

Technical Bulletin: Forensic Science Regulator Code of Practice - the transition from the non-statutory Codes to the statutory Code

16 December 2022

Accredited organisations conducting forensic science activities have been able to include compliance with the non-statutory Forensic Science Regulator Codes of Practice (the Codes) as part of their scope of UKAS accreditation since 2014.

The commencement of the Forensic Science Regulator Act (2021) moves the Forensic Science Regulator (FSR) to a statutory role and requires the FSR to prepare and publish a statutory code of practice (the Code) relating to forensic science activities in England and Wales.

The statutory Code has recently gone through a period of consultation and is now being prepared for the next stages in its move toward publication. It is currently anticipated that if all steps in the production of the Code are successful this will result in the final Code being published around March 2023.

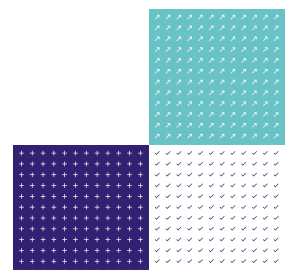
Once the Code has been published organisations with the non-statutory Codes on their UKAS Schedule of Accreditation will be able to apply to UKAS for an extension to scope to transition from the non-statutory Codes to the statutory Code.

It has been agreed with the FSR that UKAS will assess all relevant organisations, i.e. those with the non-statutory Codes on their scope, within a six-month period from the date of publication of the Code. This is to allow those organisations to demonstrate compliance with the Code for their scope of accreditation as detailed on their UKAS Schedule of Accreditation.

In order for UKAS to facilitate this transition, within the agreed six-month period, UKAS will develop a specific Gap Analysis for organisations to complete indicating the action that they have taken to ensure compliance with the Code and to supply copies of related documentation indicating how this compliance is demonstrated.

It is anticipated that the UKAS assessment of the Gap Analysis will be able to be conducted as a desktop assessment (this will be confirmed when the final Code has been published). UKAS have identified a dedicated team of assessment staff to complete these desktop assessments.

The assessment of compliance with the Code conducted during the desktop assessment will only review the aspects associated with demonstrating compliance with the additional requirements of the statutory Code as compared to the non-statutory Codes and will not review any extension to the organisations technical scope. If an organisation wishes to extend their technical scope, for example, to add further forensic science activities to their UKAS Schedule of Accreditation, this will need to be taken forward through the normal extension to scope process. If this is within the six-month transition period, then UKAS will give priority to organisations transiting from the Codes to Code, however if capacity allows then extensions to scope will be considered.



The effort required for the desktop assessment of the Gap Analysis will be determined on a case-by-case basis dependent on the extent of the changes in the final statutory Code and the size and scope of the applicant organisation.

Organisations that have yet to have any assessment for the non-statutory Codes are able to apply for an extension to scope to include the statutory Code, however, the assessment of this will review compliance with all aspects of the Code (as opposed to only the additional requirements introduced between the Codes and the Code) and will therefore not be restricted to the review of a Gap Analysis but will also include on site assessment. However, this will not be guaranteed to be completed within the six-month period from publication of the Code.

In summary, organisations that currently have the non-statutory FSR Codes on their UKAS Schedule of Accreditation will be able to apply to transition to the statutory Code once the document is published; and a formalised Gap Analysis will be provided by UKAS in due course to facilitate the assessment of the key changes required to demonstrate compliance.

A further Technical Bulletin with more details regarding the timetable for the provision of the Gap Analysis and when applications will be able to be submitted (and the deadline for inclusion in the six-month period) will be published when the finalised timetable of publication of the Code is available.

If you have any queries in relation to the above, please contact your Assessment Manager or Katherine Monnery (Accreditation Specialist Forensics) - katherine.monnery@ukas.com