

Rules For membership

The Cavity Wall Insulation Self Certification Scheme

1. Definitions

In these Rules the following words shall have the meaning specified unless the context requires otherwise:

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| "CIGA" | means The Cavity Insulation Guarantee Agency (the "Scheme Operators") |
| "Mandated Body" | means CIGA or a System Approval of Inspection and Surveillance body holding a UKAS or equivalent Accreditation and recognised by CIGA. |
| "Assessment & Surveillance Scheme" | means an Assessment and Surveillance Scheme for Installers of Cavity Wall Insulation operated by a Mandated Body in accordance with PAS 2030. |
| "Product Approval" | means a relevant product approval, issued by the BBA or other UKAS or Equivalent accredited product certification body carrying thermal insulation within its schedule of activities and recognised by CWISC. Accreditation bodies which are members of the European co-operation for Accreditation (EA) or International Accreditation Forum (IAF) Multilateral Recognition Agreement (MLA) are considered as equivalent to UKAS. |
| "System Designer" | means a supplier of a CWI system holding a Product Approval. |
| "Secretariat" | means The Technical Director and Finance Director for the time being of CIGA. |
| "CWISC" | means The Cavity Wall Insulation Self Certification Scheme (the "Scheme") |
| "CLG" | means the Department for Communities and Local Government or their successors as lead Department for Building Regulation. |
| "LABC" | means Local Authority Building Control services. |
| "Installation" | means the retrofit installation of Cavity Wall Insulation . |
| "Members" | means Installers accepted into members of the CWISC Scheme and member companies shall be construed accordingly. |
| "The Rules" | means these Rules for membership of the CWISC Scheme . |

2. Rules

These are the Rules of the Cavity Wall Insulation Self-Certification Scheme covering the retrofit installation of cavity wall insulation in suitable buildings in England and Wales.

3. Objectives

The objectives of CWISC are to:

- 3.1. Administer the Self Certification Scheme covering the installation of retrofit cavity wall insulation in compliance with the Building Regulations 2000 or successor legislation.
- 3.2. Promote the Scheme to the public, cavity wall installers and Member companies.
- 3.3. Establish and maintain procedures for the admittance of qualifying installing companies to membership.
- 3.4. Carry out such inspections as are deemed necessary to ensure compliance with the Building Regulations (2000) or subsequent legislation and other Scheme requirements.
- 3.5. Retain records of installations completed under the Scheme and issue certificates of compliance to consumers.
- 3.6. Provide details of installations to Local Authorities

4. Structure

4.1. The main structure of CWISC shall comprise:

- The Secretariat.
- The Certification Committee.
- Other ad hoc Committee/Sub-Committees as may be established by the Certification Committee or Secretariat to consider specific issues.

4.2. The Certification Committee

4.2.1. The Certification Committee shall be non executive and responsible for providing impartiality and governance and policy direction to the Secretariat and operate the grievance procedures.

4.2.2. The Certification Committee shall comprise:

- The Secretariat
- Installer Representative
- System Designer representative
- Mandated Body representative

- Trade Association representative
- Consumer representative
- Such other independent representatives as the CIGA Council may from time to time invite to provide impartiality and ensure stakeholder interests are represented.

4.2.3. In addition the Department for Communities and Local Government (CLG) as lead department for the Building Regulations and the LABC as the representative body of Local Authorities Building Control departments may attend and receive papers but shall not be entitled to vote.

4.2.4. The Chairman of the Committee shall be the Chairman for the time being of CIGA.

4.2.5. Meetings of the Certification Committee shall be at the Chairman's discretion but the Committee shall meet a minimum of once a year.

4.2.6. Meetings of the Certification Committee shall be conducted according to the relevant policy and quorum requirements to ensure that no single interest group prevails.

5. Acceptance into Membership

5.1. Membership of the CWISC Scheme shall be open to any business that:

5.1.1. Carries on the business of cavity wall insulation.

5.1.2. Is accredited against PAS 2030 by a mandated Body as a cavity wall insulation installer.

5.1.3. Is a current member of CIGA.

5.1.4. Agrees to be bound by the CIGA code of professional conduct or is bound by a code of professional conduct through membership of a Trade Association acceptable to CIGA.

5.1.5. Maintains adequate employers and at least £10m of public liability insurance.

5.1.6. Agrees to comply with all laws, Statutory Regulations and Building Regulations in force.

5.1.7. Commits to be bound by these Scheme Rules and comply with any reasonable requirements of the Scheme.

5.1.8. Meets such other conditions as may be imposed under the Scheme from time to time.

5.2. Applications for admission to Membership must be submitted in writing using the form annexed as Schedule I and be signed by the sponsoring System Designer and include evidence of PAS 2030 Certification by a mandated body and such other information as the Scheme may require from time to time.

- 5.3. The application will be subject to an assessment of technical competence carried out by the Secretariat.
- 5.4. The applicant shall submit details of three financial referees, together with a copy of the last available accounts with its application.
- 5.5. CWISC shall make such enquiries, inspections and investigations as it deems necessary to assess whether to admit the applicant to membership of the Scheme, which decision shall be in the sole discretion of the Secretariat.
- 5.6. CWISC shall not unreasonably refuse any application for membership.
- 5.7. In the case of dispute then the application shall be referred to the Certification Committee for review.
- 5.8. CWISC reserves the right to introduce a fee for registration and membership.

6. Continuing Review of Membership

- 6.1. The Secretariat shall review the technical and financial qualifications of Members annually and shall make such further enquiries, inspections and investigations as it deems necessary in that regard.
- 6.2. CWISC shall have power to make ad hoc inspections of work being carried out by Members at any time during normal working hours.
- 6.3. CWISC shall have power to make detailed inspections and investigations at any site where it has reasonable cause to suspect that the work is not being or has not been carried out in accordance with the technical specifications laid down by the Scheme from time to time.

7. Obligations of Members

- 7.1. Members shall agree to be bound by these rules and decisions of the Secretariat and Certification Committee and specifically:
 - 7.1.1. To maintain a current CIGA membership and abide by the Rules laid down by CIGA from time to time and with all CIGA Guides to Best Practice including those relating to working at heights and the use of ladders.
 - 7.1.2. To maintain a current Mandated Body accreditation as a cavity wall installer for all materials being installed under the scheme and participate in the Mandated Body Assessment and Surveillance scheme.
 - 7.1.3. . To maintain membership of the NIA or an equivalent Trade Association and be bound by their code of professional conduct.
 - 7.1.4. To conduct all work carried out by them in accordance with the Building Regulations and the procedures laid down by the Scheme from time to time.

- 7.1.5. To ensure that in the event of any installations being sub contracted to assume liability for such work and ensure that the sub contractors are also registered under CWISC.
- 7.1.6 . Notwithstanding any Agreements or undertakings to the contrary, to consent to details of non compliance discovered during routine Assessment and Surveillance under the Scheme to be provided to CWISC and the Certification Committee and to be reported to CLG as appropriate.
- 7.2. Within 14 days (or such other time as the Secretariat may lay down from time to time) of completion of each installation to provide details of the work in the format attached as schedule II (or if submitted electronically in a specified format) and confirm that the work was completed according to the requirements of the Building Regulations and where covered by the CIGA Guarantee Scheme enclosing payment of the relevant Guarantee fee.
- 7.3. To co-operate and submit to Head Office Audits and routine inspection of compliance with the Building Regulations by CIGA and/or Mandated Body Inspector s (with the participation of observers if applicable) pre, during and post installation.
- 7.4. To rectify any faults relating to the relevant Building Regulations identified from such inspections within a period of 2 weeks.
- 7.5. To submit to routine inspection of installations by CIGA or Mandated Body Inspectors and to rectify any faults relating to the relevant Building Regulations identified from such inspections within a period of 2 weeks.
- 7.6. To submit to routine audit of installations and applications by CIGA and to rectify any faults relating to non provision of information identified by such inspection s within a period of 2 weeks.
- 7.7. To implement a documented complaints handling procedure substantially as defined in the CIGA Guide to Best Practice for Complaint handling as amended from time to time and respond to consumer complaints within 1 month.
- 7.8. To notify CIGA within 14 days of any material change in the ownership , structure or management of the Company or any change to the System s used.

8. Data protection

- 8.1. Not withstanding whether installation details are considered confidential information as defined under the Data Protection Act 1998, Members are responsible for securing client approval for;
 - 8.1.1. Installation det ails to be provided to the Scheme Operators
 - 8.1.2. Self Certification information to be provided to Local Authorities.
 - 8.1.3. Details of installations to be provided to a Mandated Body for the purposes of Assessment and Surveillance.

- 8.2. Aggregated data, but not individual installation details, may also be provided to other interested parties such as the Energy Saving Trust under appropriate data protection safeguards .
- 8.3. On admission to Certified Membership details will be published on the CWISC website and provided to the CPF or such other bodies as are required.
- 8.4. On termination of Membership details will be published on the CIGA website and provided to interested parties .

9. Disciplinary Procedures

In the event that any routine or other inspections identifies that work completed is not in compliance with the Building Regulations or Scheme rules then the following disciplinary procedure will apply.

- 9.1. In the first instance the Member involved will be subject to additional inspection at their own cost.
- 9.2. In the event of further compliance failures then the Member will be required to undergo mandatory re-training and re-assessment.
- 9.3. Persistent failure to comply with the requirements of the Scheme would be a breach of the Scheme Rules.

10. Grievances

- 10.1. In the event of any grievance then this should be raised in writing with the Secretariat.
- 10.2. In the event that the parties are unable to agree a resolution, then the matter will be referred to the Certification Committee, whose decision will be final.

11. Termination of Membership

- 11.1. Membership of the Scheme may be terminated by written notice to the Member:
 - 11.1.1. Where a Member is in breach or fails to abide by the Scheme Rules.
 - 11.1.2. Where, in the Certification Committee's opinion, the Member has acted to the detriment of another Member.
 - 11.1.3. In the event of the Member making any voluntary arrangement with their creditors or becoming the subject of an administration order, or being an individual in the event of a bankruptcy petition being issued against him.
 - 11.1.4. Where the Member commits a material breach of these Rules which, if capable of remedy, is not remedied within twenty-eight days of receipt of written notice of breach from the Secretariat.
 - 11.1.5. Where the Member fails to pay their debts as they fall due.

- 11.1.6. Where the Member ceases or threatens to cease to carry on business or ceases permanently to carry on the business of cavity wall insulation.
- 11.2. Where a Member ceases so to be for whatever reason it shall continue to be liable under all work completed under the Scheme prior to the date of it ceasing to be a Member.
- 11.3. In the event of Termination the business must immediately cease to describe itself as a CWISC Member or to use the Logo of CWISC and details of the businesses whose membership has been terminated will be published on the Scheme website, <http://www.cwisc.org>.
- 11.4. In the event of Termination the business has the right of appeal to the Certification Committee.

12. Amendment to Rules for Membership

These conditions of Certification may be amended by the Certification Personnel from time to time subject to review by the Certification Committee.

13 . Disputes

All disputes will be referred to the Certification Committee

14. Governing Law

These Rules shall be construed according to English Law with jurisdiction in the United Kingdom.