work in practice.

Most participants used their professional knowledge and experience to interpret which clauses would be most applicable to inspectors, managers or senior managers. However, some inspectors were unsure about where the boundaries lay between their responsibilities, and those of their managers or employees.

Participants highlighted several clauses in the Code requiring further clarification, to ensure that they were fully understood and could be adhered to.

## Principles and standards

Participants endorsed most of the principles and standards included in the Code. However, there were some areas of uncertainty including:

- Terminology that could be more specific to a building control audience or better defined, for example direct supervision, unconscious bias and modern slavery.
- Clauses with perceived ambiguity in terms of whether they related to private or public sector bodies, for example requiring local authorities, with a statutory duty to deal with reversions, to consider the time and resource required before taking on work.
- How some processes would work in practice, for example how to use whistleblowing to alert the regulator to bad practice, without risking alienation or retaliation in the workplace.
- The relationship between the Code and the competence framework, which some felt could be more explicitly stated.

## Support and information

Beyond this, participants believed that BSR had an opportunity to:

- Communicate the benefits of the Code and address 'bad behaviour' in the profession, by redefining standards.
- Explain the behavioural and cultural changes that BSR aimed to drive.
- Show what inspectors should do when breaches of the Code are observed in practice.
- Outline the consequences of non-compliance.

Participants ideally wanted to receive direct communication from BSR, as the most trusted, credible and up to date source of information. As the regulator of professional conduct, participants believed that BSR was best placed to ensure its expectations were clearly and accurately communicated.



## Further information

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