



**ROADS AUTHORITIES & UTILITIES COMMITTEE**  
**(SCOTLAND)**

**ADVICE NOTE 15**

Approved by SRWR Notices and Inspections Working Group – 5<sup>th</sup> September  
2008

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**Recording Inspection Results and Responding to Inspections**  
**on the Scottish Road Works Register**

**Version 1.1**

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## Version History

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# 1

## **Foreword/Introduction**

This Advice note is intended to describe the procedures to be used by Roads Authorities for notification of the outcomes of inspections, and the bodies who receive them, in order that consistency can be achieved throughout the SRWR community and should be read in conjunction with the Code of Practice for Inspections 2010.

## **2 Recording of Inspections (RAs)**

### ***2.1 Agreeing Inspection Units***

The number of sample inspections for any year shall be based on the actual number of units of inspection averaged over the previous 3 financial years for that Statutory Undertaker (SU) obtained from the Scottish Road Works Register (SRWR). This is to enable the annual charge to be determined and agreed between the Road Works Authority (RA) and the SUs.

### ***2.2 Sample Category A Inspections***

The random selection of Sample Category A Inspections can be generated from the SRWR by using the Daily Whereabouts. The inspector should attempt to make the selection of works to be inspected as random as possible.

Sample Category A inspections should be undertaken during the progress of the works. It is important to note that the reinstatement may be inspected under Sample Category A as well as signing, lighting and guarding.

All results (pass or fail) must be recorded on the SRWR for the purpose of reporting and performance monitoring.

#### **2.2.1 Recording Sample Category A SLG inadequacies**

These should be carried out and recorded in accordance with Chapter 6 of the Code of Practice for Inspections; however, any further signing, lighting, and guarding (SLG) failures should be recorded as routine or third party inspections as appropriate and not moved onto the defect process (i.e. D/1, D/2 or D/3). There is no follow up inspection to Sample A SLG failures.

If the appropriate SLG equipment was provided as described in the Safety at Streetworks and Road Works Code of Practice but wrongly set out, it is an inadequacy. E.g. guarding has been vandalised/disturbed by high winds.

If the appropriate SLG equipment was provided as described in the Safety at Streetworks and Road Works Code of Practice but wrongly set out, and the SU was then to correct the issue within the prescribed timescale, it would still be considered an inadequacy.

If the appropriate SLG equipment was provided as described in the Safety at Streetworks and Road Works Code of Practice but wrongly set out, and the SU did not correct the issue within the prescribed timescales, it would be a failure.

If the SLG equipment is inadequate (meaning that not all of the required equipment is present on site), it would be a failure.

The inspection should be recorded as Sample Category A (S/A) as the Inspection Type. Inadequacies should be recorded with an Inspection Result of Fail. The Description box should be populated with details of the defect recorded. This is vital to ensure that the recipient of the inspection is clear what defect has been found.

Site details should then be completed for every section of works that have been inspected.

If a higher risk inadequacy has been found then the SU should follow the procedure for dealing with high risk defects detailed below in section 3.1.1.

### **2.2.2 Recording Sample Category A Reinstatement failures**

The failure should be recorded on the SRWR but be aware there is no requirement for a follow up inspection, as long as the reason for the failure is resolved during the progress of the works. If there is still a failure once the site is cleared the defect can no longer be recorded as a Sample inspection but should be recorded as a defect inspection (detailed in sections 2.5.2 and 2.5.3).

Please note that Sample A Reinstatement failures should only be recorded against defects found while works are still in progress on site. If a reinstatement defect is found against works which have already been completed a Routine Inspection should be recorded in place of the Sample A.

## **2.3 Sample Category B Inspections**

The SRWR currently randomly selects the works, but not the reinstatement. For multiple sites the inspector should identify which sites in the works he has inspected. The Code of Practice for Inspections requires that all sites available for sample inspection at that time be inspected. All sites reinstated on the same date will form part of the same inspection unit.

All results (pass or fail) must be recorded for the purpose of reporting and performance monitoring.

### **2.3.1 Recording Sample Category B Failures**

Once the Sample Category B is recorded as a failure it then follows the defect procedure as described below in section 2.5 Defect Inspections. The result of the Sample Category B should only be changed if the original result was recorded in error (e.g. where the defect is later found not to be a defect and is within tolerance). Any follow up inspection should be recorded as a new defect inspection against the works.

The inspection should be recorded as Sample Category B (S/B) as the Inspection Type. The Description box should be populated with details of the defect recorded. This is vital to ensure that the recipient of the inspection is clear what defect, if any, has been found.

Site details should then be completed for every section of works that have been inspected.

Sample Category B failures require re-inspection and should then follow the Defect Inspection procedure (D/1, D/2 & D/3) as described in section 2.5.2 and 2.5.3 below.

If a high risk defect has been found then the SU should follow the procedure for dealing with high risk defects detailed below in section 3.2.1.

## **2.4 Sample Category C Inspections**

As per section 2.3 above for Sample Category B, the system randomly selects the works but not the reinstatement. For multiple sites the inspector should identify which sites in the works he has inspected, with the expectation that all available sites will be inspected. All results (pass or fail) must be recorded.

### **2.4.1 Recording Sample Category C Failures**

As with section 2.3.1 above for Recording Sample Category B Failures, once the Sample Category C is recorded as a failure it then follows the defect regime described below in section 2.5 Defect Inspections. The result of the Sample Category C should only be changed if the original result was recorded in error. Any follow up inspection should be recorded as a new inspection against the works.

The inspection should be recorded as Sample Category C (S/C) as the Inspection Type. The Description box should be populated with details of the defect recorded. This is vital to ensure that the recipient of the inspection is clear what defect, if any, has been found.

Site details should then be completed for every section of works that have been inspected, with the expectation that all available sites will be inspected.

Sample Category C failures require re-inspection and should then follow the Defect Inspection procedure (D/1, D/2 & D/3) as described in section 2.5.2 and 2.5.3 below.

If a high risk defect has been found then the SU should follow the procedure for dealing with high risk defects detailed below in section 3.2.1.

## **2.5 Defect Inspections**

### **2.5.1 Third Party or Routine Inspections**

On discovering a defect during a routine inspection or in response to a third party report the Road Authority should first find the correct notice through searching the SRWR. If the notice cannot be found please refer to the procedure for recording non-referenced inspections using Unattributable Works described in section 2.6.

Once the correct notice has been located an inspection should be raised against that notice.

In the case of Routine Inspections the inspection should be recorded as Routine All Categories (RTN) as the Inspection Type.

In the case of Third Party Inspections (on receipt of an alleged defect from a third party e.g. Police or member of the public) the inspection should be recorded as Third Party All Categories (TPR) as the Inspection Type.

In all cases the Description box should be populated with details of the defect recorded. This is vital to ensure that the recipient of the inspection is clear what defect, if any, has been found.

Site details should then be completed for every section of works that have been inspected during that visit.

If a high risk defect has been found then the SU should follow the procedure for dealing with high risk defects described below in 3.2.1.

### **2.5.2 Reinstatement defects causing danger.**

Once a Sample A, B, C, Routine, or Third Party inspection has been recorded as a failure the inspection is flagged on the relevant SUs task summary list requiring a response. In the case

of a reinstatement defect causing danger the SU must take action immediately and inform the RA of the action taken within 2 hours.

If remedial work to make the defect safe is carried out within 2 hours by the SU the RA must record a D/3 (completed remedial works) showing the original defect was made safe.

If the RA has not been informed by the SU that the defect has been made safe within 2 hours the RA is then expected to make the defect safe, and may recover all reasonable costs incurred from the relevant SU. The RA would then record a D/2 (remedial works in progress) to show the defect has been made safe. This is as described in Chapter 5.2.3 in the Code of Practice for Inspections.

### **2.5.3 Reinstatement defects not causing danger.**

Once a Sample Category A, B or C, Routine or Third Party has been recorded the inspection is flagged on the relevant SU's task summary list requiring a response.

In the case of a reinstatement defect not causing danger a D/1 (joint inspection) is prompted. The duty lies with the SU to contact the RA by the end of the next working day, to arrange a joint inspection. The D/1 inspection should take place within 10 working days, unless both parties agree that a meeting is not required and the SU accepts the decision of the RA and agrees to undertake the necessary remedial works.

If during the D/1 it is discovered the reinstatement is within tolerance, the initial inspection should be amended to show that although it was initially thought to be a failure, it is actually a pass. The D/1 should then be recorded as a pass. No further action is required.

If the SU has not contacted the RA by the end of the next working day to organise a D/1 inspection then the RA should update the SRWR to prompt a D/2 inspection and change the prompt date to 17 working days from the date the inspection is entered onto the SRWR.

After the 17 days has passed a further inspection may be carried out and recorded on the SRWR as a D/2 inspection (remedial works in progress). Where the RA had arrived on site to carry out the inspection, but no remedial works were in progress the result should be recorded as a non-dangerous fail. Where the works were in progress it is used to record the result of the inspection during remedial works. The D/2 may recur every 17 working days until the defect has been repaired, with each of the follow up inspections recorded as a D/2.

On satisfactory completion of the remedial works the RA should carry out and record the final inspection as a D/3 (completed remedial works) as a pass. This is the final step of this inspection process and closes off the inspection lifecycle.

If remedial works are not completed to the satisfaction of the RA the RA should record the inspection as a D/2. D/3 inspections should only ever be used to record the successful completion of remedial works. This is as described in Chapter 5.2.3 in the Code of Practice for Inspections.

D/1, D/2 and D/3 inspections are not intended to be used to monitor initial defect performance.

## ***2.6 Procedure for recording non-referenced inspections using Unattributable Works.***

Occasionally works are found for which no notice was recorded on the SRWR by the SU; therefore the RA does not have works to record their inspection results against. In these situations the RA should raise an Unattributable Works notice on the SRWR and then record the inspection results against these works.

In situations where the RA can identify who carried out the original works the RA should ensure the Unattributable Works are only sent to that SU. In the Symology implementation of the SRWR this can be done by using the Recipients button while creating the works. The Notice will then appear on the relevant SU's task summary list, as a notice requiring a mandatory response. The notice must be accepted or declined using the 'accept' and 'deny' responsibility function. Where works are incorrectly declined, investigatory works may be carried out to determine ownership as define in the Code of Practice for Inspections.

In situations where the RA does not know who carried out the works the Unattributable Works will be sent to all SUs with an interest in the road. Each SU must respond, either claiming or declining responsibility with the 'accept' and 'deny' function on the notice. A comment may also be lodged against the notice to clarify the response.

In the event that no SU accepts responsibility for the works the RA may consider carrying out Investigatory Works (as defined in the Code of Practice for Inspections) to establish which SU is responsible.

### 3 Responding to Inspections (SU's)

Upon receipt of a defect notice ( failed inspection) resulting from a sample, routine, or third party inspection through the SRWR, or in the case of a high risk failure, by logged call, the SU must make a response. The response will differ depending on the kind and urgency of the defect being reported and is described below;

Responding to a **reinstatement defect causing danger** (See 3.2 below)

Responding to a **reinstatement defect not causing danger** (See 3.2 below)

Responding to a **higher risk SLG inadequacy** (See 3.1.1 below)

Responding to a **lower risk SLG inadequacy** (See 3.1.2 below)

All genuine, supported failures must be rectified.

If no response is received, inspection fees may still be applied to follow up inspections, even if later discussion proves the defect is not upheld. In the case of a high risk failure or lower risk 4 hour SLG inadequacy, failure to respond could result in the defect being made safe, with reasonable costs incurred by the RA charged to the SU.

**Failed inspections accepted without Joint inspection** must be rectified within the 17 day window or other timescale as agreed with the RA.

**Failed inspections accepted for joint inspection (agree to D/1)** are not accepted or declined by the SU until the joint visit takes place. At that point the extent of remedial work required, validity of the failure and liability will be discussed.

**Declined** - Defects must only be declined if there is a valid reason to do so, and must never be declined with a view to back up the action with a site visit later, the full facts must be known before a judgment is made. The RA must be informed of the decision via the SRWR using a works comment.

If the reason for the decline is that the inspection is not valid, e.g. it is outwith its warranty period, is not specific to the notice in question, or is not a defect under NRSWA then a joint inspection is not applicable.

If the inspection is valid, but there is evidence (e.g. own site visit) to prove the reinstatement is within tolerance, the inspection can be declined citing this evidence as your reason. A joint inspection can still be requested; however if the evidence is upheld no fees are payable. After such an occurrence the RA should amend the inspection result to show it was initially thought to be a failure, but has turned out not to be so and the result must be amended to pass.

### **3.1 SLG Inadequacies**

**The overriding aim of this procedure is to remove the danger from the road as quickly and as safely as possible.**

SLG failures occur in the following two ways:

- Deviations from the Safety at Street Works and Road Works - a Code of Practice. This is most commonly caused by not having the site set out properly and includes having the SLG set out in an incorrect way, not having the correct signs etc, however, it also encompasses setting the site out properly, then having high winds/vandals move the signs, leaving extra barriers etc. in a place where they block access instead of within the work site.
- Leaving spoil, barriers etc behind after works have ended (clear site issued).

#### **3.1.1 SLG Higher Risk Inadequacies**

A higher risk inadequacy requires an immediate action to rectify the inadequacy with a response to the RA within 2 hours. If the inspector discovers an inadequacy, for instance a courtesy board knocked over despite being sandbagged, the inspector will make the inadequacy safe at no cost to the SU.

For higher risk inadequacies, a logged call must be made to the SU in question, including where the inspection occurs out of hours.

Upon receipt of a SLG inspection the SU must make arrangements to visit the site within 2 hours, with the aim of rectifying the inadequacy within that time. If the inadequacy is found to be within tolerance, not attributable to the notice in question or otherwise not valid, the inspection can be declined. If the inspection is upheld, the SU must rectify the inadequacy and inform the RA within the 2 hour deadline; otherwise the RA could reasonably assume the inadequacy still requires rectification.

The RA must be informed by a phone call and a comment against the notice on the SRWR.

The defect follow up (D/1 etc) process does not apply to SLG failures, the defect is assumed to exist unless the RA is informed otherwise of the action taken.

This is described in chapter 5.2.2 of the Code of Practice for Inspections.

If a higher risk inadequacy has been found then the RA will follow the procedure for recording high risk defects detailed above in section 2.2.1.

#### **3.1.2 SLG Lower Risk Inadequacies**

A low risk inadequacy requires rectification and the RA must be informed of the action taken within 4 hours. If the inspector discovers an inadequacy, for instance a courtesy board knocked over despite being sandbagged, the inspector will make the inadequacy safe at no cost to the SU.

If the failure is found to be within tolerance, not attributable to the notice in question, or otherwise not valid, the inspection can be declined.

Upon receipt of a SLG inspection the SU must make arrangements to visit the site within 4 hours, with the aim of rectifying the inadequacy within that time. If the failure is found to be within tolerance, not attributable to the notice in question or otherwise not valid, the inspection can be declined. If the inspection is upheld, the SU must rectify and inform the RA within the 4 hour deadline; otherwise the RA could reasonably assume the failure still requires rectification.

The RA must be informed by a phone call and a comment against the notice on the SRWR.

The defective reinstatement follow up (D/1 etc) process does not apply to SLG failures, the defect is assumed to exist unless the RA is informed otherwise of the action taken.

## **3.2 Reinstatement Failures**

Reinstatements can only be considered to be defective if they fail to comply with the Specification for Reinstatement of Openings in Roads (Current Version) and can be received as Sample A, B or C, Investigatory, Coring, Routine and Third Party Inspections.

### **3.2.1 Reinstatement Defects Causing Danger**

High risk reinstatement failures require a two hour response.

The Code of Practice for Inspections then prescribes that the SU has 2 hours to carry out the remedial work. A remedial notice must be created to undertake any remedial works. If the remedial work is not carried out within 2 hours the RA is expected to make safe the defect and may recover all reasonable costs from the SU.

The overriding aim of the high risk inspection procedure is to remove any danger as quickly as possible. With this in mind the inspector may choose to make the site safe with SLG or other agreed method at no cost to the SU, until the SU can attend. The RA cannot however, complete and recharge for any reinstatement or remedial works unless the conditions of 4.2.3 (v) in the Code of practice for Inspections are met.

Where the RA makes the defect safe they will record a D/2 showing the defect has now been made safe and request a D/1 to agree remedial works to rectify the defect.

The RA must be informed of remedial works by a phone call and a comment against the notice on the SRWR.

On completion of the remedial works the RA will carry out and record the final inspection as a D/3 (completed remedial works). This is the final step of this inspection process and closes off the inspection lifecycle.

If a higher risk inadequacy has been found then the SU should follow the procedure for dealing with high risk defects detailed above in section 3.1.1.

### **3.2.2 Reinstatement Defects Not Causing Danger.**

Low risk reinstatement failures require a 24 hour response.

Once a Sample Category A (reinstatement failure), B or C, Routine or Third Party has been recorded the inspection is flagged on the relevant SU's task summary list requiring a response, prompting a D/1 (joint inspection). The duty lies with the SU to contact the RA by the end of the next working day, to arrange a joint inspection. The D/1 inspection should take place within 10 working days, unless both parties agree that a meeting is not required and the SU accepts the decision of the RA and agrees to undertake the necessary remedial works.

A D/1 must be arranged to take place within 10 days, however the SU can visit the site themselves before this date to make their own assessment, this can have value if the failure in question is then found to be within tolerance, or not the responsibility of the notice in question.

The Code of Practice for Inspections prescribes that the SU has 10 days to carry out the remedial work or to agree a longer period with the RA. A remedial notice must be created to undertake any remedial works.

After 17 days have passed from the date of the joint inspection (or the date of the original inspection if no joint inspection took place) the RA may carry out a further inspection and record it on the SRWR as a D/2 inspection (remedial works in progress). This inspection is required to ensure that the original defect has been repaired. The D/2 may recur every 17 working days (unless otherwise agreed with the RA) until the defect has been repaired, with each of the follow up inspections recorded as a D/2 and defect inspection fees applied.

On completion of the remedial works the RA will carry out and record the final inspection as a D/3 (completed remedial works). This is the final step of this inspection process and closes off the inspection lifecycle.

### **3.3 Remedial Notices**

A common misconception is that once the main work has been notified, any return to site at a later date for such remedial work is covered by the original notice, but this is incorrect. Remedial works require new a works phase or a new remedial works notice depending on the type of remedial work being carried out.

Remedial works to a reinstatement is a special case, and it is not necessary to raise a new notice each time. The same Works Promoter Reference must be used wherever possible for the next phase of works.

Remedial works can be carried out as either a new phase on the existing notice (Option 1), or as a separate notice linked to the original failure as a defect (Option 2).

### *OPTION 1 – New Phase, Preferred option.*

Although referred to as a Remedial Notice this notice is simply a permissible update to a notice which has already been closed/clear sited.

For this reason, there is a remedial phase option and this should be used in preference to any other method provided that the original works are still held accurately in the history of the notice. This is particularly true for works raised as Unattributable Works.

### *OPTION 2 – New notice.*

In some instances a new notice is required, for example, where the original notice was raised on the wrong street, or never raised, or where snagging works are to be done by a separate contractor and contractual limitations dictate the new contractor requires a notice of their own. Another useful time is if you have a host of historical failures on one street, which you will make safe all at once with one contractor.

Option 2 is very similar to raising a minor works notice, with a few additional steps, firstly it must direct the viewer to the notice that contains the original defect, and secondly a comment must be placed against that original defect referring them to the new notice. The passed D/3 etc will go against the original notice, as the new remedial notice is only to record your presence on site, also be aware that any reinstatements entered against the new notice will start a new warranty period, so this option can only be used where that is appropriate.

#### **3.3.1 Remedial Repairs of Dangerous Reinstatement.**

If the remedial work required, is to a reinstatement which has become dangerous, the same rules must be followed as for emergency works, 2 hours retrospective notice.

#### **3.3.2 Remedial Repairs to Works Still In Progress.**

If the works are ongoing, under a current notice with valid dates, no new notice is required. The works can be amended provided that any or all of the works are within your works site and the current notice has not run out. The remedial work can be recorded via a comment on the notice. This is required particularly where the works are in response to a failed inspection, as it records the action taken in the audit trail for the notice.

### **3.4 Notice limitations.**

As remedial notices can only be used to remedy works already undertaken this type of notice should not be used for new works.

Unless the remedial work required is to make safe a dangerous reinstatement, 24hrs notice is the minimum notice period required.

The notice must run through the normal life cycle of a notice, e.g. Actual Start, Clear Site/Closed and Reinstatement details entered, all within the prescribed timescales.

### ***3.5 Other issues***

If the reinstatement remedial works are in response to a failed RA inspection, the works can be inspected twice, once while works are in progress (D/2) and once to assess the compliance of the completed reinstatement (D/3). Other types of remedial notice are open to inspection during works in progress by Sample A, routine or third party report inspections.

## 4 Glossary of Terms

D/1– Abbreviation used for Joint inspection

D/2– Abbreviation used for Remedial Works in Progress inspections, even when remedial works are not yet in progress.

D/3– Abbreviation used for Completed Remedial Works inspections

Defect Notice – A valid works inspection report that is recorded as a failure

Member of the Public – As defined in Appendix A of the Code of Practice for Inspections - October 2003 “In the context of third party reports a member of the public is deemed to be any person not qualified to assess reinstatement or signing, lighting, and guarding defects and inadequacies respectively.”

OD – Abbreviation used for Operational District

RA – Abbreviation used for Road Works Authority

Remedial Works – Works to rectify reinstatement defects. These can either be instigated by the SU’s own internal monitoring, or in response to a defect inspection from a RA.

RTN– Abbreviation used for Routine inspections

S/A – Abbreviation used for Sample Category A inspections

S/B – Abbreviation used for Sample Category B inspections

S/C– Abbreviation used for Sample Category C inspections

SLG – Abbreviation used for Signing Lighting and Guarding

SU – Abbreviation used for Statutory Undertaker

SRWR – Abbreviation used for Scottish Road Works Register

TPR – Abbreviation used for Third Party inspections

Unattributable Works – Roads Authority created notices, which can be used to record inspection results where no notice was recorded on the SRWR

## **5 Related Advice Notes**

*Advice Note 3 - National Coring Programme*

*Advice Note 4 - Inspections, Defects & Other Charges*

*Advice Note 11 - Defective Apparatus in Adopted Roads*

All the above can be downloaded from the Scottish Road Works Commissioners website at:

<http://www.roadworksscotland.gov.uk/LegislationGuidance/Advicenotes.aspx>

## **6 Appendix A – Recording multiple A, B or C samples in Symology implementation of SRWR.**

In the implementation of the SRWR provided by Symology it is currently not possible to record multiple results for sample inspection of the same category against the same notice. E.g. Once a Sample pass at category B is recorded the notice will no longer be selected by the automated process that randomly selects the works to inspect at Category B, nor will it let you record a further sample Category B inspection result at the same category.

Current advice to work around this problem is to record the results as a routine inspection, making it clear in the description the inspection was carried out at Category B or C. However these routine inspections will not be counted in any reports as Category B or C.

Work is in progress in the Systems Assurance Team/Inspections Working Party to update the register and remove this limitation.