

Verification During Construction High Risk Buildings

Verifiers Guidance to Support Implementation of Phase 1 of Compliance Plan Approach

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Glossary

Work or building work	Construction work which requires an application for building warrant.
Project	The entity or entities which are delivering the construction activities which require building warrant approval.
Design and delivery team	Those tasked within a project to design and deliver a building compliant with building regulations
BSD	Building Standards Division of Scottish Government.
LABSS	Local Authority Building Standards Scotland.
SBSH	Scottish Building Standards Hub.
Verifiers	Those appointed by Scottish Ministers to protect the public interest by providing an independent check of applications for building warrants to construct or demolish buildings, to provide services, fittings or equipment in buildings, or to convert buildings, and to carry out reasonable inquiry into completion certificates submitted to them.
Reasonable inquiry	The term used in primary legislation to describe the required actions of verifiers when considering approval or rejection of a submitted completion certificate.
Building warrant	The statutory approval required before any construction work to a building of a description to which building regulations apply can commence.
Completion certificate	The statutory document which certifies that a building has been constructed, demolished or converted in accordance with the relevant building warrant and to complies with the building regulations.
Legislative change	The act of amending through the parliamentary process the Building (Scotland) Act 2003 and associated secondary legislation.
High Risk Buildings (HRB)	A definition of buildings which are to be subject of the full compliance plan approach, confirmed through public consultation.
Compliance Plan (CP)	The document which is intended to evidence compliance with building regulations and building warrant procedures through appropriately planned and undertaken actions and information provision.

Compliance Plan Manager (CPM)	A new role to develop, oversee and deliver the completed compliance plan on behalf of a Relevant Person, to be introduced through legislative change.
Construction Compliance Notification Plan (CCNP)	When the verifier grants the warrant, they will include a CCNP. This will detail the particular stages of the work they wish to inspect, acceptable alternative methods to check compliance and evidence which should be provided to them.
Pre-warrant stage	A period before the first building warrant application is submitted for a project.
Relevant Person (RP)	As defined by the Building (Scotland) Act 2003, but can be summarised as: <ul style="list-style-type: none"> • the owner, tenant or developer doing the building work or conversion themselves; or • the owner, tenant or developer who has employed a builder to do work for them; or • the owner, where the tenant, developer or builder has not submitted the certificate when they should have done so.
Contractor Design Portions (CPD)	A portion of the construction project design that is the responsibility of the contractor, rather than the client's design team.
Agent	An individual or party acting on behalf of the Relevant Person for the purposes of complying with the building regulations.
Compliant building	A Building which is constructed in compliance with the building regulations in force at the time of its construction and performs as intended by the building standards.
Stages or staging and staged warrants	An optional process where a building standards verifier may accept a building warrant as an initial building warrant application followed by agreed amendments to warrant covering all portions of work
Building standards register	The statutory register of building warrant applications, completion certificate submissions and other relevant documents and information. There are 32 building standards registers, held by each Scottish local authority. Registers are publicly accessible.

Procedural compliance	Compliance with the procedures and process set out in the Building (Scotland) Act 2003 and subordinate legislation and guidance, supporting the legal requirements including that building warrant approval is required before work can physically commence on site.
Public interest	The health, safety, welfare and convenience of persons in or about buildings and of others who may be affected by buildings or matters connected with buildings, and furthering the conservation of fuel and power, and furthering the achievement of sustainable development.
Completion certificate	A statutory submission by the Relevant Person needed to confirm that a building has been constructed, demolished or converted in accordance with the relevant building warrant and complies with the building regulations.
Design compliance	The evidence that a design meets the requirements of building regulations.
Built compliance	The evidence that a completed building meets the requirements of building regulations and has been constructed in accordance with the approved building warrant plans and details.

1. Introduction

This national guidance has been developed by Scottish Government Building Standards Division (BSD) in collaboration with a Local Authority Building Standards Verifier Working Group and the Scottish Building Standards Hub (SBSH).

This document outlines steps that verifiers must follow when processing building warrant applications and completion certificates for defined High Risk Buildings (HRBs) to support implementation of phase 1 of the Compliance Plan Approach (CPA). This guidance is being introduced in anticipation of the CPA becoming a legal requirement which has not been confirmed by Scottish Ministers. Legislative change is not anticipated until after the 2026 Scottish Parliament elections and will be subject to parliamentary scrutiny.

Introduction of guidance at this stage serves several purposes:

- Introduction of measured change through guidance before legislative change, including opportunities for revisions based on feedback from stakeholders.
- Delivering on the Scottish Government's response to the Grenfell Tower Inquiry Phase 2 Report¹
- Delivering on the findings of the Review Panel on Building Standards Compliance and Enforcement chaired by Professor John Cole²

This guidance replaces the Verification During Construction (VDC)³ guidance for major work to defined HRBs. For all other work requiring a building warrant, the existing VDC guidance remains applicable.

KPO2, to 'increase quality of compliance assessment during the construction processes' was removed from the national data collection from 1 April 2026 to allow a full scale review following the publication of the Scottish Government's response to the Grenfell Phase 2 report and commitment to introduce legislative change for the Compliance Plan approach.

Verifiers are still required to issue Construction Compliance and Notification Plans (CCNP) in accordance with the nationally agreed VDC guidance with all building warrants issued. A Compliance Plan is considered as a CCNP in this requirement.

In terms of managing compliance assessment, the risk being managed is that of non-compliance with building regulations, and the potential consequences, including injury or loss of life.

Verifiers are required to follow this new guidance, as an amendment to the existing VDC guidance as a requirement of the Verification Performance Framework.

The background and overview of the CPA is described in the Compliance Plan Approach – Background and Implementation document.

¹ [Grenfell Tower Inquiry phase 2 report: Scottish Government response](#)

² [Building standards compliance and enforcement review: report](#)

³ [Building standards verification during construction: handbooks](#)

The stages of implementation of the CPA are anticipated as follows: -

- Introduction of Local Authority Verifier guidance to implement the principles of the Compliance Plan Approach to building warrant projects - December 2025. Verifiers are expected to use this guidance from 1 April 2026.
- Full Compliance Plan Approach for High risk Buildings developed for voluntary adoption by industry and to inform future legislative change - March 2026. An implementation date for the full CPA guidance is under consideration and subject to wider sector conversations.
- Legislative change to mandate the CPA for defined building types – anticipated during the parliamentary term 2026 – 2031.
- Introduction of guidance to implement the CPA for all projects in a risk based scheme following legislative change.

As with the previously published VDC guidance, this guidance does not seek to define 'reasonable inquiry' in terms of the Building (Scotland) Act 2003.⁵ However, it would be expected that the Compliance Plan (CP) issued with a building warrant approval for a HRB, would be considered as an expression of the Verifiers plan to carry out 'reasonable inquiry'.

2. Description

The Compliance Plan Approach is essentially a robust compliance quality system in which the actions of parties involved in the building warrant design and construction process and verifiers are planned, recorded and reported on.

This will provide clarity on the responsibilities individuals have in terms of the Building (Scotland) Act 2003, and in turn allow contractual responsibilities to be clear.

There are a number of potential offences which can be committed under the Building (Scotland) Act 2003. These offences, which include carrying out work without or not in accordance with a building warrant, or occupying a building knowingly or without regard to a completion certificate not having been granted, can be committed by any person.

Offences related to the submission of a completion certificate can only be committed by a Relevant Person, and the offence relates to the submission of the completion certificate, knowingly or recklessly, which contains a false statement, not the signing of the completion certificate declaration.

Offences can also be committed by persons in their capacity or employment within a body corporate including local authorities, to which section 49 of the Building (Scotland) Act 2003 refers.

The identify of individuals who may have committed offences under the Building (Scotland) Act 2003 would be identified by applicants on building standards forms but ultimately identified by a Procurator Fiscal in pursuing a prosecution.

The processes involved in the CPA support the actions and responsibilities in the current Building Standards system. The purpose of the CPA is to demonstrate that

the duty imposed on the Relevant Person to certify compliance with building regulations (by signing and submitting a completion certificate to the verifier) is being managed robustly during the design and construction stages of a building warrant application to deliver a compliant completed building.

This focus on planning and recording the actions of those responsible for compliance (through legislative requirements and contractual arrangements to support those responsible), will provide local authorities with evidence to support any necessary enforcement action.

The Act establishes a role for suitably qualified persons (whether individuals or bodies corporate or unincorporated and including public bodies and office-holders) as approved certifiers of design or construction. The appointment by Scottish Ministers, is to certify that specific elements of design or construction work comply with the building regulations.

Two roles are designated as approved certifiers of design and approved certifiers of construction. Approved certifiers are required to check the specified elements of design/construction, as set out within the scope of the scheme of which the certifier is a member and detailed within the relevant scheme guide. Their role is to certify compliance with the building regulations as appropriate.

Certification under the Act provides increased assurance through legislation over other recognised forms of industry based certification. Certification of Design or Construction schemes are approved through application Scottish Ministers only.

Prewarrant stage – it is not uncommon in projects which fall under the definition of HRB that the project design team will seek an early discussion with the local authority building standards verifier. This is normally to discuss a technical compliance issue which is considered complex or unusual but can also involve a discussion of the proposed stages of building warrant that may be submitted.

The verifier must not provide design advice, since this is not the role of a regulator.

This guidance looks to focus prewarrant discussions on compliance and how the risks of non-compliance during the construction phase can be managed and mitigated and provides a standard template for use in recording salient points and outcomes, which can be used by both parties to inform and support a subsequent building warrant submission.

This standard template, found in appendix 2, prompts discussion on procedural compliance, approaches to compliance with building regulations and standards, areas of high risk, those responsible for delivering the works and evidence to the Relevant Person and building standards verifier.

Since 2013 building warrant assessment and approval requires the creation of a Construction Compliance Notification Plan (CCNP) by the building standards Verifier in line with VDC guidance. The CCNP describes the inspections, checks and evidence requirements required when considering the acceptance or rejection of a completion certificate for that project.

The Compliance Plan (CP) aims to broaden the scope of the Construction Compliance and Notification Plan (CCNP) by incorporating procedural compliance requirements, defined information checkpoints, such as building warrant stages, design and construction certification, and contractor designed portions, along with mandatory inspection and notification points and the compliance evidence needed by the verifier at completion.

Construction and completion - the CP will be issued to the applicant or their agent and as per a CCNP be created and completed by the building standards verifier. This will require a partnership between the verifier and applicants' team, as the verifier will have to request information from the project.

As with the CCNP, it can be amended and reissued when the building warrant is amended (including amendments for a stage). During construction the verifier must update the CP, showing actuals against the planned actions and requirements.

In adding this guidance to the suite of VDC, it is expected that the existing publications will be amended for clarity.

Further details on the Scottish building standards system can be found in the building standards procedural handbook, and other guidance published by the Scottish Government⁴

3. Intent and outcomes

This guidance describes a robust framework which centres on the compliance plan document. The intention is as follows:

- Capture a project's building warrant and completion certificate programme of actions to ensure that the pre-emptive approval requirement of the Scottish building standards system is understood and respected by those seeking to undertake major works to defined High Risk Buildings (HRB).
- Record the intentions of the project to provide the Relevant Person (RP) with sufficient evidence to enable their lawful submission of the completion certificate.
- Provide the building standards verifier with a template to set out their planned actions to carry out and support their reasonable inquiry into the completion certificate during construction, and record their actual reasonable inquiry carried out.
- Provide access to the completed compliance plan to interested parties through its inclusion on part 2 of the statutory building standards register held by local authorities.
- Provide an evidence base to inform and support the use of statutory enforcement powers by local authorities.

The corresponding outcomes are as follows:

:

⁴ [Building standards - overview of the building standards system](#)

- Projects and those responsible for programme and procurement will deliver in compliance with the legal requirement in Scotland to obtain building warrant approval for a stage of work before commencing the stage on site.
- Completion certificate submissions to verifiers will be made without false statements regards compliance, either knowingly or recklessly
- The building standards verifier will be able to carry out reasonable inquiry into the anticipated completion certificate, without causing delays and rework due to the actions of a project.
- Avoidance of legislative requirements will be reduced through transparency and awareness that matters of compliance with the minimum standards for health, safety and welfare in buildings are held on the public record.
- Local authorities will employ their statutory enforcement powers where a high risk project seeks to avoid compliance with legislation. This includes work without building warrant approval and occupation of buildings without completion certificate acceptance or temporary occupation or use without permissions from the verifier.

4. Projects in scope

The term High Risk Buildings (HRB) describes the building types in scope of this guidance. These building types have been selected following public consultation and following high profile building failures. Public consultation also highlighted that a projects scale or complexity was an important factor, and that for some work the full compliance plan approach would be disproportionate.

High Risk Buildings (HRB) include major works to create or alter either of the following:

- Domestic or residential buildings higher than 11 metres
- Educational, community, sport buildings
- Non-domestic public buildings under local authority control
- Hospitals
- Residential care buildings.

Major works must be defined in terms of the impacts on life safety. Factors to be considered include the scope of all building standards, but particularly structure, fire and access/egress :

- Complexity
- Scale
- Value of works
- Escape routes
- Vulnerable occupants
- Cladding alterations or new installations.

The final decision on whether or not a building warrant proposal is considered major works in terms of the applicability of the Compliance Plan Approach (CPA) rests with the relevant local authority building standards verifier.

To allow appropriate light touch monitoring of the use of this guidance, as part of the change process towards amendments to legislation, verifiers should prefix descriptions of work for projects in scope, with the description field in IDOX Uniform, with “HRB -”. This will allow identification of projects in scope without requesting formal returns from local authorities, through access to the online Part 1 building standards registers.

As part of the Scottish Governments response to the Grenfell Tower Inquiry Phase 2 recommendations the High Risk Buildings definition will be re-considered and defined before May 2026 in preparation for future legislative change.

5. Building warrants: late applications

Where work for which a building warrant is required has started without a warrant an offence has been committed. This is also the case where work which is applied for through a staged warrant proceeds despite the applicable stage not having been approved.

The Building (Scotland) Act 2003 (the Act) allows a late application for warrant to be submitted at any time before the works on site are complete. This is not a process to allow or encourage any warrantable work to be carried out without the appropriate approvals.

Where it appears to Local Authorities that work is being or has been carried out without a building warrant where a warrant is required or work that has a building warrant is being or has been carried out otherwise than in accordance with the warrant, they may serve a Building Warrant Enforcement Notice.

This notice is served on the owner of the property and will call for a building warrant to be obtained and may include a requirement that work should be suspended from the date of issue of the notice.

Given the risks involved with buildings subject to this guidance, those considered of a high risk to life safety of those in and around buildings, Local Authorities should serve a Building Warrant Enforcement Notice and ensure work is suspended until the notice is complied with.

Where the owner or client is a Local Authority, this would be a clear instance of a conflict of interest and the provisions in place through schedule 2 paragraph 9 of the Building (Scotland) Act 2003 should be applied.

Scottish Ministers have issued a direction under this provision to allow local authority building standards verifiers to undertake their role on buildings where the local authority has an interest, but the operating framework underpinning this appointment requires them to operate to ensure that there is no conflict of interest between operation as a verifier and any other activities they undertake (corporately and individual staff).

Local authority building standards verifiers must assess and record such risks and

record activities and measures put in place to demonstrate that any conflict of interest is resolved. This information for individual projects must be recorded on the compliance plan document.

6. Methodology

In following this methodology, please refer to the appendices

Appendix 1 contains process maps which aim to highlight the steps anticipated in a normal building warrant and completion certificate journey. They do not seek to detail every step but provide a high level guide. The use of swim lanes attempt to show a usual blend of professionals involved and their potential roles. Actions by the local authority building standards verifier are shown with colour, which the actions of others without colour. This reflects that this guidance seeks to describe the actions of the verifier in following the compliance plan process.

Appendix 2 contains a model form for use in recording data during the prewarrant process. It should be completed by the building standards verifier and the projects duly authorised agent with as much detail as is possible. This form will be the basis for the expected application form for a prewarrant or compliance plan in principle application, a mandatory stage for defined buildings after legislative change.

Appendix 3 contains a model compliance plan form. This form is to be used by the local authority building standards verifier to issue the compliance plan, to update it during construction and consider it as a tool when considering the submission of a completion certificate. This form will be the basis for the anticipated statutory form of compliance plan after legislative change.

6.1 Step 1 – Prewarrant stage

Process map 1.00 in appendix 1 shows a high level flow with swim lanes for the prewarrant stage for different roles in the process. The process steps under the control of the verifier are shown in colour, with the best practice actions expected from the project without colour.

This guidance document describes the steps to be undertaken by the verifier to implement the principles of the compliance plan approach, which is why the process maps focus on their actions.

A prewarrant discussion is often held informally (since it is not recognised in legislation) between a proposed project and a local authority verifier. This is common practice for larger projects and normally focusses on issues of technical compliance, or designs which do not follow the prescriptive guidance in the technical handbooks but are intended to meet mandatory standards.

Projects will enter into a prewarrant discussion to achieve some surety with regards to their proposals before a building warrant application is submitted. The intention of a prewarrant stage in the CPA is to expand the opportunities for surety to procedural compliance and provide those benefits to both the project and the verifier, with a focus on life safety.

If approached by a RP, an applicant or their agent for a prewarrant meeting (step 1.02), the building standards verifier would accept the request and organise a date (step 1.09). At the same time the verifier would provide the RP, applicant or their agent with a blank copy of the prewarrant compliance and procedural form (appendix 2) (step 1.04). The verifier would request that the form would be completed as fully as possible and returned prior to the meeting.

The verifier may wish at this point to consider if there is sufficient value in having the prewarrant meeting and advise the project appropriately. This may be if the project is unwilling to provide sufficient detail through the prewarrant form but is at the discretion of the verifier (step 1.07).

The prewarrant process would expect to be carried out a minimum of three months before the expected submission of a building warrant application. This would be the expectation to maximise effectiveness and give the verifier time to prepare resources; however, verifiers can exercise flexibility as required.

The RP and/or their duly authorised agent should complete and return the form to the verifier (step 1.05). The verifier will then consider if the information, plans and details provided would support the prewarrant discussion. This should be focussed on compliance with building standards procedures and with how built compliance will be managed and evidenced. The verifier may request that additional detail is provided before the date of the arranged meeting or cancel the meeting (step 1.07).

If the RP or their duly authorised agent does not wish to participate in a non-statutory prewarrant process the verifier should develop the compliance plan in line with the guidance as far as possible during the building warrant assessment stage and issue the CP with the building warrant, as noted in step 2 below.

Whether the form has been completed fully, partially or not at all in advance of the prewarrant meeting, it must still be used as the basis and structure for the meeting, if one is held.

The verifier will use the form to capture salient information during the prewarrant meeting (step 1.10). Where information is missing the verifier should ask relevant questions and request that further information is provided to allow completion. The key message to the RP or their duly authorised agent is that this early gathering of information will assist in the processing of the application for building warrant when it is submitted and support the delivery of a compliant building within their planned timescales.

Specifically, regarding the staging or warrant applications, the verifier should consider the appropriateness of the stages proposed for the project, generally but also in terms of potential conflicts with contractor designed portions⁵ including the issues these can cause for certification of design.

Work included in a building warrant application, or an application for amendment for

⁵ [Contractor Design Portion \(CDP\) Recommendations - CQIC | Construction Quality Improvement Collaborative](#)

a stage, must be fully designed so that it can be assessed by a verifier on receipt or certified by an approved certifier of design in advance.

If there is a conflict, particularly where there is then a likelihood of work for a stage progressing on site without approval, the verifier can refuse the proposed staging of a building warrant application.⁶ A discussion on what stages would be acceptable can then be accommodated.

The verifier will record the outcome of the meeting for reference when the building warrant application is submitted. A copy will also be sent to the applicant/agent which could be used as a check list when preparing the building warrant application package, including drawings and supporting information, as well as any subsequent staged applications (step 1.11).

6.2 Step 2 – Building Warrant Application

Process map 2.00 in appendix 1 shows a high level flow with swim lanes for the building warrant stage for different roles in the process. The process steps under the control of the verifier are shown in colour, with the best practice actions expected from the project without colour.

This guidance document describes the steps to be undertaken by the verifier to implement the principles of the compliance plan approach, which is why the process maps focus on their actions.

A building warrant application for a defined HRB may be submitted to the verifier regardless of whether a prewarrant stage has or has not have been undertaken (step 2.02).

A completed pre-warrant stages provides clarity on requirements for both the project team and the verifier, in terms of consultations, information requirements, time constraints, allocation of resource and expectations.

When registering the building warrant application on their back office system, the verifier should insert a prefix to the description field of “HRB - “. This will allow BSD and partners to be able to identify HRB projects through the online Part 1 building standards register, without looking for monthly returns from all 32 verifiers.

⁶ Section 9 of Building (Scotland) Act 2003

(4) Where this subsection applies, the verifier may grant a building warrant for the construction or demolition of the building subject to the condition that work on the stage in question is not to be proceeded with until—

(a) such further information relating to that stage as the verifier may require is submitted to it,

(b) it is satisfied, on the basis of that information, as to the matter specified in subsection (3), and

(c) it has made an amendment to the warrant authorising the work to proceed.

During the assessment of the building warrant application the verifier needs to begin building the CP document (form found in appendix 3) which will be issued with the building warrant, replacing the CCNP for defined HRBs.

The information gathered during any prewarrant stage will be valuable for completing the CP document, but it is likely that further information will need to be requested from the applicant/agent.

Section 4 (3)⁷ of the Building (Procedure) (Scotland) Regulations 2004 allows the verifier to require the applicant to submit to them at any stage such further information as they require. In the case of constructing the CP (step 2.03), this includes any information required to complete it, and it should be requested alongside any technical data requested through the standard process of assessment and reporting to the applicant.

The information to be requested will include but not be limited to the following:

- Details of the relevant person and confirmation that they are aware of their responsibilities to submit the completion certificate lawfully
- The key individuals involved in delivering the building and evidencing compliance to the relevant person for all elements of the work
- Details of any previous conversations with the verifier
- The approach taken to compliance with the building regulations, including any alternative approaches to the guidance contained in the Technical Handbook
- Any high risk compliance elements that have been identified and the mitigation measures to be put in place
- Proposed stages of the building warrant application
- Contractor design portions of work
- Quality plans and planning, including inspection and test plans
- Any certification of design and/or construction that will be used
- Any consultations, reports, or consents relevant to compliance
- If a Customer Agreement is required⁸
- A proposed fire safety design statement.

As outlined in Step 1, the verifier determines whether or not to issue a staged warrant with suitable conditions and may reject the proposed staging by the relevant person, applicant, or their agents if there is a risk that any portion of work could proceed without proper approval.

⁷ Section 4 of the Building (Procedure) (Scotland) Regulations 2004

(3) The applicant shall if required by the verifier at any stage submit to the verifier–
(a) such further information or additional plans; or
(b) such further copies (not exceeding two) of the application or of the plans submitted with the application as the verifier may direct.

⁸ In some complex cases, applications for a building warrant can be subject to a "customer agreement" between the applicant and the Building Standards Team where the performance outcomes, including the target first response period, will be specifically agreed rather than default 20 days

The verifier should only issue the building warrant if they are satisfied that the work involved will be carried out in accordance with building regulations, and that nothing in any plan, specification or other information submitted with the application indicates that the building when constructed will fail to comply with building regulations.⁹

One of the purposes of the CP is to hold information that will demonstrate that the building when constructed will comply with the approval and the regulations, and that all parties have delivered their actions as planned, or suitable alternatives have been developed, agreed and delivered. For this guidance, the focus is on the reasonable inquiry planned and carried out by the verifier, and not all the planned actions by the representatives of the RP.

The CCNP guidance inferred that only commencement and completion notifications were mandatory under legislation. However, section 59 (e)¹⁰ of the Building (Procedure) (Scotland) Regulations 2004 allows the verifier to 'mandate' notification of completion of such other stages in the construction as they may require. The wording in this section, that "any person carrying out work in pursuance of a building warrant granted under the Act shall give notice to the verifier" makes no differentiation between notice of commencement, completion or "the date of completion of such other stages in the construction as the verifier may require".

As part of the new CP requirements verifiers will now mandate all notifications made to them under the CP for HRB's, expecting to receive them with a focus on being able to attend site to inspect critical areas of work, as part of their reasonable inquiry.

Where a notification has not been received, the verifier must decide what effective and equivalent action they will take. Recording this and the outcome of any actions on the CP.

Once the verifier has been able to produce the CP fully, it can be issued with the

⁹ Section 9 of the Building (Scotland) Act 2003

(1) A verifier must, on an application for a building warrant made to it, grant a building warrant if, but only if, it is satisfied as to the matters specified in subsection (2).

(2) Those matters are—

(a) so far as the application is for a warrant for the construction or demolition of a building—

(i) that the work involved will be carried out in accordance with building regulations, and

(ii) where the work is for the construction of a building, that nothing in any plan, specification or other information submitted with the application indicates that the building when constructed will fail to comply with building regulations

¹⁰ Section 59 of the Building (Procedure) (Scotland) Regulations 2004

(1) Subject to paragraphs 3 and 4, any person carrying out work in pursuance of a building warrant granted under the Act shall give notice to the verifier—

(a)

(e) of the date of completion of such other stages in the construction as the verifier may require; and

(f)

building warrant for information (steps 2.06 and 2.06). The verifier will retain the CP and include it in part 2 of the statutory building standards register (step 2.09).

6.3 Step 3 – Building warrant granted and CP issued

Process map 2.00 in appendix 1

The agreed CP is issued with the building warrant approval, normally for a HRB, to the nominated agent. A copy of the CP should also be sent to the applicant/relevant person, accompanied with information explaining the duty imposed on the relevant person to submit the completion certificate which certifies compliance with building regulations.

6.4 Step 4 – Construction Stage

Process map 3.00 in appendix 1 shows a high level flow with swim lanes for the construction stage for different roles in the process. The process steps under the control of the verifier are shown in colour, with the best practice actions expected from the project without colour.

This guidance document describes the steps to be undertaken by the verifier to implement the principles of the compliance plan approach, which is why the process maps focus on their actions.

As noted in the introduction, the CP issued with a building warrant approval for a HRB, will be considered as the verifiers plan for 'reasonable inquiry'.

During construction the verifier would expect to be notified by the project to attend site or receive compliance evidence in line with the approved CP.

As has become good practice with the use of the CCNP, once the verifier is aware that works on site have commenced, they should contact the project or visit the site, explain the notifications required and the purpose of the compliance plan (step 3.04).

The use of mandatory notifications and planning inspections on the CP does not preclude the verifier from carrying out ad-hoc or follow up inspections as part of their dynamic approach to reasonable inquiry. As a record of the compliance journey, all inspections and evidence gathering should be recorded on the CP by the verifier (step 3.11).

In addition to the planned site inspections, verifiers should have regular engagement with the design and construction teams (step 3.12). This could be following or during any regular quality meetings or forums which are emerging as best practice¹¹ in industry in the delivery of large construction projects.

While attending any such forums, the verifier should use the CP as the point of reference and the focus for any conversations around building standards. Verifiers

¹¹ [Contractor Site Guidance - CQIC | Construction Quality Improvement Collaborative](#)

must avoid giving design advice when discussing issues and maintain a focus on compliance with building regulations and the approved building warrant.

If the verifier is not notified of any planned inspection stages, or if required information is not submitted, the verifier must consider what alternative approach may be appropriate to evidence compliance (step 3.14) and should consider if it is necessary the use of any enforcement powers.

Alternatives to the planned measures must be as equally robust as the planned measures so that reasonable inquiry is not frustrated. In many situations this is likely to result in opening up or other intrusive work, the cost of which would be borne by the project, not the verifier, since their plan has been frustrated through the actions of the project and failure to notify a mandatory stage.

These decisions and revised requirements must be documented within the CP, with the applicant/agent, main contractor, and relevant person notified accordingly (step 3.19).

6.5 Step 5 – Completion Stage

Process map 4.00 in appendix 1 shows a high level flow with swim lanes for the completion stage for different roles in the process. The process steps under the control of the verifier are shown in colour, with the best practice actions expected from the project without colour.

This guidance document describes the steps to be undertaken by the verifier to implement the principles of the compliance plan approach, which is why the process maps focus on their actions.

The completion certificate must be submitted by the relevant person (RP) (step 4.06). The compliance declaration on the completion certificate submission may be signed by a duly authorised agent, but it is the relevant person who **must** submit in accordance with the requirements of the Building (Scotland) Act 2003.¹²

Once received the verifier will log the completion certificate submission and place it on the building standards register (steps 4.09 and 4.11). The verifier is required to accept or reject any completion certificate within 14 days.

One of the aims of the CPA is to introduce transparency into the process of submitting a building warrant through to acceptance of completion certificate and reinforce existing responsibilities. The CP issued with a building warrant approval for a HRB, will be considered as an expression of the verifiers plan to carry out 'reasonable inquiry'¹³ and all inspections and evidence gathering should be recorded

¹² Section 17 of the Building (Scotland) Act 2003

(1) After the completion of the work or conversion in respect of which a building warrant has been granted, the relevant person must submit to the verifier a completion certificate certifying the matters specified in subsection (2).

¹³ Section 18 of the Building (Scotland) Act 2003

(2) The verifier must accept the certificate if, but only if, after reasonable inquiry, it is

on the CP by the verifier, including any inspections or checks which were not planned, or arose due to reinspection of non completed or non compliant work.

The Compliance Plan shall explicitly record both the intended and actual actions undertaken to evidence compliance by the representatives of the Relevant Person and by the verifier.

In considering acceptance or rejection of the completion certificate submission, the CP will be used as a tool by the verifier as the basis of their reasonable inquiry (step 4.12). The planned actions and the record of actual compliance evidence and actions will be of value to local authorities in their statutory enforcement role and their decision to accept or reject a completion certificate (steps 4.16 and 4.21).

Once the completion certificate is accepted, the final version of the CP must be recorded on the Part 2 Building Standards Register, and as such will be open for public scrutiny (4.22).

7. Conclusion

The introduction of the CPA will mark a significant step forward in strengthening compliance with building regulations and building standards in Scotland, particularly for High Risk Buildings (HRBs). Phases 1 and 2 of the CPA guidance only stage provides a valuable opportunity for local authority verifiers, design teams, and contractors to familiarise themselves with the proposed procedures ahead of their formal adoption into legislation.

The CPA requires those with responsibilities to deliver buildings which comply with building regulations, by recording their responsibilities and actions on the CP, a document which ultimately will be placed on the part 2 building standards register and be available for public scrutiny.

By actively engaging in this stage, stakeholders can help shape a more robust and effective compliance framework that supports safer, regulation-compliant buildings. The insights and feedback gathered during this period will be instrumental in refining the CPA and ensuring its successful implementation in future statutory practice.

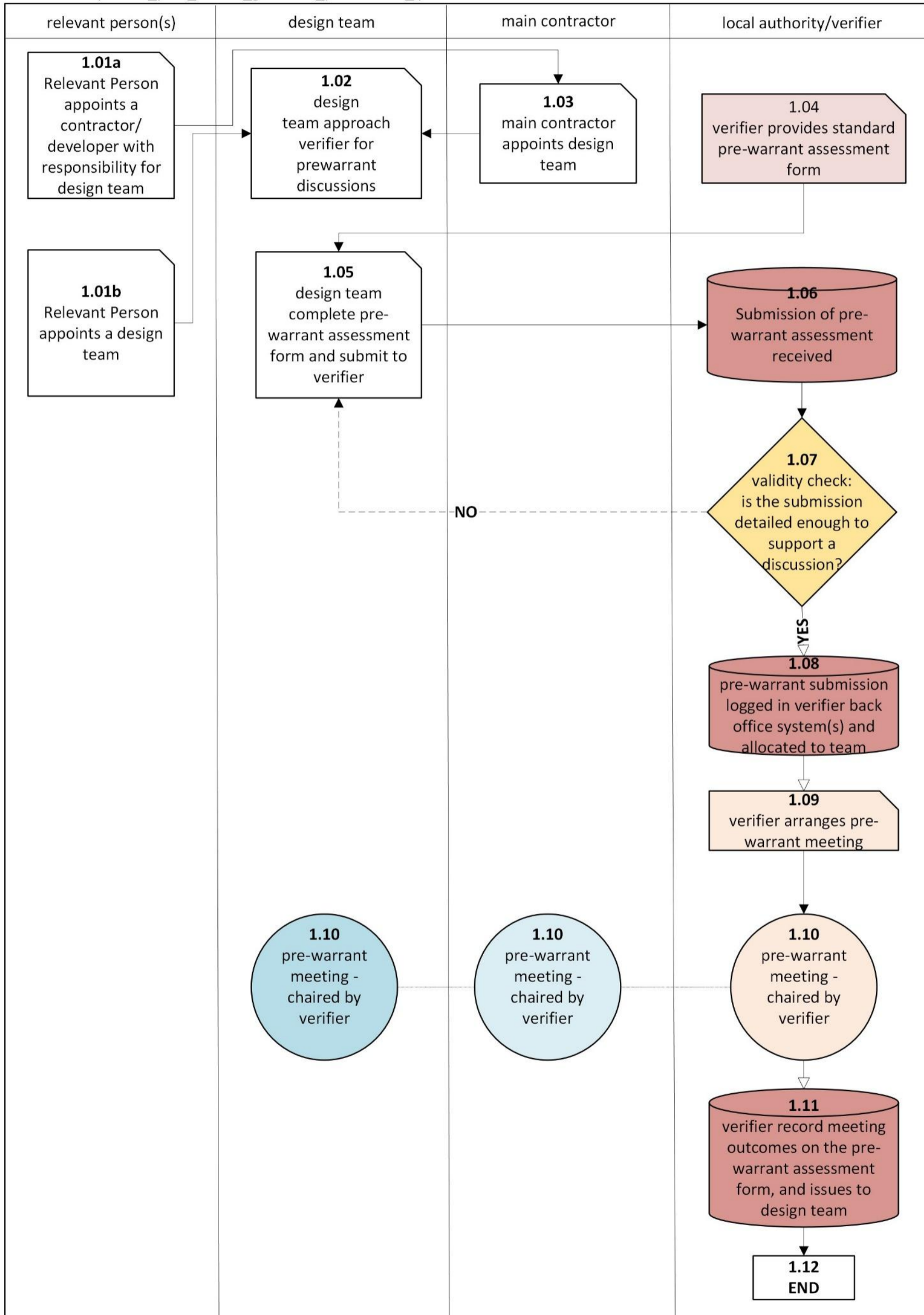
Building Standards Division encourages all participants to embrace the revised ways of working and to contribute their experiences and suggestions. This collaborative effort will help ensure that the final CP model is practical, proportionate, and fit for purpose.

Feedback can be submitted to: buildingstandards@gov.scot

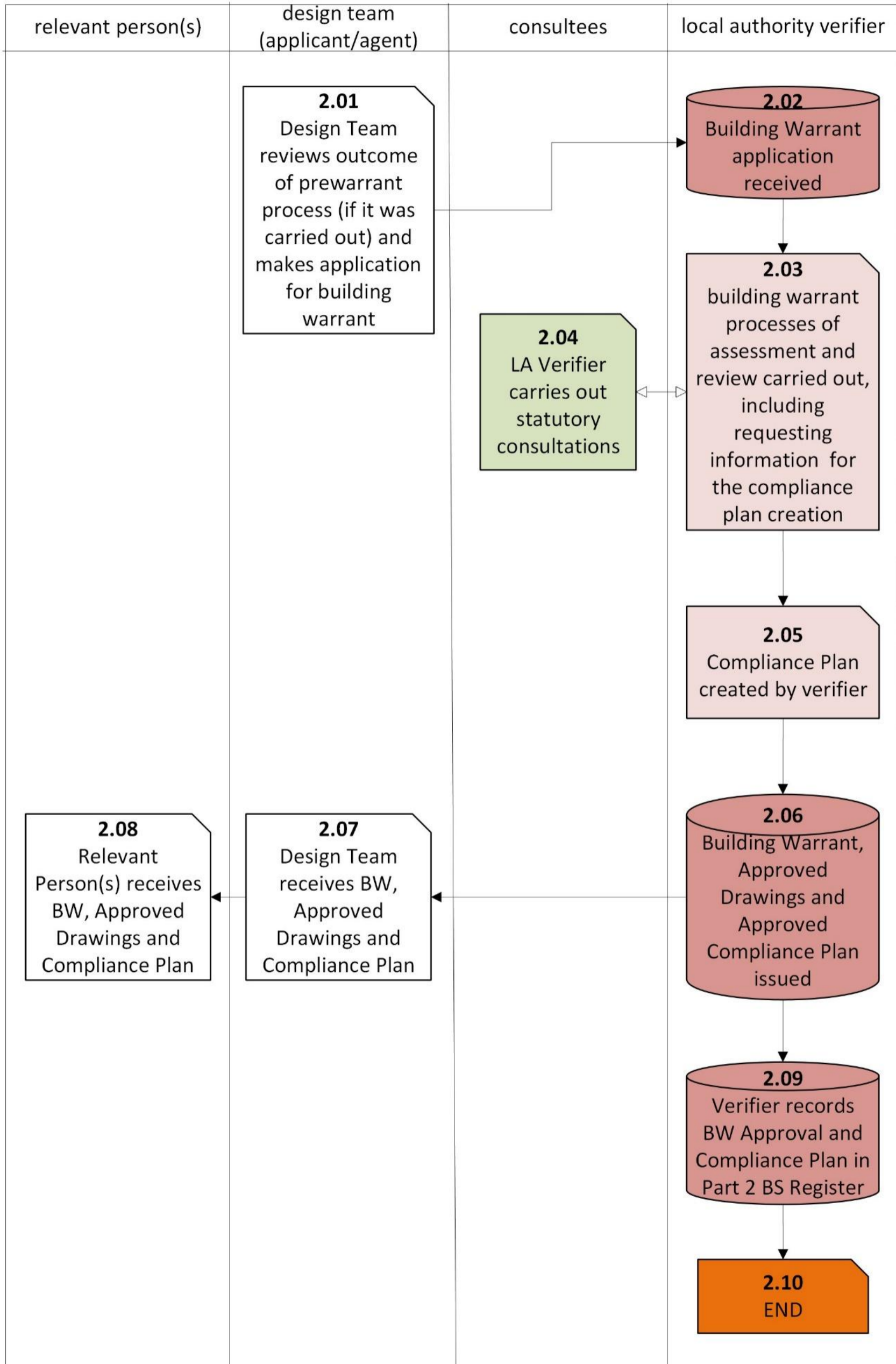
satisfied as to the matters certified in the certificate.

Process Maps

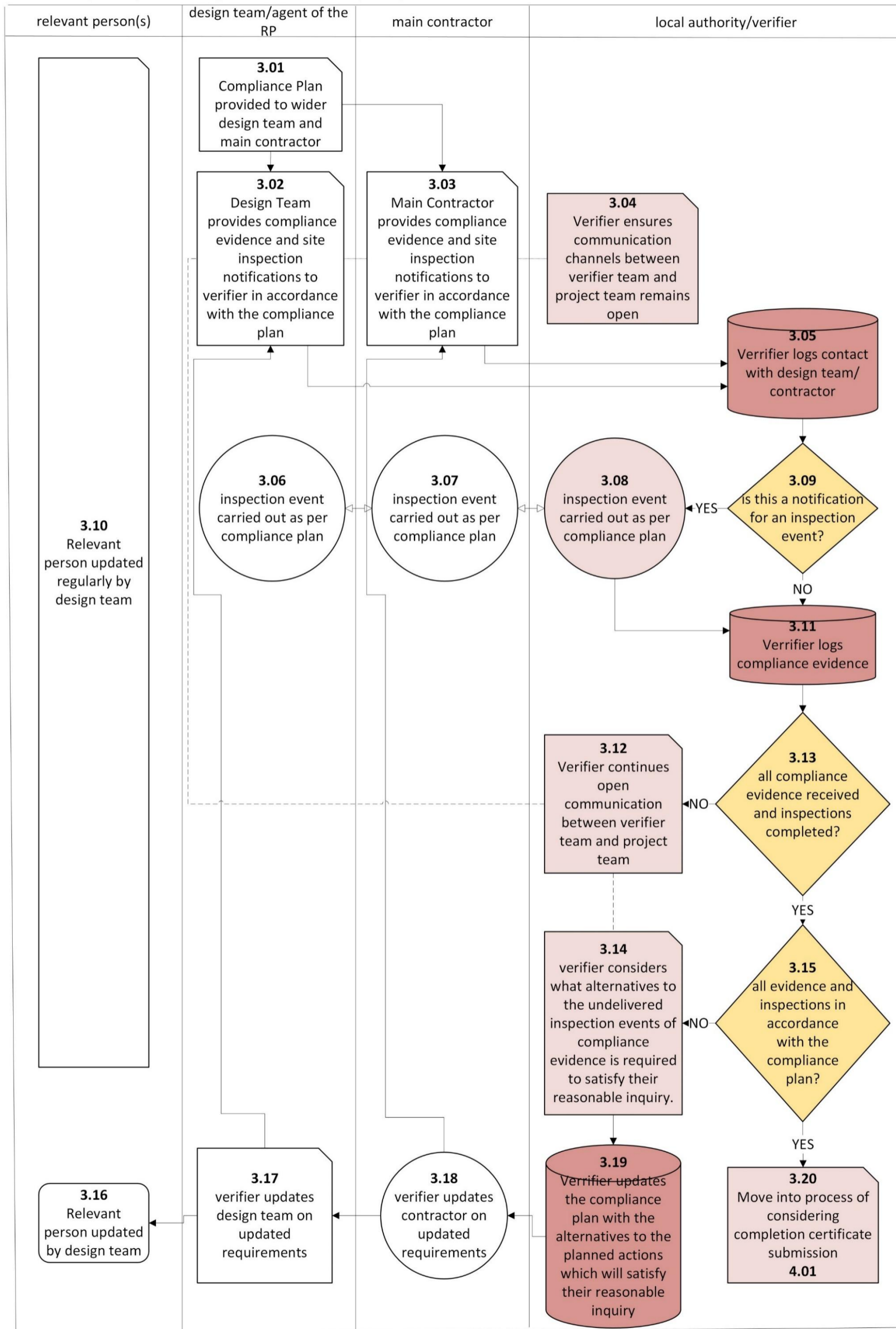
1.00 - compliance_plan_verifer_guidance_prewarrant_process v1



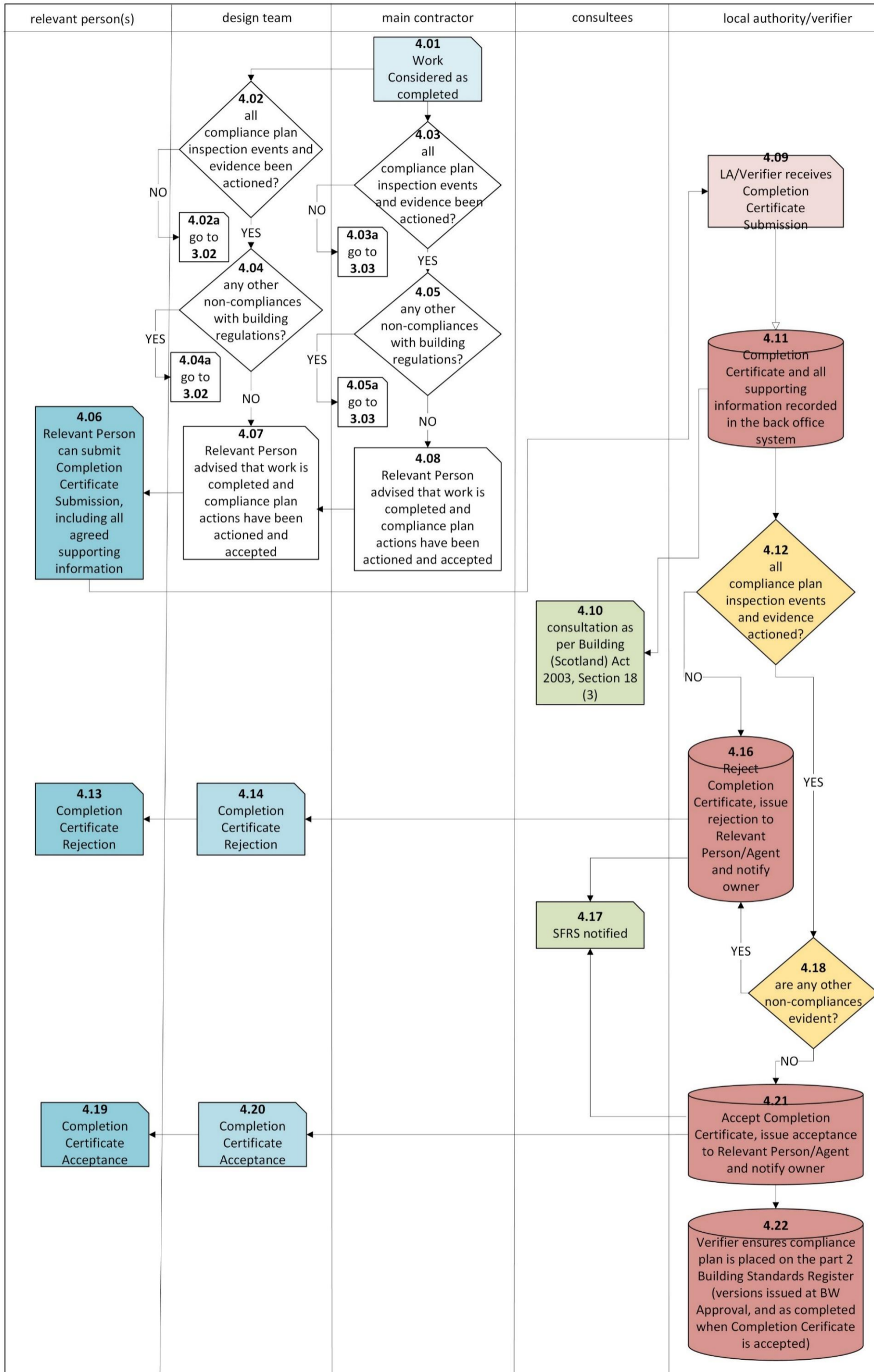
2.00 - compliance plan verifier guidance building warrant application process v1 *note that this process map does not attempt to show detailed building warrant assessment and approval processes*



3.00 - compliance plan verifier guidance construction phase process v1



4.00 - compliance plan completion stage process v1



Appendix 2

Compliance Plan Approach – Model Form PreWarrant Compliance and Procedural Form - Verifiers Guidance

Note - forms are available to download from the supporting documents section of this publication. [Models forms for the compliance plan approach - prewarrant application and the compliance plan](#)

Appendix 3

Compliance Plan Approach – Model Form Compliance Plan – Verifier Guidance

Note - forms are available to download from the supporting documents section of this publication. [Models forms for the compliance plan approach - prewarrant application and the compliance plan](#)



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Any enquiries regarding this publication should be sent to us at

The Scottish Government
St Andrew's House
Edinburgh
EH1 3DG

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