UKAS
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Questions from CABs

Q: Has any decision been made on whether existing AVCP System 3 test reports issued by an EU Notified Body in support of CE marking under the CPR can be used as the basis of an equivalent test report issued by a GB based Approved Body in support of UKCA marking? Will duplicate testing really be necessary?

A: The Department for Levelling Up, Housing, and Communities are assessing the situation around AVCP System 3 and will provide an update on the policy once they have agreed an approach. As it currently stands however, test reports under AVCP System 3 issued by an EU Notified Body cannot be used in support of the UKCA mark.

Q: Does this "extension of the standstill period" mean a delay of 1 year on 'all' phases?

A: The extension provides further time for businesses to get ready for the UKCA marking. Goods which require third-party conformity assessment will need to have UKCA certification complete before 31 December 2022.

Q: When will the Secretary of State for BEIS deliver the decision on legally mandated co-ordination activities for Approved Bodies?

A: BEIS is considering the issue of Conformity Assessment Body (CAB) coordination functions (value; approach; roles and responsibilities), including in the context of the Product Safety Review, and would welcome thoughts and views of industry. Where industry has set up its own CAB coordination functions and invites OPSS to meetings, we are attending and are providing guidance and input to issues raised. This includes attending Pressure Equipment, PPE and ATEX sectors groups in recent weeks.

Q: How will BEIS ensure that HSE, Trading Standards, and other such bodies have joined-up thinking in their Market Surveillance Activities?

A: BEIS has established the Market Surveillance Governance Group to ensure the coordination and consistency of approach of the UK's market surveillance activities – membership includes the Health and Safety Executive (HSE), Department for Transport (DfT) and other authorities operating within the UK.

Q: Will BEIS provide enhanced guidance for the definition of 'placement on the market', with examples and worked scenarios to support Economic Operators as the new 31 December date approaches?

A: BEIS will be publishing updated guidance on 'placing on the market' along with examples in the coming weeks.

Q: The EU has changed how 'harmonised' standards are published, including a section for 'Restrictions'. This was not defined - will BEIS consult industry before changes to the Designation process are made?

A: Guidance on the designation process is available on GOV.UK. If changes are made to the designation process the guidance will be updated accordingly. We encourage stakeholders to sign up for OPSS email alerts as this will ensure they receive a notification when we add or update a page. This can be done through the following link: https://www.gov.uk/email-signup?link=/government/organisations/office-for-product-safety-and-standards

Q: Relating to the Pressure Equipment Safety Regulations - will guidance be issued on the process to be adopted for transferring Type Approval and Quality certification, NDT Personnel certification and permanent joining qualifications from EU Notified Bodies to UK Approved Bodies at the end of the Standstill period?

A: OPSS is meeting with representatives of conformity assessment bodies and industry in the coming weeks to understand how best we can support activity in this area and whether guidance is required.

Q: Are there any plans to introduce a fast-track process, or alternative less rigorous procedure, for UKCA approval of products which have already been CE certified?

A: While it is the responsibility of individual UK CABs to assure themselves that products for which they are issuing certificates are compliant with the relevant requirements, it is not necessarily required to retest or fully re-assess a product or process before a UK body issues a new certificate. As UK and EU essential requirements are currently the same, during the current period of transition to the new UK regime we encourage UK CABs to consider alternatives including reviewing existing documentation and/or performing targeted activities to verify conformity assessment results carried out previously by an EU CAB where a review of available documentation is not sufficient to provide confidence in the product's conformity.

Q: Can you confirm that Approved Bodies would be expected to carry out their normal file review and examination procedures, and not just provide a certificate or a letter of approval based solely on a CE certificate?

A: While it is the responsibility of individual UK CABs to assure themselves that products for which they are issuing certificates are compliant with the relevant requirements, it is not necessarily required to retest or fully re-assess a product or process before a UK body issues a new certificate. As UK and EU essential requirements are currently the same, during the current period of transition to the new UK regime we encourage UK CABs to consider alternatives including reviewing existing documentation and/or performing targeted activities to verify conformity assessment results carried out previously by an EU CAB where a review of available documentation is not sufficient to provide confidence in the product's conformity.

Q: Can you confirm applications for Approved Body status from European Certification Bodies are given the same level of scrutiny and obligations as UK Certification Bodies were subjected to by the European Commission?

A: Accreditation is a process designed to ensure maximum consistency in the conclusions on conformity and capability of an organisation. UKAS will use information from other Accreditation Bodies (ABs) in coming to its conclusion on the suitability of a conformity

assessment body (CAB) where that CAB holds a relevant accreditation in another economy.
There are many mechanisms to ensure that all ABs conduct assessments robustly and that the conclusions drawn are consistent, regardless of which accreditation body has performed the evaluation.

Q: Regarding the structure of Approved Body co-ordination groups, are there any plans for a Government supported Approved Body group in the PPE sector?

A: BEIS are considering the issue of CAB coordination functions (value; approach; roles and responsibilities), including in the context of the Product Safety Review, and would welcome thoughts and views of industry. Where industry has set up its own CAB coordination functions, and invites OPSS to meetings, we are attending and are providing guidance and input to issues raised. This includes attending Pressure Equipment, PPE and ATEX sectors groups in recent weeks.

Q&A Questions

Q: We specialise in the periodic inspection of pressure cylinders for the fire industry (accredited to ISO 17020). Does the extension of the standstill also cover us for the periodic inspection of pi marked cylinders for use in EU?

A: The standstill extension does not cover the placing of goods on the EU market. Since 1 January 2021, all goods need to meet relevant EU requirements when being placed on the EU market. The EU does not recognise UK Approved Bodies for the purposes of EU conformity assessment.

Q: As UKAS is a full member of IAF and ILAC, same as SCC. Will this allow for acceptance of SCC accreditations by UKAS under the TCA? If a separate MOU is needed, when will this be completed?

A: As previously stated, UKAS is appointed by UK government to provide accreditation in support of UKCA. An organisation wishing to appear on the UK Market Conformity Assessment Bodies (UKMCAB) database will need to be accredited by UKAS. We will liaise with accreditation bodies in other economies with whom we have multilateral agreements or mutual recognition agreements (MLAs and/or MRAs), with the customer's agreement, in order to share information and to reduce the burden of assessment. To confirm, SCC is an AB with whom UKAS would be able to operate in this manner.

Q: Can a UK CAB use a Test report issued by an accredited EU Laboratory (for UKCA)?

A: While it is the responsibility of individual UK CABs to assure themselves that products for which they are issuing certificates are compliant with the relevant requirements, it is not necessarily required to retest or fully re-assess a product or process before a UK body issues a new certificate. As UK and EU essential requirements are currently the same, during the current period of transition to the new UK regime we encourage UK CABs to consider alternatives including reviewing existing documentation and/or performing targeted activities to verify conformity assessment results carried out

previously by an EU CAB where a review of available documentation is not sufficient to provide confidence in the product's conformity.

Q: Is the OPSS email alerts generic to all industries, or may it be targeted to those of interest?

A: Stakeholders signed up to the OPSS email alerts have the option to determine how often they would like to receive an update. Stakeholders can decide whether to receive a notification once a day, once a week or each time we add or update a page. The updates are not targeted to any particular industry.

Q: Can UKAS support us in gaining EU accreditation as an Inspection body to continue our EU service exchange activities?

A: UKAS has been working with many of its customers to support them in setting up offices in other EU countries so that they can continue to provide NANDO activities, where a physical and fully operational presence in an EU country is required as a pre-requisite for NANDO registration. Customers should contact their UKAS assessment manager if they need help and support in continuing to provide activities as (or on behalf of) EU notified bodies.

Q: It has been stated that BEIS 'will support approved bodies to increase capacity', how precisely will this be done - capital investment? Skilled worker resourcing?

A: BEIS is currently undertaking a programme of engagement with the CAB sector to explore how best we can support industry. We are considering the development of further guidance and will continue to work with UKAS to ensure the process for accrediting new CABs or those expanding takes place as smoothly as possible.