

Policy for accredited organisations undertaking work in an area which is regulated by legislation

PS12

1) Purpose

This statement sets out the Irish National Accreditation Board policy that accredited organisations are required to comply with when undertaking work in an area that is related to their scope of accreditation where legislation has established specific requirements on how the work is to be carried out.

2) Background

Accredited Conformity Assessment Bodies (CABs) regularly undertake work in areas which are regulated by legislation. The INAB classification system for the scope of accreditation of an accredited CAB does not classify activities which are regulated by legislation separately from activities which are not regulated by legislation. CABs may be accredited to undertake a conformity assessment activity which, depending on the particular purpose for which the conformity assessment is undertaken, may sometimes be required to be undertaken in an area regulated by legislation.

3) Policy

It is the policy of the Irish National Accreditation Board (INAB) that all CABs shall adhere to the principles set out in this document.

4) Statement

- 4.1) Where a CAB that is accredited to undertake a conformity assessment activity decides to undertake such conformity activities in an area where legislation has established specific requirements on how the work is to be carried out it is the responsibility of the CAB to inform the customer the extent to which the specific requirements are covered by the CABs scope of accreditation. The CAB must understand the purpose for which the customer requires the work to be carried out and to proactively discuss with the customer any legislative or other requirements that may have an impact on how the service has to be carried out. The CAB should make

transparent to the customer the extent to which the CAB can meet the needs of the customer with respect to such matters.

- 4.2) At assessment visits INAB will pay close attention to the requests, tenders and contracts process within the CAB. Adequate records should be available to provide objective evidence that the customer was apprised of the legislative impact that applied to their request and the extent to which the CAB was capable of providing the requisite service under its scope of accreditation.
- 4.3) If an accredited CAB wishes to extend its scope of accreditation to enable it to claim accreditation for the specific requirements established by legislation then the CAB should apply, via the normal extension to scope route, giving due notice to INAB in the usual way.
- 4.4) Where the accredited CAB requires clarification of issues regulated by the legislation, it is the responsibility of the CAB to engage with the regulator to clarify such issues.
- 4.5) Where guidance documents exist for the implementation of legislation it is expected that these documents would be used by the CAB. In the case where such guidance documents are not mandatory under the legislation and the CAB chooses to use an alternative method of demonstrating compliance with the legislation, the CAB will have to explain their rationale for not using the guidance documents and demonstrate that their alternative method achieves an output that is at least equivalent to the output that would be achieved by using the procedures set out in the guidance documents.
- 4.6) Where legislation prescribes the format for reporting the findings or outcomes of the conformity assessment it is expected that the CABs requests, tenders and contracts process should clarify these requirements with the customer.

5) Contact

For further information about this statement please contact an INAB officer at **The Irish National Accreditation Board**.

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