

# **New Roads and Street Works Act 1991**

## **CODE OF PRACTICE FOR REINSTATEMENT QUALITY PLANS**

**1 December 2021**





# CODE OF PRACTICE FOR REINSTATEMENT QUALITY PLANS

## HISTORY

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|-----------------|-------------------------|---|
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## FOREWORD

Road works are necessary in order to maintain roads and the many underground pipes and cables that provide us with the essential utility services that we rely on.

Whilst road works will inevitably cause some disruption and inconvenience, it is vital to do what we can to minimise their impact on the travelling public, minimise environmental impact and maintain the integrity of our roads infrastructure.

Improving the quality of road works is in the interests of all and this Code of Practice sets out to embed quality within everything that road works promoters do.

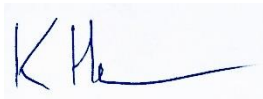
Reinstatement Quality Plans provide a way for organisations to demonstrate their competence to execute road works and an ongoing commitment to improving quality through having effective quality control processes in place to ensure standards are met.

Whilst the plans are termed as 'Reinstatement' Quality Plans, the term 'reinstatement' covers not only the actual reinstatement itself but also all the associated activities. It seems helpful to consider the plans as 'road works' quality plans covering all the activities associated with planning and executing road works.

Over time, Reinstatement Quality Plans will help all organisations to improve their practices through a process of continual improvement.

The legal framework for Reinstatement Quality Plans is set out in primary and secondary legislation but it is this Code of Practice which details the practical guidance for developing such plans.

I am delighted to endorse this Code of Practice and I am sure that it will help deliver high quality road works which minimise disruption, protect the environment and maintain the integrity of our infrastructure for future generations.

A handwritten signature in blue ink, appearing to read 'KH', with a long horizontal flourish extending to the right.

Kevin Hamilton  
Scottish Road Works Commissioner

# Chapter 1 INTRODUCTION

## 1.1 Reinstatement Quality Plans in Scotland

- 1.1.1 Section 118 of the *Transport (Scotland) Act 2019* makes provision for Reinstatement Quality Plans (RQP). Section 118 states that an RQP will be required, at the request of the Scottish Road Works Commissioner (SRWC).
- 1.1.2 The RQP is expected to demonstrate how road works promoters are competent to undertake reinstatements and ancillary activities. It also describes the monitoring processes they have in place and how they use the results of monitoring to drive continual improvement. Where failure to meet the targets occurs, it is expected works promoters will have plans to take corrective action and prevent similar failures in the future. Co-ordination and inspection will be a central focus to these plans.
- 1.1.3 The introduction of RQPs is primarily intended to lead to an overall improvement in the quality of road works across Scotland. In order to approve a plan, the Commissioner must be satisfied that the plan demonstrates that the person is competent to safely and effectively execute the reinstatement of the road and has in place quality control procedures sufficient to ensure that the reinstatement of the road is both to the required standard and is in compliance with the statutory obligations applicable to the works.
- 1.1.4 The RQP must cover all works that involve excavation and reinstatement of the road including ancillary activities. Where works do not involve excavation, it is expected that any activity will follow similar processes to those in the RQP, but these do not have to be documented. There is no requirement to separately describe this process.
- 1.1.5 These plans will seek to ensure organisations maintain a consistent inspection level, were mindful of the results and through monitoring would set out a continuous improvement process. All monitoring evidence, from any type of inspection would be part of that evidence.
- 1.1.6 Training is critical, and the plan should set out how works promoters fulfil their duty to ensure competence by identifying skills gaps, developing workforce skills and by using well established methods.
- 1.1.7 To be effective, roles and responsibilities must be set out clearly and ownership agreed. Each organisation will have a responsibility to ensure that all relevant parties are aware of their responsibilities, this may include dissemination to contractors or separate parts of the business. They will therefore need to show how they manage their contractors and suppliers to ensure quality in accordance with the specifications and codes of practice.
- 1.1.8 It is recognised that a minor promoter organisation carrying out a lower number of works may not require as detailed a quality plan as those carrying

out larger volumes of works. Risk and proportionality are key factors, which could determine whether a more condensed plan would be acceptable.

## **1.2 Key Requirements**

- 1.2.1 The RQP must take a form which is agreeable to the SRWC.
- 1.2.2 In short, the RQP should do the following:
  - (i) Be organisation specific.
  - (ii) Demonstrate quality control procedures are sufficient to ensure that the reinstatement of the road is to a sufficient standard.
  - (iii) Ensure compliance with the statutory obligations applicable to the works.
  - (iv) Be a robust quality management system that can build value as well as demonstrating and evidencing continual improvement.
- 1.2.3 In line with the *Transport (Scotland) Act 2019* the RQPs will be required to be agreed on an organisation-by-organisation basis. The SRWC expects each organisation to develop their own RQP and this may make use of existing organisational quality management systems, however the plan should include all relevant parts of this Code of Practice dependent on the work the organisation carries out.
- 1.2.4 If an organisation chooses to make changes to the agreed quality plan, these changes will need to be agreed before it can be used/referenced.
- 1.2.5 A full copy of any agreed plan will be retained by the SRWC.
- 1.2.6 The plan will be contained in the SRWR and will only be accessible to the organisations who supplied the plan and the SRWC.

## Chapter 2 PERFORMANCE MANAGEMENT

### 2.1 Introduction

- 2.1.1 Performance measurement and monitoring are key in any improvement process and these will underpin the Reinstatement Quality Plan (RQP).
- 2.1.2 When working in Scotland, it is expected that all organisations consider the National Performance Framework (NPF).

### 2.2 Training

- 2.2.1 Training must be about more than just on-site staff. It should encompass all staff involved in road works from the planning teams, SRWR operators, supervisors, and on-site operatives. It could also cover management in terms of how this is kept up to date with Scottish regulatory framework.
- 2.2.2 The *New Roads and Street Works Act 1991* (NRSWA) requires that there is always a qualified operative on site while street works are in progress. The qualifications held must be appropriate for the work being carried out. The Act does not require all of the relevant qualifications to be held by a single operative, the key requirement is that there is always at least one operative on site whose qualifications match the activities being undertaken.
- 2.2.3 The Act also requires that the site is supervised by a person having a prescribed qualification as a supervisor. The supervisor is not required to be on site at all times. A qualified supervisor might therefore supervise a number of road works sites.
- 2.2.4 In order to provide some overarching guidance, the areas listed below should be included as a minimum, some examples of inclusions are provided in section C.2 of Appendix C (note, this is not an exhaustive list).
- 2.2.5 For each area of interest, the following should be provided:
  - (i) How are those carrying out the work trained?
  - (ii) What standard are those carrying out the work trained to?
  - (iii) How are failures relevant to training dealt with?
  - (iv) Ensure suitably qualified operatives are on site and qualified supervisors are available as needed.



## **2.3 Forward Planning and Co-ordination**

2.3.1 *The Code of Practice for the Co-ordination of Works in Roads* (“the blue book”) sets out four main pillars that underpin the whole process, these are:

- (i) Planning
- (ii) Information
- (iii) Consideration
- (iv) Discussion and Co-operation

2.3.2 The works promoter is expected to provide information on the methodology they use to monitor these four headings and provide evidence of how this is achieved by their works processes. It is also required that an organisation will provide information on how they review their processes, how they use this information and how improvement will take place if required.

2.3.3 To provide some overarching guidance, the areas listed below should be included as a minimum, some examples of inclusions are provided in section C.3 of Appendix C (note, this is not an exhaustive list).

2.3.4 For each area of interest, the following should be provided:

- (i) Statement of how performance is measured, including frequency.
- (ii) Statement on what action will be undertaken where failure is recorded.
- (iii) Details of the person/role responsible for specific actions.

Where monitoring and evaluation is undertaken, the organisation should explain and demonstrate how choice, methodology and size of sample has improved matters.

## **2.4 Onsite Works**

2.4.1 The purpose of this section is to describe the minimum expectations of the management of works onsite. The points detailed in each sub section are not intended to be exhaustive.

2.4.2 RQPs must detail the processes, performance management, evidence gathering and retention policies specific to your works. Evidence must demonstrate that plans are being adhered to.

2.4.3 The SRWR must be kept updated based on the status of the works onsite within the required timescales in the *Code of Practice for the Co-ordination of Works in Roads*. Reinstatement Quality Plans must also provide details on

how noticing requirements will be managed including any relevant agreements.

- 2.4.4 Organisations are expected to regularly inspect their own works at all stages throughout the works cycle, including during the guarantee period. They are encouraged to record these inspections in the SRWR. Where inspections show that standards are not being met, it is the responsibility of works promoter to take measures, such as further testing or improved supervision of works, to ensure that operatives comply with the relevant specifications.
- 2.4.5 The works promoter is expected to provide information on the methodology they use to monitor works through inspections and supervision and provide evidence of how targets will be achieved by their works processes. It is also required that an organisation will provide information on how they review their processes, how they use this information and how improvement will take place if required.
- 2.4.6 For each area of interest, the following should be provided:
- (i) Statement of how performance is measured, including frequency.
  - (ii) Statement on what action will be undertaken where failure is recorded.
  - (iii) Details of the person/role responsible for specific actions.

Where samples are taken, the organisation should explain and demonstrate how choice, methodology and size of sample has improved matters.

Some examples of inclusions are provided in section C.4 of Appendix C (note, that this list is not exhaustive)

- 2.4.7 All organisations should be mindful that compliance as well as failure are relevant. It is essential that failure is analysed and rectified.

## **2.5 Material Selection**

- 2.5.1 The selection of appropriate materials is key to the standard of the reinstatement. Consideration of materials should encompass, not only the type of material but the reasons for choices, transport arrangements and alternatives.

- 2.5.2 The following areas should be considered as a minimum:

- (i) Organisation's commitment to using the appropriate materials.
- (ii) Organisation's commitment to reducing transport emissions.
- (iii) After use analysis of performance – have the materials performed as expected.

## **2.6 Non-destructive testing**

2.6.1 The use of non-destructive testing techniques for gathering evidence has become easier and more accessible over recent years.

2.6.2 The following areas should be considered as a minimum:

- (i) Organisation's commitment to undertake non-destructive testing.
- (ii) On-site checking and supervision records.
- (iii) Data collection, internal analysis of results, reporting and corrective action.

## **2.7 Visual Inspections**

2.7.1 It is expected that organisations regularly inspect their own works at all stages throughout the life cycle of those works. These inspections can be used to evidence an adequate monitoring and compliance regime. The SRWR or internal systems can be used to record inspections and results should be recorded with photographs.

2.7.2 Condition Inspections may be carried out prior to any works starting as part of Forward Planning. This will assist in identifying;

- (i) Condition of existing road.
- (ii) Stakeholder Communication requirements.
- (iii) Traffic Management requirements.
- (iv) Material requirements.

2.7.3 Live site inspections should be carried out to ensure that the site is safe and fully complies with the relevant legislation such as the *Safety at Street Works and Road Works - A Code of Practice*. These inspections should include site operations and plant, operators, surrounding conditions, and road user's response to the works.

2.7.4 Completed reinstatement audits should be carried out to ensure compliance with relevant specifications.

## 2.8 Coring

2.8.1 The National Coring Programme (NCP) has shown clear improvement in Scotland. Some major organisations have been able to evidence a step change in performance because of increased and organisational (internal) coring programmes. Coring is an effective way of monitoring the quality of the bound layers in a reinstatement and is strongly recommended.

2.8.2 The following areas should be considered for inclusion in an RQP:

- (i) Coring Programmes
  - Organisations commitment to be part of any nationwide programme.
  - Proposed internal analysis of results and reporting
- (ii) Local/Organisational Coring/Reinstatement Checking Programmes
  - Organisations commitment to undertake independent coring in accordance with Advice Note 3, if appropriate.
  - Agreement of appropriate level of cores with SRWC which is well thought out and can be justified through performance.
  - On-site checking and supervision records
  - Organisation should specify reasons for choice, methodology and size of sample.
  - Internal analysis of results, reporting and corrective action.
- (iii) Information Sharing and Learning
  - Organisations should consider best practice sharing.
  - Organisations should consider sharing data this may allow targeted improvement and learning.

2.8.3 Coring can provide a variety of good evidence that can feed into other areas, for example organisations should also set out plans dealing with improvement which should include elements of training and or re-training, focussing on action where failure of targets occurs and plans for continuous improvement where base compliance is maintained.

2.8.4 For each area of interest, the following should be provided:

- (i) Statement of how performance is measured, including frequency.
- (ii) Statement on what action will be undertaken where failure is recorded.
- (iii) Details of the person/role responsible for specific actions.

Where samples are taken, the organisation should explain and demonstrate how choice, methodology and size of sample has improved matters.

## **2.9 Customer Care**

- 2.9.1 The RQP should contain evidence around customer care. This should include how promoters engage with road users before, during and after works as well as how they deal with feedback.
- 2.9.2 Consideration should be given to appropriate levels and methods of engagement. This is not dependent upon the size of the organisation, it is dependent on the nature of the proposed works and the scale of likely disruption. Organisations may include details of any dedicated websites, customer care call numbers, leafleting or other means of communicating the nature of works. Customers to be considered should include (but not limited to) road users (including all modes and vulnerable users), public transport providers, residents, and businesses.
- 2.9.3 For each area of interest, the following should be provided:
- (i) Statement of how performance is measured, including frequency.
  - (ii) Statement on what action will be undertaken where failure is recorded.
  - (iii) Details of the person/role responsible for specific actions.

## **2.10 Environmental Sustainability**

- 2.10.1 Innovation and environmental sustainability are also key in driving improvement. Works of any shape or size impact the climate and innovation is essential in the move to a circular and sustainable economy. There is need to focus activities which have an environmental impact from planning to works delivery, execution, and completion.
- 2.10.2 Examples which could be considered include the organisation's commitments to climate change agenda, carbon reduction targets, use of recycled materials, handling of hazardous waste etc.
- 2.10.3 For each area of interest, the following should be provided:
- (i) Statement of how performance is measured, including frequency.
  - (ii) Statement on what action will be undertaken where failure is recorded.
  - (iii) Details of the person/role responsible for specific actions.

Where samples are taken, the organisation should explain and demonstrate how choice, methodology and size of sample has improved matters.

Some examples of inclusions are provided in C.5 of Appendix C (note, that this list is not exhaustive).

## Appendix A. Glossary of Terms

| <b>Term</b>  | <b>Description</b>  |
|--|---|
| RQP  | Reinstatement Quality Plans   |
| Reinstatement (all other works for roads purposes) | Definition of Reinstatement – As defined in T(S)A 2019 S130(B)  |
| Reinstatement (undertakers)                        | Definition of Reinstatement – As defined in T(S)A 2019 S130(A)  |
| Reinstatement Quality                              | A measure of the safety and efficiency in carrying out reinstatement works.   |
| Reinstatement Quality Plan                         | A plan outlined within this code which demonstrates and evidences the competence of the organisation submitting the plan, in carrying out safe and efficient works. |
| SRWC   | Scottish Road Works Commissioner  |

## Appendix B. Bibliography

| Publication  | Link  |
|--|---|
| Equality Act 2010  | <a href="https://www.legislation.gov.uk/ukpga/2010/15/contents">https://www.legislation.gov.uk/ukpga/2010/15/contents</a>   |
| National Performance Framework                                       | <a href="https://nationalperformance.gov.scot">https://nationalperformance.gov.scot</a>   |
| New Roads and Street Works Act 1991 (NRSWA)                          | <a href="https://www.legislation.gov.uk/ukpga/1991/22/contents">https://www.legislation.gov.uk/ukpga/1991/22/contents</a>   |
| Safety at Street Works and Road Works - A Code of Practice           | <a href="https://roadworks.scot/legislation-guidance/codes-practice/safety-street-works-and-road-works-code-practice">https://roadworks.scot/legislation-guidance/codes-practice/safety-street-works-and-road-works-code-practice</a>           |
| The Code of Practice for the Co-ordination of Works in Roads         | <a href="https://roadworks.scot/legislation-guidance/codes-practice/code-practice-co-ordination-works-roads">https://roadworks.scot/legislation-guidance/codes-practice/code-practice-co-ordination-works-roads</a>                             |
| The Road Works (Permission under Section 109) (Scotland) Regulations | <a href="https://roadworks.scot/legislation-guidance/current-legislation/road-works-permission-under-section-109-scotland">https://roadworks.scot/legislation-guidance/current-legislation/road-works-permission-under-section-109-scotland</a> |
| Transport (Scotland) Act 2019  | <a href="https://www.legislation.gov.uk/asp/2019/17/contents">https://www.legislation.gov.uk/asp/2019/17/contents</a>   |

## **Appendix C. Items Included in Reinstatement Quality Plan**

### **C.1 Introduction**

C.1.1 The following provides an example of the items to be included in any Reinstatement Quality Plan. Note it is not considered to be an exhaustive example of all items to be monitored and some items listed may not be appropriate in all situations. Organisations should tailor their own plan to their own needs in their area.

### **C.2 Training**

C.2.1 To ensure that works are carried out safely and in compliance with all relevant specifications, operatives and supervisors should be qualified and competent. The areas listed below should be included as a minimum, some examples of inclusions are provided below.

- (i) How are those carrying out the work trained?
  - Meet requirements of specific training relating to the works taking place.
- (ii) What standard are those carrying out the work trained to?
  - The appropriate qualification or certification for the operation/works undertaken.
- (iii) How are failures relevant to training dealt with?
  - A description of the methodology for dealing with failures relevant to training, including timescales.
- (iv) Ensure suitably qualified operatives are on site and qualified supervisors are available as needed.
  - As per current legislation - *Guidance on The Road Works (Qualifications of Operatives and Supervisors)(Scotland) Regulations 2017.*

### **C.3 Forward Planning and Co-ordination**

C.3.1 To provide some overarching guidance, the areas listed below should be included. Some examples are provided below, albeit this list is not exhaustive.

- (i) Planning
  - Pre works planning. Including Safety, Reinstatement and use of Plant Information (e.g. Vault).
  - Pre-works desktop and/or on-site surveys.
  - Check the condition and make-up of the existing surface
  - Joint site meetings (as required).



- (ii) Information
  - Accuracy of noticing.
  - Timeliness of noticing.
  - Any required traffic management information and documentation/applications.
- (iii) Consideration
  - Collaboration processes in place.
  - Exploring collaboration opportunities where present.
  - *Equality Act 2010* - consideration of accessibility and inclusivity (in particular Sections 20 to 21).
- (iv) Discussion and Co-operation
  - General liaison with stakeholders and interested parties.
  - Attendance at co-ordination meetings.
  - Engagement with other organisations.
  - Exploring collaboration opportunities (e.g. sharing traffic management/trenches etc.)
  - Engagement with the public pre-works as required. Including scope of letter drops.

## **C.4 Onsite Works**

C.4.1 To provide some overarching guidance, the areas listed below should be included. Some examples are provided below, albeit this list is not exhaustive.

- (i) Determine resources required to carry out work.
  - Internal processes and specifications to be made available if requested
  - Relevant specification
- (ii) Ensure all required permissions are in place
  - Each issuing body may have specific requirements and should be approached at the earliest opportunity.
  - The Road Works (Permission under Section 109) (Scotland) Regulations
- (iii) The relevant legislation, regulations, guidance and codes of practice.
- (iv) Ensure correct paperwork, vehicle, plant & equipment is compliant & sufficient for proposed works. This must include all required utility drawings for the locations of any excavations.
- (v) Ensure an onsite site-specific risk assessment is carried out prior to work commencing and any subsequent mitigation identified and addressed.

- (vi) Where necessary, pre-site identification/mark-up must be completed (for location & avoidance of underground apparatus).
- (vii) Check the condition and make-up of the existing surface prior to excavating.
- (viii) Prior to works commencing, where possible, take photos. These may be recorded in the SRWR, or in internal works systems.
- (ix) Signing must:
  - Be clear, secure, and unobstructed.
  - Provide an early warning as well as immediate warning of obstructions, workspaces and safe/unsafe zones.
  - Give clear directional information for all road users.
- (x) Lighting must:
  - Be safety approved in relation to location and weather conditions.
  - Be regularly checked for working order and security.
  - Be fit for purpose in relation to traffic, pedestrian, and site worker safety.
  - Have the appropriate ballast to ensure wind resistance.
- (xi) Guarding must:
  - Be fit for purpose in relation to traffic, pedestrian, and site worker safety.
  - Be regularly checked for working order and security.
  - Have the appropriate ballast to ensure wind resistance.
- (xii) All SLG must be checked regularly to ensure compliance with the Safety at Street Works and Road Works - A Code of Practice. For example, this may include photographs prior to leaving sites and before works recommence. Where sites are unattended these sites still require to be routinely checked and maintained. Further appropriate evidence, such as photographs, should be available for site maintenance checks and stored in the SRWR or appropriate corporate systems.
- (xiii) During Excavation
  - Comply with safe digging practices
  - Ensure the correct assessments are carried out and equipment in place for safe excavating
  - When excavating close to trees follow the advice provided in current legislation or guidance
  - Assess site to ensure stored plant etc. is in a safe position
  - An assessment to ensure no damage is caused to existing surfaces etc.

(xiv) Reinstatement

- Where possible first-time permanent reinstatements should be carried out.
- Ensure materials that are compliant to the relevant specification are available and used. Evidence should be available to confirm this once the reinstatement is completed.
- Appropriate equipment should be used for delivery, laying and compaction. Checks should be carried out on calibration of equipment prior to use.
- Checks should be carried out and evidenced throughout the reinstatement process to show compliance with the relevant specification. This may include detail of what legislation or guidance is to be followed and detail on how reinstatement defects are identified.

Detail on internal monitoring programme (not necessarily just inspections) and how results can be shared, if appropriate including; Materials (e.g. Quarry tickets, transport, temperature and correct material), Excavation (– e.g. Materials, layers, compaction, and apparatus depth), Use of Non-Destructive testing (e.g. Clegg testing or use of light weight deflectometer) and Reinstatement lifecycle (e.g. Edge cracking and depression, crowning, structure, surface depression and surface regularity etc.).

(xv) Asset Strikes

- Detail of what legislation or guidance is to be followed to prevent strikes
- Process for reporting.

## **C.5 Environmental Sustainability**

C.5.1 The following areas should be considered (note that this is not an exhaustive list):

(i) Works

- Environmental/sustainability standards (such as SEPA/Environmental Health regulations that apply in areas like waste management, environmental protection etc.)
- Reducing the duration of road works and impact caused
- First time permanent reinstatement.

(ii) Materials

- Focus on materials used
- Considerations of minimising travel/delivery

(iii) Technology innovations

- Improvements in methodologies
- New technologies e.g. core and vac, improved traffic light automation, remote monitoring of sites, remote/robotic repair etc.