



Memorandum of Understanding (MOU)

between the

Scottish Building Standards Hub (SBSH)

and

**Local Authority Building Standards Scotland (LABSS)
(Member organisation representing all 32 Scottish local authority
building standards services)**

**For matters related to building standards system services, operational
partnerships, and IT infrastructure.**

Version 1.4: 27th March 2024.



Purpose of this Memorandum of Understanding

This Memorandum of Understanding (MOU) sets out the framework and principles for a working relationship between:

Scottish Building Standards Hub (SBSH)

and

Local Authority Building Standards Scotland (LABSS)

This MOU is not legally binding and has been agreed between the SBSH, and LABSS.

This MOU sets out the principles of engagement, communication, and collaboration between the two parties in relation to the range of building standards system services and activities that the SBSH will provide for the benefit of Scottish local authorities and LABSS in support of a transformed building standards delivery model.

This MOU is strengthened and supported by separate MOUs that exists between the SBSH and all 32 Scottish local authorities.

The SBSH and its place within the building standards delivery model are stated within the Scottish Governments Building Standards Operating and Performance Frameworks for Verifiers, confirming the collaborative links set out in this MOU.



Overview of Parties

Scottish Building Standards Hub (SBSH):

The SBSH is a non-political independent entity which is hosted within Fife Council with oversight and strategic direction from its appointed 'Advisory Board'.

The vision of the SBSH is *to support transformation and quality in building standards services across Scotland*, with its high-level objectives being to:

- Increase consistency.
- Increase capacity.
- Provide resilience.
- Drive efficiencies.
- Ensure investment in skills and new technology.

It will deliver on these objectives across these areas of work, being:

- The provision of building standards system services. (STAS, Dispute Resolution Process, Information Papers.)
- Supporting hubs of expertise, expert advice, and operational partnerships.
- Supporting learning and development.
- Supporting workload sharing between local authority verifiers.

Local Authority Building Standards Scotland (LABSS):

Local Authority Building Standards Scotland (LABSS) is a not-for-profit membership organisation which represent Scotland's 32 local authority building standards services.

The organisation was originally constituted on 24th February 1976 in Stirling and was known as 'The Scottish Association of Chief Building Control Officers (SACBCO)'. The organisation changed its name on the 22nd October 2003 to 'The Scottish Association of Building Standards Managers (SABSM)' before being re-constituted as Local Authority Building Standards Scotland on the 17th May 2012.

LABSS seeks to deliver on a number of strategic and operational objectives in the promotion and development of local authority building standards services.

All 32 Scottish local authorities are members of LABSS, and the organisation is managed voluntarily by its Executive and Management Board with support from its membership.



1. General:

- 1.1. The SBSH will engage and collaborate with LABSS to ensure services and activities offered by the SBSH meet the local authority need.
- 1.2. The SBSH will provide advice and guidance to inform LABSS in their decision-making processes, however the SBSH is not a verifier or a building standards service with any regulatory powers. The final decision on these matters will always lie with LABSS and local authorities.
- 1.3. The building standards system services and access to expertise offered by the SBSH are to support the verification role carried out by local authorities as well as to support other local authority building standards activity. The final decision on all matters will always lie with the local authority.

2. Building Standards System Services:

- 2.1. The SBSH will administer, manage, and provide technical support to deliver building standards system services such as Information Papers, STAS and the Dispute Resolution Process.
- 2.2. Where alternative to guidance technical matters arise through the appraisal of a STAS application, the SBSH will seek the local authority position via the Consortium Technical Working Group (CTWG).
- 2.3. All information papers will be produced in collaboration with the CTWG to ensure the local authority position on technical, procedural, and regulatory matters is maintained.
- 2.4. All decisions on dispute resolution cases will be made by verifiers to ensure the local authority position on technical, procedural, and regulatory matters is maintained.

3. Operational Partnerships:

- 3.1. The SBSH will support the operation of LABSS Consortium Technical Working Group (CTWG) as well as provide technical assistance.
- 3.2. The SBSH via the 'Digital Hub' will support the operation of LABSS Digital Delivery Group (DDG).

4. Website and IT Platforms:

4.1. The SBSH and LABSS will collaborate to ensure LABSS members can access IT platforms developed for them through the SBSH.

5. Freedom of Information:

5.1. In relation to any request made for information to the SBSH, it is bound by the processes that exist within Fife Council regarding meeting its obligations under the Freedom of Information (Scotland) Act 2002 (FOI) and the Environmental Information (Scotland) Regulations 2004 (EIR).

5.2. Any information held by the SBSH received from LABSS, the CTWG and the DDG would be subject to any FOI, or EIR request made to the SBSH or Fife Council.

6. Data Protection:

6.1. The SBSH is bound by the processes that exist within Fife Council regarding meeting its obligations under the General Data Protection Legislation (GDPR) / Data Protection Act 2018.

6.2. LABSS will be bound by the processes that exist within its own organisation regarding meeting its obligations under the General Data Protection Legislation (GDPR) / Data Protection Act 2018.

7. Complaints:

7.1. Complaints received by the SBSH will be dealt with in accordance with 'Fife Council Complaints Handling Procedure (Version 3 / valid from May 2023)' or as amended.

7.2. Complaints received by the LABSS will be dealt with through their own complaint procedure.

8. Indemnity:

8.1. Each party shall ensure that they hold sufficient protection in terms of indemnity insurance to enact their role as described within this MOU.

9. Operation and Review of this MOU:

9.1. This MOU will come into force on the 24th May 2024 and will continue in operation until terminated.



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- 9.2. This MOU may be terminated by either party giving a minimum of 6 months' notice, or immediately by joint agreement.
- 9.3. Any amendments proposed to this MOU are subject to agreement by the SBSH, its Advisory Board, and LABSS and shall be confirmed by a re-draft and re-issue of this MOU.
- 9.4. Should a dispute arise because of or in connection with this MOU, all parties involved shall attempt to negotiate a resolution within twenty (20) working days of notification of the issue.
- 9.5. Should this MOU agreement be terminated, all parties involved shall be formally notified in writing. This includes the SBSH Advisory Board and the Scottish Government Building Standards Division for reporting purposes.



Signatures:

Signature: **Date:** xx.xx.2024

Print Name: Insert Name

Role: Scottish Building Standards Hub Operational/Technical Director

Signature: **Date:** xx.xx.2024

Print Name: Insert Name

Role: Scottish Building Standards Hub Strategy Director

Signature: **Date:** xx.xx.2024

Print Name: Insert Name

Role: Co-Chair of LABSS

Nominated Representatives:

Insert name of representative.
Strategy Director
Scottish Building Standards Hub
Fife House
North Street
Glenrothes
KY7 5LT
Tel. No: insert telephone number.
Email Address: insert email address.

Insert name of representative.
LABSS Business Support and Communications
Director.
Tel. No: insert telephone number.
Email Address: labss@labss.org.