

UNITED KINGDOM ACCREDITATION SERVICE

POLICY ADVISORY COUNCIL

Minutes of 26th Meeting held on Tuesday 10th March 2020 at The Institute of Engineering and Technology 2 Savoy Place, London WC2R 0BL

Present

Ron Gainsford (Chair)	Chartered Trading Standards Institute
Carol Stewart (CS)	British Measurement & Testing Association
Daniel Mansfield (DM)	British Standards Institution
Estelle Clark (EC) <i>by Skype</i>	Chartered Quality Institute
Sue Brand (SB)	Care England
Sarah Veale (SV)	Non-Executive Director, UKAS
Chelvi Leonard (CL)	Department for Business, Energy and Industrial Strategy
Dr Stefan Kukula (SK)	Engineering Equipment & Materials Users' Association
Chris Rowe (CR)	Health and Safety Executive
Dave Thomas (DT)	Ministry of Defence
Wayne Terry (WT)	Association of British Certification Bodies
Andy Evans	GAMBICA
Matt Gantley (MG)	UKAS
Lorraine Turner (LT)	UKAS
Hugh Taylor (HT)	UKAS
Suzi Daley (SD Sec.)	UKAS
Jeff Ruddle (JR) <i>(by Skype for item 5.2)</i>	UKAS

1- Welcome, Apologies

The Chair welcomed members to the 26th meeting of the UKAS PAC. Apologies were received from Sarah Smith from BEIS who was being represented by Chelvi Leonard. The Chair informed Members that due to travel disruption **EC** would be Skyping in.

SD then outlined the recent revision to ISO/IEC 17011 *Conformity assessment – General requirements for accreditation bodies accrediting conformity assessment bodies* which requires all personnel and committee members to disclose any potential conflict of interest whenever it may arise. Although PAC Members' impartiality has always been taken as a given, **SD** explained that in the light of the revised standard, UKAS has made this more explicit in the PAF/PAC terms of reference and Members will be reminded of the need to declare any potential conflict of interest at the beginning of each PAC meeting.

[Action: SD to circulate revised terms of reference with minutes].

2- Minutes of the 25th Meeting of the Policy Advisory Council

PAC/23/19

SD reported that no comments had been received on the draft minutes circulated. **The Chair** asked about progress on the industry statement on non-accredited certification (item 3.2) to which **HT** confirmed that the statement had been issued and circulated in February. **WT** added that ABCB had picked up a number of positive comments in response to the statement including a call to Government to look at the potential for the regulation of accredited certification. **HT** said that the issue of non-accredited certification remained an ongoing project; the intention is to keep this under review with a longer term plan to publish a more robust and strengthened statement. This

will be largely contingent on the outcome from discussions with BEIS on the scope for legal sanctions and/or greater support from local trading standards. He then informed the PAC that since the last meeting, UKAS has established a formal Primary Authority (PA) relationship with Surrey County Council which will be useful where UKAS needs to take action in relation to any other organisations attempting to operate as an accreditation body. On this final point, **CL** confirmed that BEIS has written to ASCB to reiterate Government policy – that ASCB cannot claim equivalence with UKAS. **The Chair** said that he was very pleased with the new PA relationship, adding that the statutory enforcement powers the PA can exercise on behalf of all local authorities will be very helpful for UKAS going forward.

WT asked if the UKAS website would be updated with details of the new UKAS/PA relationship. **MG** confirmed that UKAS would be doing this once we have agreed the wording and position with BEIS.

[Action: HT to agree wording with CL].

The Chair also noted that the lack of representation of the Federation of Small Businesses (FSB) on the PAC was unfortunate as the SME sector is often a target of non-accredited CBs.

Secretary's note:

Since the departure of Mike Pearson in 2017, the PAC has not had a FSB representative and UKAS has found it difficult to identify an individual with the capacity to replace him. However, Ian O' Donnell, FSB, Non-Operational Director attended the 2019 AGM and is interested in playing a greater role in our governance. It was agreed that Mr O' Donnell would therefore be formally invited to join the PAC as the FSB representative.

[Action: SD to invite Ian O'Donnell to join the PAC].

The Chair then confirmed that the future meeting dates set out in item 9 had been superseded by events i.e July and November meetings replaced by PAC and PAF on 8 September.

The action points had all been completed.

3- Matters Arising

3.1. Non-accredited certification

This was covered under the previous item.

4- Members' Issues

There were no Members' issues raised.

5- UKAS issues

5.1 PAF/PAC Meeting on 8 September: structure/Chair:

SD and **LT** informed the PAC that a suggested programme and structure for the event would be circulated nearer the time and that Members would have the opportunity to input. **LT** added that as this year's PAF would be included within a bigger conference event, it would also provide a good opportunity for people to make the most of networking opportunities. It was agreed that it would be helpful for UKAS to recirculate the Meetingsphere summary of PAF Members' comments to inform the structure of this year's event. **The Chair** confirmed that the election for the PAF/PAC Chair would take place at the PAF.

[Action: SD to recirculate Meetingsphere summary].

Secretary's note

In the light of the continuing Covid 19 health emergency and the Government 's evolving advice on social distancing, UKAS has made the decision to postpone the September conference until

2021. Date to be confirmed. However, the scheduled PAC will still take place as a virtual discussion.

5.3 Risk Register

The Chair invited **LT** to speak to the paper which was tabled at the meeting. The key risks are Brexit (covered under item 6) and Covid 19. On the latter, the UKAS Executive were meeting daily to respond to the rapidly changing situation and Government advice. UKAS is also following guidance from IAF (as per IAF Publications ID3). The continuing availability of assessors and the need to minimise their exposure to risk of infection were paramount. **CR** asked if there was a UKAS contractual obligation to perform assessments. **LT** said that the UKAS/customer agreement includes a provision for extending periods between assessments and that the maximum time was 5 years, explaining that UKAS operates to a 4 year cycle and that there is no requirement for an annual full assessment. She added that if UKAS is unable to access sites it will need to obtain evidence of compliance in different ways using different tools and techniques e.g. remote use of webcams. **CR** thought this could be an opportunity to look at new and innovative ways of evidencing. **CS's** view was that UKAS should be able to witness laboratory activity in their routine environment so this is also potentially a good opportunity to see how they operate under 'non-assessment' conditions. **LT** cited the example of an accredited lab in St Helena which has never had an onsite assessment visit but has been assessed and judged to meet accreditation requirements by close virtual assessments; **EC** suggested that this could be a good case study.

Secretary's post meeting note:

PAC Members will be aware that as from 17 March all UKAS assessments will be conducted remotely until at least 31 May and the situation will be reviewed. The full statement is available at <https://www.ukas.com/news/coronavirus-outbreak/>

5.2 Risk Based Assessment (RBA)

PAC/05/20

JR joined the meeting by Skype and spoke to the paper. He explained that UKAS was currently looking at how to pilot the RBA approach with the asbestos and medical laboratories. **SK** said that the most important thing for end users is that UKAS direct customers can have confidence in the validity of their certificates. He likened this approach as comparable with the 'Earned Recognition' model operated by some regulators therefore it shouldn't cost cause too much consternation provided that high-risk customers are regularly assessed. **WT** said that ABCB would welcome this work and noted that as the project was starting in high-risk areas did UKAS have any indication when it will start to look at IAF MD17 *Witnessing Activities for the Accreditation of Management Systems Certification Bodies*? **JR** clarified that the MD 17 work was distinct from this project and that UKAS would be implementing it separately so taking it forward is not contingent on the outcomes from the proposed pilots.

LT said whilst UKAS does currently take a risk-based approach, it has not had a formal, standardised risk-based framework so this work will provide that. **CS** asked how this would impact on UKAS resources e.g. reduced frequency of assessments, greater flexibility, availability of assessors, different assessment regimes for different laboratories etc. **JR** was confident that any resource implications would be ironed out through the pilot programme. **SB** raised a concern that a similar risk-based assessment model introduced by the Care Quality Commission had been unsuccessful. In response **LT** reiterated that this is one of the reasons why UKAS is trialing this and also looking at other mechanisms e.g. other sources of data. **JR** added that UKAS will consider the history of the UKAS/customer relationship before moving from the old to new approach and that UKAS would not suddenly move to fewer assessments. **The Chair** added that where UKAS accreditation is working in tandem with regulators' requirements it will be important to work together to avoid duplication and ensure that messaging is appropriately dovetailed. **CL** asked that food control laboratory work be included in the early pilot work, adding that there was a regulatory requirement for the laboratories to be accredited but that they often let their accreditation lapse as they don't receive enough samples. However, it was agreed that this would

be a difficult area to pilot in as there are not many laboratories doing this work. In response to a question from **CR** on how the success of the pilot programme would be measured **JR** said that UKAS would be conducting an internal review – one of the measures would be whether or not any organisations judged as low-risk had ‘gone off the boil’. In summary, **the Chair** confirmed that PAC were very supportive of the direction of travel.

6. Brexit update

LT updated the PAC about ongoing work and any developments since the last PAC Meeting. Discussions with BEIS and DIT continue and remain a priority. UKAS is providing advice and detail into trade agreement discussions, most recently through a meeting last week with BEIS officials about EU and US Trade Agreements. The key message we are putting across, and which UKAS believes has landed, is the importance of mutual recognition of accredited conformity assessment.

UKAS no longer meets the membership criteria for European cooperation for Accreditation following the UK’s departure from the EU on 31 January 2020 but EA’s Articles of Association allow for a two year grace period of continued membership; this is expected to be formally activated at the next EA General Assembly.

In response to a question from **DT** on whether UKAS had sensed any pressure from EA to leave, **LT** answered that EA was working to enable us to retain our membership and was very appreciative of the contribution UKAS makes to the work of EA but that UKAS had to be agile in its thinking depending on the changing political situation. **WT** added that UKAS’s reputation in Europe was very high and **AE** commented that, as a member of the EA Advisory Board, his observations are that EA is very keen to retain UKAS. However, the issue of (partial) EC funding for EA may mean an increased financial contribution from UKAS which **LT** acknowledged. **DM** added that there were parallels with the BSI/ CEN-CENELEC position adding that EU work was part of a broader international framework.

7- Reports

7.1 Board Report

The Chair invited **MG** to give a read out from the last UKAS Board meeting on 25th February. **MG** then outlined the key issues discussed, highlighting that this was a particularly important meeting at which the Board signs off the new budget customer fee and staff average pay increases:

- Health and Safety Report -
- Balanced Score Card – this is under regular review to ensure suitably stretching objectives
- Financial Report
- Strategic initiatives and investment strategy- key areas of investment: CRM systems, certificates database, the technical conference, external affairs, new website, online training resources
- Stakeholder Review
- Brand refresh- UKAS is working with brand agency ‘Dusted’ to modernise but respect the position and use of the Crown and after stakeholder consultation, the agency has produced a number of options. The Board will make a final decision at the April meeting.

MG then provided a general update on UKAS’ achievements since the last PAC which include having the new commercial team in place, having delivered on the new operational structure, delivery of a successful all-staff conference in January which was themed around the 4th Industrial Revolution.

As there is not a PAC scheduled before September, UKAS will send a summary of the discussion at the next UKAS Board meeting in April.

[Action: SD].

7.2 Operations Activity Report

There were no comments on this report.

PAC/02/20

7.3 International Programme Activity Report- Q3 Oct- Dec 2019

PAC/03/20

There were no comments on this report.

7.3 Development Report -September- December 2019

PAC/04/20

There were no comments on this report.

8- AOB

WT reported that the recent ABCB 'surgery' hosted by UKAS had been very successful and that ABCB attendees found the presentations from UKAS colleagues very helpful.

SK alluded to the issue he had raised at the 24th PAC Meeting in July about apprenticeships and technical training i.e risk of Institute of Apprenticeships inadvertently creating a parallel quality infrastructure. He has recently been contacted by the IFATG and Government is changing the system by scrapping the EQA and moving it across to OFQUAL to oversee. **LT** said this was timely as UKAS is planning to engage with OFQUAL on an unrelated development opportunity.

9- Next meetings

SD asked if Members could confirm their availability for the proposed dates for next year's PAC meetings.

ACTIONS

Number	Date raised	Topic	Action	Owner	update
1	10/03/20	Revised PAC ToR with additional text on impartiality of PAC Members	UKAS to circulate with draft minutes.	SD	circulated with minutes.
2	10/03/20	Updating UKAS website with details of new Primary Authority relationship with Surrey County Council	UKAS to agree text with BEIS.	HT	
3	10/03/20	Invitation to FSB to take	UKAS to invite Ian O'Donnell	SD	Awaiting response

Number	Date raised	Topic	Action	Owner	update
		up place on PAC			
4	10/03/20	2020 PAF	UKAS to recirculate Meetingsphere summary	SD	circulated with minutes.
5	10/03/20	April 2020 UKAS Board meeting	UKAS to circulate summary of Board discussion	SD	MG to present at meeting on 3/6
6	10/03/20	2021 PAC meetings	PAC Members to confirm availability for proposed dates	All	Since done