

Standards and accreditation



Tools for delivering better regulation



Introduction

Standards and accreditation are market-based tools that can be used by Government policy makers to deliver better regulation. These tools are not as widely known and understood, or used, as they should be. This handbook therefore contains an overview for Ministers explaining why and how these tools could be used in their Departments. There is an e-learning course for officials on these tools on the *Civil Service Learning* website.



What are standards and accreditation?

- **Standards** are simply an agreed way of doing something; they capture current good practice through trusted processes involving all relevant stakeholders.
- **Accreditation** determines the technical competence and integrity of organisations offering conformity assessment services such as testing, certification, inspection and calibration. Accreditation can thus be used to verify conformity with a standard.

Benefits of using standards and accreditation

- Standards and accreditation offer a business friendly alternative to regulation, or can support regulation and enable its simplification. They are already being used to aid policy delivery across a wide range of Government activities.
- Using standards and accreditation can reduce costs for Government by moving delivery of policy to the private sector.
- Standards and accreditation can support risk-based regulation by providing information to help target Government intervention where it is most needed.
- Through their openness and independence, standards and accreditation have the necessary legitimacy and degree of market acceptance to be used as tools for policy delivery.

Standards and accreditation – tools for delivering better regulation

In the context of better regulation, standards and accreditation are playing key roles as effective, market-led delivery mechanisms for Government policies. Standards and accreditation are increasingly used across a wide range of Government policy areas to support better regulation including technical product safety, good governance, climate change, energy, fair markets and public confidence. However, greater use could be made of these important policy tools.

How can standards and accreditation help to deliver Government policy?

Regulation may be an appropriate solution when bringing about change, for example by creating a level playing field or protecting the consumer. It can, however:

- be expensive to enforce
- fail to deliver the intended result
- be intrusive to business and restrict innovation.

There will be cost in order to achieve any desired benefit. Policy professionals have to think carefully about which option will provide the best value for money and desired outcome, or whether Government intervention is required at all.

Standards and accreditation provide the policy maker with alternative tools to regulation. Standards that form the basis of industry self-regulation, combined with accredited conformity assessment to give the highest degree of confidence in compliance where required, can produce benefits for all parties, with a cheaper and more effective basis for the adoption of best practice.

Standards and accreditation can be used to support Government policy in a number of ways, including:

- **Self-regulation**
- **Earned recognition**
- **Co-regulation.**

Self-regulation

This is an approach undertaken by those businesses that voluntarily agree to meet certain standards. Self-regulation can be used where there is a need to reassure markets on the conduct of business but where there is no desire by Government for regulatory intervention. For example, an industry or profession might choose to develop and adopt its own code of practice promoting ethical conduct. Government can encourage the use of standards to deliver policy, or indeed may wish to sponsor the creation of a standard for a particular purpose, such as a Publicly Available Specification (see page 9 for details). Government might also work with an industry to develop a code of practice or a means of determining compliance that involves other parties in setting standards and authorising the activity. Examples include:

- customer charters
- codes of conduct
- approved or recognised codes
- voluntary agreements.

Standards developed in support of self-regulation can be supported by accredited conformity assessment if greater assurance of compliance is required, for example where there are serious health and safety implications.



Case study – Combating Legionella

- The Health and Safety Executive approved code of practice on the control of Legionella requires employers and landlords to carry out a risk assessment, undertaken by a 'competent person'
- BSI has developed a standard for Legionella risk assessment (BS 8580: 2010)
- Businesses use BS 8580 to ensure that they comply with the HSE code of practice
- UKAS accredits inspection organisations to assess against BS 8580
- Businesses and HSE can have confidence in the risk assessments carried out by accredited inspectors.

Earned recognition

Companies that demonstrate compliance with standards may earn recognition from regulators, who trust them to comply with their legal obligations. This enables regulators to reduce oversight and inspection visits.

‘Earned recognition’ can achieve the same or better outcomes as regulation, but on a voluntary basis. In this way, the cost of regulation is reduced for both the state and the regulated business.



Case study – Environmental management

- BSI developed the environmental management system standard ISO 14001 as a business management tool
- Accredited certification bodies certify those businesses that comply with the standard
- The Environment Agency recognises the value of accredited certification to ISO 14001 and gives credit under the Integrated Pollution Prevention and Control legislation resulting in:
 - reduced environmental levies for businesses
 - reduced inspection requirements.



Co-regulation

When a co-regulatory approach is used, Government sets the top level regulatory requirements and leaves the market to define how these general principles should be met in terms of technical solutions. In some cases, the use of standards is referenced in regulation. In others, the market itself may decide to develop standards for their own guidance on the technical state of the art and thus assist with compliance. The co-regulatory approach has been used both in UK and Europe, most notably with the European “New Approach” to technical harmonization where over 4,000 standards are used to support regulation. Also under the New Approach, accreditation is used to ensure the competence of those organisations that check compliance with the standards (‘Notified Bodies’).

In line with the World Trade Organization’s Technical Barriers to Trade Agreement (WTO TBT Agreement), compliance with regulation is mandatory and compliance with standards remains voluntary. There are some exceptional cases where regulations have made standards mandatory.



Case study – The Green Deal

- The Green Deal is the Government’s flagship programme to help consumers improve the energy efficiency of their properties
- A large pool of competent installers is required to deliver Green Deal measures nationwide
- The general requirements for Green Deal installers are set out in the Energy Act 2011
- The detailed requirements for Green Deal installers are set out in PAS 2030 developed by BSI with input from stakeholders
- Compliance with PAS 2030 is assessed by UKAS accredited certification bodies
- Government and consumers can have confidence in Green Deal certified installers without direct Government intervention.

Other areas in which standards and accreditation are used to deliver Government policy include:

- Biometrics and forensic science for the Home Office
- Food safety and quality for the Department for Environment, Food and Rural Affairs and the Food Standards Agency
- Carbon footprinting for the Department of Energy and Climate Change
- Building Regulations inspections for the Department for Communities and Local Government
- Pre-qualification questionnaires for the Department of Business, Innovation and Skills
- Competence of gas installers for the Health and Safety Executive
- Medical laboratories for the Department of Health.



More about standards

Standards are market-defined solutions that capture current good practice and encourage its use throughout the economy. They are developed on the basis of consensus of all interested parties, are subject to unrestricted open consultation and undergo systematic review to ensure their continuing validity.

Standards are voluntary in that there is no obligation to apply them or comply with them, except in those few cases where their application is directly demanded by regulatory instruments. They are tools devised for the convenience of those who wish to use them.

Standards help to:

- facilitate international trade, particularly by reducing technical barriers
- provide a framework for achieving economies of scale, efficiencies and interoperability
- enhance consumer protection and confidence
- support public policy objectives
- where appropriate offer effective alternatives to regulation.

Standards take a number of forms including specifications, codes of practice, guides, test methods, vocabularies and classifications. BSI publishes standards that are national (British Standards: BS), European (BS EN) or international (BS ISO/ BS IEC), as well as specifications called PAS, Publicly Available Specifications. PAS are fast-track documents, sponsored by a client and produced on the basis of consensus and public consultation.

Put simply: standards exist principally to highlight common expectations of a product, service or process.

It should be noted that British Standards aren't the only type of standards that are useful for policy makers – various bodies in the UK and internationally produce different types of standards.

More about accreditation

Accreditation determines the technical competence and integrity of organisations offering testing, inspection, calibration, verification and certification services (collectively known as conformity assessment).

Accredited conformity assessment can then be used to assess conformity with a standard.

Accreditation offers a single, transparent and repeatable approach which:

- builds business and consumer confidence
- is voluntarily embraced by business and other service providers
- enables innovation in the private and public sectors
- reduces the need for central and local government to employ its own specialist assessment personnel
- moderates the need for legislation.

Accreditation is an on-going business process to establish that:

- the evaluator is impartial
- the evaluator is technically competent
- the resources and facilities are appropriate
- the evaluator's performance meets the required standard
- the evaluator's standard of performance can be sustained.

BSI and UKAS

BSI

BSI is a non-profit distributing Royal Charter Company and the world's first National Standards Body, founded in 1901 as the Engineering Standards Committee. BSI is recognized by UK Government as the UK's National Standards Body; this status is formally codified in a Memorandum of Understanding (MoU). The MoU also recognizes BSI's status as the UK member of the international and European standards organizations (ISO/IEC and CEN/CENELEC respectively). BSI is also a signatory to the Code of Good Practice for the preparation, adoption and application of standards, Annex 3 to the WTO TBT Agreement.

UKAS

As the national accreditation body, UKAS is the only body recognised by Government to assess organisations carrying out conformity assessment activities against internationally-recognised standards. UKAS:

- is a non-profit-distributing company limited by guarantee
- has over 40 years' experience
- operates under a MoU with BIS
- represents the UK in three international accreditation forums, negotiating mutual recognition arrangements that help to reduce barriers to trade
- is regularly reviewed by its international peers.



Contacts for further information

If you think standards or accreditation could help you in your work on better regulation, further information is available from:

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