

OSCAR ONSITE LTD

TrustMark Consultation | Formal responses to Questions 1–20

- 26 October 2026
- Prepared to accompany OSCAR's comprehensive consultation response

Submission note

The headings below paraphrase the 20 question topics identified in the consultation mapping; they are not presented as verbatim quotations from Annex One.

The answers are proposed OSCAR positions, not statements that TrustMark has accepted any recommendation.

Overall position: OSCAR supports a clearer consumer journey and stronger oversight, provided the system retains measure-specific competence, fair procedures, independently reviewable technical decisions, adequate financial protection and enduring evidence of what happened at each property.

Q1. Direct relationship with businesses and individuals

Proposed position: Support subject to safeguards.

OSCAR supports a direct and accountable relationship between TrustMark and registered businesses, with clearly defined responsibilities and accessible records of relevant individuals. Direct registration must not obscure the distinct roles of employers, employees, subcontractors, competence bodies and certification bodies. Contracts should state who owes each obligation, who has authority to act and how disputes are resolved. An individual should not incur company debts or retrospective liabilities merely because their competence is recorded. Existing contractual and statutory rights must be preserved.

Q2. Scheme Providers and competence validation

Proposed position: Support subject to safeguards.

Streamlining should remove duplicated administration, not dismantle independent technical assurance. Scheme Providers and competent specialist bodies should retain clearly defined roles in checking qualifications, demonstrated onsite competence, ongoing CPD, complaints intelligence and measure-specific risks. TrustMark should publish an accountability matrix identifying who registers, verifies, audits, investigates, sanctions and hears appeals. No single organisation should be both the sole decision-maker and the only reviewer of its own technical conclusions.

Q3. Business and individual due diligence

Proposed position: Support proportionate checks.

Identity, business status, insurance, trading history, sanctions and relevant competence checks are appropriate where justified by the activity. Any personal credit or financial checks must have a lawful purpose, be proportionate to the individual's role and not exclude competent operatives for unrelated financial

circumstances. There must be published criteria, correction of inaccurate data, clear privacy notices and a review route for adverse decisions. Checks should be refreshed according to risk, not used as a substitute for practical competence assessment.

Q4. Continuing obligations after registration ends

Proposed position: Support.

Leaving a register must not extinguish obligations arising from work undertaken while registered. Consumers should retain access to installation records, guarantee details, complaint routes and remedies applicable to their contract. TrustMark should set realistic document-retention periods and identify who holds records when a business closes. Continuing duties must be legally defined, proportionate and distinguish enforceable contractual obligations from expectations that cannot lawfully be imposed retrospectively.

Q5. Enforcement of continuing liabilities and personal responsibility

Proposed position: Support only with safeguards.

OSCAR supports enforceable obligations on the correct legal party, but opposes automatic transfer of corporate liabilities to individual operatives or directors without a proper legal basis. The scheme must distinguish deliberate misconduct, negligence, ordinary technical disagreement and business insolvency. Decisions should require evidence, notice, an opportunity to respond, independent review and proportionate sanctions. TrustMark should publish how outstanding consumer claims are managed when the original contractor no longer trades.

Q6. Validation of competence and certification

Proposed position: Strongly support.

A company registration, qualification or generic certificate cannot by itself prove that the person undertaking a specialist activity is competent. Validation should match the occupation, task, property and risk. Cavity wall insulation installation, diagnosis, independent inspection, extraction, clearance and verification involve different competencies. OSCAR recommends documented individual competence, practical assessment, appropriately scoped qualifications, independent specialist evidence where needed and traceable identification of the people who actually attended the property.

Q7. Categories of work and risk

Proposed position: Support with refinement.

Risk categories should be based on potential consumer harm, technical complexity, concealment of defects, reversibility, environmental exposure and the consequences of failure—not simply the trade label or contract value. Work affecting building fabric, moisture pathways, fire safety, ventilation and long-lived concealed measures may justify enhanced scrutiny. Categories should be published, evidence-led, periodically reviewed and open to challenge. For insulation, pre-installation suitability and wind-driven-rain exposure are important inputs.

Q8. Data Warehouse and wider work lodgement

Proposed position: Strongly support.

OSCAR supports extending appropriate lodgement beyond grant-funded work. A record should follow the property and identify what was assessed, specified, installed, inspected, found defective, removed, replaced or independently verified. Include dated photographs, responsible businesses and individuals, competence evidence, guarantees and subsequent remedial outcomes. Data requirements should be proportionate and secure, with consumer access, corrections, controlled sharing and durable retention. A lodged installation is not evidence that it remains satisfactory decades later.

Q9. Risk-based pricing for quality assurance

Proposed position: Support in principle.

Risk-based assurance needs adequate funding, but prices must be transparent and reflect evidenced inspection costs and genuine risk. A low-risk sole trader should not subsidise disproportionate administration, while higher-risk concealed work should not escape meaningful onsite checks because of low fees. TrustMark should publish the methodology, minimum assurance standards, use of levies, and arrangements for small businesses. Fees should not create incentives to avoid reporting defects or discourage legitimate remediation.

Q10. Risk-based quality assurance and targeted audit

Proposed position: Strongly support.

OSCAR strongly supports audits of actual onsite work rather than paperwork alone. Use complaint patterns, defect severity, repeat failures, property exposure, work complexity and past performance to target inspections. Sampling must include unannounced or independent onsite checks where proportionate, and reviewers must possess competence for the measure being assessed. Findings should be recorded with evidence, corrective actions, reinspection and learning fed back into standards. Audit design must also protect competent contractors from unsupported allegations.

Q11. TrustMark as primary complaints contact

Proposed position: Strongly support.

A single consumer entry point is valuable, provided it does not become a single technical decision-maker or a central bottleneck. Each case needs a named owner, published milestones, early triage and clear authority to obtain records and coordinate Scheme Providers, businesses, insurers and specialists. Consumers should not have to navigate the system themselves. Where a technical determination is credibly challenged, a proportionate independent review route is essential.

Q12. Accessible complaints and vulnerable consumers

Proposed position: Strongly support with detail.

Complaints must be accessible by telephone, online and appropriate non-digital channels. Consumers should receive clear explanations, reasonable adjustments, accessible formats and support where disability, age,

language, financial hardship or serious housing conditions create additional barriers. Triage should consider urgent damp, mould, cold, electrical hazards and habitability without prejudging cause or liability, and escalate cases where young children are identified as occupants. Cases should have a timestamped chronology, named decision-makers, escalation routes and reasons for closure.

Q13. Third-party remediation at the business's cost

Proposed position: Support with procedural safeguards.

Third-party remediation is appropriate where the original business has ceased trading, lacks the necessary competence, refuses to act or repeated attempts have failed. Before costs are imposed, there should normally be an evidenced defect finding, clear scope, reasonable notice, opportunity to respond and independent challenge, except where urgent safety action is justified. The remedy must address the established cause, be undertaken by appropriately competent specialists and be independently verified. Costs should be reasonable, itemised and legally recoverable from the responsible party.

Q14. Financial protection and solidarity fund

Proposed position: Strongly support objectives; require full design.

Protection must be understandable before work begins and effective when a business disappears. TrustMark should disclose the legal provider, insured or corporate nature of each guarantee, exclusions, duration, claims pathway, available funds and any consumer shortfall. For a proposed solidarity fund, publish eligibility, levy basis, governance, independent audit, claim limits, technical adjudication, appeals, stress testing and what happens if resources are exhausted. Avoid unfairly charging compliant firms for others' failures without transparent controls. Historic CIGA guarantee exposure illustrates why independent financial assurance matters; illustrative scenarios are not claims about present solvency.

Q15. Direct TrustMark sanctioning powers

Proposed position: Support with independence.

TrustMark needs credible enforcement powers to protect consumers and the scheme, but investigation, technical findings, sanctions and appeals must be governed by published rules. Allegations must be distinguished from established breaches. Businesses and individuals should receive disclosure of the evidence, a fair opportunity to respond and access to independent appeal. Relevant serious breaches should be referred to statutory regulators, including Trading Standards where appropriate; scheme sanctions must not be represented as statutory enforcement.

Q16. Graduated sanctions

Proposed position: Support.

Use proportionate measures: advice and training for minor first-time failures; corrective-action plans and enhanced audits for recurring shortcomings; suspension for serious unresolved risk; and removal for grave or persistent misconduct. Urgent interim suspension should be possible where justified, with prompt review. Publish thresholds, duration, reinstatement requirements and appeal rights. The scheme should distinguish



technical disagreement from dishonesty and ensure consumer records and ongoing remedial obligations survive a sanction.

Q17. Registration fees based on business size

Proposed position: Support only if fair and transparent.

Business size may be one factor, but turnover alone is a poor proxy for risk or the cost of oversight. OSCAR recommends a published, proportionate model combining business scale, work categories, lodgement volumes and evidenced assurance requirements, with protections for small competent firms. Avoid duplicate charges through Scheme Providers and certification bodies. Fees and their use should be independently reviewed, and any change should be subject to an impact assessment.

Q18. Transition for Scheme Providers

Proposed position: Require a staged implementation plan.

A transition must protect continuity of consumer cases, competence evidence, accreditation and certification, existing contracts, insurance arrangements and data access. TrustMark should consult Scheme Providers on an implementation timetable, test interfaces, publish detailed responsibility maps and avoid a sudden transfer of functions before systems and staff are ready. Independent specialist bodies should remain able to contribute measure-specific competence and technical assessment. Transitional disputes must have a named escalation route.

Q19. Transition for businesses and individuals

Proposed position: Require proportionate support.

Publish clear new terms, obligations, fees, evidence requirements, digital guidance and a realistic lead-in period. Existing businesses should have an orderly route to compliance without unnecessary repeat assessment of valid credentials. Individuals need transparent rules for recognition of qualifications, occupational scope and appeals. Consumers must not lose complaint access, guarantee coverage or records during migration. Pilot the new processes and monitor administrative cost and delays before full rollout.

Q20. Other comments and wider consumer protection

Proposed position: Strongly support broader lifecycle protection.

OSCAR urges TrustMark to adopt a complete consumer-protection lifecycle: Find, Assess, Fix and Verify. Consumer protection should begin with appropriate property assessment and occupational competence, continue through installation and independent quality assurance, and remain effective where defects, complaints, extraction or remediation arise years later.



TrustMark should ensure that technical decisions are supported by appropriately qualified and independent specialists, that credible contrary evidence can be reviewed, and that consumers receive complete, verified remedies rather than being left to coordinate multiple organisations.

OSCAR particularly recommends that the revised framework addresses the long-term financial resilience and independence of guarantee arrangements; the distinction between predicted energy savings and evidenced additional heating costs; risks associated with non-traditional construction and historic cavity wall insulation; the proper assessment of proposed ECO-funded interventions; and the traceability, disposal and whole-life environmental consequences of extracted insulation.

The scheme should also require accurate, service-specific accreditation claims, transparent and independently reviewable registration decisions, improved EPC and building-fabric risk information, and enduring property records showing what was installed, subsequently investigated, removed, remediated or independently verified.

These proposals are developed in OSCAR's accompanying comprehensive response, particularly Sections 16–24K and Recommendations 25.1–25.33. OSCAR would welcome the opportunity to contribute to a limited, independently governed specialist pilot, without seeking preferential or exclusive status.

Supporting evidence and proposed annex

Read these answers together with OSCAR Onsite's comprehensive response, "Building Stronger Protection for Home Improvement Customers" (26 October 2026), particularly sections 16–24K and its recommendations. The technical report provides the fuller discussion of case management, independent inspection, occupational competence, data retention, remediation, CIGA guarantee arrangements and climate-related building exposure.

Official consultation: <https://www.trustmark.org.uk/pages/trustmark-consultation/>

OSCAR Onsite: <https://oscaronsite.co.uk/trustmark-consultation-2026>