



## **HETAS Competent Person Scheme**

Registration Schemes for Businesses and Installers Involved  
in the Installation and Maintenance of  
Wood, Biomass and Solid Fuel Burning Equipment  
Solar Thermal, Plumbing and Sanitary Ware

### **Conditions of Registration and Guidance** Scotland

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## **Introduction**

To operate safely and efficiently, solid fuel, multi-fuel wood burning and biomass appliances, associated systems and plumbing systems need to be correctly installed and maintained by competent individuals. Appliances and systems must operate in a safe and energy efficient manner as described in the various regulations, codes and standards.

To achieve this objective HETAS has developed training and a registration scheme that supports installers and businesses involved in these types of work, helps them to work safely and efficiently and in compliance with the various regulations and laws that apply to the work involved.

HETAS is recognised as the industry official lead body for solid fuel, wood and biomass products and services within the UK.

The scheme aims to ensure that users of solid fuel, wood and solid biomass burning equipment have work and installations undertaken/supervised by a competent installer working for a Registered Business, and can expect that the work will be carried out safely and to a good workmanship standard. Scottish Building Regulations do not make it mandatory to be a member of HETAS. However HETAS Registration may be a means of demonstrating competence for works carried out under Building Regulations.

The HETAS scheme is separate from the Approved Certifier of Construction scheme for warrantable work. Schedule 3 to Regulation 5 of the Scottish Building Regulations defines solid fuel appliance and flue liner installations which do not require a warrant.

Registrants under the scheme may also be eligible for self-certification of Competent Person Scheme installations in relevant categories in England and Wales, subject to complying with additional conditions.

The scheme is for the Registration of Businesses employing competent engineers. In the case of sole traders the engineer is also the business. However, Businesses must ensure that any work carried out involving solid fuel, wood and approved biomass will be undertaken by a competent engineer (this accepts that there may be cases where for instance specialist contractors or apprentices, trainees may be supervised and work signed off by the competent person if this is appropriate).

Consumers and organisations (including all Local Authorities) involved with the use of solid fuel are able to check with HETAS on the registration of businesses. Details are available through the HETAS website at [www.hetas.co.uk](http://www.hetas.co.uk)

## **Explanation of Terms Used in These Conditions**

HETAS CPS (Competent Person Scheme) ~ an installer registration scheme operated by HETAS

Registered Business ~ A business accepted by HETAS as meeting the CPS requirements

Registered Installer ~ A competent individual associated with a Registered Business

Schedule 3 ~ Building (Scotland) Regulations, Regulation 5 Schedule 3, including all amendments currently in force

Warrantable Work ~ Work that requires a building warrant under Scottish Building Regulations, i.e. is excluded from the exemptions of Schedule 3

## Conditions of Registration

### 1 Summary Requirements

- 1.1. Registered Businesses may apply for HETAS listing in categories of work where they have proven competence through training and/or assessment. The Registered Business can only self-certify work through the HETAS CPS in categories where they have demonstrated their competence and have approval from HETAS. Registrants can check their listed areas of competence at <http://www.hetas.co.uk/find-installer/>
- 1.2. The Registered Installer must only undertake work for which they and the business are competent. The Registered Installer must demonstrate their competence against HETAS requirements and occupational standards, and where required prove their competence on a 5 year re-assessment cycle (refer to 3.7 below).
- 1.3. The Registered Business must ensure that any work carried out under their HETAS registration in any of their categories of competence is covered by the relevant contract, adheres to the statutory requirements of the Building Regulations, the Health and Safety at Work Act, and any other relevant legislation and standards as required by the country, state or region where the work is carried out, and is carried out in a safe, professional and workmanlike manner.
- 1.4. Any work in categories covered by the HETAS scheme must be carried out by a competent Registered Installer on behalf of the Registered Business. The Registered Business must ensure that the approving Registered Installer is competent in all the categories relevant to that work. For any work that requires testing, adjustment or commissioning to achieve safe and/or efficient operation, those activities must be done and verified by the competent Registered Installer. Any person involved in the work who is not registered with HETAS, or who is working outside the competencies for which they are registered, must be properly and adequately supervised by a Registered Installer with all the relevant competencies.
- 1.5. A Registered Business must maintain Public Liability Insurance cover appropriate for its activities and to at least £2m.
- 1.5. The Registered Business must have systems in place to ensure where a complaint is received there is a process to receive record and deal with the complaint. Where a complaint cannot be resolved by the Registered Business, their customer can raise it with HETAS where our complaints policy will be followed <http://www.hetas.co.uk/consumer/complaints-policy/>
- 1.6. Registered Businesses must pay all subscription fees and any other fees due to HETAS by the due date. New applicants must agree to undergo a period of probationary registration.
- 1.7. HETAS reserves the right to refuse or remove registration to any applicant, and to refuse re-registration to any business seeking renewal of registration, where they fail to meet and/or to agree with the requirements of these conditions.

### 2 Business Registration

- 2.1. Business Registration is only available to those businesses which employ or sub-contract work to a competent Registered Installer listed under their Business Registration. This may be a sole trader.
- 2.2. Where the Registered Installer supervises others, the Registered Installer must as a minimum be present during all 'critical' points of the installation, typically:
  - Inspection prior to installation, including testing of existing systems (or chimney if applicable).
  - Lining of the chimney or installation of system chimney (if applicable)
  - Fitting the register plate, and connecting the flue to the appliance.
  - Installation and/or testing of key safety components
  - Testing & commissioning.

The Registered Installer should consider what additional supervision to apply, e.g. written instructions, where they are not present for long periods or the work is complex.

- 2.3. Business Registration may be applied for in one or more areas of competence, provided competent installer(s) work within the business. The current areas of work are listed on the scheme Application Form and available on the HETAS website.
- 2.4. The Registered Business undertakes that its Installation of appliances and associated products / services will meet the requirements of the Building Regulations.
- 2.5. The Registration Scheme includes the inspection and monitoring of Registered Businesses to ensure that standards are maintained. Businesses and a sample of Installers will be inspected/assessed following application and you must agree to on-going inspections as requested by HETAS. An application fee is charged to cover this together with an annual registration fee. See current scale of charges.
- 2.6. The Registration Scheme requires the Registered Business to have systems in place to ensure:
  - i. work is carried out under a formal contract between the business and their customer
  - ii. any work sub-contracted to a third party is covered under a sub-contract agreement, confirming competence of the contractor
  - iii. any complaints received are actioned appropriately
  - iv. records are kept of all complaints received concerning compliance with Building Regulations, together with the details of the action taken to resolve these complaints, and are recorded and made available to HETAS on request.

Template documents can be found here <http://www.hetas.co.uk/forms-documentation/>

- 2.7. HETAS reserves the right to refuse registration to any applicant if it feels there is a substantial reason to do so. HETAS reserves the right to reject applications to register for business names which HETAS considers inappropriate or could potentially prevent clear distinction from or between other businesses. The word "HETAS" shall not be used as or as part of the name of any Business or any product or service.
- 2.8. Registered Businesses will, at the request of HETAS, provide installation information relating to their customers to enable quality control checks.
- 2.9. Registered Businesses must inform HETAS within ten Business Days of any circumstance relating to:
  - i. changes in contact details
  - ii. changes in business name or legal status
  - iii. changes relating to any of their Registered Installers including termination/withdrawal of employment or of sub-contract arrangements
  - iv. the addition and/or removal of work categories.
  - v. significant changes in workload, e.g. increasing the number of sub-contractors or taking on larger contracts.
- 2.10. Registered Businesses must ensure that they only install appliances that meet the efficiency requirements as laid down in the current guidance documents covering Building Regulations applicable to the locality where the work is undertaken, such as the Domestic and Non-Domestic Building Services Compliance Guides. The HETAS Guide and website lists gross efficiencies for approved appliances to assist in complying with this requirement.
- 2.11. CE marking. Under the Construction Products Regulation, or other similar regulations (e.g. the machinery directive), any solid fuel heating appliance placed on the market since 1st July 2013 and manufactured in small batches or in continuous production must have a CE mark and the availability of a Declaration of Performance.

- 2.12. Registered Businesses should, where appropriate, recommend the use of HETAS Approved Products and Services if such a product or service meets their customers' needs. DEFRA Exemption of an appliance for use in Smoke Control Areas in Scotland, when operated correctly and when burning a fuel specified by the appliance manufacturer, can be checked on the DEFRA website  
<http://smokecontrol.defra.gov.uk/appliances.php?country=>
- 2.13. Public Liability Insurance cover appropriate for the activities of the business must be at least £2,000,000. It must be clearly stated on the policy the activities of the business e.g. Installation of solid fuel appliances. Where they offer a design service or give professional advice, businesses should also hold adequate Professional Indemnity insurance appropriate to their scope of work for at least £250,000. All Registered Businesses employing Registered Installers must maintain the legally required insurance cover to person and property.
- 2.14. Registered Businesses must ensure that all work undertaken complies with the Statutory Requirement of the Building Regulations for the country or region, Health and Safety legislation, and any other relevant legislation. Additionally any works undertaken should comply with the appropriate British Standard Code of Practice and/or any European Codes and Regulations which may apply.
- 2.15. Registered Businesses will be expected to have available for use by their Registered Installers the latest versions of the following (as applicable):
- i. latest version of the HETAS Guide to Approved Products and Services
  - ii. appropriate sections of the relevant Building Regulations
  - iii. any relevant British or European Standards and Codes of Practice
  - iv. the Building Services Compliance Guide relevant to the locality and type of installation
  - v. HETAS Technical Handbook
  - vi. copies of HETAS Technical Bulletins
  - vii. Water Regulations handbook.
- 2.16. Any business seeking registration must fully complete an Application Form and submit it together with any application and registration fees due. A further fee will be payable on annual renewal of Registration.
- 2.17. Registered Businesses must nominate a responsible individual who will be fully responsible for HETAS certification requirements and compliance for the business and for communications.
- 2.18. Businesses who meet the conditions outlined above will be issued a Certificate of Registration to cover their registration with the scheme. This remains the property of HETAS, and must be returned to them if for any reason registration ceases.
- 2.19. Registered Businesses will be able to promote their business as being HETAS registered. They also have the benefit of the use of the relevant scheme logo. Use of the logo must be clear and never misleading. All businesses must comply with rules and guidelines for logo use issued by HETAS. The HETAS logo must not be used so as to imply applicability to other trades carried out by a business which are not covered by its registration with HETAS.
- 2.20. Businesses will be listed on the HETAS website through the "Find Installer" search. Businesses not wishing to be listed on this search must make the request in writing giving their reasons for being hidden from the search facility.
- 2.21. Competent Person registration is separate from the HETAS Approved Chimney Sweep scheme. Businesses will only be registered as HETAS Approved Chimney Sweeps, and will only be listed on the HETAS website through the "Find Chimney Sweep" search, where they qualify for Approved Chimney Sweep registration and subscribe to the HETAS Approved Chimney Sweep Scheme.

- 2.22. It is essential that Registered Businesses have access to adequate insurance and products. HETAS Insurance may contact registrants/applicants with insurance offers which are tailored to their needs. HETAS may invite selected registrants and/or applicants to participate in other benefits or offers from selected industry partners.
- 2.23 Note that the 2013 edition of the Scottish Building Standards Domestic Technical Handbook (Section 3.20.20) requires fitting of one or more carbon monoxide alarms when installing new or replacement solid fuel combustion appliances:
- i. In any dwelling (except those used solely for cooking purposes) or interconnected space
  - ii. A least one alarm in every room or space containing an appliance
  - iii. At least one alarm in every bedroom or principal habitable room through which a flue passes.

### **3 Registration of Competent Installers**

- 3.1. Individuals seeking HETAS registration as installers under the Competent Person Scheme must work for or operate a bona fide HETAS Registered Business.
- 3.2. Installers may apply to be registered for one or more areas of competency under their HETAS Registered Business. HETAS offers categories including solid fuel, biomass, solar thermal, heating systems, plumbing and sanitary ware. The full list of competences currently within scope of the HETAS scheme is shown on the Application Form and available on the HETAS website.
- 3.3. An annual fee is charged for the registration of each installer within the HETAS Registered Business. See current scale of charges.
- 3.5. The Registration Scheme includes the inspection and monitoring of both the Registered Installer and the Business to ensure that standards are maintained. Installers may be inspected/assessed following application and/or at subsequent inspection visits.
- 3.6. Applicants/registrants must possess appropriate qualifications/experience as listed in the current scheme application form. This covers all types of work that can be included in registration. For solid fuel/biomass work this can be met by the relevant HETAS courses. Demonstration of competence may be supported by other qualifications, eg NVQs. Evidence of other qualifications for additional competencies, or suitability to request an "experienced worker route" assessment, will need to be provided, and must be agreed by HETAS.
- 3.7. To ensure that they are up to date with appropriate Building Regulations and safety related subjects, Registered Installers must successfully complete the appropriate HETAS Training Course and Assessment (or equivalent) every 5 years, if they wish to carry out any of the following:
- i. issue a HETAS Certificate of Compliance (paper certificate or through the HETAS on-line system) for installation of any combustion appliance, flue or system chimney
  - ii. for any Warrantable Work which includes solid fuel combustion appliances or biomass boilers, issue a Certificate of Design or a Certificate of Construction
  - iii. in England and Wales, install any combustion appliance, flue or system chimney.
- 3.8. Applicants seeking registration must fully complete an Application Form. The Registered Business must submit this form along with any fees due.
- 3.9. Registered Installers will be issued with a personal Identification Card. The card is valid for 12 months and will indicate which categories of competence the installer is registered for. It should be available for inspection by any customer. The card remains the property of HETAS and must be returned to HETAS if the individual and/or business registration ceases for any reason.

- 3.10. Registered Installers must inform HETAS of any changes to their employer within 10 days. The new employer must contact HETAS, provided the business is already registered, to add the installer to their registration and pay the required fees. If a Registered Installer is no longer engaged by a Registered Business and does not register as a sole trader Registered Business, the Installer's HETAS Registration will terminate immediately.
- 3.11. Work on un-vented systems, and other specialist areas of competence requires additional training and/or assessment not covered by standard HETAS courses. Anyone intending to undertake these categories of work must be competent to do so. HETAS may require the Registered Installer to demonstrate competence by some form of certification or assessment.
- 3.12. Maintaining Competence – Registered installers must keep themselves up to date with any changes to Building Regulation, Standards or Technical Revisions. HETAS provides routine information through newsletters, technical bulletins, on-line and technical handbooks. Registered installers must keep up to date with legislation and changes to standards etc in between their 5-yearly re-assessment for combustion appliances.
- 3.13. A Registered Installer may only apply that Registration to work carried out within a customer contract held by the corresponding Registered Business. If an individual operative has been registered with two or more businesses as a Registered Installer, the individual must state clearly on all documents which of their registrations is applicable. HETAS will, on request from a Registered Business, supply details of notifications submitted to HETAS in their name by their Registered Installers.

**4 Business and Installer Monitoring**

- 4.1. To ensure that the standards of workmanship provided to customers by Businesses and their Installers are maintained, monitoring of compliance relating to the business's areas of registration will be undertaken at intervals to be specified by HETAS from time to time. Application to join HETAS CPS will require on-site inspection of a representative initial installation, e.g. during a provisional registration period, prior to full registration.
- 4.2. Monitoring of Registered Businesses may take one or more of the following forms:
  - i. A site visit by a HETAS nominated inspector
  - ii. A visit to the Registered Business premises
  - iii. A postal or telephone questionnaire to individual customers
  - iv. Assessment of Registered Installers at approved training centres.
- 4.3 Frequency and type of routine monitoring will be under a risk-based approach, with at minimum an on-site inspection every 3 years. In any case, applicants and registrants must consent to be inspected as often as HETAS requires.
- 4.4. The risk-based monitoring will consider the following where available:
  - i. results from site installation visits by a HETAS nominated inspector
  - ii. complaints received
  - iii. feedback from HETAS Technical and Training staff
  - iv. visits to the Registered Business premises
  - v. postal, email or telephone questionnaire to individual customers.
  - vi. information received by HETAS that has a bearing on the risk presented by the business
  - vii. scope of work undertaken by the business.
- 4.5. Additional inspections may be undertaken if there are complaints or significant changes to the way the business operates. Any of these are additional inspections not covered by the standard registration fees and will be charged at the rate set by HETAS to cover additional costs. Details of the current charges are given in the document "Fees and Charges".

- 4.6. Businesses must supply names and contact details of customers, and the type of work they have undertaken involving solid fuel, biomass or other areas of competence, as requested by HETAS. HETAS may also use notification data to contact customers. This information will be used to monitor the performance of the Registered Business.
- 4.7. The Registered Business is responsible for ensuring access to the property selected for inspection. The Registered Business is responsible for the attendance of the Registered Installer who carried out and commissioned the installation, unless HETAS confirm in advance that the Installer is not required to attend.
- 4.9. Businesses will be informed of the results of any monitoring carried out by HETAS.
- 4.10. Any work found to be below standard must be rectified to the satisfaction of HETAS and must comply with the relevant regulations and standards within a stated time period and without charge to the customer.
- 4.11. Failure to provide an appropriate installation for inspection within the monitoring period will result in a review of the Business Registration and/or Installer Registration category. If the Business has not carried out any recent installations of work notifiable through HETAS, HETAS may at its discretion accept inspection of equivalent work in other categories, such as solid fuel or biomass appliances or heating systems in projects not subject to Building Regulations.
- 4.12. Where an existing Registered Business is not currently carrying out installations, HETAS may choose to apply one or more of the following:
  - i. Carry out an inspection visit of servicing and maintenance activity, against recognised industry standards
  - ii. Reduce or change competencies allocated to the Registered Installers and the Registered Business
  - iii. Apply conditions to continued Registration
  - iv. Transfer the Registration to an alternative HETAS scheme
  - v. Suspend or cancel Registration.
- 4.13. Where an inspection visit has been scheduled and confirmed by a HETAS appointed inspector, the Registered Business will be liable to a postponement fee if it cancels or fails to fulfil the appointment, unless it gives at least five clear Business Days' notice to the inspector.

## **5 Application and Registration Fees**

- 5.1. Businesses applying for registration with the HETAS Competent Person Scheme must complete an application form, provide evidence of at least one suitably qualified installer (and in any case, all competent installers that will undertake work), provide evidence of appropriate public liability insurance, and declare acceptance of the rules for registration. A completed form must accompany the following fees (or, if payment in instalments has been agreed by HETAS, a mandate for continuing instalments):
  - i. an initial application fee, plus
  - ii. the first year's registration fee, plus
  - iii. the operative fee for each associated competent installer

Once the business has demonstrated that it meets the requirements for registration, the applicant will be allocated a business number and will be listed as 'Awaiting PRA' This is awaiting a pre-registration assessment (for a probationary period) whilst the business offers an appropriate installation for site inspection. Following a successful site inspection, a final approval decision will be given to the new business. The business will now be "live" and the date of inspection recorded by HETAS for renewal purposes as the scheme start date.

*Note: should the application process result in a decision not to register, or the application be cancelled for any reason, only the first years' Business fee and installer fee will be returned. The applicant has the right to appeal the decision, see section 8.*

- 5.2 A new Business Registration fee plus a fee for each Registered Installer must be received before the renewal date, to ensure continued registration with the HETAS scheme.
- 5.3. Any additional Registered Installers, employed or sub-contracted, that join under the business must pay the additional annual operative fee, with further subscriptions to be paid annually on the anniversary of business registration thereafter.
- 5.4. Where there are complaints from the customers of HETAS registrants, HETAS may, at its discretion, inspect the installation to confirm whether there are grounds for complaint, and to see if the work is in compliance with regulations and standards and is safe. Where defects are found, HETAS may charge the registrant a reasonable sum for that inspection and any subsequent inspections, as these are considered additional inspections not covered by the normal registration fees. Invoices for additional inspections must be paid in full. Should payments remain overdue at the time of annual registration, renewal cannot be processed until outstanding invoices have been paid in full.
- 5.5. If for any reason the Registration of a Business is withdrawn, following a non-compliant inspection visit for example, no refund of any fees will be made by HETAS.
- 5.6. If for any reason a Business or an installer wishes to resign from the Scheme, no refund of any fees paid will be made by HETAS.
- 5.7. If for any reason an application to add an Installer to an existing Business Registration is refused, the fee paid for that additional operative at the time of application will be refunded.
- 5.8. The annual subscription fees and other charges will be set by HETAS and may be varied at any time. The current applicable scale of fees and charges are given in the HETAS document "Fees and Charges" see <https://www.hetas.co.uk/professionals/installers/join-now/>
- 5.9. HETAS may choose to carry out credit checks on new applicants and existing registrants. Registered Businesses agree to provide evidence of creditworthiness if requested by HETAS. Credit information will be held confidentially by HETAS.
- 5.10. If HETAS permits a business to pay its annual Registration fees in instalments, the business is still liable to pay the remaining instalments even if Registration ceases part way through without completing twelve months Registration. Payment arrangements for the remainder of that Scheme year must be left in place.
- 5.11 Entitlement to additional registrant benefits (from HETAS or from industry partners) received from being enrolled with the HETAS scheme may be withdrawn if fees and charges are not paid or if registration with HETAS ends for any reason.

## **6 Resignation from the Scheme**

- 6.1. Businesses or Installers may resign from the scheme, provided 28 days' notice is given in writing to HETAS. No refund of any subscriptions already paid to HETAS will be made. Outstanding fees (e.g. for complaints inspections) must be paid in full.
- 6.2. In the event of an outstanding customer complaint, Businesses must undertake any remedial work identified by HETAS before their resignation becomes effective.
- 6.3. Following resignation from the Scheme, Businesses and Installers must not describe themselves as being HETAS Registrants, and must not display Certificates of Registration and/or HETAS logos.
- 6.4. Businesses and Installers must return their Certificates of Registration and Identification Cards along with any unused certificates of compliance to HETAS within 15 days of their resignation.

## **7 Withdrawal of Registration**

- 7.1. Businesses and/or their registered Installers may be removed from the Register where HETAS believes there is a significant reason to do so. This may include for example:
- i. Businesses and/or Installers failing to comply with the requirements of the Building Regulations, Health and Safety at Work Act and any other relevant legislation
  - ii. Work undertaken by the Business or Installers, or on their behalf, is found to be of a standard which HETAS considers unacceptable, e.g. does not meet the requirements of a standard or approved guidance.
  - iii. Businesses fail to rectify work found to be defective during inspection or complaints investigation
  - iv. Businesses become insolvent or cease trading.
  - v. Business and/or Installers act in such a manner so as to bring HETAS and/or the Scheme into disrepute. This includes aggressive and/or violent behaviour
  - vi. Business and/or Installers misuse the HETAS logo or trademarks or wilfully misrepresent their Registration scope and obligations
  - vii. Failure to pay any fees or subscriptions or outstanding invoices by the due date.
- 7.2. HETAS reserves the right to publish details of any withdrawal of Registration and the reasons for doing so.
- 7.3. Businesses and Installers, whose Registration is withdrawn for any reason by HETAS, can appeal against the decision. An appeal must be made in writing to HETAS within 15 days of the notice of withdrawal being served. Appeals against withdrawal of Registration will be considered under the Appeals Procedure. Refer to Section 8 below.
- 7.4. During the period of an appeal i.e. from the date of the initial loss of registration to the date of notification of the results of the appeal, Businesses or Installers will be considered to be suspended from the Register. During such a period, the Business or its Installers must abide by the obligations of membership but must not describe themselves as being HETAS Registered, use their Scheme ID cards, or display HETAS Registration Certificates and/or Logos. Certification/ notification of installations cannot take place during this period unless directly related to the suspension and with the written agreement of HETAS.
- 7.5. In respect of applicants, registrants and appellants, HETAS may use probationary or conditional registration where there are circumstances it feels warrant such restrictions. Any such period will be time limited and a reason for such action will be given in writing.

## **8 Rules for Refusal, Suspension or Removal of Registration, Disciplinary Action and Appeals**

- 8.1. Where it appears to HETAS that a scheme registrant or applicant may be in breach of the rules of Registration, does not meet the required standards, or HETAS is in receipt of relevant information for example from another scheme or enforcement agency, HETAS may refuse, defer or suspend registration by notice whilst it investigates the matter. Where a suspension is in respect of any registration competency, it may also apply to other related competences and/or other registrations held by the business/installer with HETAS.
- 8.2. Compliance: Applicants, Registrants and their employees must meet the required standards and comply with the HETAS rules and relevant industry standards in respect of any work carried out by them, under their management, direction, or supervision, through their sub-contractor or agent, or inspected by them. Applicants and Registrants should understand that an inspection may be carried out by HETAS (or its agent) and the Applicant/Registrant must provide to HETAS such documents and other information as it shall require.
- 8.3. Complaints: Where HETAS receives a justified customer complaint and the Registrant refuses to remedy as requested, HETAS may take disciplinary action. Where this is the case and it results in

suspension or removal of registration, the disciplinary process applies. Note; HETAS will charge for inspection visits in relation to justified complaints at a rate determined by HETAS from time to time.

- 8.4. Deferral of application: Applications may be deferred by HETAS if they are submitted while the applicant or any business in its control:
- i. is the subject of an investigation into their work or conduct or
  - ii. is suspended from the scheme or
  - iii. is the subject of any pending or threatened prosecution or
  - iv. is the subject of a pending first stage review or
  - v. is the subject of an appeal panel hearing.
- 8.5. Probationary Registration: HETAS may, at its discretion, register an applicant or registrant for a probationary period. This can be for all or some categories of Registration or areas of work. HETAS may terminate or extend probation at any time. At the end of the probationary period, the Applicant shall cease to be a Registrant and be removed from the Register unless HETAS extends the probationary period. Probationary Registration may be stated on the Applicant's Certificate of Registration and Identity Card. Probationary registration may only be granted for a period of up to six months (at the discretion of HETAS) after which they must comply with the requirements or cease Registration.
- 8.6. Conditional Registration: HETAS may, at its discretion, impose Conditional Registration. This may apply to applicants or existing registrants and in respect of all or some categories of Registration or work. If the conditions are not met within the specified time, registration may be removed or refused. Conditional Registration may be stated on the Certificate of Registration and Identity Cards. Conditional Registration may only be granted for a period of up to six months (at the discretion of HETAS) after which they must comply with the requirements or cease Registration.
- 8.7. Decisions following a breach of Registration conditions: HETAS will decide a course of action where an Applicant, Business or Registered Installer has failed to meet the required Standards, or fails to carry out remedial work to an acceptable standard. In making those decisions HETAS may take into account all matters of which it is aware including (without limitation) those relating to periods prior to the date of the Application and any other records. HETAS shall give written Notice to the Applicant of its decision stating:
- i. the reasons for the decision including details of any records taken into account;
  - ii. the effect of the decision; and
  - iii. the procedure for applying for an appeal.
- 8.8 Appeal: HETAS's objective is to administer the CPS scheme in a fair and unbiased way whilst complying with all relevant scheme standards, legislation and regulations. Where a registrant or applicant wishes to appeal a decision by HETAS (removal of Registration or rejection of an application) the following process will be offered:
- i. First Stage Review of the decision. A first stage review will include at least two senior HETAS employees, of whom one at least will not have been involved in the decision making process so far. This review will decide whether correct procedures have been followed by HETAS in making decisions to date. The outcome of this first review is not limited to upholding a previous decision or not. It may offer alternative suggestions or outcomes thus avoiding the need for a full appeal hearing.
  - ii. Appeal Hearing. Where the first stage review upholds the original decision, and the appellant wishes to continue with their appeal, and HETAS accepts an appeal on reasonable grounds, it will set up an Appeal Hearing.
- 8.9. Appeal Hearing: Where HETAS accepts an appeal on reasonable grounds, subject to receipt of the relevant deposit (see 9.12 below), within 15 Business Days of receipt of the First Stage

Review decision it will set up an Appeal Hearing at its offices where an Appeal Panel will meet and hear the case. The panel will include:

- i. a Technical expert (who may be a HETAS member of staff, or an agent of HETAS) whose role is to offer and demonstrate by reference to normative documents if necessary, technical clarification for the benefit of all parties. The expert will not be directly involved in the final decision
- ii. a representative from HETAS not previously involved in the case
- iii. two other persons with sufficient experience to hear the case
- iv. the appellant may bring legal or other professional representation and HETAS may be represented by an appropriate person where necessary.

8.10. Each party will present its case and each may be cross examined. A decision will be arrived at by the panel, based on what it sees as most probable bearing in mind the information provided to it. The panel members may be guided on matters relating to the rules of registration by a HETAS registration representative in order to facilitate a final decision. The decision of the Appeal Panel is final and will be notified to the appellant within 10 business days in writing

8.11. The result of the appeal may not be limited to a decision on registration status alone and will be binding on all parties. The decision may include directions as to remedial work. The parties will be notified of the result of the Appeal Panel's deliberation within 10 Business Days of the hearing.

8.12. Appeal Panel Costs: The cost of appeal is considerable and HETAS will only accept an appeal where a deposit is paid. Details of the current deposit required are given in the HETAS document "Fees and Charges". Where the appeal is found in favour of HETAS then the deposit is not refundable. Where the appeal is found in favour of the appellant, then the deposit is returned. No other costs or fees will be paid by HETAS to the appellant or anyone acting on their behalf.

8.13. Advertisement. HETAS reserves the right to publish, advertise, or share with other competent person schemes, such details of the results of its disciplinary and/or appeals procedures it considers necessary to protect the image of HETAS and the industry.

## **9 Complaints Process**

9.1. HETAS is concerned with the safety, efficiency, technical standard and compliance with relevant Building Regulations of the work carried out by its Registrants. A requirement for continued HETAS registration is that the work of Registrants must comply with relevant Building Regulations, British and EU Standard and general Regulations as applicable to the region or country where the work is carried out and/or relevant Industry Codes of Practice. If the work of any Registrant is found to be below these standards, HETAS requires the Registrant to remedy any defects at no additional cost to the customer and to ensure that relevant standards are achieved.

9.2. Complaints about the work of HETAS Registrants may arise from time to time. The complainant should first inform the Registered Business of the problem, allowing them a (reasonable period of time in which to respond to the complaint. If this does not resolve the problem satisfactorily or, the Registrant fails to respond to the complaint within a reasonable period of time, the complainant may (subject to any applicable exclusions) invoke the HETAS Complaints Policy. Refer to the current publically available policy available on request or via the HETAS website: <http://www.hetas.co.uk/consumer/complaints-policy/>.

9.3. Where the Registrant refuses to co-operate in the complaints policy and is subsequently removed from the register, HETAS may offer appropriate support to assist the parties in resolving any of the issues outside of the HETAS process.

## 10 Certification of Installations

- 10.1. For installations in Scotland, Registered Businesses have the option to issue HETAS Certificates of Compliance to their customers. HETAS Certificate of Compliances can be purchased from HETAS by Registered Businesses. On-line notification is also available. Details of the purchase of pads of certificates or on-line credits can be found on the HETAS website.
- 10.2. The paper certificates are supplied as a three part form. After completion, the top white copy should be sent to HETAS. The pink copy should be given to the customer and the yellow copy should be retained by the installing company
- 10.3. HETAS owns the copyright in its documents and forms and these must not be copied (whether physically or electronically) without HETAS's consent. If HETAS identifies that a Registered Business has issued more paper Certificates of Compliance than they have purchased certificates from HETAS, HETAS reserves the right to invoice the business for the difference (by way of a reasonable estimate of the losses suffered by HETAS) and/or remove the business and its installer(s).
- 10.4 Registered Businesses shall safeguard their stock of HETAS forms and documents against improper use and shall notify HETAS in writing immediately it becomes aware of any loss or misuse.
- 10.5. Registered Businesses and their Registered Installers can only certify their own installations commissioned by their own Registered Installer(s). If a separate HETAS Registered Business is used as a sub-contractor, there must be a contract and suitable controls in place. Installations can only be certified by the Registered Business whose Registered Installer commissions that work and who has all the relevant competencies. Each Registered Business must ensure that all work notified is signed off by the designated Registered Installer who has supervised the work and including details of the Registered Business taking responsibility for the installation.
- 10.6. Registered Businesses must ensure that customers and householders are provided with safety and operating instructions for their installations. General safety leaflets are available to installers through the HETAS shop and further details are available to view on the HETAS website. HETAS may choose to contact customers and/or householders with additional information.
- 10.7 Installers in Scotland must understand and apply the regulations for Warrantable Work. Information is freely available from the Building Standards Division. Their publications include the Domestic and Non-Domestic Technical Handbooks. <http://www.gov.scot/Topics/Built-Environment/Building/Building-standards/publications/pubtech>
- 10.8 Although there are many solid fuel installations defined as exempt in Schedule 3 to Regulation 5 of the Building Regulations, these are some examples where a warrant is required:
  - i. New (non-replacement) solid fuel combustion appliance more than 50kW output in any non-residential building with public access or where a storey is more than 7.5m high
  - ii. Alteration of an existing chimney or flue-pipe, or installation of a new chimney or flue-pipe, in any non-residential building with public access or where a storey is more than 7.5m high
  - iii. New constructional hearth in any non-residential building with public access or where a storey is more than 7.5m high
  - iv. Superimposed (non-constructional) hearth for a solid fuel combustion appliance more than 50kW output in any non-residential building with public access or where a storey is more than 7.5m high
  - v. New (non-replacement) solid fuel combustion appliance more than 50kW output in a domestic building which is a flat or has 3 or more storeys

- vi. Alteration of an existing chimney or flue-pipe, or installation of a new chimney or flue-pipe, in a domestic building which is a flat or has 3 or more storeys
- vii. New constructional hearth in a domestic building which is a flat or has 3 or more storeys
- viii. Superimposed (non-constructional) hearth for a solid fuel combustion appliance more than 50kW output in a domestic building which is a flat or has 3 or more storeys
- ix. Biomass installations should be assessed as solid fuel appliances, so, for example, if a new flue pipe and/or constructional hearth are to be installed then that would constitute Warrantable Work
- x. Any work associated with a balanced flue which passes through combustible material
- xi. Any work adversely affecting a separating wall
- xii. Storage of solid/biomass fuel, and access for delivery vehicles should be assessed separately against both Warrant and Planning Permission requirements.

In case of doubt, consult with the local Building Standards service.

10.9 Issue of a HETAS Certificate of Compliance for an installation does not constitute or replace completion of the Warrant process.

10.10 Even if work is not Warrantable, it must still meet the requirements of the Building Regulations, the Building Services Compliance Guide for Scotland and all other relevant standards. Planning Permission rules should always be followed.

10.11 A Registered Business on the HETAS Competent Person Scheme in Scotland may be eligible to self-certify installations on England and Wales. Additional conditions apply, in order to comply with the requirements of the Department of Communities and Local Government (DCLG) Conditions of Authorisation for Competent Person Self-Certification Schemes for England and Wales. Please contact HETAS for details of how to confirm eligibility. Note that in England and Wales any installation in a “dwelling” of a fixed combustion appliance or flue is notifiable to a Building Control Body. Notification can be achieved either through self-certification by a Registered Business with the relevant approvals or through submission of a building notice to the relevant English or Welsh Local Authority.



## **HETAS Competent Person Scheme**

Registration Schemes for Businesses and Installers Involved  
in the Installation and Maintenance of  
Wood, Biomass and Solid Fuel Burning Equipment  
Solar Thermal, Plumbing and Sanitary Ware

**Conditions of Registration and Guidance**  
Scotland

