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CAB/739/INF

2008-04-08

INTERNATIONAL ELECTROTECHNICAL COMMISSION

CONFORMITY ASSESSMENT BOARD (CAB)

Meeting 23, Geneva, 2008-06-02

SUBJECT

Agenda Item 10.3.2

IEC / IAF Memorandum of Understanding

BACKGROUND

At the meeting in May 2007 the CAB approved, with some minor amendments, the text of a proposed MoU with IAF, which had been developed by the CAB/IAF Technical Panel. The amended text was forwarded to the IAF Secretariat and subsequently considered and approved by the IAF Executive Committee.

At the Paris meeting the CAB discussed a suggestion from ILAC that in place of a bilateral IEC/IAF MoU it would be preferable to enter into a tripartite IEC/ILAC/IAF MoU. While there was some diversity of opinion between CAB members, the consensus reached was that it would be preferable to continue with a bilateral IEC/IAF MoU at this time and give consideration to a tripartite MoU after some experience is gained.

IAF was advised of the CAB's preference for a bilateral MoU and arrangements were in progress for signing of the MoU in April. Subsequently the IAF Executive Committee reconsidered the proposed text of the MoU and suggested further amendments. These were circulated to the CAB by email and, while only a few comments were received, those from the Scheme secretaries raised significant concerns. As a consequence the amended text is submitted for discussion at the June CAB meeting.

Attached are the MoU as revised by the IAF Executive Committee (Annex 1) and a collation of the comments of CAB members (Annex 2).

ACTION

The CAB is invited to discuss the text of the proposed IEC/IAF Memorandum of Understanding.

Annex 1

MEMORANDUM OF UNDERSTANDING

between

(Members of) the International Accreditation Forum (IAF)

and

The International Electrotechnical Commission (IEC) and the IEC Conformity Assessment Schemes

1 Background

Members of the International Accreditation Forum and the IEC Conformity Assessment Schemes have been cooperating on a number of technical and administrative issues to maximize the efficiencies of the parties when dealing with common certification body clients. This cooperation has included: plans for conduct of a pilot programme of joint IAF/IECEE certification body assessments; recognition of IAF certification body accreditation by IECEx and IECQ; the establishment of a Joint IAF / IEC Technical Panel to explore possibilities for recognition of the respective organization's assessments and related activities. Such recognition should facilitate the future conduct of relevant certification body assessments, reduce duplication of activities and maximize the harmony in technical evaluations conducted by both IAF and IEC.

As a result of confidence established between the IEC/CAB, the IEC Schemes and Members of IAF, the Parties have agreed to formalise their future cooperation and the recognitions that each Party may acknowledge of the other Parties' relevant activities. Those Members of IAF and Representatives of the IEC Schemes which accept the provisions of this MOU are shown as signatories in the Annex to this MOU.

2 Understanding

It is agreed between the IAF Members and the IEC-Conformity Assessment Schemes signing this MOU that the Parties will cooperate by:

- (a) Maintaining a Joint IAF-IEC CAB Technical Panel to facilitate coordinated interpretation and application of ISO/IEC Guide 65 (future ISO/IEC 17065) for the purpose of assessment of product certification bodies operating on the IEC schemes, including development and sharing of common understanding of the technical issues and duly harmonizing the respective assessment procedures sectorial "~~Electrotechnical~~" approaches in interpretation and application of ISO/IEC Guide 65 (future ISO/IEC 17065) and relevant technical standards, and to harmonise assessment procedures to the maximum extent possible for common certification body clients.

The Technical Panel will also address issues related to QMS auditing and certification of the organizations delivering products and services covered by the IEC schemes to ensure that accredited QMS certifications fulfil the applicable IEC schemes requirements.

Common interpretation and guidance will be published and made available to all members of IAF and the IEC schemes.

In maintaining this Panel, both Parties recognize that specific certification issues may be referred to either (or both) of the IAF Technical Committee and the relevant IEC-CAB scheme Committee Schemes committees (e.g. AAG for IECEE etc).

~~The Technical Panel will also consider issues of common application of ISO/IEC Guide 65 for the relevant certification bodies. Such interpretations will be published and made available to all Members of IAF and the IEC Schemes.~~

- (b) Establishing a joint Policy Panel should the need arise.
- (c) Wherever possible and reasonable, and with the agreement of the ~~concerned affected~~ certification bodies, conducting joint assessments of common certification body clients.;
- (d) Developing a basis for recognition of the roles of each Party's technical and lead assessors in the conduct of joint assessments, where applicable, **including the organization of joint training and workshops for the best accomplishment of such roles;** and
- ~~(e)(e) Sharing interpretations of common technical issues of relevance to common, client certification bodies; and~~
- (f) Where practicable, conducting joint work on development of harmonised procedures and policies ~~relevant to the affected certification bodies.~~

3 Recognition

It is ~~the goal of agreed between~~ IAF and the IEC that the signatories to this MOU may, on a case by case basis, **consider using** the results of each other's assessments, joint or otherwise, in the conduct of their assessment or peer review activities. **This can be accomplished through the implementation of this MOU and further confidence building.** Use of assessment results is aimed at efficient use of resources and avoidance of duplication. ~~—~~The scope of cooperation may vary depending on the policies of individual IAF Member bodies and of the IEC Schemes, but may include inputs to surveillance of certification bodies, inputs to acceptance decisions and recognition of assessors provided by each Party.

4 Duration

Initially, this MOU is established for a period of five (5) years from the *(date of signing)*. The effectiveness of the MOU and its content will be reviewed throughout the period of its implementation. The focal point for such review will be the Joint IAF/IEC Technical Panel.

The MOU may be renewed with the agreement of both Parties.

5 Termination

The MOU may be terminated by either Party, subject to six (6) months' written notice.

6 Commencement

This Memorandum of Understanding is effective from *(date of signing)*.

Additional Signatories accepting this MoU are shown in the Annex to this MoU.

IEC-Schemes	Date of Signing
IECEE	
IECEX	
IECQ	

Annex 2

Comments on Proposed IEC/IAF MoU

Chris Agius Comments

I do feel that we need to be careful with such an MOU as my understanding of the role of an MOU is to establish an understanding that provides the parties with a framework to enable them to do something, not to specify what that something shall be.

In this light I am concerned with the new text introduced:

"The Technical Panel will also address issues related to QMS auditing and certification of the organizations delivering products and services covered by the IEC schemes to ensure that accredited QMS certifications fulfil the applicable IEC schemes requirements"

The words "will" and "ensure" tend to give the TP a set task as opposed to a direction.

In acknowledging that QMS can be useful for IECEE FCS it is the IECEx and IECQ Programs that make the most use of this as ALL certificates issued under both Schemes require the assessment and surveillance of manufacturer's or service provider's Management Systems. The management system requirements of both IECEx and IECQ are based on the generic requirements of ISO 9001 BUT with special technical requirements added to those of ISO 9001 to cater to the specific needs of the respective industries, e.g. Petroleum for IECEx and Avionics for IECQ, as examples. Both IECEx and IECQ are on record as raising issues concerning the consistency and problems with resulting credibility of the basic ISO 9001 QMS Certification and have issued a discussion paper to the CAB/IAF TP raising these concerns.

Having said this, we are very pleased that, in previous discussions at the CAB/IAF TP meetings, IAF Delegates have acknowledged that some problems do exist with consistency in accredited ISO 9001 QMS certifications with IAF attempting to address this.

Separate to this, I cannot see how accredited QMS certifications can address the applicable requirements of the IEC Schemes (as suggested in the new text), when the Management system requirements of the Schemes go beyond the base line requirements of ISO 9001 QMS certification, in areas such as:

- Technical requirements and qualification of IEC Scheme Auditors (For IEC schemes this is technology specific, whereas for IAF this is very broad and industry specific)
- That IEC Schemes do not allow for sampling of sites, all sites where products or services are produced/provided must be audited (for IAF accredited QMS certification, site sampling is common every day practise to reduce costs)
- The technical relationship between test results and Management system requirements (records, control over suppliers, final inspection/testing, product release, recall procedures and so on have specific technical requirements above those of the base ISO 9001 requirements)

The other concern with this text is that this suggests that valuable Scheme resources may be diverted away from core services to the Schemes.

So, I would suggest that this text be either removed or amended to read:

The Technical Panel **may** also address issues related to QMS auditing and certification of the organizations delivering products and services covered by the IEC schemes **in support** of IEC schemes requirements

I would further suggest that in light of experience gained in implementing the IEC/ILAC MOU, regarding laboratory accreditation and given recent events concerning ISO/IEC 17025 assessments, we should add a further item f) to the MOU, as follows :

f) Both IAF and IEC Conformity Assessment Schemes acknowledge the provisions and requirements of each others programs while pursuing the principles of this MOU

While the above changes may require another round of discussions among CAB, the improvements gained by these clarifications would make any subsequent delay in signing the MOU worthwhile.

Pierre de Ruvo Comments (1)

In my view the substantial change of the MoU is essentially related to the following wording (in red colour), please find herein below my comments:

1. The Technical Panel will also address issues related to QMS auditing and certification of the organizations delivering products and services covered by the IEC schemes to ensure that accredited QMS certifications fulfil the applicable IEC schemes' requirements.

My Comment: Clearly the MoU should have simply addressed that the assessment of Certification Bodies in the field of the electrotechnical Sector may be either Product Certification ISO System 1 or ISO System 5 (or both) in which for some schemes e.g. IECEE CB-FCS or IECEx the certification body must prove that they currently have the relevant resources and competence to also assess the QMS of the Manufacturers. However QMS is a general acronym which may very much vary depending on the reference standard that the scheme has agreed to apply e.g.: ISO 9000, ISO/ISO 17020, ISO/IEC Guide 65, Tailored Product Verification File, etc.

Which QMS will the Technical Panel address? ISO 9000? All? If ISO 9000 is the standard that is intended I suspect that the Technical Panel should reconsider the composition and the approach also knowing that TC 176 is the forum where this discussion takes currently place and further by the IAF TC.

2. Common interpretation and guidance will be published and made available to all members of IAF and the IEC schemes.

My comment: This sentence should ideally include at the end of the sentence "for implementation while carrying out assessments of Certification Bodies". Resolution by the IEC Schemes is of mandatory implementation by all members.it is highly desirable that the resolution as agreed by the TP is also for mandatory implementation by the IAF Signatories.

Pierre de Ruvo Comments (2)

In re-reading and scrutinizing the suggested amended again, I have the following additional comments:

2. UNDERSTANDING

~~"sectorial "Electrotechnical" approaches in interpretation and application of ISO/IEC Guide 65 (future ISO/IEC 17065) and relevant technical standards, and to harmonise assessment procedures to the maximum extent possible for common certification body clients."~~

My Comment: The deletion of the above strikethrough wording is seen as a dilution of the initial goal. I think that the above sentence is important to be reinstated as it gives some reasonable ambitious goals to the collaboration and most of all it will enhance that the agreement is pretty much related to the electrotechnical sector and the common Certification Bodies that are accredited by the ABs and accepted to operate within the IEC Schemes.

3. RECOGNITION

It is the goal of IAF and the IEC that the signatories to this MOU may, on a case by case basis, consider using the results of each other's assessments, joint or otherwise, in the conduct of their assessment or peer review activities. This can be accomplished through the implementation of this MOU and further confidence building. Use of assessment results is aimed at efficient use of resources and avoidance of duplication. The scope of cooperation may vary depending on the policies of individual IAF Member bodies and of the IEC Schemes, but may include inputs to surveillance of certification bodies, inputs to acceptance decisions and recognition of assessors provided by each Party.

My Comment: The addition of the word "consider" leaves the door open to not use each other's assessment results as a clear resolution and goodwill and is again seen as a dilution of the initial goals.

I think that it is suitable for a delegation of the parties (IEC-CAB and IAF) to meet or eventually have a conference call to discuss the various issue and end up with a MoU that can be finalized and agreed by the parties in due time for approval and signature.

Joan Sterling Comment

I agree with both Pierre's and Chris' comments on this document and think they should be discussed.

Mei LU Comment

I think the feedback by Pierre and Chris may be considered and discussed if necessary.