

Conor Chapple

BSR

Sean Halligan

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Comp-156-24

www.hse.gov.uk

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Dear **Conor Chapple**

RE: Tier 1 Complaint concerning HSE.

Thank you for your email of 5th October in which you made a complaint to the Health and Safety Executive (HSE) about your dissatisfaction with our service. I am sorry that you feel HSE have erred in our dealing with your concerns and allegations regarding NAPIT and UKAS.

As a leader within the Correspondence and Secretariat Team, tasked with dealing with many forms of correspondence for the BSR within HSE, your formal complaint has been forwarded to me to investigate. I am treating this matter as a Tier 1 complaint in line with HSE's complaints procedure described on the HSE website at www.hse.gov.uk/contact/complain-about-hse.htm

Your Complaint

To summarise your latest email, which follows several responses BSR have sent to you, you raise a formal complaint to HSE broken into parts 1-4 as follows:

1. This appears to be a new aspect to your concerns and complaints submitted to BSR/HSE. You allege a conflict of interest between UKAS and HSE because you have discovered that the two organisations engage with each other, and you've identified at least two specific persons known to each other from these two organisations, who are members of the Industry Competence Committee (ICC). Information on that committee's membership is freely available online where HSE published it as part of a Building Safety Campaign. You go on to quote from what you say is a "HSE Code of Conduct" – specifically quoting section 2.2.1 and 2.2.2 regarding conflict of interest – suggesting my colleague or HSE as an organisation, is somehow acting outside of that code.

Parts 2,3,4 of your complaint summarise familiar concerns or allegations you have previously raised with BSR/ HSE and obtained our responses to, namely:

- Alleged lack of oversight, due diligence and independent investigation in handling your concerns.
- Alleged fraud by UKAS and NAPIT.
- Another request that HSE/BSR investigates your allegations.

Our Response

In responding to your complaint, and following HSE complaint procedures, I have carried out a review of the investigation documentation and correspondence relating to your case. My findings are as follows:

Regarding part 1 above

You have not explained in what way either of these persons or organisations is “conflicted” simply by the act of engaging each other.

Neither is it clear what relevance this allegation has to any of your current or previous correspondence which related to your view that you have been mistreated by NAPIT, which is a Government approved “Competent Persons Scheme Operator” and /or by United Kingdom Accreditation Service (UKAS) which accredits NAPIT, along with various allegations about NAPIT’s and UKAS’ behaviour as organisations.

The “HSE Code of Conduct” you have quoted from is not one that is familiar to me. However it does appear to hold an uncanny resemblance to the draft “Professional Conduct Rules” for Registered Building Control Approvers, which HSE published and consulted on some time ago, and which can be found online.

In summary, I do not uphold your complaint regarding alleged material conflict of interest.

Regarding parts 2-4 above

Many HSE colleagues have spent considerable time reviewing and responding to your not insignificant volume of correspondence on this up until now. Other than Point 1 noted above, which I have now addressed, there are no additional issues to investigate and I refer you back to previous correspondence I sent to you on 17th September.

In summary, I do not uphold your complaints on these points.

I hope this letter has fully addressed your complaint, however, if you remain dissatisfied with my response then you can escalate your complaint to Tier 2 of the complaints process within six weeks of the date of this letter, as detailed at www.hse.gov.uk/contact/complain-about-hse.htm

In addition to the advice above, I would like to take this opportunity to remind you (as I did so previously in my email of 17th September), that HSE operates an “unreasonable behaviour” policy. Some guidance on this can be found here: [Complaints about HSE](#)

Please take some time to read the above weblink and note the example behaviours defined as “unreasonable” (e.g. repeated contact on same/similar issues) and potential actions we can take in response (e.g. stop all future communication with you on a defined issue).

BSR welcomes further communication from you on any separate matters relevant to BSR – but this requires you to go via [Contact the Building Safety Regulator - GOV.UK \(www.gov.uk\)](#) in the first instance where our customer services colleagues will appropriately triage and coordinate a response as required.

I hope that although this may not be the ultimate outcome you hoped for, that you can appreciate BSR’s final position regarding the specific matter you have raised in this instance.

Yours sincerely,

Sean Halligan

Chief Inspector of Buildings Office Team |

BSR Secretariat & Correspondence Leader |

Health and Safety Executive (HSE) |

Building Safety and Construction Division (BSCD)