

# MALDON DISTRICT COUNCIL

## INTERNAL AUDIT REPORT - FINAL

BUILDING CONTROL  
MAY 2025

Design Opinion



Limited

Design Effectiveness



Moderate

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## DISTRIBUTION

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BDO LLP APPRECIATES THE TIME PROVIDED BY ALL THE INDIVIDUALS INVOLVED IN THIS REVIEW AND WOULD LIKE TO THANK THEM FOR THEIR ASSISTANCE AND COOPERATION.

## REPORT STATUS

<b>Auditors:</b>	Aaron Winter, Partner Ben Endersby, Audit Manager (Quality Assurance) Andrew Billingham, Audit Manager
<b>Dates work performed:</b>	13 January 2025 - 3 April 2025
<b>Draft report issued:</b>	11 April 2025
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<b>Final report issued:</b>	15 May 2025

# EXECUTIVE SUMMARY

**CRR REFERENCE: UNABLE TO RECRUIT AND RETAIN STAFF WITH SPECIFIC SKILLS SETS IN SPECIALIST AREAS TO MEET THE DEMANDS OF THE SERVICE I.E. PLANNERS AND BUILDING CONTROL SURVEYORS**

Design Opinion	 Limited	Design Effectiveness	 Moderate
Recommendations	 2	 2	 1



## BACKGROUND

- ▶ Local authorities have a duty to provide an at cost Building Control service to the public. Maldon District Council's ("the Council") Building Control team helps ensure building work complies with minimum standards for Health and Safety and the duty is set out in the Building Act 1984.
- ▶ The Council's work involves:
  - Checking plans and specifications for proposed building work
  - Inspecting building work on-site at various stages
  - Issuing completion certificates when work meets required standards; and
  - Taking enforcement action if building work does not comply with regulation.
- ▶ Building Control also looks after other aspects of construction including controlling demolitions and dealing with dangerous structures.
- ▶ Changes to the Building Control process for higher-risk buildings and wider changes to procedural Building Regulations were introduced on 01/10/2023 through the Building Safety Act 2022 and the Building Regulations 2023. These were introduced to improve accountability and competence, such as establishing a regulated Building Control profession, through the establishment of a Building Safety Regulator (BSR) by the Health & Safety Executive which implemented immediate changes to the qualification requirements of public and private sector building control professionals.
- ▶ The Council's Building Control team is part of the Development Management & Building Control Service. It has three Building Control officers who are Registered Inspectors, who report to the Head of Development Management & Building Control and is overseen by the Assistant Director of Planning and Implementation. Each year the service receives c.360 Building Control applications which are recorded and processed in the IDOX Uniform system.

## PURPOSE

The purpose of the audit was to review the effectiveness of the Council's approach to delivering the Building Control service, including the execution of their responsibilities and how they have implemented the recent national changes to the sector.

## AREAS REVIEWED

- ▶ We reviewed the Council's Building Control Policy/Procedure to ensure it is in line with the BSR's requirements to ensure referrals are identified and assessed properly.
- ▶ We verified Building Control roles and responsibilities to ensure they are well defined and understood. We also reviewed procedures to manage workforce planning pipelines.
- ▶ We reviewed training records to confirm that each member of the Building Control team has received training on the new requirements of the Building Safety Act and that they maintain CPD.
- ▶ We tested a sample of 15 Building Control applications since 01/04/24 to confirm procedures and statutory time limits were complied with.
- ▶ We analysed management information on team performance to confirm it is regularly produced/monitored and action is taken on any underperformance.
- ▶ We confirmed whether there is a documented rationale for fee setting and the fees are clearly advertised. We further tested a sample of 15 Building Control applications to confirm the correct fee was applied and recovered.
- ▶ We reviewed Building Control web pages to verify information is up to date and reflects the current process, fee scales and legislation.
- ▶ We examined the Building Control IT software and confirmed whether officers have investigated its functionality to ensure it is able to cope with the additional requirements of the BSR.



## AREAS OF STRENGTH

- ▶ We confirmed all three officers of the Building Control team hold a relevant qualification and are members of either the Chartered Association of Building Engineers or the Chartered Institute of Building. We reviewed the training records kept and they clearly detailed an up to date record of the training received including requirements of the Building Safety Act. We finally confirmed that all three members of staff engage in Continuous Professional Development (CPD), adhering to the standards set by their respective Institutes.
- ▶ There is currently a national shortage of Building Control officers. As part of the Building Control Service Plan and detailed within the Service Risk Register there is "*not having enough skilled professional resource to handle major or complex planning applications*" that is considered an ongoing risk. Controls have been put in place to mitigate the risk as much as possible and these include reviewing the team structure in line with other local authorities and reviewing job descriptions to ensure the reward is competitive. Risks are regularly discussed as part of the monthly balanced scorecard reporting to the Corporate Leadership Team.
- ▶ We tested a random sample of 15 Building Control applications received since 01/04/24, to ensure the date of decision/approvals of plans was made within two months of the validation date. Three of our sample were Building Notices and therefore did not need a decision. For the remaining 12 notices, we found they complied with the statutory time limit.
- ▶ Our sample test also found that in all cases where applicable, the fees received matched the fees charged.



## AREAS OF CONCERN

- ▶ The Building Control Policy and Procedures documents the performance targets the service adheres too. Our testing to confirm compliance with the performance targets found several exceptions. There is also incomplete oversight of the performance of the service with only some performance information provided to senior managers. Furthermore, the Service does not currently know how it will meet the new performance reporting requirements of the BSR, as the IDOX Uniform system does not have the required functionality, and officers currently do not possess the expertise to properly interrogate the system. **(Finding 1 - High)**
- ▶ Increased Building Control fees were approved by Council on 8 October 2024. However, the Building Control service did not amend the fees they advertise on the website or increase the fees charged until 25 February 2025. **(Finding 2 - High)**
- ▶ The Building Control Policy and Procedures document is not fully compliant with the BSR requirements. The document also does not detail version control, date of last review and a responsible officer for updating it. Furthermore the document is not saved in a central location so it can't be accessed by all relevant officers. **(Finding 3 - Medium)**
- ▶ The Council does not currently know if its Building Control fees are set at the correct level. There is a documented rationale for the hourly rate charged however there is an incomplete rationale for the costs charged for the various building control work. **(Finding 4 - Medium)**
- ▶ The Building Control Service has a Career Matrix to help ensure adequate skilled resources are recruited and trained to provide an effective service. However, the document it is still in draft and being developed. **(Finding 5 - Low)**



## CONCLUSION

We have provided Limited assurance over the design of the controls in place and Moderate assurance over the effectiveness of controls that are in place to manage the Building Control function.

### Control Design

- ▶ The control design has been assessed as Limited because we identified the following significant gaps in the controls:
  - No formal process is in place regarding how Building Control fees, and any updates, are communicated to the Building Control team. There is also an incomplete understanding of whether the fees charged fully cover the Council's costs.
  - The contents of the Building Control Policy and Procedures document does not reflect all the requirements of the BSR.
  - Limited oversight of the performance of the Building Control function has been defined and is in place.
  - The reporting functionality of the IDOX Uniform system does not meet the BSR reporting requirements nor are there alternative processes in place to report against those requirements manually.
- ▶ We have therefore raised two High and two Medium priority rated recommendations to support the Council mitigate the identified risks.




#### Control Effectiveness

- ▶ The control effectiveness has been assessed as Moderate as our testing confirmed compliance with the statutory performance indicator of plan approval/decision timescales however, we identified several exceptions in our sample testing relating to local performance indicators to confirm whether Building Control applications are dealt with in accordance with documented performance standards.

# DETAILED FINDINGS

## 1 Performance Monitoring

<p><b>TOR Risks:</b></p>	<p>Applications and/or notices received are not subject to sufficient review and/or approval to ensure compliance with building control regulations. Decisions to approve or reject applications are not provided within five weeks as required by legislation.</p> <p>Management information and oversight is ineffective to monitor the risks, performance and compliance of the Building Control service.</p> <p>The Council's Building Control function lacks suitable IT technology and software functionality to support the new Building Safety Regulator requirement resulting in non-compliance.</p>
<p><b>Significance</b></p>	<p> High</p>



### FINDING

The Building Control Policy documents the performance targets which the Service adheres to and covers the following:

1. Register 95% of applications on Uniform within two working days.
2. Check the validity of at least 95% of applications within five working days.
3. Once a valid full plans application has been received, check 95% of all details and drawings deposited for compliance with the specific requirements of Building Regulations within 15 working days. Where details are found to show compliance an approval notice will be issued to the applicant. Where details are found to not show compliance, or information is missing a letter listing the non-compliant, missing items will be issued. Send any required consultations to the relevant parties within 15 working days.
4. In all full plans applications a decision is required by statute to be issued at either five weeks or eight weeks (*this should be expressed as 'two months' and is incorrectly documented*) depending on whether the applicant has agreed to an extension of time. Failure to issue a decision within the required time period, results in the deposited plans being deemed approved and a refund to the applicant of the plan checking fee.
5. Following a satisfactory completion inspection, a completion certificate should be issued within two days of a satisfactory completion inspection being carried out.

We tested a random sample of 15 applications (detailed in Appendix III) since 1 April 2024 to confirm compliance with the performance targets. Our testing showed the following:

1. Date registered within two working days of receipt - There is nothing in IDOX Uniform to show the date of registration so we could not test this.
2. Date validated within five working days of receipt - 14 out of 15 tested applications were validated within five working days of receipt (exception - 24/00391/ONDFP - 7 working days).
3. Plans checked within 15 working days of validation date - This test was only applicable for nine of the sample of 15 as plan checks were not applicable for six (Building Notices and Partnership applications). We confirmed Plans were checked within 15 working days for five out of nine. (exceptions - 24/00238/ONDFP, 24/00459/ONDFP, 24/00391/ONDFP, 24/00367-WSDFP - date range from 18 to 22 working days)



4. Date of decisions/approval of plans within five weeks or if extended, two months of the application received date - Approval is not needed for Building Notices (three of the sample). All of the remaining 12 were approved within two months of the application received or treated as received date.

5. Only one of the sample of 15 had been fully signed off as completed and for this one sample there was an inspection before sign off (within two days). For the remaining 13 (one not applicable), inspections have been completed and were ongoing for the work, which had commenced (total of seven).

A Service Plan Highlight Report is reviewed monthly by senior officers at the Corporate Leadership Team Plus (CLT+) meeting. This details through RAG and supporting commentary whether national performance standards are maintained and provides generic information on validations, dangerous structure responses (if any), budget, staffing levels risk management however it does not include any further detailed performance information in line with the indicators documented in the Building Control Policy i.e. the percentage of validations within five days or receipt, the percentage of plans checked within 15 working days of validation date.

Risk: If there is inadequate monitoring of performance of the Building Control service the quality of the service might decline affecting customer satisfaction, trust and the Council's reputation.

Furthermore, from 1 January 2025 there is a new requirement for councils to monitor set Key Performance Indicators and report quarterly to the Building Safety Regulator from April 2025. This is reflected in the Service Plan Risk Register. Officers confirmed that engagement with IDOX Uniform has taken place but national updates have yet to be rolled out. They do not know how to obtain all of this information from the IDOX Uniform monitoring system or whether the system has the functionality to produce the reports they need. Therefore it is likely that the Council will not meet the Building Safety Regulator requirements, unless an interim or permanent solution can be found.

Risk: A failure to comply with statutory requirements from the Building Safety Regulator could result in legal and/or financial penalties harming the reputation of the Council.



## RECOMMENDATION

- 1.1 Review the performance management requirements detailed within the Building Control Policy to see if they are still relevant and in line with the BSR statutory requirements.
- 1.2 Establish a process to best monitor and report on the performance of the Building Control service to ensure it is effective and efficient.
- 1.3 Regular reports based on the new performance management requirements should be presented to ELT Service Catch-Up, to enable exception reporting to senior management, so there is more adequate oversight of the performance of the Building Control service.
- 1.4 Further investigate the reporting functionality of IDOX Uniform to ensure it is fit for purpose to meet the requirements of the Building Safety Regulator. If required, arrange for additional training for officers so they can fully utilise Uniform. The service could also contact other local authorities who use Uniform, to establish how they are meeting the requirements.



## MANAGEMENT RESPONSE

- 1.1 The Building Control Policy can be reviewed to ensure it includes the latest BSR statutory requirements for validation, plan-checks, approvals and rejections, completion notices and site inspections.



1.2 The service already maintains a PowerBi Building Control Dashboard, but this is now being reviewed for presentation purposes to ensure that the key performance information from the BSR and Building Control Policy is clear and showing when BSR and Policy KPIs are at risk.

1.3 With some changes to formatting, some data that would show compliance with the Building Control Policy from the PowerBi Building Control Dashboard Report can be presented to the monthly ELT Service Catch-Up meetings as part of the Balanced Scorecard review. This will strengthen the purpose of Exception reporting from the Service Plan Highlight Reports which are presented to CLT+, by ensuring general operational performance is presented and discussed more widely in the organisation.

1.3 This is not a problem unique to Maldon District Council and is present for all local authorities that use IDOX Uniform as the software, as the BSR has been slow to be set up by the HSE and its reporting requirements were not developed far enough in advance of them taking effect, which has meant software providers such as Uniform have not been able to adjust their systems quickly. MDC officers have already been on both BSR and IDOX Uniform training however, the issue facing IDOX Uniform appears to be more fundamental on how the software's architecture is built, not only how the data is extracted. MDC has already been engaging with the national Local Authority Building Control (LABC) body, other authorities through the Essex Local Authority Building Control group and on a more one-to-one level with other Essex councils in a similar position, and will continue to do so, but the challenge for the Councils which use IDOX Uniform is that all Councils have been using the Building Control modules differently over decades and there has never been a national requirement for extraction of data or returns of this nature or degree before. This has not therefore been considered when designing the original software and this sector constraint has not been considered adequately enough by the BSR when the national KPIs were set. Retrofitting it to the new requirements is therefore proving difficult. Until the new functionality is in place within the IDOX Uniform system, MDC will have to use an interim solution to collect the data manually and comply with the BSR requirements, although this is not efficient use of officer time and the risk will increase that there may come a time where we are unable to file a return due to system wide issues of retrieval. To further reduce this risk, we have already committed to explore whether we could utilise PowerBi differently to build a new framework to extract the data for the BSR returns by Q3 2025/2026 and this work remains ongoing.

**Responsible Officer:**

1.1 Building Control Manager/ Head of Development Management & Building Control

1.2 Building Control Manager/ Head of Development Management & Building Control

1.3 Building Control Manager/ Head of Development Management & Building Control


**Implementation Date:**

1.1 End July 2025

1.2 End Sept 2025

1.3 End Dec 2025

## 2 Building Control Fees

<b>TOR Risk:</b>	Building control fees are not set at the correct level and are not consistently monitored to ensure all costs are recovered.
	The Council's building control webpages do not provide up to date information and accurate correct calculation of fees, leading to incorrect scale fees being charged and financial losses to the Council
<b>Significance</b>	 High



### FINDING

We reconciled the 2024/25 fees approved at Council in December 2023 to the fees displayed on the Council's website and none of them matched.

We investigated this further with Council officers and established the following:

1. Building Control fees were based on the amounts approved by Council in July 2023 up to and including 24 February 2025.
2. The 2024/25 increased Building Control fees approved at Council in December 2023 were not implemented, because they were based on the wrong baseline, the s151 officer advised officers to continue using the 23/24 fees (*email evidence of the advice seen*). They were recalculated and re-approved by Council on 8 October 2024. However, the increases were not implemented until 25 February 2025 as they were not communicated to the Building Control team.

Therefore, the correct fees were not advertised or used during the period 8 October 2024 to 24 February 2025.

We selected a sample of 15 Building Control applications from a total population of 358 to review whether the correct fees had been charged and received. Out of the 15 we tested, nine were charged as plan check fees (for three, they were partnership applications so the plan check fee went to another Council and another three were Building Notices and only charged inspection fees). We confirmed the fees charged were correct for seven out of nine as they were based on the 23/24 rate. The remaining two were still based on the 23/24 rates despite the fees increasing in October by 7.4% (exceptions - 24/00459/ONDFP, 24/00391/ONDFP).

14 out of 15 of our sample had been charged inspection fees. Eight were correctly based on the 23/24 amounts. The remaining six were not based on the increased fees in October of 7.4%. (exceptions - 24/00378/WSDFP, 24/00397/WSDBN, 24/00422/WDSP, 24/00391/ONDFP, 24/00367/WSDFP, 24/00305/WSDFP)

**Risk:** If the correct fees are not charged there is a financial risk to the Council as the cost of completing the work might exceed the income received, or it may charge too much and be liable for refunds.



### RECOMMENDATION

2.1 Establish a system to ensure changes in Building Control fees are correctly communicated to the Building Control team, so they are implemented and correctly displayed on the Council website in a timely manner.

2.2 Consider introducing a quality control process to verify correct fees are charged and received throughout the year.



## MANAGEMENT RESPONSE

2.1 Any changes approved by Council of Building Control fees and charges cannot be implemented immediately as there is a statutory notice period that must be given and this must be born in mind when any changes to Building Control fees and charges are agreed. In discussion with the Deputy S151 Officer it is agreed that greater assurance is needed to ensure any changes agreed by Council have been implemented and Finance are looking at introducing a pro-forma for all Fees & Charges changes to check and sign off when operational and website changes. This is to be done for the whole organisation however and not just Building Control. Furthermore, in January 2025, changes were made to the Council's Financial Regulations to delegate responsibilities to Chief Executive, Deputy Chief Executive and the Assistant Directors. To this end, in addition to the monthly budget review meetings which take place with Heads of Service, new Finance Business Partner meetings are now scheduled to ensure there is strategic dialogue between the Assistant Director: Planning & Implementation and the S151/ Deputy 151 Officer; followed by similar financial representation at the Service Delivery Leadership Meetings with the Deputy Chief Executive. The agendas for the new Business Partner meetings will include discussion on Fees & Charges and any in-year changes which can then be cascaded once they are approved to ensure they are picked up and actioned at operational levels.

2.2 Introducing a quality control process to verify correct fees are being charged throughout a financial year is supported in principle, however this is not something which should be unique to Building Control and should be an exercise that is completed across all fee & charges in the organisation. This will be explored corporately as part of the Service Planning processes to ensure a consistent approach is implemented by all charging services.

<b>Responsible Officer:</b>	2.1 Assistant Director Planning & Implementation and Interim Deputy 151 Officer. 2.2 Deputy Chief Executive
<b>Implementation Date:</b>	2.1 End April 2025 2.2 End March 2026

### 3 Building Control Policy

<b>TOR Risk:</b>	The Council's Building Control policies and procedures are not in line with the new Building Safety Regulator's requirements, relevant national guidance and best practice. This includes procedures relating to management of dangerous structures, demolitions and other services to ensure referrals are identified and assessed properly.	
<b>Significance</b>		Medium



#### FINDING

The BSR oversees private and public building control bodies who must follow mandatory codes and standards for Building Control. Guidance is issued by the BSR. 1.6 of the guidance states:

*Your policies, procedures and processes for persons delivering your building control functions must be recorded and up to date and must reflect current relevant guidance.*

The Council has a Building Control Policy and Procedure, however the document does not state when it was last updated, its review frequency, a responsible owner or any version control.

Risk: Without a documented review schedule or version control, the Policy might not be reviewed when it is required and there will not be a record of changes made.

The Building Control Team Manager stated he is responsible for updating the policy/procedure and has updated the document so it is compliant with the latest legislation. We reviewed the document and it references the latest legislation (Building Safety Act 2022) and covers the following primary areas of Building Control:

1. Registration of Building Inspectors
2. Enforcement of Building Regs
3. Inspections and Dangerous Structures
4. Demolition Notices
5. Administration

The Policy also details the following, which is in accordance with the BSR guidance:

1. Risk based approach
2. Fees
3. Performance targets
4. How records are retained
5. Length of time records are kept for (15 years)
6. Roles and responsibilities

However, it does not include:

1. How persons supporting the building control function are kept fully informed of changes in legislation/national practices.
2. Oversight mechanisms such as quality control/spot checks
3. Complaints/appeals process

Therefore there is scope for the policies/procedure to be expanded.

Risk: If the Policy does not include all the requirements listed in the BSR guidance, there is a risk that officers will follow practices that do not comply with legislation and the practices adopted could be inconsistently applied.

The policy document is saved on the laptop of the Building Control Team Manager and has been shared with the other officers, however it is not stored in a central location.

Risk: If the Policy is not saved in a central location, it will not be accessible by all officers as and when it is required.



## RECOMMENDATION

3.1 The Building Control Policy should be updated to include the following:

- Version control
- The date of last review
- Frequency of review
- Responsible officer
- How persons supporting the building control function are kept fully informed of changes in legislation/national practices.
- Oversight mechanisms such as quality control / spot checks
- Complaints/appeals process

3.2 The Building Control Policy should be saved in a central location so it can be accessed by all applicable officers whenever it is required.



## MANAGEMENT RESPONSE

3.1 Version controls can be added to the Draft Building Control Policy, responsible officer should be labelled by role and not staff name, in case of changes. Where it has previously been an operational policy and procedure, the Policy will now be updated and presented to the Strategy & Resources Committee/ Council for approval to increase strategic oversight and assurance.

3.2 The Draft Building Control Policy has been saved immediately onto the new Planning & Implementation Sharepoint site, which has access controls, data retention and file accountability built into its functions. Once approved by Council, it will also be published on the Building Control pages of the Council's website to ensure anyone can see the standards which the Council will use to deliver the Building Control service.

**Responsible Officer:**

3.1 Building Control Team Manager/ Head of Development Management and Building Control


3.2 Building Control Team Manager

**Implementation Date:**

3.1 End Sept 2025

3.2 Draft by May 2025 and Final by end September 2025

#### 4 Documented Rationale For Building Control Fees

<b>TOR Risk:</b>	Building control fees are not set at the correct level and are not consistently monitored to ensure all costs are recovered.  The Council's Building Control webpages do not provide up to date information and accurate correct calculation of fees, leading to incorrect scale fees being charged and financial losses to the Council
<b>Significance</b>	 Medium



#### FINDING

The Council has a documented rationale for the Building Control chargeable rates. It is based on the hourly rate of the Principal Building Control Officer and enhanced to consider corporate and productivity on-costs. However, there is no documented rationale to show how the hourly rate relates to the costs charged for the various Building Control work. Officers have begun to compile this information but it is incomplete.

Risk: If the Council does not have a complete understanding of how the Building Control fees relate to the costs charged, the Council may not be adequately covering its costs causing a financial risk.



#### RECOMMENDATION

4.1 To ensure Building Control fees are set at the correct level, officers should compile a documented rationale for each of the fees based on the Building Control chargeable rate.




#### MANAGEMENT RESPONSE

4.1 Work on the rationale has been underway with Building Control and Finance to provide additional assurance that the fees have been set at the correct level to recover the costs to deliver the service. Building Control and Finance are working on a cost/income assurance model as part of the Development Management & Building Control Service Plan 2025/2026 that can validate whether the fees need to change based on the costs of delivering the service in the Maldon District, which will inform fee setting for 2026/2027.

<b>Responsible Officer:</b>	4.1 Assistant Director Planning & Implementation & Interim Deputy S151 Officer
<b>Implementation Date:</b>	4.1 End Sept 2025

## 5 Career Matrix Document

<b>TOR Risk:</b>	The Building Control team does not have a plan in place to ensure that adequate skilled resources are recruited and trained to provide a consistently effective service for overseeing all areas of compliance relevant to the District. Key roles and responsibilities are undefined and vacant and staff in place do not possess the required qualifications and registrations to perform their role.
<b>Significance</b>	 Low



### FINDING

Registered Building Inspectors must now be qualified and registered appropriate to the level of work they undertake. There are four classes of registration:

Class 1. Trainee (Can only work under supervision on all work)

Class 2. Domestic (Can work on domestic extensions and new houses with no more than three storeys or a floor of 7.5m. All other work must be done under supervision)

Class 2. General (Can work on all buildings with a floor less than 18m or 7 storeys, except in-patient care premises, non-standard warehousing, industrial buildings containing hazardous substances or processes, Regulated stands/Certificated stadia and indoor sports/music arenas and MMC/Mass timber/Volumetric etc. Work on these must be supervised)

Class 3. Specialist (Can work on all buildings unsupervised)

Class 4. Technical manager (Can work on and manager people at the level of qualification class held)

These classes are clearly detailed within the Building Control Policies and Procedures.

Building Control and Human Resources are already developing a Career Matrix for Building Control Officers which details the requirement for each class and shows how they can progress through the classes through training and professional development. This needs to be completed and implemented through contractual HR processes for relevant roles. It also does not detail version control for keeping it up to date.

Risk: If the matrix is not finalised it might not be adopted and consistently followed..



### RECOMMENDATION

5.1 The Council should finalise the Career Matrix document and ensure it is implemented.



### MANAGEMENT RESPONSE

5.1 The Career Matrix has been being developed with Human Resources Business Partners over the last year and it is at an advanced stage of development and has been adjusted to reflect the new BSR requirements. It is not however standalone and is a contractual document, alongside the Job Description and Terms and Conditions. Version control can however be added to help track adjustments.

<b>Responsible Officer:</b>	5.1 Building Control Manager/ Head of Development Management & Building Control
<b>Implementation Date:</b>	5.1 End of September 2025



## APPENDIX I - DEFINITIONS

LEVEL OF ASSURANCE	DESIGN OF INTERNAL CONTROL FRAMEWORK		OPERATIONAL EFFECTIVENESS OF CONTROLS	
	FINDINGS FROM REVIEW	DESIGN OPINION	FINDINGS FROM REVIEW	EFFECTIVENESS OPINION
<b>Substantial</b>	Appropriate procedures and controls in place to mitigate the key risks.	There is a sound system of internal control designed to achieve system objectives.	No, or only minor, exceptions found in testing of the procedures and controls.	The controls that are in place are being consistently applied.
<b>Moderate</b>	In the main there are appropriate procedures and controls in place to mitigate the key risks reviewed albeit with some that are not fully effective.	Generally a sound system of internal control designed to achieve system objectives with some exceptions.	A small number of exceptions found in testing of the procedures and controls.	Evidence of non compliance with some controls, that may put some of the system objectives at risk.
<b>Limited</b>	A number of significant gaps identified in the procedures and controls in key areas. Where practical, efforts should be made to address in-year.	System of internal controls is weakened with system objectives at risk of not being achieved.	A number of reoccurring exceptions found in testing of the procedures and controls. Where practical, efforts should be made to address in-year.	Non-compliance with key procedures and controls places the system objectives at risk.
<b>No</b>	For all risk areas there are significant gaps in the procedures and controls. Failure to address in-year affects the quality of the organisation's overall internal control framework.	Poor system of internal control.	Due to absence of effective controls and procedures, no reliance can be placed on their operation. Failure to address in-year affects the quality of the organisation's overall internal control framework.	Non compliance and/or compliance with inadequate controls.

RECOMMENDATION SIGNIFICANCE	
<b>High</b>	A weakness where there is substantial risk of loss, fraud, impropriety, poor value for money, or failure to achieve organisational objectives. Such risk could lead to an adverse impact on the business. Remedial action must be taken urgently.
<b>Medium</b>	A weakness in control which, although not fundamental, relates to shortcomings which expose individual business systems to a less immediate level of threatening risk or poor value for money. Such a risk could impact on operational objectives and should be of concern to senior management and requires prompt specific action.
<b>Low</b>	Areas that individually have no significant impact, but where management would benefit from improved controls and/or have the opportunity to achieve greater effectiveness and/or efficiency.

## APPENDIX II - TERMS OF REFERENCE



### BACKGROUND & PURPOSE

#### BACKGROUND

- ▶ Local authorities have a duty to provide an at cost Building Control service to the public. Maldon District Council (“the Council”) Building Control service helps ensure building work complies with minimum standards for Health and Safety and the duty is set out in the Building Act 1984.
- ▶ The Council’s work involves:
  - Checking plans and specifications for proposed building work
  - Inspecting building work on-site at various stages
  - Issuing completion certificates when work meets required standards; and
  - Taking enforcement action if building work does not comply with regulation.
- ▶ Building Control also looks after other aspects of construction including controlling demolitions and dealing with dangerous structures.
- ▶ Changes to the Building Control process for higher-risk buildings and wider changes to procedural building regulations were introduced on 01/10/2023 through the Building Safety Act 2022 and the Building Regulations 2023. These were introduced to improve accountability and competence, such as establishing a regulated Building Control profession which implemented immediate changes to the qualification requirements of public and private sector building control.
- ▶ The Council’s Building Control team is part of the Development Management & Building Control service. It has three Building Control officers who are Registered Inspectors, who report to the Head of Development Management & Building Control and is overseen by the Assistant Director of Planning and Implementation. Each year the service receives c.360 Building Control applications which are recorded and processed in the Uniform system.

#### PURPOSE

- ▶ The purpose of the audit is to review the effectiveness of the Council’s approach to delivering the Building Control service, including the execution of their responsibilities and how they have implemented the recent national changes to the sector.

#### CRR REFERENCE

- ▶ R14: Unable to recruit and retain staff with specific skills sets in specialist areas to meet the demands of the service i.e. Planners and Building Control Surveyors.



### KEY RISKS

Based upon the risk assessment undertaken during the development of the internal audit operational plan, through discussions with management, and our collective audit knowledge and understanding the potential key risks associated with the area under review are:

1. The Council’s Building Control policies and procedures are not in line with the new Building Safety Regulator’s requirements, relevant national guidance and best practice. This includes procedures relating to management of dangerous structures, demolitions and other services to ensure referrals are identified and assessed properly.
2. The Building Control team does not have a plan in place to ensure that adequate skilled resources are recruited and trained to provide a consistently effective service for overseeing all areas of compliance relevant to the District. Key roles and

responsibilities are undefined and vacant and staff in place do not possess the required qualifications and registrations to perform their role.

3. Staff training related to building control compliance is inadequate to meet the objectives of the service and new Regulator requirements. Training is not periodic to ensure updated legislation is incorporated in the Council's processes and practices.
4. Applications and/or notices received are not subject to sufficient review and/or approval to ensure compliance with building control regulations. Decisions to approve or reject applications are not provided within five weeks as required by legislation.
5. Management information and oversight is ineffective to monitor the risks, performance and compliance of the Building Control service.
6. Building control fees are not set at the correct level and are not consistently monitored to ensure all costs are recovered.
7. The Council's building control webpages do not provide up to date information and accurate correct calculation of fees, leading to incorrect scale fees being charged and financial losses to the Council.
8. The Council's Building Control function lacks suitable IT technology and software functionality to support the new Building Safety Regulator requirement resulting in non-compliance.



#### SCOPE & APPROACH

The following areas will be covered as part of this review. We will:

- ▶ Review the adequacy of the Building Control policies and procedures to ensure they are up to date, compliant with legislation, Building Safety Regulator requirements and clearly detail the processes to be followed when dealing with building regulation compliance, demolition notices and dangerous buildings. (Risk 1)
- ▶ Interview key staff to confirm that roles and responsibilities within the Building Control framework have been defined and are understood, in addition to relevant skillsets to operate effectively. Review procedures in place to manage workforce planning pipelines. (Risk 2)
- ▶ Review training records to confirm officers have received training on the new requirements of the Building Safety Act and that CPD is maintained. (Risk 3)
- ▶ Test a sample of Building Control applications from 01/04/2024 and confirm that procedures were complied with and inspections were completed prior to the building work being signed off and certificate issued. In addition confirm that the five-week legislative parameters for providing a decision was adhered to. (Risk 4)
- ▶ Review management information on team performance and levels of compliance, verify that it is regularly produced and monitored. Interview stakeholders to determine what action is taken on under performance. (Risk 5)
- ▶ Confirm that there is a documented rationale for fee setting, that the fees are clearly advertised and test a sample of Building Control applications to confirm the correct fees were applied and recovered. (Risk 6)
- ▶ Review the Council's public building control webpages, verify that information has been recently updated and reflects the current process, fee scales and legislation. (Risk 7)
- ▶ Review the current IT software and confirm what officers have done to establish if it is of has the potential to be able to cope with the additional requirements of the Building Safety Regulator. (Risk 8)

The scope of the review is limited to the areas documented under the scope and approach. All other areas are considered outside of the scope of this review. However, Internal Audit

will bring to the attention of management any points relating to other areas that come to their attention during the course of the audit.

We assume for the purposes of estimating the number of days of audit work that there is one control environment, and that we will be providing assurance over controls in this environment. If this is not the case, our estimate of audit days may not be accurate.

In delivering this review BDO may need to observe and test confidential or personal identifiable data to ascertain the effective operation of controls in place. The organisation shall only provide the Shared Personal Data to BDO using secure methods as agreed between the parties. BDO will utilise the data in line with the Data Protection Act 2018 (DPA 2018), and the UK General Data Protection Regulation (UK GDPR) and shall only share Personal Data on an anonymised basis and only where necessary.

## APPENDIX III - SAMPLE

Application Number	Data Received
24/00166/WSDFP	03/05/2024
24/00210/WSDBN	07/06/2024
24/00237/ONDFP1	30/10/2024
24/00238/ONDFP	25/06/2024
24/00249/WSDBN	04/07/2024
24/00378/WSDFP	30/09/2024
24/00397/WSDBN	21/10/2024
24/00459/ONDFP	25/11/2024
24/00422/WDSP	05/11/2024
24/00391/ONDFP	14/10/2024
24/00375/WSDFP	25/09/2024
24/00367-WSDFP	20/09/2024
24/00319/WSDFP	28/08/2024
24/00305/WSDFP	17/08/2024
24/00256/WSDFP	09/07/2024

#### FOR MORE INFORMATION:

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The matters raised in this report are only those which came to our attention during the course of our audit and are not necessarily a comprehensive statement of all the weaknesses that exist or all improvements that might be made. The report has been prepared solely for the management of the organisation and should not be quoted in whole or in part without our prior written consent. BDO LLP neither owes nor accepts any duty to any third party whether in contract or in tort and shall not be liable, in respect of any loss, damage or expense which is caused by their reliance on this report.

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