

Written evidence from Red Kite Electrical

The committee has asked for submissions on a number of points;

- *1. The extent to which members of the public are aware of the competent persons scheme and that certain domestic electrical works need to be reviewed and certified to meet the requirements of Building Regulations.*

My anecdotal experience as a working electrician is that members of the public divide as follows in regards to their understanding of the current regulations;

a) Thirty per cent have absolutely no idea that there are any rules, or ever give any conscious thought to the potential danger of electrical wiring. For them electricity and the equipment that supplies it is just there, like air and gravity (other than that they have to pay for it), and the equipment that delivers it requires no maintenance, until finally it stops working (or perhaps the safety devices like RCD's do work and leave them in the dark).

b) Approximately sixty percent are vaguely aware that there is some system of regulation, but unclear as to the details. This group includes those who did receive certification from an electrical contractor, and proper notification with building control, but simply put the paperwork away, and have never been asked for it or given it any real attention, and those who have not commissioned electrical work since the beginning of the current system.

c) Ironically the remaining ten percent are more aware because they have fallen foul of the system in some way. For example they are a) buy to let landlords, whose insurance company has demanded current inspections of the electrical installation b) house sellers whose purchaser's solicitor has demanded paperwork for electrical work that they have been unable to provide or c) householders who been able to get a completion certificate from Building Control after building work due to a lack of paperwork, which they now need for insurance or other purposes.

To bring home the point to the personal level I would be curious to know how many members of the committee have ever followed to the advice given on the label that should, under the regulations, be attached to the consumer units (I hope you all have consumer units and not wired fuse boards?) in their own homes to press the test button on residual current devices quarterly, and seek advice in the event of a problem? Or how many could be certain that their electrical installation has been inspected under the guidance given in another label that should be (but often is not) found on the front of units? This advice states that new wiring should be inspected after 10 years, and every five years after that. Quite simply I have never met anyone who observes the stipulations of the first label, and it is rare indeed to for me to attend an installation with an in date inspection label.

Meantime any fool can walk into Wickes, B&Q, Homebase and the like and buy a consumer unit without any verification of their competence to install such a device and test its operation having done so. And plenty of fools are.

- *2) The extent to which those carrying out electrical works are adequately trained to meet the requirements of the Building Regulations and the extent to which all those working for a company are brought up to the same level of skills.*

Those working under the auspices of a trader or company with Part P competent person scheme membership are not the key problem. We can debate the adequacy or otherwise of the entry requirements of the Part P system, but that I believe is to miss the point. Even a low barrier to potential incompetence or recklessness is better than no barrier at all. It is the fact that it is possible to simply ignore competences altogether with little real jeopardy that is the key problem. I had to laugh when Ms. Clancy and Mr. Bratt insisted in their evidence before you on 2 September that they represented 80% of electrical contractors and 90% of the work. In fact they do not have

the first idea how much domestic work is being done by general builders, kitchen fitters, decorators, 'diy'ers' of variable skill level and the like, therefore they do not know what proportion of the 'industry' they represent. As I complain on my business web site it is easy to cheat on electrical work through incompetence or worse because;

'It is easy to make electrical circuits work. The more difficult part is to prove that they are safe before they have mains electricity put through them. There are many ways to cut corners that will not be apparent to the lay person, and many of these tricks can save unscrupulous traders a lot of time and money... Doing the work properly costs more.'

My anecdotal belief is that in many parts of the country more privately contracted work (i.e. work commissioned by individuals, either directly or through a builder they are using, or non building specialist organisations rather than main contractors) is being done outside of Part P than inside it, and that even when there is the facade of Part P compliance, they may not in fact be such compliance. How is this so?

Quite simply until it can be established to a criminal level of proof that an unregistered electrician's work has hurt someone there is no impediment at all to them doing what so ever they like. By way of confirming that assertion I recently used the provisions of the Freedom of Information Act to ask my Local Authority Building Control how many enforcements or prosecutions they have made under the auspices of Part P. None -in 7/8 years. Yet I routinely visit customers that have clearly had work done since the inception of Part P (it is easy to tell because the change in the colour of the insulation on British cables happened at more or less the same time) and ask whether they received testing paperwork or confirmation of self certification. It is a small minority who are certain that they did.

Therefore the effect of Part P is the precise reverse of that which was intended. It is a cost on the competent bona fide tradesman, and is ignored by those who undertake work they are not entitled to do without 3rd party inspection. Human nature being what it is (especially in difficult economic times) domestic customers' chief concern is the price they will have to pay to get work done, not the theoretical consequences of having the work done badly. In my opinion, next to no one finds an electrician through any individual scheme or either of the collective safety scheme web sites (the committee might like to ask the schemes for information on this point?). Recognition and understanding of how Part P is administered is even more lacking than awareness of the existence of Part P itself, so these organisations are invisible. In order of importance electricians are commissioned through word of mouth, direct advertising by the contractor, checkatrade et al, and google et al. By far the most important is word of mouth and for many the recommendation of a builder (who may have no understanding or interest in either the wiring regulations or Part P and the complications of electrical work) is taken as "gospel".

Therefore those working out with Part P CPS schemes entirely secure a competitive advantage (and if they are not in a Part P CPS why bother with having expensive calibrated test equipment, or insurance, or a marked vehicle, further enhancing the advantage?).

This ripples on through the industry. As legitimate tradesmen become desperate to secure work they start cutting corners by not testing and registering jobs that should have been so registered and tested. They may simply make up test results, or 'forget' to issue paperwork and move on to the next job. As I argue above, since the great majority of the general public have no idea what they are entitled to expect by way of paperwork from their electrician there is little come back. On the basis that one might as well be "hung for a sheep as a lamb", finding that once they break the rules nothing happens hitherto legitimate tradesmen in turn begin to 'bodgit' and 'scarper' themselves. The two hapless individuals who are being prosecuted over the death of Emma Shaw were both working for a company in membership of a Part P scheme. As far as I am aware there is no suggestion that either of the technicians involved lacked the necessary skills or training, but they created test results for tests that had almost certainly never been done so failed to discover the dangerous state of the wiring that killed Ms. Shaw. Undoubtedly commercial pressure was behind

this lapse. Most likely if the men in question had been complete cowboys working privately they would never have been prosecuted, because they would never have been found.

At the top end, those who have the option leave the industry, and are replaced by more cowboys at the bottom.

So, no it is not lack of training that is the key issue for those trying to work within the system.

- 3) *The extent to which those carrying out electrical works, to which the Building Regulations apply, review or have their work reviewed to ensure that it meets the requirements of the Regulations and,*
- 4) *The adequacy of the review of electrical works carried out by Competent Persons.*

Given what I have argued above the committee will not be surprised to learn that I do not believe the review system is the problem, since by definition more/better reviews will only focus on those already in Part P CPS's. They will need to book more work time out to be inspected, they will have to ask favours of more customers in terms of access to past work (inspections involve the contractor showing the inspector work done). This will further enhance the competitive disadvantage of bona fide traders.

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- 5) *The effect of competition between accreditation bodies, and the two separate registers of electricians, on the standards of review of domestic electrical work; and*
- 6) *The adequacy of the supervision by DCLG of the accreditation schemes.*

Undoubtedly the dotty oligopoly of Part P schemes does not help promote public understanding of the regulatory system. Its fundamental flaw is that the schemes must compete for members. Any one scheme therefore has no interest in tightening standards, as it will be at a competitive disadvantage to its peers. Similarly they are not concerned to police those that are not a member of any scheme. The schemes' interests lie in selling the unregistered membership. In this regard competition drives standards down, as the two key tools in persuading people to join scheme X rather than scheme Y is a) cost (but like all oligopolies the price of CPS membership is remarkably consistent at around £400 p.a. across all the schemes) and b) keeping standards low so no one who applies fails their initial inspection.

But this is not fundamentally the schemes' fault. As their representatives argued before you in September they did not create the system, but are legally obliged to work within it.

I would argue that the crux of the matter is failure under the heading point six. It is Government that must be clear what it wants. If it wants a a system of regulation that works to really improve safety, it must introduce a policing system that focuses on those who try to avoid it, and not those trying to do their best within it. It must stop unregulated work by prosecuting those who do it regardless of whether the work was incompetent. It should prevent the sale of electrical disconnection equipment to anyone who cannot produce a CPS scheme membership card. It must accept that this may have cost implications for some of those commissioning electrical work.

In a logical world this regulation would be done by a single entity analogous to the situation in Gas sector.

The alternative is to give up the pretence of regulation and allow those of us who are hamstrung by the current system to offer work with full inspection, testing and certification or work without. As I have argued above the present system is doing the reverse of that which is intended.

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