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national recognised
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ACCREDITATION BODIES – NATIONAL RECOGNISED BODIES OR MARKET PLAYERS?

1. Background and aim of this position paper

An ILAC policy on cross-frontier accreditation [1] and the experiences of some EUROLAB members concerning the inability of national accreditation bodies to provide accreditation in a timely manner form the background of this position paper. Additional reasons for EUROLAB to discuss this subject now are the new membership criteria of EA [2], where the “No competition” issue is still pending. Furthermore the role and use of accreditation is addressed e.g. in the reflection paper “Strengthening the European accreditation system” [3] or reflected in the consultation document on the review of the New Approach [4]. Some years ago EUROLAB published a position paper on the expectations of conformity assessment operators on accreditation [5]. This position had influenced the respective document of the EA Advisory Board (EAAB) [6].

The aim of this paper is to influence the ongoing discussion and to express EUROLAB's views on how accreditation bodies both in the regulated and non-regulated area can serve the needs of society, conformity assessment operators and their clients in an optimal way.

2. Competition between accreditation bodies – pros and cons

The existence of only one national accreditation body providing all accreditations in one economy creates a monopoly situation which may cause some of the well known drawbacks, e.g.

- lack of customer orientation,
- no need for cost efficiency,
- no reason to act promptly,
- no motivation for improvement,
- lack of flexibility and responsiveness to market needs.

Some of these disadvantages of only one accreditation body per economy are actually already being experienced by accredited bodies. One means to overcome this situation is the possibility for conformity assessment bodies to make a choice between several accreditation bodies providing similar services. The resulting competition between the accreditation bodies would force them to be responsive to the needs of their clients.

On the other hand, if there is more than one accreditation body per economy, the resulting competition between accreditation bodies might not mean only benefits for the conformity assessment bodies. In a competitive market generally products or services are offered at various quality levels. But this is not acceptable in the case of accreditation. Some applicant bodies might not only select with regard to costs, the duration of the accreditation process and the services provided, but also with regard to the requirements of the accreditation body and the efforts necessary to achieve accreditation. Thus competition between accreditation bodies could also affect the quality of accreditation and over the long term could eventually undermine the whole system which aims at providing confidence in the competence of the accredited bodies. It is essential to reach this goal. Otherwise, if this confidence is lost even a cheap and easy accreditation means wasting efforts and money. Accreditation is based on the principle that accreditation forms the last level of control of conformity assessment activities. An accreditation of the accreditors as a remedy for an undermined system would just start an endless process.

Generally competition in any field has the consequence that the competitors in this field have the need to extend their market segment by creating new products. In the field of accreditation this could mean the artificial creation of new rules against which market operators could be accredited. But such a self-generation of an accreditation market by the accreditors could not be accepted as it would only cause unnecessary efforts and costs. New accreditation activities should only be started if they are demanded by legal authorities or industry.

Besides managerial and technical improvements with regard to measurement, testing and analytical processes, an added value of accreditation is given when accreditation improves the market chances of the laboratories. For most of them the regulated area is an important market segment. Unfortunately, in many European countries accreditation is not sufficiently accepted as a technical basis for approval and notification, in particular concerning the non harmonised nationally regulated area. Therefore the accreditation bodies and the laboratory community still have to convince the pertinent public authorities that they should use accreditation instead of their own assessment procedures. A national accreditation body with a good reputation has a better chance to be accepted as a technical arm of public authorities in its own country. A legal basis of accreditation, e.g. a European directive, might be helpful. Relying on the effectiveness of the EA MLA to ensure equivalence of the accreditation procedures of the signatories in the various countries is only a second step which might follow later.

Nevertheless cross-frontier accreditation should be possible because it will be advantageous for applicant bodies, e.g. if they are international organisations or if the national accreditation body is not able to provide all services needed in a timely manner because of a lack of technical competence or personnel resources. In practice this means will be used only exceptionally because of language barriers and travel costs and because the national accreditation body has a much better knowledge of the national circumstances. Thus in most European countries the national accreditation bodies will still have a quasi monopoly situation.

3. Mechanisms to balance a quasi monopoly situation

If conformity assessment operators should accept a quasi monopoly situation in accreditation some preconditions must be met and some efficient control mechanisms be in place.

3.1 Status of the accreditation bodies

A monopoly situation where internal market and competition rules do not apply is only possible for non economic activities. Therefore accreditation bodies must be operated as non profit organisations. Nevertheless it is recognised that they need to cover the costs for their accreditation activities by accreditation fees. But they should not strive to extend their operations by placing requirements on accredited bodies which put pressure on other organisations to apply for accreditation, too.

Because accreditation bodies should be independent and impartial they should not provide any other conformity assessment services. They should also abstain from any activity which might compromise their integrity and reputation. The credibility of accreditation is a prerequisite for any added value it may provide.

3.2 Service for the society

Accreditation should provide a service for the society by contributing to a quality driven conformity assessment market which is needed for the competitiveness of the European economy, for the health and safety of people and for the protection of the environment. For this purpose accreditation bodies should inform the public about their activities and objectives and should closely co-operate with national and European regulatory bodies to adapt their services to the actual needs of legislation.

For the customers of conformity assessment bodies, the industry, the convergence of accreditation for the regulated and the non-regulated areas is essential. Accreditation bodies should provide their services in both areas in a seamless way.

3.3 Accountability

The accreditation system must be accountable to all parties that depend and contribute to it. Thus each accreditation body shall establish for discussion, consultation and information some kind of advisory board with representatives of the stakeholders, i.e. accredited bodies, industry, consumers and regulatory authorities. The board should handle the accreditation policy, objectives and priorities of accreditation and should assess the effectiveness and efficiency of the accreditation body. It should give all parties the opportunity to give advice on general accreditation procedures, to raise questions, to address problems and to submit suggestions.

The operations of the accreditation body and its decisions should be transparent to all parties involved.

3.4 Improvement of the services

Accreditation bodies should strive for continuous improvement of their services. The ultimate goal should be the most efficient assessment of the applicant bodies. As a first step the accreditation with a flexible scope [7] should be implemented if this has not yet been done. Over the medium term accreditation

bodies should develop modular assessment procedures which can be adapted to the various activities of a conformity assessment body without duplicating the assessment of common elements.

3.5 Feedback from the clients

Accreditation bodies shall actively seek feedback from their clients which should be encouraged to give their views frankly without being afraid of any sanctions. They should establish efficient complaints procedures which ensure a timely reaction on every complaint. Accredited bodies should be informed on these procedures.

In addition accreditation bodies should regularly monitor the performance of their assessors and staff.

3.6 Promotion

Accreditation bodies should actively promote accreditation and accredited conformity assessment. In this context it is essential that they themselves demonstrate confidence in the results of the conformity assessment system. It sets really a bad example if assessors do not rely on the results achieved by other assessors or by accredited conformity assessment bodies.

3.7 Peer evaluation and co-operation between accreditors

Accreditation bodies shall participate in peer evaluations and shall strive to join mutual recognition arrangements (MRA). Peer evaluations are important means

- to ensure compliance of the accreditation bodies with the relevant international standards,
- to harmonise accreditation requirements and thus provide a level playing field for conformity assessment operators,
- to enable broad recognition of accreditation certificates.

For this purpose transparency is needed to establish confidence of all interested parties that these evaluations are performed in a professional and impartial way.

Harmonisation of the accreditation procedures will not exclude some national differences. This is acceptable because the relevant international standards provide flexibility concerning their implementation.

Peer evaluations should ensure that the “no more, no less” principle is followed by the accreditation bodies. Thus evaluations should not only be focused on the assessment of compliance with all requirements. The evaluators should also point out if accreditation bodies exaggerate their requirements. In addition the evaluations should be used for benchmarking among the various accreditation bodies in Europe.

On the level of the MRA signatories an appeal mechanism should be established which is open to each party affected by an accreditation provided by a signatory.

The MRA signatories should closely co-operate and should mutually use their assessors. By this means all signatories should be enabled to perform all assessments necessary in their economy in a timely manner.

4. Conclusions

EUROLAB is not advocating an unrestricted competition between accreditation bodies because over the long term this could eventually undermine the credibility of the whole system. To avoid such a development a legal basis for accreditation on national or preferably on the European level might be necessary. But the possibility of cross-frontier accreditation should exist although in practice it will still remain an exception leaving the national accreditation bodies with a quasi monopoly situation.

Such a quasi monopoly situation for accreditation bodies might be accepted if accreditation is performed as a non profit activity. Accreditation can be seen as a service of general interest which is provided implicitly on behalf of the state because it finally aims at protecting health, safety and environment and at fostering the competitiveness of the economy.

To balance the drawbacks of a monopoly some control mechanisms must be in place which are related to

- the status of the accreditation bodies,
- the co-operation with regulatory authorities and other accreditors,
- the accountability of accreditation and
- an effective feedback procedure.

It is acknowledged that several accreditation bodies have recognised the need for such mechanisms and have taken appropriate steps.

Generally, focus for accreditation bodies shall be on flexibility, efficiency and cost-effectiveness. Moreover accreditation sectors should be well-defined and not unnecessarily expanded in order to avoid over-regulations and extended costs [8].

Accreditation bodies must themselves demonstrate confidence in the accreditation system by taking adequately into account the results of previous assessments of other accreditation bodies or accredited conformity assessment operators. Thus an unnecessary duplication of assessments can be avoided.

5. References

- [1] ILAC G21, Cross Frontier Accreditation – Principles for Avoiding Duplication, 2002, www.ilac.org
- [2] European co-operation of accreditation (EA) Annex to EA-1/04 Criteria for Membership, February 2003, www.european-accreditation.org
- [3] European Commission services, reflection paper “Strengthening the European accreditation system”
- [4] European Commission, Consultation document prepared by the Directorate General Enterprise on the review of the New Approach, December 2001
- [5] EUROLAB Position Paper 2/2000, What conformity assessment operators expect from accreditation, 2000, www.eurolab.org
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- [7] EA-2-05, The scope of accreditation and consideration of methods and criteria for the assessment of the scope in testing, 2001, www.european-accreditation.org
- [8] H. Czichos, Accreditation: Views and experiences from the laboratory community, ILAC/IAF Conference, September 2002, Berlin, www.ilac-iaf-2002.de or www.eurolab.org