

**Guidance on Robust Details Limited Notifications to building control bodies****Purpose**

BCA technical guidance notes are for the benefit of its members and the construction industry to provide information, promote good practice and encourage consistency of interpretation for the benefit of our clients. They are advisory in nature, and in all cases the responsibility for determining compliance with the Building Regulations remains with the building control body concerned.

This guidance note is based upon information available at the time of issue and may be subject to change. The Approved Documents should be consulted for full details in any particular case.

This guidance note outlines the type, purpose and context of 'Notifications' from Robust Details Limited (RDL) to building control bodies (BCBs) and provides guidance on how to deal with them.

Introduction

The robustdetails® scheme is a product certification scheme which provides separating wall and floor designs for use by builders of new homes as an alternative means (to PCT) of demonstrating compliance with Requirement E1 in Schedule 1 of The Building Regulations (England and Wales).

As part of this scheme, Robust Details Limited carries out inspection and acoustic testing on a random sample of built separating walls and floors in robustdetails® registered dwellings. The purpose of this surveillance activity is to measure and demonstrate the performance of the scheme. It is not used to enforce compliance.

Robust Details Limited may from time to time identify the following issues and notify the relevant BCB:

Sound test failure - where a Robust Details Limited sound test on a separating wall or floor listed on a current Purchase Statement has not met the minimum performance standards set out in ADE.

Material deviation from Robust Detail (RD) type specifications - where a Robust Details Limited inspection on a separating wall or floor listed on a current Purchase Statement has identified a deviation from the relevant Robust Detail type specification which could lead to a significant reduction in acoustic performance.

Certification issue - E.g. a Robust Detail type being built does not match the Robust Detail type listed on the current Purchase Statement. This could occur where a different Robust Detail type was built to the one originally registered but Robust Details Limited was not notified and has not succeeded in obtaining formal written confirmation of the amended Robust Detail type.

Application for Late Registration – where a builder seeks to register a dwelling that is known/suspected to be already under construction, Robust Details Limited may contact the BCB to establish whether it is content for Robust Details Limited to accept the registration.

These Notifications are intended to help the BCB to decide on any necessary compliance action it deems appropriate.

Key Issues

The robustdetails® scheme and RDs are not “deemed to satisfy” in the sense of former versions of Building Regulations.

Robust Details Limited does not have any Building Regulation enforcement powers and cannot police compliance with Building Regulations.

On developments where the person intending to carry out the work wishes to use the robustdetails™ route to demonstrate compliance with Requirement E1, he/she should submit a timely robustdetail® Purchase Statement to the BCB which lists the dwellings and Robust Detail types concerned. This may relate to all or only some of the separating elements on a development. The BCB can then agree to the principle of the use of the robustdetails® scheme for demonstrating compliance with Requirement E1 for the relevant separating walls and/or floors. In the absence of a Purchase Statement, the BCB should discuss arrangements for demonstrating compliance, including the extent of PCT required, with the person intending to carry out the work.

'Timely' means before work starts on the dwelling. In practice, it is understood that BCBs will sometimes take a pragmatic approach and accept Purchase Statements after work has started provided they are satisfied that the construction has not deviated from the relevant Robust Detail specification.

A valid Purchase Statement does not change the BCB's obligation to take reasonable steps to be satisfied regarding

compliance. This is outside the scope of Robust Details Limited's role. The BCB should still take reasonable steps to be satisfied that the work complies with the Building Regulations. To achieve this, in cases where the robustdetails® scheme is adopted, the design and construction should fully accord with the relevant Robust Detail type specifications stated on the robustdetails® Purchase Statement.

Guidance

Where a Building Control Body receives a notification from Robust Details Ltd the following action should be taken—

- Ensure that the Notification is passed onto the person within the organisation who is dealing with the development. Every effort is made by Robust Details Limited to ensure that the Notification is sent to the appropriate BCB but please notify Robust Details Limited if a Notification has been incorrectly addressed such that the Notification can be re-directed.
- Review the information in the context of the BCB's own collated knowledge and experience of the site.
- Consider whether any action is needed. Normally, a test failure would require remedial action and, unless the action can revert the construction to the relevant Robust Detail specification, the implementation of PCT. So far, all test failures have been as a result of deviations to the relevant Robust Detail type specification. A material deviation from specification identified through inspection will require judgement to decide whether or not it constitutes a potential failure to comply with Requirement E1 and, if so, what action is required to achieve compliance. In both examples, the BCB will wish also to consider whether there are other dwellings on the development that might also be affected and require action. Robust Details Limited's Notification will state the dwellings it has inspected or tested but these will only be a sample of the development.
- Make a decision on what, if any, action is necessary to demonstrate that the BCB has taken reasonable steps to be satisfied that the work complies with Requirement E1.
- Arrange for any action to be implemented by the person intending to carry out the work.
- Keep a record of Robust Details Limited's Notifications received, the action or 'no action' taken and supporting reasons.
- Provide feedback to Robust Details Limited on the outcome (although BCBs are not obliged to do so, Robust Details Limited would value this feedback).

Robust Details Limited provides a technical helpline – 03300 882140 (technical@robustdetails.com) – Robust Details Limited's technical managers will be able to give detailed advice on any aspect of the foregoing guidance.