

Construction Product Information

Industry Consultation: Better Data, Safer Building

including an introduction to the proposed new Code



Marketing Integrity Group – January 2021

Foreword from Dame Judith

When the final report of Building a Safer Future was published in May 2018, I said that the system which covers construction product testing, information and marketing would require a map at least as complicated as the one we had developed to describe the regulatory system at that time. Although we were unable to extend the scope of that review to do such an exercise it was nonetheless clear that radical change was needed for Construction Products.



Dame Judith Hackitt

DBE FREng

January 2021

My review stated clearly that there was a need for action in at least four different areas:

- Establishment of a more transparent and robust specification and testing regime;
- Streamlining and greater clarity on standards to avoid confusion and misinterpretation;
- Improved product information so that the right products are used in the right applications;
- Traceability – with records maintained for product tracing and system assurance.

In the weeks and months since my review was published the extent of the challenge has become even clearer, as more and more evidence emerges of ways in which building safety can be compromised by inappropriate product substitution, poor installation, inadequate classification, identification and guidance on use, and in a myriad of other ways. It is vital that we take action to rebuild confidence in the supply chain but that will only happen if practices change and the system becomes much more transparent.

I therefore commend the work that has been done so far by the Marketing Integrity Group to address particularly the third area, and I urge the Construction Products Industry to embrace the proposed Code for Construction Product Information, whilst also reaching out to other sectors to learn from their experiences of implementing traceability so that we can accelerate the process of change in this industry.

Everybody deserves to feel secure in the knowledge that the buildings in which they live, work and play have been built safely and to the right standards. Provision of clear and unambiguous information on the products and systems that have been used is an essential part of providing the Golden Thread which is key to rebuilding confidence and trust in the sector. Those who are ready and willing to provide that assurance deserve to be accredited to differentiate them from competitors who are reluctant to change.

How you respond to this consultation, and how quickly you take up the practices outlined in the Code, are the start of that differentiation of the responsible players in the sector. It is time to do the right thing.

Foreword from the Marketing Integrity Group Chair



A handwritten signature in black ink, appearing to read 'A. Turk', written over a light-colored background.

Adam Turk
CEO Siderise & MIG Chair

The Independent Review of Building Regulations and Fire Safety set a challenge to our industry to improve the communication of Construction Product Information.

The majority of Manufacturers engaged in our industry generally try to do the right things and, in the absence of a level playing field, provide information in the way they best deem appropriate. The Hackitt report highlights that we can do better, much better, but we start from a credible place - certainly British manufacturers are renowned globally for being trustworthy, supplying quality products with a high degree of technical competence.

However, the reputation of an industry of which I have been proudly involved for some thirty years has clearly been let down, and badly so, by at least a few. And so now it is time, it is time for our industry to stand up and be counted, to re-instill confidence, credibility and integrity in what we do, and how we do it: that despite being a fragmented industry with numerous SMEs amongst our number, we will demonstrate that we can be trusted by Architects, Consultants, Contractors and many others who use our products and their performance data on a daily basis, to build the great buildings and infrastructure in which we live, work and play.

When the Construction Products Association formed the Marketing Integrity Group in the autumn of 2018 it was our clear objective to demonstrate the integrity of our industry by the way that we respond to Dame Judith Hackitt's challenge. The Code for Construction Product Information sets a level playing field for all Construction Product manufacturers and in doing so ensures that the information they provide, in whatever format that might be, will meet the five challenges we have been set. The industry was clear through the Call For Evidence that we conducted in 2019, for our product and performance information to be trusted, it must be:-

- Clear
- Accurate
- Up-to-date
- Accessible
- Unambiguous

These are the five acid tests that stand behind the eleven clauses of this Code.

Once formally launched later this year, I challenge ALL Construction Product Manufacturers to embrace the principles of this Code, and I implore all those that use our information to work only with those Manufacturers that are registered as Code compliant and who can show their own CCPI registered and numbered logo on their material. It is only by embracing this push and pull that we will see the new Code adopted as commonplace, setting the standard for the communication of Construction Product Information.

I would like to take this opportunity to thank all of the members of the Marketing Integrity Group and the CPA's technical sub-committee for their tenacious, outspoken and stoic engagement in this work, and particularly Catherine Fyfe, our Deputy Chair, without whom much of the hard yards would not have been achieved. We have been honest with ourselves and through the debates and challenges we have found our way to a good place; our challenge now is for the wider industry to embrace the work that has been done and adopt the transparency needed.



Catherine Fyfe
Marketing Director, Polypipe
& MIG Deputy Chair

Introduction

This report accompanies the industry consultation which follows a Call For Evidence survey conducted by the Marketing Integrity Group in Spring 2019. The MIG was set up to tackle shortcomings in 'Product Information' identified in Chapter 7 of Building A Safer Future, 2018 and the findings from over 500 respondents to the survey, together with two years of work amongst a broad range of industry professionals, has led to the creation of the Code for Construction Product Information. This eleven-point code seeks to address the issues around clear, accurate, up-to-date, accessible and unambiguous product information.

Whilst we wish to understand Industry's support for the Code generally, we are particularly seeking feedback on:

- How easy or difficult each area of the Code will be for your organisation to implement*
- How long it would take to implement in your organisation*
- Anything that you see as missing or any specific area of concern or ambiguity

* Whilst these questions are clearly aimed at 'Manufacturers', we are also keen for input from Users of 'Product Information' as to what this would mean for them, in embracing use of Code-compliant 'Product Information'.

The eleven clauses and appropriate footnotes seek to create a level playing field for the communication of 'Product Information' such that we can meet the five acid tests identified in our findings of Clear, Accurate, Up-to-date, Accessible and Unambiguous.

Most importantly, users of 'Product Information' will thenceforth be able to trust and rely upon the information they obtain from a 'Manufacturer' who displays a CCPI logo and registration.

In reading this report, firstly please take time to read through the Definitions on page 6, before exploring each of the eleven clauses laid out on pages 8-16. The definitions are really important, as this Code will apply to a wider group than just the traditional manufacturers...

Each of the eleven clauses addresses a different piece of the jigsaw, from initially creating 'Product Information' and then keeping it up-to-date, to the information required for the entire product life cycle. Clauses address how to deal with key performance data, and how to ensure individuals involved with the creation and communication of 'Product Information' are competent to do so.

When reviewing the detail behind the clauses on pages 8-16, you will note the headings "Minimum requirements" and "Considerations". We are aware of how much work will be required for the thousands of businesses in our fragmented industry (many of whom are SMEs) to achieve Code compliance, and thus this Code in its current format represents the entry-level version, with the minimum requirements as the "must-do's". Over time, we expect the bar to be raised, and those elements shown as considerations now, are eventually likely to become mandatory requirements.

In particular the issue of digitalization, for example through the use of BIM or DOI, is one which our industry must get to grips with, both in the accessibility of 'Product Information' and the tracking and verifying of 'Construction Products' throughout their life cycle. Businesses are therefore strongly urged to go beyond the minimum requirements and start to work through these considerations sooner rather than later.

Pages 18-21 provide more information about how the scheme is proposed to be run and managed. The Code for Construction Product Information will be administered by an independent not-for-profit third party. As a result, costs for participation will be kept to a minimum.

Lastly please note that the Code is presented here in an easy-to-read, digestible format. It is expected that, following the industry consultation the final Code will come into being later in 2021, subject to legal review prior to publication and implementation.

Code for Construction Product Information: Eleven Robust Ways of Working

‘Manufacturers’ of ‘Construction Products’ who choose to sign up to the “Code for Construction Product Information”, are agreeing to abide by the clauses in this code in order to give confidence to those in the supply chain using their ‘Product Information’ that it is clear, accurate, up-to-date, accessible and unambiguous and can therefore be relied upon when making decisions about using those products at any stage of design, specification, installation, use, maintenance and disposal.

Construction Product: Information Creation

1. Have in place a documented sign-off process for creating ‘Product Information’;
2. Have in place a formal version control process for all ‘Product Information’;
3. Do not use mis-leading or ambiguous wording, phrasing or imagery and embrace the use of plain English to ensure accurate representation of ‘Product Information’ and performance claims;

Construction Product: Core Information

4. Provide specific information where claiming compliance to, or achievement of any Certification, Classification or Industry Standard;
5. You must provide verifiable information when making any product performance claims which are outside of Certification, Classification or Industry Standard tests;
6. Make available on your website the descriptive and physical characteristics of the ‘Construction Product’;
7. Ensure ‘Product Information’ is consistent with ‘Manufacturer’s’ supplied products;

Construction Product: Associated Information

8. Publish on your website and make easily accessible, clear information on handling, installation, operation, maintenance and disposal of ‘Construction Products’;
9. For any guarantees/warranties used in ‘Product Information’, your website must state what is: covered, excluded and required to comply with its terms. The guarantee/warranty should be transparent and in a format recognised by the relevant sector of industry;

Construction Product: Support and Competence

10. Ensure technical helpline contact details (telephone and/or email) are visible on your website;
11. Have in place a robust training programme (for new and existing personnel) to ensure that anyone conveying ‘Product Information’ is competent to the level of knowledge required for their role.

N.B. the details behind these clauses can be found on pages 8 – 16.





Code for Construction Product Information

Definitions

Product Information

'Product Information' is defined as "any information about a 'Construction Product' made available to internal and/or external stakeholders, which includes, but is not limited to, in print, in writing, online, electronically, verbally, by demonstration or in an advertisement".

Construction Product

A 'Construction Product' is defined as "a product, substance or collection thereof, that has been manufactured, refined or processed and declared by its 'Manufacturer' for an intended end use for temporary and/or permanent inclusion in a building or civil engineering works, whether as part of new construction, refurbishment or maintenance."

Note: examples of 'collection thereof' could include a system or kit.

Manufacturers

The 'Manufacturer' is defined as "any natural or legal person who is responsible for designing or manufacturing a 'Construction Product' and places it on the market under their own name or trademark. The definition contains two cumulative conditions: the person must manufacture (or have a 'Construction Product' manufactured) and market the 'Construction Product' under their own name or trademark. If the 'Construction Product' is marketed under another person's name or trademark, this person will be considered as the 'Manufacturer'. The responsibilities of the 'Manufacturer' apply also to any natural or legal person who assembles, packs, processes or labels ready-made 'Construction Products' and places them on the market under their own name or trademark. Further, the responsibility of the 'Manufacturer' is placed on any person who changes the intended use of a 'Construction Product' in such a way that different essential or other legal requirements will become applicable, or substantially modifies or re-builds a 'Construction Product' (thus creating a new 'Construction Product'), with a view to placing it on the market or for putting it into service."

Accessing Product Information

In order for stakeholders of 'Construction Products' to make informed decisions as to the design, specification, installation, use, maintenance and disposal of 'Construction Products' it is important that they have access to the appropriate 'Product Information'. We are asking all 'Manufacturers' of 'Construction Products' to have a website where 'Product Information' can be accessed. If any personal data is sought in order to access such 'Product Information' as detailed in clauses 4, 5, 6, 7 & 9, then the manufacturer must process such personal data in accordance with all applicable data protection and privacy legislation in force from time to time in the UK, including the retained EU law version of the General Data Protection Regulation ((EU) 2016/679) and the Data Protection Act 2018.



Code for Construction Product Information

Information Creation Clauses 1 – 3

Good information has to be thought through right from the start, with clear ownership, process and structure for how ‘Product Information’ is created and managed throughout its life, with particular consideration to ongoing responsibility when in the hands of third parties. The importance of proper review by competent people, whether inside or outside the organisation, cannot be underestimated.

Clause One

A ‘Manufacturer’ must have in place a documented sign-off process for creating ‘Product Information’

Minimum requirements

- A named individual should be nominated to be responsible for the ‘Product Information’ at its instigation
- The final ‘Product Information’ should be signed off by a technically competent person
- Must have, and be able to demonstrate, a process for updating all appropriate channels, including third parties e.g. marketing agencies
- There must be an audit trail: keep records of processes undertaken, including communication to internal and external parties

Considerations

- Ensure all appropriate internal and external stakeholders have input
- Consider how to demonstrate “looping back” if later comments change the original version
- Consider how you demonstrate sign-off by departments or individuals, where appropriate prior to final sign-off
- Consider adopting digital tools for greater traceability and record keeping

Clause Two

A ‘Manufacturer’ must have in place a formal version control process for all ‘Product Information’

Minimum requirements

- Where appropriate ‘Product Information’ must show unique identifiers with;
 - Version identifier
 - Date
- Have a documented process that sets out your rules for assigning identifiers
- Be clear about how stakeholders can check that ‘Product Information’ is the latest version

Considerations

- Using unique identifier to also highlight type of ‘Product Information’
- Ability to confirm this ‘Product Information’ is up to date
 - e.g. QR code or similar to direct to latest online version
- Separating process for major (version) vs minor (revision) changes, considering whether the changes affect the meaning, function or intended use;
 - i.e. version (1.0 to 2.0) vs revision (1.0 to 1.1)
- Consider how you are updating any BIM objects or other data information sources

Clause Three

Do not use mis-leading or ambiguous wording, phrasing or imagery and embrace the use of plain English to ensure accurate representation of 'Product Information' and performance claims

Minimum requirements

- Do not use words or phrases that exaggerate and/or do not accurately represent, a 'Construction Product's' performance or capability
- Only use industry terminology and abbreviations where the competent user would be expected to understand them
- Do not use imagery that would mislead the user into inaccurate application, representation and/or performance of the product
- If in any doubt as to which words or phrases would be appropriate or acceptable, please refer to the appropriate Trade Association or Industry Body for clarity

Reproduction of 'Product Information' by third parties

Where a 'Manufacturer' pays for their 'Product Information' to be reproduced on a third party platform or website, (perhaps on a subscription basis) the 'Manufacturer' remains responsible for the 'Product Information' and it is their responsibility to ensure that the 'Product Information' is reproduced correctly and in accordance with this Code.

However, where 'Product Information' is reproduced by a third party who is part of the 'Manufacturer's' downstream supply chain, e.g. a Merchant or Distributor, there must exist a formal process which ensures the 'Manufacturer' checks, verifies and signs off the 'Product Information' prior to its use and whereby the third party agrees to manage appropriate version control processes. On this basis, and irrelevant of whether any fees are being paid, the 'Manufacturer's' CCPI credentials may be used downstream with the third party to confirm that the 'Product Information' detailed on the 'Manufacturer's' behalf is in accordance with the Code for Construction Product Information.

In either case, records must be kept of ongoing verification of the reproduction of such 'Product Information'.

Finally, consideration has been given to the information produced by Trade Associations and Industry Bodies. At this time, no process has been agreed upon which would allow such information to be covered under this Code and feedback through the Consultation process is sought. It may however be possible for individual pieces of guidance to be covered on application, and these should be treated on a case-by-case basis, whereby compliance to this Code can be demonstrated.

“As a qualified fire engineer I must be confident about the performance of materials, products and systems in the context of the fire safety design, where I am involved in the design, specification, approval and commissioning”

“As an architectural technologist I must consider the function, material, properties and environment of the product....to optimise performance, use, durability and robustness. I need confidence in the product and independent certifications showing the product meets the necessary standards”

Core Information Clauses 4 – 7

It is imperative that performance and characteristic 'Product Information' is clear, up to date and accessible so that it can be relied upon, by competent users, when making product comparisons and selections for their projects and/or intended applications. These clauses draw out the essential information required when making such selections. However, the importance of proper review by competent people, from both supplier and user cannot be underestimated.

Clause Four

Provide specific information where claiming compliance to, or achievement of, any Certification, Classification or Industry Standard

Certification

Offers a high level of scrutiny. Certification is carried out by an independent third party organisation accredited to ISO 17065 by a National Accreditation Body (such as UKAS). Certification should be carried out in accordance with the schedule of accreditation, which will be published on the Accreditation Body website. Certification tasks can include European Technical Assessments and CE marking where appropriate.

Details of your certification, i.e. a certificate, must be publicly available on your website, and/or the certificate number and provider must be stated for a third party to check.

Classification

Confirmation of a level of performance based on defined applications as set out in the Classification Report and is based on one or more prescribed tests as identified in a formally published classification standard. Classification standards are a commonly used part of the European Construction Products Regulation (CPR). European Classification standards are published by BSI and CEN in response to a European Commission Delegated Act.*

Classification reports are intended to be published in full to get the full context of the classification. Therefore you must make available, in full, on your website where appropriate, and/or on request.

Industry approved or recognised standard

A formally agreed and publicly available method of determining a level of achievement and/or performance. This method must be capable of being reproduced by different testing bodies and therefore provides a reliable basis from which comparisons can be made. This allows people to determine a performance requirement without specifying a particular product.

Test reports are intended to be published in full to get the full context of the test conducted. Therefore you must make them available, in full, on your website where appropriate, and/or on request.

* Will be updated once changes in product conformity assessment are finalised now we are beyond the Brexit transition period.

Clause Five

You must provide verifiable information when making any product performance claims which are outside of Certification, Classification or Industry Standard tests;

- All stated performance data must be referenced back to a valid dated test or specified technical assessment;
- Where a test is referenced it must state the test, date passed, under what standard, where tested and by whom and the last date its validity was reviewed;
- Stated performance data must be clear as to whether it is based on calculated and/or tested performance and manufacturers must clearly state where tests are laboratory tests;
- Specific properties relevant to intended application e.g. structural/fire/acoustic/thermal to be clear;
- Be specific to the intended application and where known, provide examples of limitations or inappropriate applications.

Minimum requirements

'Construction Product' performance claims as detailed above must be made available on your website, where appropriate, and/or on request.

Clause Six

Make available on your website the descriptive and physical characteristics of the 'Construction Product'

Minimum requirements – where appropriate, this should include:-

- Manufacturer and Product Name
- Product Type
- Code/Model/Reference
- Description
- Application/Use
- Material
- Weight
- Finish /Colour
- Packaging
- Pack size
- Unit of measure
- Chemical properties/COSHH statement
- Size/dimensions (product & installation spacial requirement)
- Shelf life

Clause Seven

Ensure 'Product Information' is consistent with 'Manufacturer's' supplied product

Minimum requirements

- The 'Manufacturer' must demonstrate an internal process for reviewing accuracy of 'Product Information' against manufactured or bought-in product, and in particular that there is a process for Manufacturing or Operations to advise Marketing of changes to the 'Product Information' brought about by a manufacturing or component change
- If a change is made which would have an impact on the declared 'Product Information', then loop back to clauses #1 and #2 accordingly

Considerations

- Consider using documented third party assessments of factory production control systems which are put in place to allow a manufacturer to maintain consistency in quality and to keep records

Footnote

Where Certification, Classification and Test reports do not cover the verifiable information listed out in clause Five, you must provide this additional information in context with the performance claimed as part of clause Four.

Certificate and certification are different and should not be confused. A certificate is simply a way to record the product/output from a certification, classification, or results of a test to a recognised approved standard. Care should be exercised to verify the validity and scope of the certificate, if in doubt contact the issuing body.

Classification is not the same as a product class. A product class may be referred to as a "Type" and is a group or range of products that have a set of defined minimum characteristics and/or performances. There must be clarity as to whether the information being presented is a characteristic rather than a determined performance.

Test reports should not be summarised other than where allowed through a classification standard. All certification, classification and testing should be presented in full or as set out in the relevant standard.

When organising and communicating 'Product Information', there are multiple tools available. Consider communicating 'Product Information', where appropriate, through formats such as a Declaration of Performance (DoP), an Environmental Product Declaration (EPD) and using recognised Product Data Templates (PDT) to produce physical and digital Product Data Sheets (PDS) in accordance with ISO 19650 such as those used by Lexicon enabling comparisons to be made between 'Product Information', or use of the ETIM data format.

"We need surety that products have been fully tested and can be backed up by data. The accuracy of this data allows us to make better decisions about the products we choose and how these are best integrated into larger schemes where a number of components/elements are used to achieve a specific performance criteria"

"When selecting a product, accurate information and indication that products are certified are critical"

"Independent certification is most important in order to cut through the marketing hype"

Associated Information Clauses 8 – 9

'Product Information' has to take account of the entirety of the product's life cycle and specifically beyond design and supply. These next two clauses deal with the information pertinent to Handling, Installation, Operation, Maintenance and Disposal aspects of the 'Construction Product' together with transparent disclosure of Warranty and Guarantee information.

Clause Eight

Publish on your website and make easily accessible, clear information on handling, installation, operation, maintenance and disposal of 'Construction Products'

Handling

Handling of 'Construction Products' is the movement of products from the 'Manufacturer' to point of installation and includes any intermediary storage in between the two points.

Minimum requirements

- Safe manual and mechanical handling
- Safe storage and transport to site to ensure the declared performance has not been compromised

Installation

Installation of a 'Construction Product' is the incorporation of the product into the construction works for temporary or permanent use.

Minimum requirements

- Safe installation and access
- Interface with other products
- Installation guidance to achieve tested performance
- Legal requirements
- Specialist equipment and tools
- Specific competence level required for installation
- Implications for maintaining warranties, guarantees and insurance
- Inspection, testing, commissioning and record keeping requirements
- Sequencing of works

Operation

Operation of a 'Construction Product' is where the completed installation has been commissioned and handed over for use.

Minimum requirements

- Clear operating instructions
- Safety guidance
- Competence levels required in operation
- Maintenance requirements and schedule
- Legal requirements
- Limitations of use

Maintenance

Maintenance of a 'Construction Product' is the regular inspection and required interventions to maintain the performance of the 'Construction Product' in use.

Minimum requirements

- Implications for maintaining warranties, guarantees and insurance
- Safe access
- Competence levels required to carry out inspection and maintenance
- Schedule of inspection and maintenance
- Replacement parts
- Legal requirements
- Specialist equipment and tools
- Cleaning requirements
- Record keeping requirements

Disposal

The disposal of a 'Construction Product' is the removal from the site of waste which has occurred due to pre-installation damage, offcuts/damage during installation, post installation damage and end of life disposal.

Minimum requirements

- End of life information
- Safe disposal
- Legal requirements
- Environmental hazards
- Recycling options (including reuse)

Considerations

- Information must be appropriate to audience type
- Information must be clear and instructional
- Further access to customer technical support
- Think about access to information – website, QR codes on products

Clause Nine

When making any claims of guarantees/warranties, your website must state what is covered, excluded, and required to comply with its terms. The guarantee/warranty should be transparent, and in a format recognised by the relevant sector of industry.

‘Construction Product’ Guarantee/Warranty offered by a ‘Manufacturer’

A legally binding promise (called either a guarantee or warranty) which is a ‘Manufacturer’s’ offer of a specific remedy or a range of remedies to a named recipient and/or may refer to a building (or part of it). Depending on the terms, this could apply if the product does not meet its specification and/or is defective. It aims to provide assurance that the ‘Construction Product’ is able to perform to the requirements of its intended use subject to correct installation.

Minimum requirements

WHAT IS COVERED?

- Who is offering the guarantee/warranty and how is it underwritten?
- What does the guarantee/warranty cover i.e. Products, Installation, Design?
- Who benefits from the guarantee/warranty?
- Length of guarantee/warranty?
- What is the principal function(s) and/or performance(s) of the ‘Construction Product’ being guaranteed/warranted?
- What is the value and/or nature of the cover?
- Does the level of cover diminish over time? If so how?
- Is the guarantee transferable to another building owner; is there a limit to the amount of times you can do this, or a cost attached?

WHAT IS EXCLUDED?

- What does the guarantee/warranty not cover i.e. Products supplied by others, Installation, Design?
- What function(s) and/or performance(s) is expressly excluded from the ‘Construction Product’ being guaranteed/warranted?

WHAT IS REQUIRED TO COMPLY WITH THE TERMS?

- A clear statement detailing any conditions on who and how the product/system was specified (e.g. has the manufacturer been involved in the specification if it is required under the guarantee)
- A clear statement of the requirements (i.e. maintenance, attendance at inspections, repairs in conjunction with the terms of the guarantee) to maintain continuity to the guarantee/warranty
- What could invalidate the guarantee? e.g. Withheld payment of monies related to the project, change of use of the building or modifications to the area without consultation with the guarantee provider

All the above elements are subject to the detailed terms and conditions of the relevant guarantee/warranty which should be available on request.

Footnote

‘Construction Product’ Guarantee/Warranty offered by a ‘Manufacturer’ may differ as to whether it covers just installation*, specification and defective product, or additionally covers incorrect design. In either case they should not be confused with the following:

Durability statement - The period which the ‘Construction Product’ will deliver its intended performance in line with appropriate product standards, and assumes that appropriate maintenance has been carried out

Service Life - this describes the potential lifespan of the ‘Construction Product’ i.e. when it becomes more expensive to maintain rather than replace

Insurance Backed Guarantees/Warranties - (IBG) a project specific insurance policy issued by an insurer for a fixed period**. An IBG should not be confused with the annual insurances held by a ‘Manufacturer’ that may underpin their own risk; insurance such as Product Liability and Professional Indemnity Insurance are not IBG.

*Typically, the ‘Manufacturer’ will not be responsible for installation whilst the installing contractor is still solvent and trading. The primary responsibility of the contractor is to ensure correct installation according to the specification and in accordance with the guidance of the ‘Manufacturer’. If the contractor becomes insolvent, then the recipient can use these guarantees to obtain a remedy from the ‘Manufacturer’.

** Please see Glossary for more information on IBG

Support and Competence Clauses 10 – 11

A ‘Manufacturer’ has to take responsibility to ensure their people are competent for the role being undertaken, and that access to advice is straightforward. Particular attention should be paid to where a team member is and is not competent to provide ‘Product Information’ so that they are aware of their limitations.

Clause Ten

Ensure technical helpline contact details (telephone and/or email) are visible on your website.

Minimum requirements

- Maximum two clicks from any page to access telephone number or email. (This is to ensure that Users seeking ‘Product Information’ are not put off by the effort required to access it)

Clause Eleven

Have in place a robust training programme (for new and existing personnel) to ensure that anyone conveying ‘Product Information’ is competent to the level of knowledge required for their role.

Minimum requirements

- Manufacturers must define a knowledge and competence matrix for all roles that are involved with ‘Product Information’, including all customer-facing roles
- Show evidence of a maintained training and qualifications register
- Demonstrate understanding from all personnel of where, due to competency, they cannot provide ‘Product Information’

Considerations

- How you test competence following training given
- How you assess new starters’ competence levels
- Consider how you extend this out to your distribution network, who are responsible for communicating your Product Information
- Consider circulating the CCPI throughout the business for awareness so that everyone understands the impact of their actions on ‘Product Information’

Glossary

Accreditation body (AB) - An accreditation body provides an independent accreditation service to determine the capability of parties to carry out matters such as testing, calibration, certification, and inspection in accordance with agreed standards. E.g. the United Kingdom Accreditation Service (UKAS) is the National accreditation body for the UK.

Competent/Competence – A person's Skill, Knowledge, Experience and Behaviour*, or defined required capability to achieve the task at hand.

*SKEB is a competency framework developed by the CPA's Working Group 12 in conjunction with relevant construction sector authorities.

Declaration of Performance (DoP) - The DoP is a key part of the UK Construction Products Regulation and CE Marking. It provides information on the performance of a product in a structured format.

Environmental Product Declaration (EPD) – An EPD as defined by ISO 14025, is a Type III declaration that “quantifies environmental information on the life cycle of a product to enable comparisons between products fulfilling the same function.”

Product Data Sheets (PDS) - A PDS is a structured description of a specific product using a recognised product data template.

Product Data Templates (PDT) - A PDT is a structured collection of parameters that describe a specific product or product type used to produce an individual PDS.

ETIM - ETIM is an open standard for the unambiguous grouping and specification of products in the technical sector through a uniform classification system.

LEXiCON - LEXiCON is a software platform and process designed to ensure that construction sector firms follow a common approach when creating and managing crucially important product data. The starting point will involve agreeing common terms for a data dictionary. This data will in turn be used to create Product Data Templates (PDTs) that would be freely available for any company to use.

QR Code – ‘Quick Response Code’, a type of machine-readable optical label that contains links to attached item information.

Technical Assessment – Assessments carried out on test evidence whether produced using Extended Fields of Application (EXAP), where available using BS EN 15725, or written around rules contained within published test standards e.g. ASFP Advisory note 17.

****Insurance Backed Guarantees/Warranties (IBG)** – a project specific insurance policy (referred to as an IBG or guarantee) for a fixed period of time issued by an Insurer* after payment of a single premium payment which offers a remedy to a named recipient and refers to a specific building (or part of it). In the event of a problem the recipient can bring a claim against the IBG as and when the installing contractor and/or ‘Manufacturer’ ceases to trade or is insolvent. The insurance acts as a back-up remedy in the event that the installing contractor or supplying ‘Manufacturer’ cannot honour its guarantee/warranty. Depending on the terms of the insurance and of the underlying guarantee/warranty this could apply if the product is incorrectly installed or incorrectly designed. An IBG is project specific and subject to the payment of a premium based on the contract value including access costs plus a placing fee and Insurance Premium Tax (IPT). Depending on the duration of the IBG a technical inspection fee may also apply. Payment of the premium may be required up-front and insurers can choose to decline an IBG.

*The Financial Services Regulations implemented in November 2006 effectively banned contractors and manufacturers from offering insurance backed policies. Either the supplier of the goods and services must be registered with FSA or they must only direct the client towards a suitable registered provider, typically a specialist insurance broker.

How the scheme will be run



Independent & Not-For-Profit

Introducing Construction Product Information Limited (CPIL)

The Construction Products Association (CPA), with the support of the Considerate Constructors Scheme (CCS), have established Construction Product Information Limited (CPIL) as an independent, not-for-profit organisation to be responsible for administering and managing the forthcoming Code for Construction Product Information (CCPI).

The CCS is a well-respected not-for-profit organisation with a 20-year pedigree in independent assessment practices. It is ideally placed to be the administration partner to run CPIL providing independent support, back office resource and assessment capability. CPIL will establish an independent Board as its governance structure with Amanda Long, CEO of CCS also taking on the CEO role for CPIL.

Background and experience of the Considerate Constructors Scheme (CCS)

The CCS is in a unique position to play a proactive role in the development and implementation of the CCPI and welcomes the opportunity to play a central role in facilitating positive change and development across the manufacturing sector. CCS is:

- Objective and trusted. They have helped to achieve lasting behavioural and cultural change and have been doing so for over 20 years.
- Independent in their actions. They are not a trade association or other member-type organisation and do not represent specific interests or sub-sectors.
- Responsible for the set-up of the Building a Safer Future Charter to help drive culture change across the built environment in relation to building safety.
- Responsible for effective public complaints and liaison management through their well-established Public Liaison team
- Able to access knowledge and expertise as well as having relevant infrastructure to speed up becoming operational whilst remaining cost effective

The Role of Construction Product Information Ltd (CPIL)

A robust independent assessment and verification process must be in place to support implementation of the Code. The role of CPIL will be to guard the Code, to assess and verify registrations, and to manage and audit registrants on an ongoing basis.

CPIL will put in place an independent skills-based governance structure with independent leadership to bring valuable, broad experience and expertise from other relevant industries and sectors as well as from within the industry.

Once operational, the delivery and operation of the Code will be self-financing and will benefit from utilising relevant shared services with CCS to keep costs as low as possible for users.



How the Code will work

Registration

- A company will register online to participate in the Code for Construction Product Information (CCPI).

Assessment

- Companies will then undertake an online company assessment to validate the culture, leadership and ethical behaviours of the organisation and their commitment to the principles and ethos of the CCPI.
 - This will contain elements similar to principles from the Building a Safer Future Charter* benchmarking framework on leadership and culture, whereby it is recognised that genuine culture change has to run through the organisation.
- Evidence and information to support the company's compliance to the eleven clauses of the Code are then submitted, assessed and independently verified to establish if they meet the standards of the CCPI.
- When the company successfully completes the verification processes to prove compliance with the Code, then a numbered licence will be awarded to demonstrate that the 'Product Information' provided by that company is in compliance with the CCPI.
 - Where it is appropriate to do so, a company may be able to go through the process of assessment by individual brands and/or product sets, and the licence registrations would be separated accordingly.
- The initial licence will be valid for one year.

* For more information on the Building a Safer Future Charter please visit buildingasaferfuture.org.uk

Renewal and ongoing assessment

- The licence will be subject to spot checks and certain events will need to be reported on, such as launching a new website, adding a completely new product range or expanding the CCPI licence to a wider business e.g. after an acquisition.
- The licence is renewable each year which will involve a re-assessment to ensure continued compliance.

Fees

- An initial application fee will be payable, which will cover the costs of the initial assessments and licence registration.
- Fees will be applicable to the size of the organisation.
- It is expected that the annual renewal fee will be slightly lower, although it must still cover the cost of the re-assessment process.

How the Code will work

Complaints

- A portal to enable the reporting of complaints and issues will make it straightforward for users of 'Construction Products' covered by the CCPI to report concerns or highlight inappropriate 'Product Information'.
- Complaints will be investigated by CPIL. Initially, any lack of compliance will be dealt with by engagement with the company concerned, in the expectation that such matters will be quickly addressed and put right.
- In the case of persistent and unresolved matters, it is likely that the CCPI licence will be suspended, and a notice placed on the website to this effect, the company being given a formal warning and a maximum time to comply.
- In the sad instance where a company continues to fail to heed the direction given by CPIL, this will lead to the withdrawal of the CCPI licence on a permanent basis, and the likely instruction for action by Trading Standards.

Users who formally support the Code – “Supporters”

- We are considering creating a “Supporter” membership, for Users of 'Construction Product Information' who commit to only work with CCPI licenced firms.
- By demonstrating your support in this way, confidence can be given to your customers and clients that you are only using code-compliant products.
- We are giving consideration to this currently, and are interested in feedback through the consultation on this proposal, which would result in an edited version of the CCPI logo being used by approved “Supporters”

Message from CPA Chief Executive

I'm delighted to see this code and consultation come together after many years of hard work by the CPA's Marketing Integrity Group. Ensuring construction product information is clear, accurate, up-to-date, accessible and unambiguous is a fundamental step our industry must take to reform itself post-Grenfell.

There are many steps the construction industry must take to ensure it is safe to work in and produces a built environment safe for everyone to use. I sincerely hope this is one of those steps.

I would like to thank Adam Turk and Catherine Fyfe for leading this important work, along with all the members of the Marketing Integrity Group for the experience and hard work they have brought to bear in supporting the Group's aim. I believe this consultation represents a determined attempt on behalf of manufacturers to regain public trust and correct disingenuous marketing practices. I believe it will be fundamental to how we ensure intended performance and fire safety in the built environment moving forward.



A handwritten signature in blue ink, which appears to be 'Peter Caplehorn'. The signature is stylized and fluid.

Peter Caplehorn
CPA Chief Executive

MIG Members:

Chair:

Adam Turk, Siderise

Deputy Chair:

Catherine Fyfe, Polypipe

Matthew Bromley, Rockwool / MIMA

Joe Cilla, FIS

Hanna Clarke,
Construction Products Association

Cheryl Douglas, Sika Limited

Cliff Fudge, H+H

Dr Martyn Kenny, Tarmac

Stuart Nicholson, Marley

David Robinson, British Gypsum

Matthew Sexton, BMI UK and Ireland

Graham Shirville, GAI

Sarah Spink, LRWA

Kevin Underwood,
British Woodworking Federation

Richard Waterhouse, NBS

About CPA



The Construction Products Association is the leading organisation that represents and champions construction product manufacturers and suppliers. This vital UK industry defines our built environment, providing the products and materials needed for homes, offices, shops, road, railways, schools and hospitals. We provide our members with unique expertise and support, including:

- tracking and advising on government policies and regulations
- engaging policy makers to develop effective, evidence-based policies and solutions
- driving consensus with members and the wider construction industry on major issues
- representing our members across industry-wide organisations and events
- producing authoritative economic, technical and sustainability commentary and publications

Our Objectives



Performance

Improve the productivity, profitability and outcomes of our sector and the wider industry



Digitalisation

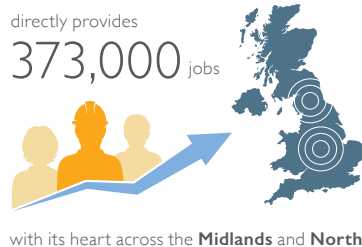
Drive the adoption of digital technologies and processes to make for a smarter, more efficient industry



Decarbonisation

Advise government and manufacturers on solutions for lowering emissions

Our Industry



www.constructionproducts.org.uk

About MRA Research



MRA Research, part of MRA, is one of the UK's longest standing research and insight agencies specialising in construction, building materials and home improvement markets. Research services include continuous and one-off customer satisfaction surveys, brand mapping & positioning, competitive advantage surveys & competitor reviews, new product development, concept testing, advertising & messaging and decision-maker research, product usage surveys, and market tracking. Research is conducted according to the Market Research Society's code of conduct. We fully comply with guidelines for GDPR.

www.mra-research.co.uk



The Industry Consultation is open from **1st February 2021** to **31st March 2021**
– make sure you have your say at www.buildingsafely.co.uk