



ABC/B/ME/0710

Association of British Certification Bodies

CONFIDENTIAL

**Minutes of the ABCB Management Committee Meeting
held on 17 April 2013 at Intertek, LSAS Building,
Imperial Park, Randalls Way, Leatherhead, Surrey, KT22 7TS**

Members present:

Mike Lawson	Intertek, Chairman
Carolyn Harris	AFNOR UK
Ian Knott	SIRA

In Attendance:

Jeff Ruddle	UKAS
Rob Bettinson	UKAS
Nigel Overton	UKAS
Trevor Nash	Chief Executive

1.0 Apologies for Absence

Apologies were received from Emma Clancy, Andrew Launn and Bernard Anderson. Mike Lawson welcomed Jeff Ruddle, Rob Bettinson and Nigel Overton from UKAS. Jeff Ruddle explained that Rob Bettinson is the new Divisional Director, Technical who reports to Lorraine Turner and would be attending future meetings in place of Lorraine. Nigel Overton is Accreditation Manager of the Certification Section and the plan is that he will eventually attend meetings in place of Jeff.

2.0 Minutes of last meeting held on 25 January 2013

The minutes were agreed as a true record.

3.0 Matters arising not covered elsewhere in the agenda

3.1 Ex Minute 4.1 UKAS PAF Membership

Trevor Nash circulated the latest PAF and PAC membership list.

3.2 Ex Minute 7.1 Revision of ABCB Rules

Trevor Nash introduced the proposed changes to the ABCB Rules to take account of comments made at the last meeting that there is no provision for what happens when a Member loses accreditation or has their accreditation suspended. The proposal is that Membership can continue during suspension of accreditation and that Membership should cease when accreditation is withdrawn, as the Member no longer meets the Membership criteria. Should the Member successfully appeal the accreditation body's decision the Membership is reinstated.

Some other changes were also proposed to:

- include reference to ISO/IEC 17065
- define what is meant by an ABCB recognised accreditation body
- allow notified bodies to become Full Members, as most notification is now (or soon will be) based on accreditation.

A further proposed change is to prevent organisations that meet the Membership criteria, but also hold accreditation from an accreditation body that is not recognised by ABCB, from becoming members.

The proposed amendments to the Rules will need to be approved at the AGM.

3.3 Ex Minute 7.1 The British Assessment Bureau

The British Assessment Bureau was informed that its Membership of the Association was suspended and that it cannot be renewed unless accreditation is reinstated.

3.4 Ex Minute 7.2 ABCB Website

Trevor Nash reported that it will not now be necessary to change the ABCB website domain name as the existing one has been successfully renewed for two years up to May 2015.

4.0 Meetings

4.1 Non accredited certification bodies 6 February

David Fenn had tendered his resignation as Chairman of the Group and Trevor Nash took the chair for this meeting.

There was a presentation from Power Software Solutions Ltd about Yoshki which helps protect, manage and control brands online www.yoshki.com.

The ISO Certification Agency has now changed its name to International Certification Agency.

Trevor Nash reported that he had been made aware of a situation in Northern Ireland where the Department of Finance and Personnel (DFPNI) has a requirement for contractors seeking public contracts to have accredited certification of their health and safety management system or be recognised by a professional health and safety body or institution. Some of the organisations listed on the DFPNI website were accredited by ASCB(E). Trevor Nash had contacted John Mortimer at BIS who had informed DFPNI that UKAS is the UK's national accreditation body and that they should only specify UKAS accredited certification. DFPNI will in future require contractors to hold UKAS accredited certification but will also continue to accept contractors that are recognised by a professional health and safety body or institution.

A new Commission CERTIF document, "Requirement to seek accreditation in the Member State of establishment", was published on 11 April. Whilst the paper is prefaced with a caveat, to the effect that it is guidance and that the ultimate interpretation can come only come from the ECJ, it does state that:

"To avoid introducing competition between accreditation bodies and leaving a loophole for conformity assessment bodies to shop around for accreditation certificates, Art. 7(1) of the Regulation should be understood as it stands: *'Where a conformity assessment body seeks accreditation it shall do so with the national accreditation body of the Member State in which it is established [...]*' (emphasis added by the Commission)."

Trevor Nash reported that there was also a SOGS paper regarding accreditation bodies other than national accreditation bodies. He had not seen a copy of the paper but had been informed that BIS did not believe it could be legally enforced in the UK. The paper is being revised.

4.2 UKAS PAF/PAC

5 March

Paul Stennett had presented a review of the last year and reported on the following main items:

- The increased demand for accreditation and continued interest from Government
- The recent senior staff changes had resulted in a great deal of experience being lost but the new Director and Divisional Director appointments all had long experience of UKAS and accreditation;
- Business levels were up by 15%, some of which was due to catching up from the implementation of Darwin but there was still underlying growth;
- UKAS had encountered some recruitment difficulties, especially at the technical level;
- Darwin was now up and running and the main implementation difficulties overcome. The new Finance Director is now refining the financial reporting elements;

- The EA peer evaluation had involved a large team of evaluators from other accreditation bodies plus observers from EA, the Commission and BIS and went smoothly;
- A large number of responses to Government consultations, many in the health sector;
- Progress in a large number of development projects including
- Recognition of the contribution accreditation made to compliance as demonstrated by the horsemeat scandal where no accredited certification (eg Red Tractor) or testing had been questioned.

John Mortimer provided an explanation of the BIS monitoring of UKAS as set out in the MoU. It was achieved by provision of information, regular meetings with the Chief Executive and monitoring of performance eg customer complaints. Specific issues discussed were:

- staff changes;
- integration of Clinical Pathology Accreditation into UKAS;
- implementation of Darwin;
- funding for the international and awareness programmes;
- management of PAF and PAC;
- usefulness of events;
- communication with other Government departments eg MoD, GCHQ and healthcare;
- IQIPS (Improving Quality in Physiological diagnostic Service) about which he had had some concerns;
- accreditation to award the GS mark in the UK;
- non-accredited certification;
- development of an e-learning package for officials;
- and the economic benefits study, this is now available on the UKAS website.

John Mortimer confirmed that BIS is broadly content with UKAS performance.

Mike Lawson stated that he was encouraged by the level of communication between BIS and UKAS and that John Mortimer had attended the UKAS peer evaluation.

Malcolm Hynd provided an update on the economic report. It included some very useful findings on the economic value of accreditation which is calculated to be in the region of £600m per annum. However, the report also recognises that this figure represented only those benefits that could be quantified. Within the bounds of this project, it had not been possible to quantify a number of other important benefits such as the contribution accreditation makes to public health and safety, trade facilitation and error reduction in industry. It was estimated that the benefits accrued in these areas would also be substantial.

Paul Stennett introduced the UKAS strategy for the next five years as agreed by the UKAS Board. The key objectives focus on stabilising the business and then looking for further growth. The main objectives were grouped into four main areas: People; Core business; Business development (including in existing markets); and Customers and stakeholders. Members were then invited to contribute by discussing, in groups, one or more of a list of questions and providing feedback.

Ron Gainsford, Chief Executive of the Trading Standards Institute was elected as the new Chair of the PAF and PAC.

The PAF meeting was followed by a PAC meeting. Paul Stennett reported on the last UKAS Board meeting where the main items covered were:

- Agreement of the strategy plan
- The peer evaluation
- Improvements to financial reporting
- Consideration of the integration of CPA into UKAS' Darwin IT system with the conclusion that this was not possible at the current time
- The business plan for 2013/14
- Possible changes to the fee structure including the possible removal of the annual fee.

Paul Stennett advised that, following Graham Talbot's retirement, the intention was to spread international work more evenly across a number of people rather than concentrate on one person. Rob Bettinson has taken over the administration of the programme overall. Jon Murthy (Marketing Manager) had taken over as Chair of the International Laboratory Accreditation Co-operation (ILAC) and International Accreditation Forum (IAF) Communications Committees. Lal Ilan (Development Manager) is the ILAC Inspection Committee Chair. Therefore UKAS has good representation on the ILAC and IAF Executives but needs to consider whether to seek a presence on the EA Executive.

Trevor Nash asked if the MoD sector scheme would apply to MoD contractors outside of the UK, especially within Europe. It was explained that the MoD requirement is for appropriate certification and accredited certification is not a mandatory. European bidders would be invited to apply for accredited certification under the scheme and the local accreditation body asked to liaise with UKAS in such cases.

4.3 EA Certification Committee

13 March

There was discussion about what happens to accreditation certificates where a certification body does not complete a transition in time. It was agreed that an AB cannot have accreditation certificates to an obsolete standard in

place. In theory the accreditation certificate has expired but ISO/IEC17011 only allows for suspension or withdrawal. There was concern about how withdrawal of accreditation will affect certified organisations. It is possible that, a CB may be likely to complete the transition but a few weeks late. There may be a need to develop a special approach for these circumstances. It was agreed that EA would prepare a discussion paper for the IAF TC.

The draft of new regulation to replace Regulation 765 makes no reference to accreditation. It was clarified that this new regulation covers only market surveillance and that other elements of Regulation 765 will remain unchanged.

There was an EA HHC meeting on 19 and 20 March. Main points from the minutes of the meeting were:

- EA-2/13 on cross frontier accreditation under Regulation 765 is being revised and the draft revision is ready to go out for voting,
- It was agreed that for accreditation of notified bodies it should be a goal for all national accreditation bodies to use the same standard for each Directive. It was agreed to develop a Table of standards for modules which would identify the preferred standard and identify the additions in terms of specific clauses from specific standards,
- The Blue Guide on implementation of EU product rules is being revised. An additional commenting and drafting round will be organised before a new stakeholder meeting takes place in September.

4.4 EFAC

There has not been a meeting of EFAC and it looks likely that there will be a meeting in London in mid May. Despite a number of attempts to increase membership there has been little interest. Currently there are five full members and three associate members.

4.5 IAF Technical Committee 29/30 April

Trevor Nash would be attending the IAF Technical Committee meeting.

4.6 EA General Assembly 29/30 May

Trevor Nash would be attending the EA General Assembly on behalf of EFAC.

5.0 Chief Executives Report

5.1 Management Accounts – March 2013

Trevor Nash reported that there were no areas of concern and the end of year situation is around where forecast. The 2013 EFAC subscription still has to be paid and this is being delayed as it may be agreed at the next EFAC meeting that registration fees for attendance at meetings will be reimbursed. If so these will be offset against the subscription. There is also some advance expenditure for the IAF TC and EA GA meetings shown in the management accounts.

6.0 UKAS

6.1 UKAS customer service

Nigel Overton reported that four new Assessment Managers had been recruited since November. One of these did not stay but there were potential replacements from the last batch of interviewees. Five new Technical Assessors mainly for EMS and Highways Agency are going through training. Training of Technical Experts to become Technical Assessors continues. Currently 35 have completed training and the aim is to train approximately another 25. Recruitment of Liaison Officers is now complete.

UKAS is creating a new role of Internal Training Manger (Debbie Hudson) who will be looking at induction of new staff. This will provide a more focussed approach with the aim of giving new staff a better grounding, greater consistency and speeding up the training process.

There has been a significant improvement in booking of routine visits and the situation is almost at the target. Booking of witnessed assessments continues to cause problems. The situation has improved but most certification bodies still have a backlog. Jeff Ruddle stressed the importance of cooperation from certification bodies in booking witnessed assessments. During discussion it became apparent that some certification bodies did not appreciate the flexibility that exists to switch visits within the four year accreditation cycle. Jeff Ruddle stated that witnessed assessment programmes were often discussed at Head Office visits but that ideally this should be done earlier so that witnessed assessments can be completed before the Head Office visit. This would then allow for any issues to be discussed during the Head Office visit.

There are some difficulties with overseas visits as there are some accreditation bodies where communication is a problem. Where the overseas accreditation body is engaged arrangements are working well.

Processing of extensions to scope is not at the target. There are less applications for extension that are stuck but there are still some where

there are difficulties in programming assessments and in decisions. The overall position regarding decisions has improved but temporary resource issues have caused some recent problems.

6.2 ISO/IEC 17021:2011 Transition

Rob Bettinson reported that all UKAS accredited management systems certification bodies successfully completed the ISO/IEC 17021:2011 transition, for their full scopes, by the deadline.

6.3 ISO/IEC 17024:2011 transition

Rob Bettinson reported that the deadline for this transition is 1 July 2015 and there has been little progress to date. UKAS had attended EA training for ISO/IEC 17024:2012 in October and internal training will be completed by the end of May. Assessments to the new standard will start 1 June.

The approach is different to that used for ISO/IEC 17021:2011. Certification bodies will be able to choose assessment to either the old or the new standard in the first year of the transition. If the assessment is to the old standard any significant issues will, however, be identified. In the following year all assessments will be to the new standard.

6.4 ISO/IEC 17065:2012 transition

Rob Bettinson reported that the deadline for this transition is 1 September 2015. UKAS attended EA training in February and internal training will be completed in May/June. Assessments to ISO/IEC 17065 will commence in August. The same approach as described above for ISO/IEC 17024 will be used.

6.5 Other UKAS Matters

Rob Bettinson reported that UKAS has set a deadline of July 2013 for the transfer of notified bodies to accreditation. There are concerns that not all notified bodies will complete the transfer to accreditation by the deadline and that it may need to be extended until the end of the year. A deadline of July 2013 has also been agreed with DCLG for notification to the Construction Products Regulation.

UKAS has been in discussions with BIS regarding the location of decision makers in notified bodies. A decision has been made that decision makers can be located outside the EU, but they must be an employee of the notified body.

Jeff Ruddle and Rob Bettinson reported on the EA peer evaluation of UKAS. There were fifty man days of assessment in total. Four non-conformities, 12 concerns and four comments were raised. The peer evaluation included an extension for Green House Gas validation and

two of the non-conformities related to this. The others were regarding the level of detail on schedules and that a UKAS assessment failed to note a certification logo on an inspection body report. The expectation is that UKAS's MLA signatory status will be confirmed at the forthcoming EA MAC meeting, with the extension for Green House Gas validation being approved later in the year.

Trevor Nash asked about progress with the amendment of the UKAS customer agreement. Rob Bettinson replied that he was now dealing with this and that there were a few minor legal issues to be resolved with the solicitors before it could be circulated to stakeholder groups for comment.

7.0 **Any Other Business**

Trevor Nash reported that a Member has enquired about health and safety arrangements for assessors who are working in clients premises in the UK and overseas and would be interested in how other Members tackle this issue. The general view was that the organisation being assessed has the responsibility for visitors to its site. It was suggested that the certification body should verify that the organisation has completed a risk assessment and ask them to provide a copy for the assessor in advance. Jeff Ruddle stated in some safety critical cases (e.g. working at heights) that UKAS expect their assessors to read and sign the risk assessment. The assessor can refuse to enter a particular site if it is considered unsafe. Basic PPE should be provided by the certification body and specialist PPE by the organisation being assessed. For overseas visits the certification body should refer to the FCO website for country advice and provide this to the assessor.

8.0 **Date and Venue of Next Meeting**

The date for the next meeting was agreed as Wednesday 10 July and would also be the AGM. It was agreed that Trevor Nash should ask BSI if they would be willing to host the meeting and if not it would be at Intertek, Leatherhead.

The subsequent meeting is scheduled for Friday 8 November.