

Section B

The Body

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1 STRUCTURE AND ORGANISATION OF THE BODY

1.1 Organisation Structure

- 1.1.1 The Body shall be structured, organised and have in place corporate governance arrangements and arrangements with respect to the Brand such that they are in accordance with the Terms and Conditions of Appointment.

1.2 Overall Function of the Body and Permitted Activities

- 1.2.1 The Body's overall function shall be the regulation of gas installers with respect to safety.
- 1.2.2 In discharging this function, the Body shall be obliged to undertake certain Core Activities. These will include:
- (i) Receipt, processing and evaluation of Applications for Registration;
 - (ii) Registration of gas installers and publication of a Register of Gas Installers;
 - (iii) Monitoring, Inspection and Audit of RGIs;
 - (iv) Investigation of complaints received from the public with respect to RGI's and gas works;
 - (v) Disciplining of RGIs;
 - (vi) Management of the distribution, sale, recording, control and the validation of Completion Certificates;
 - (vii) Management of the "Notification of Hazard" process with respect to gas works;
 - (viii) Public and Industry awareness activities which may include promotional activities aimed at increasing the membership of the Body;
 - (ix) Interaction and co-ordination of activities with, at least, the following entities as the Commission may direct from time to time:
 - the HSA with respect to general safety;
 - the NSAI with respect to standards;

- the Network Operator with respect to Certification, Notice of Hazards and other issues as directed;
- FETAC with respect to gas training awards;
- Training providers with respect to gas training courses;
- INAB with respect to accreditation of competency assessment bodies; and
- Competency Assessment Bodies accredited by INAB or equivalent with respect to formal competency assessments.

(x) Maintaining records of, and reporting on, the activities of the Body; and,

(xi) The operation, and use, of the Brand in accordance with the requirements specified by the Commission.

1.2.3 The Commission shall specify activities, in addition to its Core Activities, which the Body will be permitted to undertake (Permitted Activities) in accordance with approval granted by the Commission. The Permitted Activities shall include, but are not limited to the following:

(i) The development, publication and sale of safety related reference material which is not specifically required elsewhere in this Criteria Document; and

(ii) Where appropriate, the investigation of gas safety incidents.

1.2.4 The Body, in carrying out its Core Activities and Permitted Activities, shall be required to operate in a reasonable, fair, consistent, timely, efficient and effective manner.

1.2.5 The Body, pursuant to the Terms and Conditions of Appointment and the Act, shall not:

- (i) act in the capacity of a trade organisation;
- (ii) perform any representative function on behalf of any persons working in the gas industry;
- (iii) engage in gas or consultancy work; and/or,
- (iv) provide any other products or services, which could compromise the confidentiality, objectivity or impartiality of its registration or certification process and decisions.

1.3 Legal Requirements and Confidentiality

1.3.1 The Body shall adhere to and be compliant with all relevant legislation pertaining to its functions, activities and operations, insofar as applicable to it and its operations. Such legislation includes, inter alia:

- (i) Energy (Miscellaneous Provisions) Act 2006;
- (ii) The Data Protection Acts 1998 and 2003;
- (iii) Procurement Regulations and the Procurement Directive.

1.3.2 The Body shall have adequate arrangements consistent with applicable laws to safeguard confidentiality of the information obtained in the course of it carrying out its Core Activities and Permitted Activities. Where the law requires information to be disclosed to a third-party, the party to whom the information concerned relates shall be informed of the information provided as permitted by the law. For the avoidance of doubt, the Commission shall not be considered a third party for the purposes of this section and shall have legal entitlement to all data held by the Body.

1.3.3 For the avoidance of doubt, for the purposes of the Data Protection Acts 1988 and 2003, the Commission is “data controller” in relation to personal data pertaining to the Core Activities of the Body. The Body is “data processor” in that regard. The Body shall ensure that it gives legal effect to these arrangements in drafting and operating its procedures, policies, agreements, etc. and in soliciting, obtaining and storing information on its Core Activities.

- 1.3.4 For the avoidance of doubt, where required by the Commission to do so, the Body shall disclose to the Commission (or any other third party as the Commission may direct), such information relating to its Core Activities and the RGIs registered with it as may be directed by the Commission.

1.4 Policies and Procedures of the Body

- 1.4.1 The Body shall have statements of policy relating to all of its Core Activities and Permitted Activities and procedures pursuant to the Terms and Conditions of Appointment and any other legal obligations arising from legislation.

- 1.4.2 The Body shall prepare the following documentation in accordance with the requirements specified in this Criteria Document and/or as may furthermore and otherwise be specified by the Commission:

- (i) Application Procedure;
- (ii) Registration Decision Appeal;
- (iii) Registration Renewal Procedure;
- (iv) Rules of Registration;
- (v) Risk Monitoring System;
- (vi) Performance Marking Scheme;
- (vii) Inspection Procedure;
- (viii) Audit Procedure;
- (ix) Disciplinary Procedures in accordance with Section D;
- (x) Suspension and Revocation Procedures;
- (xi) Customer Charter;
- (xii) The Register; and,
- (xiii) Complaints Procedures.

These documents shall all be subject to the approval of the Commission and any changes to such documentation shall be subject to the approval of the Commission.

- 1.4.3 In addition to the requirements of section B 1.4.2, the Body shall make publicly available (through publications, electronic media or other means, including further to a direct request by any party), updated at regular intervals, information pertaining to how the Body operates. This shall include the following:
- (i) a documented statement of its systems for Registration, Certification, Inspection and Audit, Monitoring and Disciplining parties registered with it; and,
 - (ii) a description of the means by which the organisation obtains financial support and general information on the fees charged to registered members for Registration or Certification Services.

1.5 Record-keeping and Documentation

- 1.5.1 The Body shall have an information management system in place to ensure that records are properly kept and maintained in relation to the requirements as set out through the Terms and Conditions of Appointment. These requirements shall include but are not limited to the following:
- (i) A full record of each application for registration received and processed;
 - (ii) Records of the RGI's insurance cover, which shall show that it is both valid and does not breach the Regulatory Arrangements;
 - (iii) Records of Inspections, Audits and Non-Compliance Reports relating to RGI's and follow-up actions;
 - (iv) All disciplinary matters relating to an RGI; and,
 - (v) Completion Certificates received by the Body and validated.
- 1.5.2 The Body shall ensure that it has in place adequate systems for record keeping and documentation management.
- 1.5.3 The system shall, at a minimum, have the capability to track and report with respect to the operation of its Core Activities and Permitted Activities.

- 1.5.4 The Body shall establish and maintain procedures to control all documents and data that relate to its Core Activities and Permitted Activities. These documents shall be reviewed and approved for adequacy by the Commission prior to issuing any documents following initial development or any subsequent amendment or change being made.
- 1.5.5 The distribution of all such documents shall be controlled to ensure that the appropriate documentation is made available to personnel of the Body or RGIs, as the case may be, when they are required to perform any function relating to the Body's Core Activities, Permitted Activities and/or the Terms and Conditions of Appointment.

1.6 Systems and Accreditations

- 1.6.1 The Body shall have in place a fit for purpose quality management system for facilitating it in meeting the requirements specified in section B 1.5.1 to 1.5.5.
- 1.6.2 The Body shall have in place suitable arrangements with respect to its IT and Data Control/Storage facilities in order to ensure that these are reasonably robust, secure and that any data held by the Body further to it undertaking its Core Activities is protected from theft/loss/damage. Such arrangements shall have due regard for business continuity planning as considered appropriate by the Body or as may otherwise be specified by the Commission.

1.7 Financial and Insurance Requirements

- 1.7.1 Any financial requirements of the Body will be confirmed through the Terms and Conditions of Appointment.
- 1.7.2 The Body shall have the financial stability and resources required for the operation of its Core Activities and Permitted Activities which shall be carried out in accordance with section B 1.2.2 and 1.2.3.
- 1.7.3 The fees and charges imposed by the Body relating to its functions and services further to carrying out its Core Activities shall be subject to review and approval by the Commission.
- 1.7.4 For the avoidance of doubt, revenues from the operation of its Core Activities shall not be used to subsidise any Permitted Activities undertaken by the Body.
- 1.7.5 The Body shall maintain insurance in accordance with the requirements specified by the Commission in the Terms and Conditions of Appointment.

- 1.7.6 The Body shall also prepare, maintain and present its accounts in accordance with the requirements specified by the Commission in the Terms and Conditions of Appointment.

1.8 Personnel

- 1.8.1 The Body shall ensure that there are appropriate resources available and in place to carry out its functions as set out in section B 1.2.
- 1.8.2 Information on the relevant qualifications training and experience of each staff member of the Body involved in the certification, registration, inspection, audit and evaluation processes shall be maintained by the Body. Records of training and experience shall be kept up to date.
- 1.8.3 Inspections of gas works which have been carried out by RGIs, as outlined in section B 2.1, shall only be carried out by a person or persons employed by the Body as an Inspector and who meet the requirements set out in section B 3.2 of this Criteria Document.
- 1.8.4 Audits of RGIs will be carried out by appropriate competent people as set out in section B 3.2.
- 1.8.5 The Body shall require its personnel to comply with the rules specified by the Body, which shall include appropriate provisions relating to confidentiality and shall include an obligation for parties engaged by the Body to be independent from commercial and other interests, (including any party registered with the Body), unless as may otherwise be excepted/approved by the Commission.

1.9 Direction from the Commission and Audit/Inspection

- 1.9.1 The Body shall comply with any directions or determinations made by the Commission.
- 1.9.2 The Body shall be audited with respect to its compliance with the Terms and Conditions of Appointment and by extension this Criteria Document and shall comply with the requests of Auditors, the Commission, Authorised Officers and Inspectors appointed by the Commission in that regard.

1.10 Co-Ordination and Co-Operation with Other Entities

- 1.10.1 The Body shall co-ordinate and co-operate with any other Entities in carrying out its Core Activities and Permitted Activities, as set out in section B 1.2.2 and 1.2.3, and as may otherwise be directed by the Commission.

- 1.10.2 The Body shall comply with any requirements specified by the Commission, including the type and levels of interaction with other parties, in relation to the commencement of its Core Activities and Permitted Activities, receipt of data, records, system interfaces and other such requirements as specified.
- 1.10.3 The Body must report to the Network Operator on any gas escape/emergencies notified to them.
- 1.10.4 The Body will operate in line with the Network Operator's procedures in instances where the Body requires interaction with the Network Operators processes in dispatching its duties.

2 FUNCTIONS RELATING TO RGI's

2.1 Membership Categories of Registration

2.1.1 For the purposes of this Criteria Document, the terms “Registered Gas Installer” or “RGI” shall be deemed to refer to the below classes of registration, unless otherwise stated.

(i) Domestic gas works – Installation and commissioning; and/or

(ii) Domestic gas works - Servicing

[Note: Non-domestic membership categories to be included in due course post gas works consultation]

2.1.2 There are two (2) membership categories of registration with the Body – Full Membership, Trainee Membership. Each membership category will have the following General Membership conditions:

- a. Hold appropriate commercial insurance.
- b. Pay the appropriate membership fee to the Body (see section B 1.7).
- c. Sign and accept the Rules of Registration (see section B 2.3).

2.1.3 The specific requirements for each membership category are as follows:

1) Full Membership - Domestic

- a. Hold a GID award or equivalent or have been a member of the Bord Gáis Register of Gas Installers on 1st January 2009.

2) Trainee membership - Domestic

- a. will be open to individuals who are undertaking or have completed a plumbing apprenticeship (or a similar such craft certificate) and are working towards full membership;
- b. who, while holding trainee membership, have their work supervised by an individual granted Full Membership of the Body; and

- c. who will ensure that an individual granted Full Membership of the Body certifies their gas work.

2.1.4 Company Registration

The Regulatory System provides for individually registered gas installers to operate under company registration. The specific requirements of such registration are as follows:

- a. Each RGI who will undertake gas works on behalf of the company must have full, trainee or provisional membership of the Body as outlined in section B 2.1.3.
- b. The General Membership conditions set out in section B 2.1.2 can be met at a company level.
- c. Those RGI's operating under the company registration can only carry out gas works to which the company registration pertains.
- d. Those RGI's operating under the company registration can not operate outside of company membership unless they can satisfy the General Membership conditions set out in section B 2.1.2 on an individual registration basis.

2.1.5 Provisional Membership

There will be allowance for the Body to provide Provisional Membership of the Body for a strictly limited time period at the commencement of the new regulatory regime. This membership category is for individuals who meet the General Membership conditions but do not meet the specified qualification requirements for Full Membership. The Body will have the authority to grant Provisional Membership on a case by case basis subject to the following conditions being met:

- a. Any installer wishing to apply for Provisional Membership must be able to demonstrate that they are active and have experience within the industry for a time period of four (4) years or over.

- b. Any installer who applies for Provisional Membership will only be allowed to remain on Provisional Membership for a strictly limited time period as determined by the Body. Within that time period, the installer must obtain the necessary requirements for Full Membership. If an installer fails to achieve these requirements, their Provisional Membership will lapse and the installer will be required to apply for full membership.
- c. A suitable assessment process for Provisional Membership as deemed appropriate by the Body will apply and such criteria will be clearly outlined to the applicant.
- d. Examples of potential applicant's that the Body may deem worthy to qualify for Provisional Membership include a gas installer with significant previous experience in carrying out gas works in another jurisdiction or a gas installer who is seeking to re-enter the industry after a period of absence.
- e. Upon granting of Provisional Membership, the installer will have full membership rights for the timeframe specified by the Body.

2.1.6 Any individual who provides GID or equivalent training must meet the Full Membership requirements as set out in section B 2.1.3.

2.2 Body's Procedure for dealing with Applications for Registration

- 2.2.1 The Body shall have a documented procedure covering the requirements for registration, the processing of applications for registration and specifying the Body's evaluation criteria and the process to be used when dealing with applications for the various categories of registration (Application Procedure).
- 2.2.2 The Body shall ensure that this Application Procedure shall comply with the requirements specified further to Section B 2.3.
- 2.2.3 The Body shall publish a "Registration Application Form" and the associated procedure for applying for registration. The Application Procedure shall include the timeframe for reviewing and processing applications and shall include a schedule of fees for registration.
- 2.2.4 The Body may impose fees and charges of different amounts in respect of the different categories of membership set out in section B 2.1.2 to 2.1.5. These fees shall be subject to the approval of the Commission in accordance with the requirements of section B 1.7 (Financial and Insurance Requirements).

2.3 Rules of Registration

- 2.3.1 The Body shall develop Rules of Registration.
- 2.3.2 The Body shall publish its Rules of Registration and shall make a copy of these available to any party requesting same.
- 2.3.3 The Rules of Registration shall include a requirement for the RGI to comply with the Criteria Document in so far as they are applicable to it.
- 2.3.4 The Body shall take all reasonable measures to inform the RGI and any other parties of the obligations placed on the RGI further to the Rules of Registration and shall take all such reasonable measures to inform any affected party of any changes to same in a timely manner.

2.4 Evaluation and Decision on Registration

- 2.4.1 The Body shall evaluate each application in accordance with the Application Procedure.
- 2.4.2 In making its decision on whether or not to grant registration to an Applicant, the Body shall give due regard to the Applicant's previous Disciplinary history.

- 2.4.3 In making its decision on whether or not to grant registration to an Applicant, the Body shall also remain fair and impartial at all times.
- 2.4.4 In the event that an application is rejected because of failure to meet any of the Application Procedure criteria contained within this Criteria Document, the Body shall include in its written response to the Applicant an explanation setting out the grounds for the rejection.
- 2.4.5 The Body shall have in place a procedure for any appeal of the decision of the Body with respect to rejecting the application for registration to be made to the Body in the first instance (Registration Decision Appeal).
- 2.4.6 The Body, in making its determination on the Registration Decision Appeal, and where the original decision to reject the application for Registration is upheld by the Body, shall inform the Applicant that the Body's decision on the Registration Decision Appeal may be appealed to the Commission.
- 2.4.7 Such appeals shall be in accordance with the procedure to be specified by the Commission and the Commission's determination on this matter shall be final and the Body and the Applicant shall be bound by same.

2.5 Granting of Registration

- 2.5.1 The Body shall update its Register of Gas Installers accordingly ("the Register").
- 2.5.2 In granting registration, the Body shall provide the RGI with documentation to act as confirmation of its registered status. The Body shall provide, to each RGI, formal registration documents such as a letter, an identification card or a certificate of registration. These formal registration documents shall permit identification of the following:
- (i) the name and address of the RGI;
 - (ii) the membership category of registration granted;
 - (iii) the effective date of registration; and,
 - (iv) the year when the RGI's competency will be reassessed.

- 2.5.3 The initial date of the individual RGI's first Competency Assessment will be determined by the Body based upon a risk assessment of the RGI in question. At a minimum, it will be a condition of membership that the RGI undertakes re-assessment of competency every 5 years thereafter.
- 2.5.4 The Body shall have a procedure for the renewal of registration of RGIs on an annual basis (Registration Renewal Procedure). The Registration Renewal Procedure will include, but is not limited to, the following requirements:
- (i) The RGI has a personal Competence Certificate, issued by an INAB accredited body, in accordance with centralised criteria approved by the Commission with respect to I.S. 813, in accordance with the timeframe criteria set out in section B 2.5.3.
 - (ii) The RGI has appropriate commercial insurance.
 - (iii) The RGI has paid the appropriate membership fee to the Body.

3 INSPECTION AND AUDIT

3.1 Annual Inspection and Audit Programme

- 3.1.1 The Body shall present to the Commission, for its approval, an annual Audit and Inspection Programme (the 'Programme').
- 3.1.2 This Programme shall detail the Body's plan with respect to the number of inspections and audits to be carried out by the Body and the basis for determining the frequency with which an RGI shall be audited and inspected.
- 3.1.3 This Programme shall be submitted in accordance with the timeframe specified by the Commission.
- 3.1.4 The Programme must demonstrate that it:
- (i) covers a reasonably representative cross-section of the various categories of RGI;
 - (ii) covers a representative range of gas works;
 - (iii) was developed using a risk-based approach;
 - (iv) meets targets as set down by the Criteria Document (see section B 3.1.6 and 3.1.7); and,
 - (v) represents an effective and efficient use of the Body's inspection resources.
- 3.1.5 The Programme should include provisions for planned audits and/or inspections, inspections as a result of complaints or other information, and re-visits to check on corrective actions as a result of a previous inspection and/or audits.
- 3.1.6 The Audit and Inspection frequency, implicit in the Programme, will be a function of a risk based assessment undertaken by the Body. However, at a minimum, the Body will provide for the following with respect to the different membership categories of RGI:
- *Upon granting of RGI status post 1st January 2010 –*
 - A new RGI will be subject to a minimum of two (2) inspections in the first year. The first inspection must take place within one (1) month of registration with one (1) further inspection to take place in the remaining eleven (11) months.

- *For installers who have been granted RGI status for 12 months or longer* – at a minimum, one (1) inspection per annum. For full members who have trainee members working under their supervision, such inspections will also include any work carried out by the trainee;
- 3.1.7 RGIs included in the Provisional membership category will be subject to a minimum of three (3) inspections during the course of their temporary provisional membership of their work in carrying out gas works.
- 3.1.8 The Body may impose higher registration fees or direct inspection fees/charges on RGIs which require a higher level of monitoring (inspection/audit) on the basis of the increased costs associated with such higher levels of monitoring. This shall be subject to the approval of the Commission in accordance with the requirements of section B 1.7 (Financial and Insurance Requirements).
- 3.1.9 In the event that an Inspector is denied access to any site where gas works have been undertaken by an RGI, the Body will have the opportunity to request the Commission to appoint an Authorised Officer to gain access to the site and carry out an inspection of the gas works. Section F outlines the duties and powers of an Authorised Officer and the procedures which should be followed by them in carrying out their inspections of gas works and in preparing their reports.

3.2 Inspection and Audit Personnel

- 3.2.1 Inspections of gas works which have been undertaken by RGIs, shall only be inspected by a person engaged by the Body as an Inspector and who meets the following requirements:
- (i) Hold a GID award or equivalent;
 - (ii) Experience of/Responsibility for gas work for not less than three years;
 - (iii) Fully conversant with IS 813, the Building Regulations and Health and Safety legislation as appropriate;
 - (iv) Hold a City and Guilds (7317 A1/A2) Certificate, or equivalent, in Assessing Candidates using a range of methods (previously D32/33);

- 3.2.2 With respect to parties carrying out Audits on behalf of the Body, such personnel should have completed an Audit course run by a Quality System accrediting body.

3.3 Procedure for Inspection and/or Audit

- 3.3.1 The Body shall produce, in accordance with the requirements of this Section and this Criteria Document, procedures for Inspection and Audit.

Inspection Procedure

- 3.3.2 The Body shall ensure that all inspections of gas works are carried out in accordance with IS 813 and give due regard to appliance manufacturers instructions.

Audit Procedure

- 3.3.3 At a minimum, the Audit Procedure shall provide for review and assessment of records and/or documentation required to be held under Section C of this Criteria Document, or that specified by the Commission or the Body from time to time.

3.4 Inspection Performance Criteria

- 3.4.1 The Body shall develop and implement effective, robust and consistent 'inspection performance criteria', which will to be applied to all inspections carried out by representatives of the Body. Such inspection performance criteria will be subject to the approval of the Commission. Once operational, the inspection performance criteria will be made available to RGIs by the Body.
- 3.4.2 The inspections will consist of a performance marking scheme (in accordance with the "Agreed Procedure No 2 – Inspection Performance Criteria") which will assess the RGI's work under inspection against agreed performance criteria, with specific emphasis on safety.
- 3.4.3 Outcomes from the inspection will be made available to the RGI if requested.
- 3.4.4 Where, as part of the inspection an unsafe situation is identified, the inspector shall apply the gas industry procedure for non conforming installations, as set out in the relevant industry technical standards, to ensure that the installation is left in a safe manner.
- 3.4.5 Any corrective work resultant from the RGI activities will be notified to the RGI for corrective action.

- 3.4.6 The Body may require further inspections of the RGI's work to ascertain whether or not the RGI's work meets the standards required by the Body. Appropriate action by the Body will be taken determined by the findings of these inspections.

3.5 Notice of Unsafe Works

- 3.5.1 Where the Inspector, further to the inspection of gas work, discovers what he/she considers to be an unsafe installation as determined by reference to IS 813 that Inspector shall comply with the requirements of IS 813.

3.6 Reports on Inspection and Audit Programme to the Commission

- 3.6.1 The Body shall maintain a full record of all Inspection and Audits carried out by it.
- 3.6.2 The Body shall report to the Commission on a quarterly basis (or as otherwise specified by the Commission) on its progress against the approved Inspection and Audit Programme and the results of same. The Body shall incorporate any trends in relation to the performance of RGIs in the quarterly reports. This will assist the Commission in implementing continual improvements in the RGI process.
- 3.6.3 In addition, the Body shall submit an "Annual Audit and Inspection Programme Performance Report" to the Commission.
- 3.6.4 This Annual Audit and Inspection Programme Performance Report shall include details of the number of inspections, the frequency of same and an analysis of the problems found and follow up actions taken (which shall include, informing the "risk-based" approach for the Audit /Inspection Programme for the following year). This shall be in the form specified by the Commission.
- 3.6.5 The Body shall, in considering the outcomes of the inspections and audits carried out on its behalf, advise its RGIs, the Commission and other such relevant parties as to any identified safety concerns in the interests of safe gas work.
- 3.6.6 The Body shall publish technical bulletins on its website notifying the public of any safety issues or trends identified in the course of its work.

4 CHANGES TO REGISTRATION STATUS OF AN RGI

4.1 Voluntary De-Registration of an RGI

4.1.1 In circumstances where the Body de-registers an RGI following a request from the RGI for removal from the Register, the Body shall:

- (i) notify, without delay, the Commission and the Network Operator of the de-registered installer's details;
- (ii) remove, without delay, the details of that party from the Register of Gas Installers; and
- (iii) comply with requirements set out in section B 5 (Functions Relating to the Public).

4.2 Suspension of Registration

4.2.1 For purposes of this section and for the avoidance of doubt suspension refers to the suspension of the registration status of an RGI. Such suspension will include the removal of the RGI's details from the Register and the withdrawal of that RGI's entitlement to undertake gas works. Suspension will be lifted and entitlement restored when the Body is satisfied the RGI is able to comply with the requirements of this Criteria Document;

4.2.2 The Body shall, in accordance with Section D of this Criteria Document (Disciplinary Process), have documented procedures for suspension of registration.

4.2.3 These Disciplinary procedures shall be subject to approval by the Commission.

4.2.4 In circumstances where the Body suspends an RGI's membership the Body is required to:

- (i) notify the RGI of the fact that he/she is no longer entitled to undertake gas works;
- (ii) confirm the above in writing (by registered letter or equivalent);
- (iii) notify, without delay, the Commission and the Network Operator of the details of the RGI concerned;
- (iv) in so far as is practicable, ensure that:

- 1) the RGI's identification card is returned;
- 2) all unused Completion Certificates are recovered from the RGI; and
- 3) provide that such Completion Certificates issued after the date from which the RGI's entitlement to self-certification ceases shall be deemed to be invalid and rejected.

4.3 Revocation of Registration

- 4.3.1 For purpose of this section and for the avoidance of doubt revocation refers to the revocation of the registration status of the RGI, the loss of all benefits associated with the status of the RGI and the removal of that installer's details from the Register on a permanent basis. The RGI will have recourse to reapply for membership of the Body but he/she must follow in full the Body's application procedure as set out in section B 2.2 of this Criteria Document. The Body will then decide upon the RGI's re-instatement based upon its Registration & Evaluation Decision procedure as set out in section B 2.4 of this Criteria Document.
- 4.3.2 The Body shall, in accordance with Section D of this Criteria Document (Disciplinary Process), have documented procedures for revocation of registration.
- 4.3.3 These Disciplinary procedures shall be subject to approval by the Commission.
- 4.3.4 In circumstances where the Body revokes an RGI's membership the Body is required to:
 - a. Notify the RGI of the fact that he/she is no longer entitled to undertake gas works;
 - b. remove, without delay, the details of that party from the Register of Gas Installers;
 - c. confirm the above in writing (by registered letter or equivalent);
 - d. notify, without delay, the Commission and the Network Operator of the de-registered installer's details and the reason for de-registration;

- e. comply with requirements set out in section B 5 (Functions relating to the Public); and
- f. in so far as practicable, ensure that:
 - 1. the RGI's identification card is returned;
 - 2. all unused Completion Certificates are recovered from the RGI; and
 - 3. provide that such Completion Certificates issued after the date from which the RGI's entitlement to self-certification ceases shall be deemed to be invalid and rejected.

5 FUNCTIONS RELATING TO THE PUBLIC

5.1 Customer Charter

5.1.1 The Body shall, in a form approved by the Commission, develop, make available, adhere to and keep up to date a Customer Charter, in respect of:

- (i) RGIs;
- (ii) Customers of RGI's;
- (iii) Third Parties; and,
- (iv) the general public.

5.1.2 The Customer Charter shall set out statements regarding the level of service each of the above parties can expect from the Body and that such services shall be delivered in a fair, consistent and timely manner.

5.1.3 The Body shall report to the Commission annually on the levels of service achieved in accordance with the requirements for such reports as specified by the Commission.

5.2 Publication of a Register of Gas Installers

5.2.1 The Body shall make available a list of RGIs who are registered with it ("the Register") on its website and through any other such website/publication and in such manner as may be directed by the Commission from time to time.

5.2.2 The form and type of information published by the Body in its Register shall be subject to approval by the Commission. The Commission may issue directions as to the form and format of the Register, form/means of its publication and the details published on the Register.

5.2.3 The Body is required to ensure that the Register is updated and amended as soon as practicable following any changes to the list of the Body's RGIs.

5.3 Complaints

- 5.3.1 The Body shall deal with all complaints received on matters associated with registration and certification and other such matters relating to the safety function of the Body. Such complaints shall be dealt with by the Body in a fair, timely and consistent manner.
- 5.3.2 The Body shall have a documented procedure (“Complaints Procedures”) for processing, investigating and resolving complaints relating to its safety function from each of the following: RGIs, Customers and Other Parties. The Body shall also publish a Complaints Form for parties making complaints. The Complaints Procedures shall include the timeframe for dealing with complaints. The Complaints Procedures will also include provision for the escalation of unresolved complaints to the Commission. These procedures shall be subject to approval by the Commission.
- 5.3.3 The Body shall only be required to deal with complaints in so far as they relate to:
- (i) aspects relating to the safety regulation of RGIs by the Body;
 - (ii) the safety of the gas works carried out by an RGI;
 - (iii) the operations of the Body.

5.4 Public Awareness

- 5.4.1 The Body shall establish and maintain a website for the purposes of presenting information relating to its operation of its Core Activities and Permitted Activities to RGIs and the general public. This website shall present such information, and be in such a format, as may be specified by the Commission.
- 5.4.2 The website shall be a key promotional tool for the Body and must include information pertaining to the following:
- (i) Core and Permitted Activities undertaken by the Body.
 - (ii) Safety Statistics
 - (iii) Technical bulletins notifying the public of any safety issues or trends identified in the course of its work.

5.4.3 The Body shall be obliged to carry out such activities relating to raising public awareness of the regulatory system, RGIs and such other issues relating to gas safety, as may be directed by the Commission from time-to-time.

5.4.4 The Body shall be responsible for providing information to the public on the operation of the regulatory system and dealing with enquiries from the public on gas safety related matters.

5.5 Completion Certificates as Documents of Public Record

5.5.1 The Body shall ensure that it has a system in place to provide appropriate details in order to confirm the forms of Certification associated with a particular installation to any such party requesting same. This system shall be subject to the approval of the Commission.

6 OTHER OBLIGATIONS

6.1 Certification Process

- 6.1.1 The Body shall comply with the requirements for the Certification process as set out under the “Agreed Procedure No. 1 – Certification”.

6.2 Authorised Officers

- 6.2.1 The Body shall comply with all reasonable requirements/requests of an Authorised Officer appointed by the Commission further to the Act and acting on behalf of the Commission.

6.3 Appeals Officers

- 6.3.1 The Body shall comply with all reasonable requirements/requests of an Appeals Officer appointed by the Commission further to the Act and acting on behalf of the Commission.

6.4 Prosecution of Offences of Non Registered Parties

- 6.4.1 In the case where the Commission pursues a prosecution with respect to an offence committed by any non registered party under the Act, the Body shall comply with any requirements specified by the Commission.

6.5 Customer Protection Bond System

- 6.5.1 The Body shall operate and be responsible for the administration of any bonding system as may be required to be established further to the direction of the Commission. This bonding system shall relate to the provision of support and/or compensation to parties who have been subject to loss/damage as a result of the activities of an RGI, and specifically where an RGI refuses or fails to correct faults identified with their work.

7 REPORTING OBLIGATIONS

7.1 Reporting to the Commission

7.1.1 The Body shall be required to prepare and present reports to the Commission, including, but not limited to, the following:

- (i) Operational Performance Reports;
- (ii) Financial Reports;
- (iii) Annual Report;
- (iv) A report outlining strategy/recommended actions for the next 12 months; and/or,
- (v) A report on any activity further to this Criteria Document or the Act,

as may be directed by the Commission from time to time.

7.1.2 In the preparation and presentation of such reports, the Body shall comply with all reasonable requirements of the Commission which may be specified, the scope and content of such reports and the timeline for the preparation and presentation of same.

7.1.3 The Commission may direct the Body to publish any such reports and such reports shall only be published further to the approval of the Commission.

GUIDANCE AND CONSULTATION

The Commission now sets out the areas, relating to its proposals as set out in Section B, on which it invites specific comment:

Structure and Organisation of the Body – Section B.1

In carrying out its overall function, the Commission has proposed that the Body shall be required to undertake Core Activities and shall be entitled to undertake Permitted Activities.

Core Activities are those activities that the Body must carry out in order to maintain its designated status and are explicitly related to the requirements of the Act and such other ancillary requirements as the Commission deems appropriate. These Core functions are mandatory and shall be prescribed by the Commission.

Permitted Activities are those activities that are ancillary to the Core Activities. The Body may wish to undertake these activities and, in doing so, the Body must seek the approval of the Commission. The Commission may, at its discretion, grant permission to carry out the activity and it may withdraw permission where permission was previously granted.

With the above in mind, the Commission now seeks specific comment on:

- a) those activities that should be regarded as Core Activities;*
- b) those that could be considered as Permitted Activities; and,*
- c) what other restrictions should be placed on the activities of the Body.*

Systems and Accreditations – Section B.1.6

It is envisaged that the Body shall implement, adhere to and be audited on a Quality Management System. This Quality Management System shall lead to the adoption of best practice and compliance with the requisite standards.

The Commission seeks comment on the specific requirements which should be imposed on the Body in that regard and any other relevant requirements which may be imposed.

Annual Inspection and Audit Programme – Section B.3.1

Section 3.1 refers to the Annual Inspection and Audit Programme to be submitted by the Body to the Commission for its approval. Notwithstanding that this shall be a risk-based programme, the Commission proposes that this programme shall provide for the audit and inspection of the different categories of the RGI on the following basis:

- For Full RGIs – at a minimum, one (1) inspections per annum of their work in carrying out Gas Work;*
- For New RGIs - at a minimum two (2) inspections in the first year;*

- *RGIs included in the provisional membership category will be subject to a minimum of three (3) inspections of their work during the course of their temporary provisional membership.*

The Commission seeks comments on:

- a) The proposed approach to the different types of categories of RGIs; and,*
- b) the proposed number of Inspections to be carried out for each category of RGI.*

Inspection Performance Criteria – Section B.3.4

Section B.3.4 sets out requirements relating to the Body developing ‘inspection performance criteria’ which will be applied to all inspections carried out by representatives of the Body.

The Commission seeks comments on these proposals. This matter should be viewed in conjunction with “Agreed Procedure No. 2 – Inspection Performance Criteria”.